

COMPLETE LIST OF J.D. COURSES

Search Jd Cluster Complete List Courses (https://curriculum.law.georgetown.edu/course-search/?cluster=cluster_0)

LAW 1802 v00 A Due Process Hearing Simulation: Protecting The Rights of a Student With a Disability (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1802 v00>)

J.D. Seminar | 2 credit hours

This interactive skills-based course will put students in the roles of counsel and witness in a simulated due process hearing under the Individuals with Disabilities Education Act ("IDEA"). Due process hearings are similar to bench trials, with opening statements, direct and cross-examination of witnesses and closing arguments, however, they are conducted in front of a hearing officer. The due process hearing in this course involves claims that a public school district has violated the IDEA by: (i) failing to appropriately evaluate and identify a third grade student with a disability; and (ii) failing to provide a "free and appropriate public education" to the student.

Through reading assignments and classroom discussion, the students will become familiar with key provisions of the IDEA, and ethical considerations arising in IDEA proceedings. They will also become familiar with the materials in the Due Process Hearing Packet provided by the instructor and containing everything the students need to create their hearing strategy and conduct the hearing. The students will be assigned to teams and **tasked with** collaboratively creating a hearing strategy to present their client's case, and then individually preparing and presenting certain pieces of the case (e.g., opening statement, closing argument, direct and cross-examination of witnesses). The students **will not** prepare pleadings or any of the written submissions normally involved in due process proceedings.

The hearing will be conducted in phases, to allow for constructive peer and instructor feedback and self-reflection (through discussion and journal entries) after each phase, as follows: Phase 1 Opening statements; Phase 2 Complainant's case in chief/Respondent's cross and objections; Phase 3 Respondent's case in chief/Complainant's cross and objections; Phase 4 Closing Arguments. At the conclusion of the hearing, the students will discuss the merits of each party's case, lessons learned, and whether their perspective on ethical considerations raised at the beginning of the course has changed, now that they have "stood in the shoes" of counsel litigating the educational rights of a child with a disability.

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 Procedure, Property, or their first-year elective).

Recommended: Prior or concurrent enrollment in Evidence.

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

LAW 1861 v00 A Friend of the Court: Tools for Effective Amicus Advocacy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1861 v00>)

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

Litigating Liberty introduces students to the practice of public interest litigation under 42 U.S.C. § 1983. The class will examine cases from the perspective of the lawyers who fight constitutional battles and explore topics like how to select the right client, identify the right claims, and file in the right jurisdiction. The class will also discuss how to choose the right moment in history to bring suit and how to effectively utilize the media. There will be particular emphasis on teaching real-world litigation skills, such as how to approach motions to dismiss and discovery. Students will then act as the practitioners themselves and fight for their cases on summary judgment, giving students practical experience in the day-to-day life of a constitutional litigator.

LAW 1849 v00 Abolitionism and the Law Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1849 v00>)

J.D. Seminar | 2-3 credit hours

This seminar will cover the history and present of abolitionist movements in the United States and the role of law in resisting or hastening abolition, mainly of slavery, but also of prisons and policing today. The first half of the course will present a legal history of abolitionism. Students will learn about the founding constitutional accommodations to slavery and the role of the Supreme Court in enforcing those constitutional protections of enslavers prior to the Civil War. They will also learn about the modes of abolitionist resistance to slavery, including freedom suits by enslaved persons and legal challenges on behalf of fugitives as well as abolitionists' petitions to state and federal legislatures to end slavery. They will read and engage with iconic primary abolitionists texts from the colonial, revolutionary and pre-Civil War eras to understand the moral, constitutional, and political arguments levelled against slavery. They will also read and understand the original intentions of the drafters of the Reconstruction Amendments and engage with their conception of "abolition democracy," that is, the democratic society they hoped to create to ensure freedom and equality for the formerly enslaved. The second half of the course will engage with abolition now, particularly the legal and social movements for abolition of modern slavery, prisons, and endemically violent policing. Students will read excerpts from signature works on contemporary abolitionism, including key law review articles on prison and policing abolition and on "abolitionist constitutionalism." They will grapple with the relevance of abolitionist thought to modern aspirations concerning individual freedom, equality, and democracy.

Learning Outcomes: (1) Students will learn about the role of abolitionists and abolitionist thought in shaping American law and guarantees of freedom and equality. (2) Students will demonstrate an ability to produce an original, high quality research paper. (3) Students will demonstrate an ability to give constructive feedback on the work of their peers. (4) Students will engage in critical analysis of the gap between our professed founding ideals of freedom and the reality for historically and presently subordinated persons and develop concrete ideas in their papers on what to do about it.

Mutually Excluded Courses: Students may not receive credit for this seminar and Reconstruction and Civil Rights 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 534 v01 Access to Health Care and Coverage: Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 534 v01>)

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 1879 v00 Access to Justice, Legal Empowerment, and Social Movement Lawyering Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1879 v00>)

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

Beginning in the 20th Century, various approaches have arisen in the United States to improve access to civil justice and use the law to empower marginalized people and communities. This course critically examines the role of lawyers in these efforts. In particular, it considers what roles lawyers play to further access to justice, empower people through the law, and work alongside social movements. After exploring studies of peoples' experiences of the justice system, we consider the function of courts in entrenching poverty and inequality, the potential and limits of technologies in increasing access to justice; and the challenges of rural access to justice. We then turn to global and national legal empowerment initiatives to consider bottom-up approaches to making legal rights and protections available to marginalized people. In the last part of the semester, we will explore the opportunities and challenges in social movement lawyering and consider the synergies and disjunctions between these lawyering practices and efforts to enhance access to justice.

Learning Outcomes: By the end of this course, we hope you will be able to:

- describe and discuss the different dimensions of the access to justice crisis in the United States and the various approaches being pursued to address it;
- gain an understanding of marginalized people and communities' experiences of the justice system;
- understand what role state and local court processes and procedures play in exacerbating the justice gap;
- articulate and critique the theories of change underlying traditional and more expansive approaches to access to justice, legal empowerment, and social movement lawyering;
- understand the role of the regulatory framework in facilitating or inhibiting new models to increase access to justice.

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 3166 v00 Access to Reproductive Healthcare Under the Law (How We Got to Dobbs and What's Next?) (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3166 v00>)

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

The course will look at the legal treatment of reproductive rights in early America through the mid-1800's and to the legalization of abortion. We will examine how we got from *Roe v. Wade* to *Dobbs v. Jackson Women's Health Care* and discuss the legal and practical impact of the Supreme Court's reversal of *Roe*, as well as state attempts to ban or restrict abortion. The course will directly address Institutional Learning Objective 8 by requiring students to think critically about the law's claim to neutrality and its differential effects on subordinated groups, including those identified by race, gender, indigeneity, and class and consider whether one person's moral or ethical position should prevail when that position has disparate negative impacts on marginalized communities. We will look at how the law is intersecting with issues of race, sex, class, religion, sexual orientation, and politics to shape the culture of the country and our individual lives. The course will conclude with a review of the current legal battles relating to abortion, emergency contraception, assisted reproduction and gender affirming care, and discuss the legal theories at play, which are being used by both sides of the debate in competing iterations.

Prerequisite: Constitutional Law.

Note: This course meets the upper-level graduation requirement for JD students matriculating in Fall 2022 and later under the following Institutional Learning Outcome, which provides that the course will provide students with an "[a]bility to think critically about the law's claim to neutrality and its differential effects on subordinated groups, including those identified by race, gender, indigeneity, and class."

LAW 300 v08 Accounting for Lawyers (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 300 v08>)
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 v01 Addiction and Mental Health Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3091 v01>)

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

According to a U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) 2021 survey, nearly 1 in 3 adults had either a substance use disorder or a mental illness in the prior year, and 46 percent of young adults 18-25 had either a substance use disorder or a mental illness. Due to the increased prevalence of these chronic disorders, and their nexus to the public health crisis of suicide, opioid addiction, and homelessness, it is critically important for lawyers and advocates to have a strong understanding of behavioral health law from the constitutional to local regulatory level.

This course is a practice-based seminar that is designed to improve the students' practical legal skills – writing, analysis, oral communication, issue spotting, and attention to detail – while examining key laws, legal decisions, and policies in Addiction and Mental Health Law. 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, grants and financial incentives as tools for prevention and reform.

Discussions will include:

- Institution-based issues such as the involuntary detention and civil commitments of individuals with a serious mental illness, restraint and seclusion, the right to appropriate treatment under *Youngberg v. Romeo*, institutional reform under 42 U.S.C. § 1983 and *Monell v. Department of Social Services of the City of New York*, and the Department of Justice's authority under the Civil Rights for Institutionalized Persons Act;
- Forensic issues such as pretrial competency, Not Guilty By Reason of Insanity, and forced medication for competency purposes under *Sell v. United States*;
- Community-based issues such as deinstitutionalization, rights of an individual to receive services in the most integrated setting appropriate to their needs, housing discrimination, Medicaid, rulemaking and administrative adjudications under the Administrative Procedure Act, behavioral health provider licensure and regulation, and the False Claims Act;
- Federal and state/local initiatives such as 911 diversion programs and co-responder law enforcement teams, mental health courts and diversion, harm reduction strategies, e.g. decriminalization of fentanyl testing paraphernalia, federal State Opioid Response grants, rapid rehousing initiatives, and liberalization of 42 CFR Part 2 to facilitate increased information sharing for Substance Use Disorder treatment records;
- Understanding the Triple Aim in healthcare, data, outcome measures, and healthcare finance structures for behavioral health, including Medicaid and commercial insurance;
- Role of the health care and criminal justice systems and trends in reforms; and
- 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.

Mutually Excluded Courses: Students may not receive credit for this course and Addiction and Mental Health Law and Policy.

LAW 3091 v00 Addiction and Mental Health Law and Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3091 v00](https://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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 025 v00](https://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.

Note: NOTE FOR STUDENTS IN PROFESSOR KRISHNAKUMAR'S FALL 2024 SECTION: There will be a one-day take-home exam on Friday, December 6, 2024.

LAW 025 v06 Administrative Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 025 v06](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20025%20v06))

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 the doctrine evaluating the place of agencies 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;
- (3) Evaluate the merits of the legal framework against a variety of normative goals; and
- (4) Be conversant in contemporary debates about the administrative state and able to articulate and justify your views.

Mutually Excluded Courses: Students may not receive credit for 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 025 v08](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20025%20v08))
J.D. Course | 3 credit hours

Virtually all areas of law today involve a substantial element of administrative law. This course introduces you to the role of administrative agencies and how law and political factors shape their powers and work. This includes materials on how they are empowered and constrained by the Constitution, Congress, presidents, and the courts. We also study ways in which agencies generate law and develop policies. This class coverage includes, among other topics, materials on citizens' abilities to petition, shape, and litigate over agency actions; changing views of presidents' roles and powers over agencies; and statutory factors and doctrine shaping judicial review of agency law interpretation, reasoning, responsiveness, policy shifts, and engagement with science and facts.

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

LAW 1611 v00 Administrative Law and Public Administration Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1611 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201611%20v00))

J.D. Seminar | 2-3 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.

Learning goals:

By the end of the course, students will be able to describe and discuss the core insights of the 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 enrolled for three credits will also have satisfied the Upperclass Legal Writing requirement by writing and revising 6,000-word paper analyzing and assessing a conflict, crisis, or controversy within the operations of a government institution using the lens of the tools we have studied. Students enrolled for two credits will have written a 4,000-word paper comparing and contrasting two different books using the lens of the tools we have studied.

Prerequisite: Administrative Law (1L elective or upper level course) or the 1L electives, Legislation and Regulation or Leg-Reg: Introduction to Congress and the Administrative State.

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 1787 v00 Adoption Law & Policy Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1787 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201787%20v00))

J.D. Seminar | 2-3 credit hours

Adoption Law & Policy is a seminar that addresses the fundamental and evolving issues that arise when adoptive families are created by law. Topics may include: (1) an overview of the history of adoption law and current trends in adoption policy and practice; (2) the adoption process including an examination of the differences between agency and independent adoption, and the form, timing and revocability of parental consent to adoption; (3) placement criteria (including the race and sexual orientation of the adoptive parent); (4) constitutional rights of nonmarital fathers; (5) adoption of Native American children and the Indian Child Welfare Act; (6) confidentiality and openness in adoption practice; (7) international adoption; and (8) and government law and policy on the adoption of children from foster care. Throughout the semester we will consider the broader historical, societal and political elements shaping adoption 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 1905 v00 Advanced Administrative Law Seminar – The Consumer Protection Agencies ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1905 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201905%20v00))

J.D. Seminar | 2 credit hours

The course's goal is to familiarize students with the challenges consumer protection agencies face. The course will focus on the Federal Trade Commission, the Consumer Financial Protection Bureau, and the Food and Drug Administration. The course will require significant readings about contemporary policy issues, and those readings will be the launching point for in-class discussions. Many of the readings will come from the Federal Register and the Administrative Conference of the United States; others will critique the work of one or more of the consumer protection agencies. During seminars, students will often engage in role-playing: some students will take on the role of senior agency officials, others will be lawyers for consumer groups that seeks to force the agency to take certain actions (regulatory or enforcement), or lawyers representing a company or trade association opposing regulation or to stave off enforcement actions.

Prerequisite: Administrative Law.

LAW 1528 v00 Advanced Antitrust Seminar: Antitrust and Intellectual Property (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1528 v00>)

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, 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, antitrust counterclaims in U.S. litigation, and select contemporary debates. Grades will be based on bi-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 1716 v00 Advanced Constitutional Law Seminar: Challenges to Liberal Democracies (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1716 v00>)

J.D. Seminar | 2-3 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.

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 1265 v00 Advanced Constitutional Law Seminar: The Creation of the Constitution (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1265 v00>)

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

Few events have had as much impact on American history than the framing and ratification of the Constitution. This seminar is designed to offer students with serious interests in history, political theory, and constitutional law an opportunity to learn more about these events by reading some of the best scholarship on the creation of the Constitution and by writing an original research paper on an appropriate topic of their choosing. The seminar will examine how the Constitution was framed, ratified, and implemented during both the founding of the Republic and the "Second Founding" during and after the Civil War. Special attention will be given to founding-era controversies involving slavery, federalism, and implied powers, and to how these issues influenced the adoption and interpretation of the Reconstruction Amendments.

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

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 1648 v00 Advanced Corporate Finance: Quantitative Analysis and Valuation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1648 v00>)

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

This two-credit course provides an introduction to basic quantitative analysis and valuation 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 BlackScholes model; warrants and convertibles; and real options. If time permits, we will also touch on more advanced pricing techniques that use stochastic processes such as random walks.

In addition to teaching these tangible skills, the course will develop students' mathematical intuition, which will enable them to navigate financial problems with more confidence in their professional and personal lives. This mathematical intuition will be built up through three 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 readings will consist solely of free online materials. Primarily we will be relying on Ivo Welch, *Corporate Finance*, 4th Edition, 2017 (available at: <https://book.ivo-welch.info/read/index4.html>). 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 3 ½ hour final exam.

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 1776 v00 Advanced Criminal Law Seminar: Race and Poverty in Capital and Other Criminal Cases (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1776 v00>)

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

This course addresses the issues of race, poverty, mental illness, and other issues of fairness and equality in the criminal courts, particularly in death penalty cases. Topics include procedures for imposing the death penalty and racial disparities in capital sentencing, the impartiality and independence of elected judges in the state courts, competency for trial and other issues involving the mental health and intellectual functioning of people accused of crimes, and practices and procedures regarding clemency.

Course Goals and Learning Objectives: Students will develop knowledge and understanding of issues regarding the imposition of the death penalty, the impartiality of judges, the treatment of people with mental disorders and intellectual disabilities in the criminal courts, and the consideration of applications for clemency. Students will engage with the views of Supreme Court justices, lower court judges, legislators, governors and commentators with regard to issues of fairness and discrimination in the state and federal governments in carrying out the death penalty since the Supreme Court allowed its resumption in 1976. The course will also address decision-making in the state courts. The overwhelming majority of cases – both criminal and civil – are decided in the state courts. In most states, judges are elected. Students will consider issues of whether judges are influenced by political considerations or have biases with regard to people of color who come before them. Students will learn the grounds for disqualification of a judge who may be biased and the law and procedures for resolving those issues. Students will also learn that the criminal courts deal with a significant number of people with serious mental disorders. Students will learn the legal standards for competency to stand trial, competency to waive appeals, and competency to be executed, as well as the procedures for deciding those issues. Students will also learn how the President of the United States and governors decide whether to commute death sentences and other severe sentences and practices regarding applications for clemency. Finally, as part of the course, 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.

Recommended: Criminal Justice and/or Criminal Law.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 8, 2024, through Friday, January 12, 2024, 1:30 p.m. - 4:05 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 032 v00 Advanced Criminal Procedure (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 032 v00>)
J.D. Course | 2 credit hours

Advanced Criminal Procedure picks up where Criminal Justice leaves off and is primarily interested in the decisions that lawyers (as opposed to the police) confront in the criminal justice system. This course will cover topics that criminal defendants face from “bail to jail”, including charging decisions/prosecutorial discretion, bail and pre-trial detention, plea bargaining, effective 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, how the process may be improved and the pressure points where the system may be changed. Throughout the course, students will step into the shoes of the prosecution and defense to evaluate the strategic choices made during the trial. Readings will include a review of the relevant Rules of Criminal Procedure, United States Supreme Court caselaw, pleadings from assorted topical cases, and late-breaking newspaper articles.

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

Recommended: Evidence and Criminal Law.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Criminal Procedure and Litigation or Criminal Justice II: Criminal Trials.

LAW 032 v03 Advanced Criminal Procedure and Litigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 032 v03>)
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 Criminal Justice II: Criminal Trials.

LAW 029 v00 Advanced Environmental Law: Climate Change ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 029 v00](https://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 partners 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 the professors and advisors to develop professional-quality work products that can be shared with outside partners. 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 receive credit for this course and Climate Change Law and Policy Seminar. 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,

LAW 1712 v00 Advanced Evidence ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1712 v00](https://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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1712 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201712%20v01))

J.D. Seminar | 2 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.

LAW 168 v00 Advanced Evidence: Supreme Court and the Constitution Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 168 v00](https://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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1089 v00>)

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 assignment 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 1745 v00 Advanced Foreign Intelligence Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1745 v00>)**

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

Foreign Intelligence (FI) law as a field is marked by a complex statutory and regulatory framing. Increasingly, it is coming into play in ordinary Article III courts in the United States, as well as in European courts overseas. Simultaneously, new and emerging technologies present fundamental challenges to the traditional FI collection paradigms. This course, accordingly, provides students already broadly familiar with the contours of the national security infrastructure and foreign intelligence collection with the opportunity to do a deep dive with a particular eye towards ways in which technology alters threat vectors and presents new opportunities, and risks, to the foreign intelligence regime.

It begins with the constitutional framing and historical background undergirding the introduction of statutory and regulatory measures. The course then dissects the 1978 Foreign Intelligence Surveillance Act (FISA) and its expansion in 1994 to incorporate physical search and again in 1998 to include the use of pen register and trap and trace devices, as well as certain business records. The attacks of 9/11 led to additional changes, with further alterations implemented by the 2008 FISA Amendments Act. Discussion centers on targeting, querying, and minimization procedures adopted by the National Security Agency/ Central Security Service, Federal Bureau of Investigation, Central Intelligence Agency (CIA), and National Counterterrorism Center, as well as reports detailing use of FISA.

The course next turns to new technologies that have fundamentally shifted the type of information available to the intelligence community (IC). Special emphasis is given to technologies of import for metadata: social network analytics and algorithmic sciences. It looks at how these technologies mesh with the legal analysis, with particular attention paid to FISA sections 215 and 702.

The course then addresses Executive Order 12333, delving into the associated DoD Directives, Instructions, Manuals, and Annexes; Attorney General Guidelines; CIA Regulations and Directives; and parallel regulatory and policy documents throughout the IC. 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 further address new and emerging technologies, looking at how they fit – or fail to fit – current law.

The course ends with a unit focused on doctrinal developments (specialized Article III courts, geographic Article III courts, and European tribunals), as well as Article II deliberations introduced via Executive Order in autumn 2022.

Prerequisite: Constitutional Law I or Democracy and Coercion.**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students should email Todd Huntley (todd.huntley@law.georgetown.edu), Director of the National Security Law Program, explaining any relevant school or professional experience and attaching a resume.

LAW 2073 v00 Advanced International Commercial Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2073 v00>)

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 710 v00 Advanced International Taxation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 710 v00>)

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

This course is designed for those students who 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); International Tax (or U.S. International Outbound Tax).

Recommended: Prior or concurrent enrollment in Corporate Income Tax Law II (or completion of Corporate Taxation).

LAW 301 v03 Advanced Legal Research (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 301 v03>)
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 v06 Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 036 v06>)

J.D. Seminar | 2 credit hours

This two-credit seminar is designed to help students develop the legal writing and 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 reflect on their own writing process, collaborate effectively, and edit their own written work and the work of their colleagues—all critical skills for lawyers to develop early in their careers.

Class format will vary from 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. Class participation and attendance will count toward the final grade.

The out-of-class time commitment associated with the class will also vary from week to week. There will be some light reading for the course, particularly early in the semester, but for the most part students can expect to spend the bulk of out-of-class time actively engaged in research, writing, editing, or argument preparation—all of which may become time-intensive at key junctures of the semester.

Through this course students can expect to develop their research and writing skills, understand how to approach cases from multiple perspectives, and learn practical strategies for navigating the real-world challenges of litigation and legal workplaces. The instructor(s) will provide individualized feedback on student writing at multiple points during the semester, and the course will integrate opportunities to revise based on that feedback. By the end of the semester, students can expect to have generated approximately 40 pages of legal writing and produced two substantial writing samples that can be used to apply for judicial clerkships and/or litigation positions.

Learning Objectives:

- Strengthen legal research, writing, and editing.
- 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 1541 v00 Advanced Legal Writing and Practice: National Security Law in the Private Sector (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1541 v00>)

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 government contracting, international trade, data privacy and security, telecommunications, transactional matters involving foreign direct investment, and other related issues.) 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 practice simulations, guest speakers, and seminar-style discussions.

Each student will complete three primary assignments:

- A memorandum or similar piece of writing for counseling (~10 pages)
- A motion, brief, or similar piece of advocacy writing (section) (~15 pages)
- Oral presentation related to the second writing assignment (~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 advice or legal arguments.
- Practice techniques to more effectively edit and critique one's own writing.
- Produce 1-2 pieces of writing that could be used as writing samples.

Prerequisite: Legal Practice: Writing and Analysis.

LAW 1532 v00 Advanced Legal Writing for International Business Lawyers (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1532 v00>)

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 GU Experience without prior departmental approval and confirmation from the Office of the Registrar. Students interested in taking this course should send an e-mail to lawgradprog@georgetown.edu indicating their interest in the course and their previous exposure to U.S. legal writing. The Office of the Registrar will confirm once the student may enroll or waitlist themselves.

LAW 1798 v00 Advanced Legal Writing in Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1798 v00>)

J.D. Seminar | 3 credit hours

This seminar is designed to reinforce and build upon of the legal writing skills introduced in the first year Legal Practice class as well as to ensure mastery and develop efficiencies in terms of the legal writing process and product. The seminar will focus on efficient and effective prewriting techniques; will give students ample opportunity to hone their writing skills and, to a lesser extent, their research skills; will allow students to learn effective rewriting and revising techniques by participating in the commenting process; and will help students develop collaborative working skills.

The course will be run like a law firm, with students performing assignments for a supervising attorney. Over the course of the semester, the students will write at least three significant documents, with smaller interim writing assignments. The assignments will focus primarily on writing for a litigation practice, and may include inter-office memos or email memos, pleadings, briefs, client correspondence and advise letters, case and witness prep documents, and slide decks. Discussion topics will include litigation strategy, writing techniques, and professional demands and concerns. Students will have opportunities to work in teams, to strategize and write both individually and collaboratively, and to write as 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. At least one major assignment will be a collaborative assignment with a classmate. Professor DeLaurentis will guide the in-class discussions and provide individualized comments and grades on each major assignment.

LAW 1895 v00 Advanced Legal Writing with Generative AI ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1895 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201895%20v00))

J.D. Seminar | 1 credit hour

Generative Artificial Intelligence (Gen AI) is rapidly transforming the way we make decisions, conduct business, and express ourselves. It is likely to change how our students practice law when they enter the profession. At a minimum, as young lawyers they need to be familiar with this technology and its impact on the law. See ABA Model Rule 1.1., Comment 8, which requires lawyers to keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology. In this new course, students will learn the fundamentals of Gen AI, discuss the risks and benefits of using Gen AI for legal writing, be introduced to ethical and legal issues surrounding Gen AI use in lawyering, and engage with tools and techniques for effectively using Gen AI. The core focus of this course is for students to practice using Gen AI and to develop best practices for using Gen AI in their legal writing.

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for this course and Gen AI and Big Law.

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 will meet in Spring 2025 on the following dates: 1/15, 1/22, 1/29, 2/5, 2/12, 2/19 and 2/26.

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 1623 v00 Advanced Legal Writing: Intellectual Property and Technology Transactions ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1623 v00](https://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
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 036 v05>)

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. Interested students should contact Professor Butler at (chuck324@gmail.com) (<https://curriculum.law.georgetown.edu/jd/jd-alpha-schedule/chuck324@gmail.com>)).

LAW 1730 v00 Advanced Legal Writing: Practical Lawyering Skills and Strategies
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1730 v00>)

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: 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.

In Fall 2024, this class will meet on 10/4 from 12:00 p.m. - 6:30 p.m. and 10/5, 10/6, 11/9, and 11/10 from 9:00 a.m. - 6:30 p.m. 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 363 v02 Advanced Mediation and Dispute Systems Design ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 363 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20363%20v02))
J.D. Seminar | 3 credit hours

This seminar is an interactive workshop designed to introduce students to the theory, principles and practice of dispute 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.

This course focuses on the study and practice of dispute systems design - understanding the structure and design choices made by, and the challenges presented to, organizations. This includes examination of court processes and other government or private systems for managing conflict. Dispute systems designers also develop and improve upon mediation and other alternative dispute resolution (ADR) service programs, as well as provide assessments of their appropriateness in various contexts. Knowledge and skills of dispute systems design are transferable to the emerging needs of practicing attorneys who are more and more frequently called upon as systems designers. Many lawyers, even if they never take the design initiative to lead a project, often serve as stakeholders and representatives of bar or professional associations recruited by systems designers to participate in the design process. This course also enhances the basic mediation and conflict management skills learned in other ADR related courses by application to the dispute system design framework.

Students will be expected to read, write, discuss, critique and participate in simulated exercises. After an overview of dispute systems design theory and principles, students will, through readings, discussions and exercises, study seven actual systems that reflect dispute systems 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. Simulations will lead students through the various stages or architecture of systems design, from taking design initiative through assessment, creating processes and systems and implementation. This course also focuses on advanced mediation and dispute systems design topics, including recent developments in neuroscience and their potential impact on dispute resolution, choice architecture and "nudge" principles, the impact of mediator orientations on program design, restorative justice practices, and transformative mediation. The practical and ethical implications of systems design work will also be explored, as well as opportunities for synthesis of systems design skills into legal practice.

The course meets over two weekends (Friday afternoon through Sunday). Due to the intensive and interactive nature of the seminar, attendance at all class sessions is mandatory. Grades will be based on class participation including teamwork, discussions and simulations (25%), the quality of a 6-page journal analyzing a class consulting team simulation and applying dispute 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 resolve disputes) which demonstrates application and mastery of dispute systems design knowledge and skills (50%).

Prerequisite: A law school skills-based class on negotiation or mediation is required, such as Negotiations Seminar; Mediation Seminar; Mediation Advocacy Seminar; Negotiations and Mediation Seminar; or Multiparty Negotiation, Groups Decision Making and Teams. The two-credit sections of International Negotiations Seminar do not satisfy the prerequisite for this class.

LAW 3151 v00 Advanced National Security Law and the Sea ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3151 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203151%20v00))

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

This course will examine how sovereign States apply the law of sea, other international and domestic laws, and oceans policy to issues affecting national security. Foundational provisions of the 1982 UN Convention on the Law of the Sea, to include baselines, maritime zones, transit regimes, flag and port State control of activities aboard ships, marine environmental protection and access to seaborne resources, and military uses of the sea, will be explored through case studies and hypotheticals. Students will examine how the substance, structure, and practice of the developing law of the sea intersects with other international legal principles and regimes, such as territorial sovereignty and the law of armed conflict, and with domestic and international laws and policies concerning space, cyberspace, electronic warfare, and intelligence collection and sharing. Students will assess the various mechanisms States have implemented to avoid dangerous incidents at sea, seek peaceful resolutions to maritime disputes, and combat illegal seaborne activities. From Great Power Competition to Pacific Island Nation food security, from countering nuclear proliferation to humanitarian assistance/disaster relief, students will explore how the law of the sea is both shaped by and shapes States' responses to national security challenges.

Learning Objectives:

Students will:

- Exhibit an understanding of the history, foundational provisions, and differing interpretations of the 1982 UN Convention on the Law of the Sea.
- Gain an understanding of how law of the sea and oceans policy interrelates with current national security issues.
- Develop the skill to apply the law of the sea, other international and domestic laws, and oceans policy to national security challenges and effectively communicate opinions and analysis to senior national security leaders.

LAW 702 v00 Advanced Partnership Taxation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 702 v00](https://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; Taxation of Partnerships. Neither prerequisite may be taken concurrently.

LAW 040 v01 Advanced Patent Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 040 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20040%20v01))
J.D. Seminar (cross-listed) | 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.

Note: Enrollment in the LAWG section of the seminar is restricted to students in the Technology Law and Policy LL.M. and the Master of Law and Technology programs.

LAW 1534 v00 Advanced Topics in Corporate Law: Control and Its Implications ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1534 v00](https://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 16, 2025. Failure to drop the course by January 16, 2025 will result in a withdrawal. No student may withdraw from this class without permission from the professors.

LAW 1958 v00 Advanced Topics in Corporate Law: Corporate Governance (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1958 v00>)

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

This course builds on the basic Corporations class, which is required as a prerequisite. The course will expand on key corporate governance concepts with in depth coverage of various topics that impact the way boards of directors do their day-to-day work. Potential topics include:

- Issues related to control, including dual-class stock and other mechanisms of control and their impact on corporate governance;
- “Caremark” in action with an emphasis on officer and director roles
- 141a as a super statute

The course will also include guest speakers on topics like corporate separateness and strategies for engaging boards and litigating cases.

Prerequisite: Corporations.

Note: Laptops may not be used during class sessions.

Students should keep their schedules open for the full Monday and Wednesday, 11:10 am - 1:10 pm block to accommodate one or more rescheduled classes that the professor anticipates needing to schedule.

LAW 1521 v00 Advanced Topics in Corporate Law: Corporate Transaction Litigation in Delaware (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1521 v00>)

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 24, 2025. Failure to drop the course by January 24, 2025 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1535 v00>)

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.

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?
- 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 10, 2024. Failure to drop the course by October 10, 2024 will result in a withdrawal. No student may withdraw from this class without permission from the professors.

LAW 885 v01 Advocacy in International Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 885 v01>)

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

This course blends mock arbitration experiences with class discussion of techniques, strategy, and ethics in international arbitration proceedings. Students directly participate in a series of practical exercises based upon a series of international arbitration fact patterns, which will entail their role-playing as advocates, cross-examiners, and arbitrators. The course emphasizes advocacy in connection with jurisdictional and procedural issues, selecting and challenging arbitrators, and other scenarios that often arise in international arbitration.

Recommended: An introductory course or some experience in international arbitration; International Law I: Introduction to International Law.

Note: Note: Students participate in in-class advocacy exercises and are graded on those exercises and productive class participation. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 3144 v00 Advocacy in the Digital Age (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3144 v00>)

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

Students who take this course will better understand stakeholder politics; federal legislative, regulatory, and enforcement processes; and the advocacy skills needed to achieve policy outcomes in the interrelated fields of technology, telecommunications, and media ("TTM"). Students will gain hands-on experience practicing technology advocacy. The course first reviews key issues in technology policy and advocacy, such as competition, content moderation, net neutrality, privacy, AI & bias, and cybersecurity.

Armed with the basics of current technology policy issues, students then learn advocacy tools to "make" technology policy. Students will review and draft collateral materials used for technology policy advocacy, including white papers, talking points, comments, "op/eds," earned media coverage, and more, gaining an appreciation for the differences from, and complementary relationship with, traditional legal materials and legal practice. Students will be introduced to the legislative process (committee hearings and markups, bicameral action, budget procedure); independent agency rulemaking and adjudication (comments, ex parte presentations, Administration and congressional input); relevant enforcement proceedings (Department of Justice and Federal Trade Commission merger review); and related advocacy in the courts (amicus briefs).

This is a skill-intensive course with writing assignments, workshops, presentations, peer support, and simulations. It will have a final assessment with a written and oral component. There are no prerequisite courses required. Classes will incorporate pre-class preparations and in-class skill-building exercises.

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

Note: This course is only open to LL.M students admitted into the LL.M in Technology Law & Policy program or the Master of Law and Technology program.

LAW 127 v00 Advocacy Tools for Public Interest Lawyers ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 127 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20127%20v00))
J.D. Seminar (cross-listed) | 2 credit hours

This course is designed for students embarking on careers in public interest law or policy and explores the many necessary techniques to become highly effective advocates for social change. The purpose of the class is to help class participants develop creative advocacy approaches and learn to think beyond litigation and other traditional legal strategies to meet key client and societal goals. In particular, the course will: 1) explore how coalition building, grassroots organizing, and public policy advocacy can be used to enhance legal strategies; 2) teach basic public interest advocacy skills, including media relations, fundraising basics, legislative advocacy and lobbying, leveraging data and research, social marketing and public opinion, and cutting-edge digital strategies; and 3) introduce students to dynamic experts in relevant issue areas, from lobbyists to communications experts. Using compelling case studies and background reading materials, students will have the opportunity to use multiple advocacy tools to tackle real-life social problems on the local and national levels. Grades will be based on the extent and quality of class participation and written assignments.

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 611 v30 Advocacy, Client Counseling and Negotiation Skills in Practice Settings ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v30](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v30))

J.D. Seminar | 1 credit hour

Through role plays set in the context of interaction with clients, fact-finding, negotiation, litigation, and transactional work, this Week One simulation course will teach first-year students how ethics issues arise in practice and how lawyers may run afoul of rules that govern professional responsibility. During the course's four days, students will be involved in one or more of the following matters:

- A court sanctions hearing relating to allegations of abuses in civil discovery;
- 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;
- A simulation of interaction with clients and negotiations relating to the sale of a helicopter;
- A simulation of an internal law firm investigation of alleged associate and partner abuses in billing.

In each of these situations, students, working in teams and in various roles will be assigned responsibility for meeting with clients, fact-finding—reviewing documents and interviewing prospective witnesses, researching pertinent ethics rules, engaging in negotiations, and making arguments either in a court or disciplinary hearing setting. Through these role-playing assignments, students will learn how to analyze rules of professional conduct, engage in fact-finding, and serve as advocates in various settings. Upper-class teaching fellows will serve as clients, potential witnesses, and decision-makers in the disciplinary setting.

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 cluster essay (<https://curriculum.law.georgetown.edu/jd/legal-profession-professional-responsibility/>).

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 28, 2022 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 1604 v00 Affordable Housing Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1604 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201604%20v00))

J.D. Seminar | 2-3 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.

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 1754 v00 Africana Legal Studies ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1754 v00](https://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 277 v02 Aging and Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 277 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20277%20v02))
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 1852 v00 AI and the Law Seminar: Principles and Problems ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1852 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201852%20v00))

J.D. Seminar (cross-listed) | 2-3 credit hours
The ongoing development of artificial intelligence (AI) technologies poses significant challenges and opportunities that the law must grapple with. This course will explore some of the normative and theoretical questions raised by the use of AI tools in different legal contexts. Topics to be covered include the use of AI as a substitute or guide for professional judgment; the use of AI as part of systems of government enforcement and adjudication; the use of AI by the private sector to predict, manage, and differentiate consumers; and the use of AI to generate texts, sounds, images, and other products.

Throughout, we will consider the principles at issue in debates over AI in the context of specific case studies of real world AI legal “problems.” We will ask whether existing legal theories and frameworks are up to the task of fostering the beneficial use of AI or whether and where new approaches may be necessary. We will also explore how understanding the marginal costs and benefits associated with AI sheds light on the uses and limitations of unassisted human judgment in the legal system as it currently exists.

No technical background is assumed.

Learning Objectives: This course is designed for students to improve their understanding of the following: (1) how artificial intelligence works, both in terms of existing technology as well as the pace and nature of its ongoing development; (2) how artificial intelligence is employed by the private and public sectors; (3) the concerns and hopes that these uses raise; (4) the possibilities and limitations of regulatory approaches to managing those concerns and encouraging AI’s benefits; and (5) how to identify what kinds of claims and concerns are driven by realistic assessments of current and near-future technology versus “hype” or ungrounded projections.

Mutually Excluded Courses: Students may not receive credit for this course and The Law and Ethics of Automation, Artificial Intelligence, and Robotics.

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 065 v02 Alternative, Complementary, and Integrative Medicine, The Legal Issues Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 065 v02>)

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 or 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, licensure, among others. This seminar discusses the balancing of paternalism vs. individual rights. A paper meeting the upperclass legal writing requirement is required.

LAW 015 v02 American Legal History (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 015 v02>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v20>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1107 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1167 v00>)

J.D. Seminar | 2 credit hours

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 567 v00 Animal Protection Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 567 v00>) (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 legal team 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 laws. 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 legal team 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, petitions, and proposed legislation in state and federal courts, agencies and legislatures throughout the country, including actions to protect endangered species 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 industrial 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.

Note: F-1 and J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu.

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

LAW 1530 v00 Antitrust in Action: Evaluating the Deal and Advising the Board of Directors (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1530 v00>)

J.D. Seminar | 1 credit hour

This intensive one-credit course will take twelve 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/real 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:** This seminar is open to J.D. students only.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 038 v01>)

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

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 or Antitrust Law: A Survey from the Sherman Act of 1890 to Today's Progressive Movement or Antitrust Law and Policy.

Note: In Fall 2024, the first class meeting for this course will meet over Zoom on Friday, 8/30, 9:00 a.m. - 12:00 p.m. Students not enrolled in the course who need the Zoom link should email Professor Pitt at JPitt@wc.com. Enrolled students should access Canvas for the Zoom link.

This course will not meet on 8/26, 9/16, and 9/30. To make up for these missed classes the course will meet on Friday, 8/30, 9:00 a.m. - 12:05 p.m.; Sunday, 9/15, 12:00 p.m. - 3:05 p.m.; and Sunday, 9/29, 12:00 p.m. - 3:05 p.m. Also, the following class sessions will be held by Zoom: 8/30, 9/9, 9/23, and 10/7. 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. on Thursday, July 11, 2024.

LAW 038 v05 Antitrust Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 038 v05>)

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

This class will serve as a basic survey and introduction to U.S. antitrust law, including coverage of recent critiques and policy developments.

As such, the reading will include the traditional case law, but also some examples of proposed legislation and contemporary advocacy material from policy activists. Thus, we will learn the basics of antitrust doctrine but also seek to understand the merits (or lack thereof) of contemporary critiques and proposed policy responses.

Mutually Excluded Courses: Students may not receive credit for both this course and Antitrust Economics and Law or Antitrust Law: A Survey from the Sherman Act of 1890 to Today's Progressive Movement.

LAW 038 v06 Antitrust Law and Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 038 v06](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20038%20v06))
J.D. Course (cross-listed) | 3 credit hours

This class will serve as a basic survey and introduction to U.S. antitrust law, covering both the historical evolution of antitrust policy objectives and the modern antitrust case law. The course readings will include a narrowed selection of traditional case law as well as historical analyses, scholarly commentaries, and contemporary materials. The objective of this course will be not just to learn the basics of antitrust doctrine but to understand and assess contemporary critiques and proposed policy responses to the current state of that doctrine.

Mutually Excluded Courses: Students may not receive credit for both this course and Antitrust Economics and Law or Antitrust Law: A Survey from the Sherman Act of 1890 to Today's Progressive Movement or Antitrust Law.

LAW 1396 v00 Antitrust Law Seminar: Case Development and Litigation Strategy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1396 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201396%20v00))

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

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.

Recommended: Antitrust Law, Antitrust Economics and Law, or Antitrust Law: A Survey from the Sherman Act of 1890 to Today's Progressive Movement.

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 038 v03 Antitrust Law: A Survey from the Sherman Act of 1890 to Today's Progressive Movement ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 038 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20038%20v03))

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

This class will serve as a basic survey and introduction to U.S. antitrust law, but with as much focus on the historical evolution of antitrust policy objectives as on antitrust case law. The course readings will therefore include historical analyses, scholarly commentaries, proposed legislation, and contemporary advocacy material from policy activists in addition to a narrowed selection of traditional case law. The objective of this course will be not just to learn the basics of antitrust doctrine but to understand and assess contemporary critiques and proposed policy responses to the current state of that doctrine.

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

LAW 1796 v00 Antitrust Seminar: From the Chicago School to the New Progressives: Regulating Technology Platforms, Durable Monopolies, and Mega-Firms ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1796 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201796%20v00))

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

In recent years, progressive groups, Congress, and government antitrust agencies have taken an increasingly aggressive approach to enforcement against "big tech" and monopoly power more generally. In this seminar, we will examine current legislative and enforcement initiatives toward particular kinds of firms and economic conduct. We will examine how these enforcement initiatives differ in their presumptions, analysis, and objectives from antitrust enforcement principles and doctrine that rose to prominence over the second half of the twentieth century. We will trace the evolution of those principles from the "Chicago School" revolution in antitrust of the 1970's and 1980's to the current "New Progressive" era, and critically assess both the new progressive policies and the shortcomings of the doctrine and theory to which those policies respond.

Strongly Recommended: This seminar assumes basic familiarity with antitrust precedent and concepts. Prior completion of an antitrust survey course is thus strongly 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 049 v06 Appellate Courts and Advocacy Workshop ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 049 v06](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20049%20v06))
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.

Mutually Excluded Courses: Students enrolled in the 3-credit section may not apply to the Appellate Courts Immersion Clinic at any time.

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 049 v07](https://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 litigates 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 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.

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 504 v01 Appellate Courts Immersion Clinic ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 504 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20504%20v01))
J.D. Clinic | 12 credit hours

Please see the Appellate Courts Immersion Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/appellate-courts-immersion-clinic/>) for more detailed information about the program.

For registration-specific supplemental materials, please see the Appellate Courts Immersion Clinic PDF (<https://georgetown.app.box.com/s/qpilevhkh5xhu464afeypvn1e5e9aw9s/>).

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

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 504 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20504%20v00))
J.D. Clinic | 14 credit hours

Please see the Appellate Litigation Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/appellate-litigation-clinic/>) for more detailed information about the program.

For registration-specific supplemental materials, please see the Appellate Litigation Clinic PDF (<https://georgetown.app.box.com/s/9lodkvc96qrrcmjrhcd4mk73ripjei/>).

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

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

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

LAW 044 v02 Appellate Practice Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 044 v02](https://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 this course after they have enrolled in or completed the Appellate Litigation Clinic or the Appellate Courts Immersion Clinic. Students may receive credit for this course and may subsequently enroll in one of these clinics.

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. 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 537 v00 Applied Legal Composition ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 537 v00](https://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 1797 v00 Approaches to Consumer Protection ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1797 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201797%20v00))

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

The law of consumer markets and consumer products permeates our lives, shaping much of what we buy and how we buy it. In areas as varied as healthcare, education, banking, and housing, consumer markets pose recurring challenges for the law, and the law often uses similar tools to try and address those challenges. This seminar will explore different approaches to consumer protection, focusing on the recurring types of arguments that are used to promote or critique consumer markets and to justify legal interventions in those markets. Some consumer protection laws, for instance, are justified by the desire to improve market competition; others are justified by the desire to protect consumers from market forces. Still other justifications are grounded in concerns for social and economic justice, such as preventing or repairing racial discrimination.

The class will ground these conversations in examples of specific cases and regulatory regimes from a variety of consumer contexts, including products liability, consumer finance, housing, and more. Through this comparative lens, the seminar aims to cultivate a facility with the different types of arguments that recur in the world of consumer protection, as well as an understanding of their strengths and weaknesses.

Learning Objectives: This course is designed for you to develop your understanding of the common justifications for legal interventions in consumer markets, as well as to refine your own views regarding those justifications. My hope is that by the end of the semester, you will be familiar with problems of consumer protection in numerous commercial areas; be able to identify and describe the common structures that these problems have across different areas; understand the ways that the law responds to these problems, including the strengths and weaknesses of those responses; and be able to extrapolate from this knowledge to critique new policies or come up with novel proposals.

Mutually Excluded Courses: Students may not receive credit for this course and Consumer Protection Law 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 3175 v00 Arbitration Practice in China ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3175 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203175%20v00))

LL.M. Seminar (cross-listed) | 1 credit hour

This course provides an in-depth analysis of the arbitration system in China, juxtaposed with international arbitration practices. Students will explore the historical development, legal framework, and procedural intricacies of Chinese arbitration, alongside a comparative study of international arbitration norms and practices. The course will cover key topics such as the structure and function of major arbitration institutions in China, China's Arbitration Law, the enforcement of arbitral awards, and the role of Chinese courts in arbitration and other issues.

Learning Outcomes:

1. Comprehend the arbitration practice and the arbitration rules of leading arbitration institutions in China and internationally.
2. Comprehend China's Arbitration Law and its ongoing amendments.
3. Gain proficiency in the procedural aspects of joinder, multiple parties, multiple contracts, and consolidation, etc. regarding the arbitration conducted under China International Economic and Trade Arbitration Commission (CIETAC), Shenzhen Court of International Arbitration (SCIA), and Shanghai International Arbitration Center (SHIAC), which play significant roles in the arbitration landscape in China.
4. Understand the differences between various institutional arbitration rules and ad hoc arbitration.
5. Analyze the process for the recognition and enforcement of arbitral awards pursuant to the international conventions like the New York Convention within China; identify the grounds for challenging and setting aside arbitral awards under Chinese law.
6. Analyze the key international conventions, treaties, and model laws that regulate arbitration proceedings.
7. Know the international arbitration practice.

Recommended: Students should have some knowledge about international arbitration.

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 1771 v00 Arguing Free Speech in the 21st Century Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1771 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201771%20v00))

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

This course will explore cutting-edge issues in First Amendment doctrine, policy, and scholarship, through a pedagogical method that emphasizes structured debate and moot court oral arguments. Among the substantive issues we will address include: the effect of social media on free speech; campaign finance reform; compelled speech; data as speech and data privacy; hate speech; student online speech; commercial speech; and speech on campus. The class will feature a mixture of traditional seminar conversation and moot courts or structured debates. Each student will have the opportunity to be an oralist and to be a questioner or judge. Writing requirements will include the preparation of questions for the moot courts/structured debates, and an in-depth analysis of one of the issues we have discussed in class.

Mutually Excluded Courses: Students may not receive credit for this course and Contemporary Free Speech Problems.

Note: 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.

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 1740 v00 Artificial Intelligence and National Security: Law, Ethics, and Technology ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1740 v00](https://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 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.

Assessment will be based on paper of 3,000 words (about 12 doubled-spaced pages) discussing a legal, ethical, or technological issue relevant to the course.

LAW 1856 v00 Artificial Intelligence and the Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1856 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201856%20v00))

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

Machine Learning (ML) and other forms of Artificial Intelligence (AI) are rapidly transforming the way we make decisions, conduct business, and express ourselves. Our legal institutions are struggling to respond, and policymakers around the world are tweaking, overhauling, or remaking just about every area of law. This course will investigate the emerging legal frameworks being created to address the way ML and AI are reshaping society. Students will survey laws at the local, state, and federal levels from the United States as well as engage in comparative analyses of approaches in other countries.

The course will cover how AI is reshaping venerable common law doctrines—how should tort law treat autonomous vehicles?—Constitutional Law—do large language models produce protected speech under the First Amendment?—statutory protections—when do algorithmic hiring practices violate the Civil Rights Act?—and regulatory approaches—does high-frequency trading raise risks not currently accounted for in Securities Law? The course will investigate the use of AI by private parties and by public actors alike.

A core premise of this course is that students must deeply understand the technological advances that are spurring the rapid development of AI. Although no prior technical knowledge is required, students should expect to devote several dedicated class hours training neural networks and studying the computer code underlying recent advances in AI to understand the legal developments in a deeper manner.

Learning Outcomes.

At the end of the semester, students will have gained or strengthened the ability to:

- Understand the technological advances that have led to the rapid advance of AI technology and develop a foundation of technical knowledge to better understand future advances;
- Apply the emerging legal frameworks for regulating AI surveyed in the course and anticipate and understand future developments in this area of law;
- Articulate moral, ethical, and policy-focused positions underpinning AI regulation;
- Place the current developments and approaches in AI regulation into longer historical arcs of regulating technology and other complex systems; and
- Diagnose the way AI and related technologies can exacerbate or alleviate pre-existing disparities such as in the differential treatment of individuals and groups based on race, ethnicity, gender, and disability.

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

LAW 1788 v00 Asian American Legal Studies Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1788 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201788%20v00))

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

“In the popular imagination, Asian Americans inhabit a vague purgatorial status,” Cathy Hong Park writes, neither “white enough nor black enough,” regarded with suspicion, overlooked, or, increasingly, used by cynics to dismantle affirmative action. Asian Americans have occupied various positions along the shifting color line: the arrival of Asian immigrants occasioned the assertion of national borders; this “race so different,” Justice Harlan wrote, could never be assimilated as Americans, no matter how colorblind our constitution. Since the selective reopening of borders in the 1960s, the image of Asian Americans has been repurposed to serve new and competing ends, to affirm the American dream, to disparage black and brown counterparts, or to signal to white Americans the loss of status threatened by immigration and global capitalism.

This interdisciplinary seminar will offer students an introduction to the history and experience of Asian Americans, not limited to their encounters with the law. We will cover legal histories of Chinese exclusion, Japanese incarceration, and the Muslim ban. But we will also survey instances of Asian American activism, anti-imperial radicalism, and Afro-Asian solidarity. We will also address current events that have brought Asian Americans into renewed visibility, including violence against Asian Americans and the recent affirmative action cases. 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 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 2028 v01 Assisted Reproductive Technologies and the Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2028 v01>)

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 (highlighted by the currently changing and challenging legal context); 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 impact of legally recognized same-sex marriage; and professional and regulatory aspects of the ARTs.

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; psychosocial aspects of donor egg and 3rd party ART; reproductive genetics; and potentially other emerging developments.

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 v01 Aviation Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 050 v01>)

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 advanced aviation (i.e., drones and advanced air mobility aircraft) 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.

Recommended: Administrative Law

Federal Courts

LAW 1316 v00 Bankruptcy Advocacy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1316 v00>) (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 about and then practice 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 2025, 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.

This practicum is best suited for students who have a strong interest in legal writing and who have had some experience in brief writing.

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: Bankruptcy law.

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

LAW 054 v06 Bankruptcy Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 054 v06>)

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

This course is a general basic introduction to bankruptcy law, addressing both corporate bankruptcy law as the focus, but also individual consumer bankruptcy law issues.

The class begins with an overview of debt, the need for bankruptcy law, and the bankruptcy process, and jurisdiction. This will be followed by basic concepts like the automatic stay, types and priority of claims, executory contracts, avoiding powers, estate management, and the reorganization process. The class will progress to cover priorities in distribution, individual bankruptcy concepts and principles including fresh start, and conclude with a thorough review of the corporate bankruptcy reorganization process. We will also cover current events and address current issues and problems, perceived and real, in the restructuring and insolvency system.

Recommended: Prior or concurrent enrollment in Commercial Law: Payment Systems

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

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

J.D. Course | 6 credit hours

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

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

LAW 2086 v00 Basic Accounting for Lawyers (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2086 v00>)

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 1354 v00 Best Practices for Justice: Prosecutors Working to Improve the Criminal Justice System (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1354 v00>) (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 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. 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. 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.

This course may be suitable for evening students who can commit to attending class and undertaking 10 hours/week of project work. Much of the project work may be done outside of business hours. This is a

LAW 1912 v00 Between Crime and War: Protecting Life in Conflicts with Non-State Groups Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1912 v00>)

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

The current fierce conflict between Israel and Hamas highlights an important feature of the modern world: the vast majority of hostilities since World War II have been between states and nonstate armed groups. These include insurgencies against states such as such as Northern Ireland, Colombia, Israel, Turkey, Vietnam, Sri Lanka, Afghanistan, Yemen, and many others. They also involve conflicts between states and transnational terrorist groups such as al-Qaeda, the Islamic State, and Hezbollah.

These hostilities call into question the assumptions that are the foundations of the post-World War II international regulation of force designed to provide greater protection for human rights, especially the right to life. The legal system governing state use of military force is based on the assumption that the greatest threat to life is armed conflicts between states, known as international armed conflicts. This legal regime, known as International Humanitarian Law (IHL), therefore sets forth detailed rules regarding protection of the right to life during armed conflict between states, with only minimal reference to hostilities between states and nonstate armed groups. The assumption is that state use of force to protect life from violence by private actors will involve police operations against criminal behavior, which is governed by International Human Rights Law (IHRL).

This gives rise to a clear division of regulation: IHRL governs state response to nonstate criminal threats to life during peacetime, while IHL governs state response to threats to life posed by other states during war. Each legal regime protects threats to life that may arise both from others and from the state. Each does this in a distinctive way by imposing significantly different limits on state use of lethal force.

The assumptions of the post-war system for regulating state use of force, however, do not easily apply to most conflicts since World War II. This gives rise to several difficult questions.

First, at what point may a state conclude that it needs to resort to military force against nonstate groups because police operations governed by IHRL are ineffective? In other words, when do hostilities evolve from crime or social disturbances to what is known as a non-international armed conflict (NIAC) that requires the conduct of military operations governed by IHL?

Second, IHL provides detailed guidance on state use of military force against other states, but says very little about state use of force during a NIAC. Where should states turn for guidance in the absence of explicit regulation? Should they apply provisions of IHL by analogy? Should they rely on IHRL because the threat comes from private groups? Or are conflicts with nonstate armed groups sufficiently distinctive that other rules should apply? If so, what is the source of such rules? Should it matter whether a NIAC is solely internal or whether it crosses state boundaries?

Third, it is now widely accepted that regulation of states by IHRL to protect human rights does not cease during armed conflict, but that IHRL and IHL are both applicable during wartime. How must a state reconcile these two divergent legal regimes when using force in an armed conflict? Is it realistic to harmonize such dramatically different sets of rules? Or can each body of law make its own distinctive contribution to protecting the right to life during wartime in ways that complement one another?

These are questions at the cutting edge of international law regarding the use of force. The course will draw on case studies from several hostilities, including US counterterrorism activities against transnational terrorist organizations; the conflict between Israel and Palestinian non-state groups; the 20 year hostilities between the United Kingdom and the

LAW 3026 v00 Beyond the IPO: Exempt Securities Offerings (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3026 v00>)

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

The course offers an in-depth study, both from the regulator's and private practitioner's perspectives, of frequently invoked exemptions from the registration requirements of the Securities Act of 1933 that otherwise apply to offerings of securities.

Students successfully completing this course will be positioned to analyze whether a particular transaction exemption under the Securities Act is available and, if so, how to maximize its protections. The course will emphasize the “nuts-and-bolts” of the transaction exemptions as well as the circumstances and motivations under which the exemptions are sought and claimed. The major topics to be taught will include the Section 4(a)(2) private offering exemption and the Rule 506(b) safe harbor thereunder, Securities Act Rule 144, Regulation Crowdfunding, and Regulation A. The course will also cover topical developments such as recent efforts to use transaction exemptions for initial coin offerings (ICOs). In that most securities transactions take place pursuant to an exemption, this course will provide an opportunity for students to analyze and structure securities transactions and will heighten their understanding of an evolving area of securities law.

Prerequisite: Prior or concurrent enrollment in Securities Regulation.

LAW 1536 v00 Bioethics and Social Justice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1536 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1536 v01>)

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: 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 1789 v00 Biotechnology and the Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1789 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201789%20v00))

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

This is a survey class, examining issues ranging from drug regulation, clinical trials, assisted reproductive technology, telemedicine, and stem cell development/regulation to the commercialization of the human body. For this class we will use the Biotechnology, Bioethics, & The Law Casebook (Goodwin, et. al., eds). This course requires substantial reading, preparation, organization, and the ability to analyze subtle nuances between various judicial decisions, legislative enactments, ethics, and legal rules, which sometimes may seem in conflict.

In this class, we will examine whether emerging biotechnological conflicts are best resolved by regulation, judicial intervention, or private negotiation. Professor Goodwin encourages robust dialogue. As such, students should come to class prepared with their ideas, intuitions, and opinions. Their analysis should demonstrate a grasp of the materials. Students are expected to discuss the materials, act responsibly toward their peers, as well as conduct themselves in a professional manner. There are no prerequisites for this course. However, students must be prepared for rigorous discussions and substantial reading assignments. This course is a building block for the other courses in ethics, health law, and a law and science curriculum, including Patents, Food & Drug Law, Health Regulations, and Bioethics. The core competencies expected in this class are critical thinking and the application of social, legal, moral, and economic reasoning.

Much of the reading assigned for class will be covered during discussion.

However, some assigned readings may not be covered given limited class time. Nonetheless, students are responsible for all reading materials. The readings include excerpts from medical journals, regulations, cases, newspapers, and social science periodicals.

Course Goals

The goals of this course are to:

- *Introduce students to the study of biotechnological developments, health policy, and ethics;*
- *Familiarize students with the medical and legal literature on the topic;*
- *Engage students with practical as well as theoretical ideas in biotechnology law;*
- *Stimulate intellectual curiosity about the subject matter;*
- *And inspire critical thinking and thoughtful analysis.*

Note: This course will meet in the 500 First Street Building in Room 700 (7th Floor Conference Room).

LAW 1804 v00 Blume Public Interest Scholars Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1804 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201804%20v00))

J.D. Seminar | 1 credit hour

This course is required for 2L/3E Blume Public Interest Scholars. This 1-credit course concerns the process of becoming a public-interest leader. Most classes will feature a public-interest practitioner from the Blume Leaders in Residence program. Students must complete background readings assigned by the Leaders in Residence and participate in class discussions. Students will write a final reflection paper of 3,000 to 4,000 words, which will be reviewed by Prof. Brian Wolfman. The final reflection paper should take either of the following approaches:

- A focus on insights and ideas generated through the class conversations with the Leaders in Residence, including how those insights and ideas inform their understanding of public-interest practice.
- Students may draft a paper concerning their own public-interest career trajectories. This paper will include the student's description of an organization or law practice that the student would start, the work that the organization or practice would entail, the organization or practice's structure and operations, and funding sources, and reflections on how law school can enable pursuit of the student's proposed career path.

Course Goals / Student Learning Outcomes

- Expand self-reflection and critical thinking
- Gain exposure to a variety of lawyering approaches

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 will meet in Fall 2024 on the following dates: 9/6, 9/20, 10/4, 10/18, 11/1, 11/15, and 11/22.

LAW 1175 v01 Borders and Banishment Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1175 v01](https://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: 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 611 v22 Brand Protection Strategy in a “Privacy First” Era: Mitigating IP Risks Simulation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v22](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v22))

J.D. Seminar | 1 credit hour

This course is designed to allow you to develop real-world skills to protect intellectual property (IP) and provide hands-on experiences in a challenging, complex and rapidly changing field. You should expect intensive group work and a highly-participatory environment. You will learn about how companies use and monetize their IP, regulatory tools and online complaint processes to protect their IP, and the opportunity to not only engage in creative research and investigation in a privacy-first era, but also to develop essential lawyering skills, including legal analysis, collaborative teamwork, client counseling, and problem-solving.

Upon completion of this course you will be able to anticipate company IP risks and make recommendations for proactive steps prior to product or project launches. You will know how to draft cease and desist letters, prepare draft licensing agreements, and file online complaints. You will learn how to work individually and collaborate as a team to prioritize efforts and propose strategies that provide the most meaningful solutions based on a company’s needs.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors 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 1816 v00 Breaking Privilege: An In-Depth Analysis of Privilege Issues in the Context of Civil Litigation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1816 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201816%20v00))

J.D. Seminar | 1 credit hour

In this course, using clips from and simulations relating to popular TV shows, including Breaking Bad and Better Call Saul, we discuss privilege issues that come up in civil litigation. Because privilege issues arise in every aspect of a litigation—whether it be ensuring that proper measures are taken to preserve privilege or challenging an adversary's improper assertion of privilege to gain access to relevant information—understanding the parameters of the attorney-client privilege, the work-product doctrine, and related privileges is a key component to zealous representation with which all litigators need to be familiar. For junior attorneys especially, knowing how to spot and understanding how to analyze potential privilege issues is a vital skill, as junior attorneys are frequently the first to come across these issues, during interviews of clients and witnesses, the review of documents in discovery, and depositions.

This course is designed as an in-depth analysis of privilege issues that can arise during the lifecycle of a case, including the representation of multiple clients, the application of privilege within corporations and extending that privilege to its advisors, and compelling discovery improperly claimed as privileged. In this course, we will review the key concepts of privilege law through mini-lectures, discussions of scenes from TV shows, articles, and recent legal opinions, and engaging in hypothetical situations and role play of handling privilege issues with clients, opposing counsel, and in court. At the end of the course, students will have an understanding of the key privilege issues that arise in civil litigation, including knowing how to spot a potential privilege, evaluate the existence of the privilege, and address the issue.

Note: UPPERCLASS WEEK ONE COURSE: This course will meet for one week only on the following days: Monday, January 6, 2025 through Thursday, January 09, 2025, 6:00 p.m. - 10:00 p.m. 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 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 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 the Assistant Dean for Experiential Education. Withdrawals are permitted up until the last class for this specific course.

LAW 1817 v00 Breaking Privilege: An In-Depth Analysis of Privilege Issues in the Context of Civil Litigation (Week One Teaching Fellows) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1817 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201817%20v00))

J.D. Seminar | 1 credit hour

Week One Teaching Fellows work with faculty to facilitate the first-year Week One simulation courses offered in January. Fellows will work in teams of two to six fellows for their specific Week One class. The description of the course is available on the Curriculum Guide here (<https://curriculum.law.georgetown.edu/course-search/?keyword=%20law%201816%20v00>). Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

Teaching Fellows should expect to meet with their faculty for two full-day training sessions, one before the exam period in December, and the second on Saturday, January 4, 2025, to review course topics, goals, simulation structure, and receive training on their role throughout the course. Readings will be assigned.

Fellows then attend all of the class sessions during Week One and assist in facilitating discussion and small-group work amongst the students enrolled in the course. For example, fellows may moot students as they prepare for a mock oral argument or client presentation, or play the witness in a key witness interview. Fellows also meet and consult regularly with faculty during the course to discuss student progress and course logistics. They should expect to participate in a daily debriefing for approximately 15-30 minutes after each class.

At the conclusion of Week One, fellows must complete a 6-8 page reaction paper assessing how the course worked, overall student experience, and how the course could be improved (e.g., legal issues, factual issues, structure of exercise).

Mutually Excluded Courses: Students who are enrolled in a Spring semester clinic should determine when any clinical meetings will take place during Week One to ensure there will be no conflict with their responsibilities as a fellow. In addition, because of the significant responsibilities each course requires during Week One, students who are enrolled in the Human Rights Advocacy in Action project-based practicum course may not concurrently enroll in a Teaching Fellow course.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students must complete the online Week One Teaching Fellows Application Form. A resume and a 1-page statement of interest must be provided, as well. The Application Form will be made available to students no later than September 2024. If you have any difficulty accessing the application or have questions about the application process, email lawexp@georgetown.edu.

This course is open to upperclass J.D., LL.M., and S.J.D. students. J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu (<https://curriculum.law.georgetown.edu/jd/jd-alpha-schedule/lawcentervisa@georgetown.edu>). WEEK ONE COURSE. This course will meet on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025 during the class meeting times for the course. Additionally, teaching fellows will meet with their professors on two dates to be announced. Professors may schedule alternative and/or additional trainings as needed. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. This course does **not** count toward the Experiential course requirement. ATTENDANCE AT ALL CLASS SESSIONS AND FELLOW TRAININGS IS MANDATORY. After accepting an offer, the student may drop the course ONLY with the permission of the professors. Permission is granted only when remaining enrolled in the course would cause significant hardship to the student.

LAW 1468 v00 Business and Financial Basics for Lawyers ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1468 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201468))

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: Laptops may not be used during class sessions.

Generally students who have already taken Accounting for Lawyers or other accounting classes will get limited benefit from this course and should speak with the professor before enrolling.

LAW 1394 v00 Business and Human Rights ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1394 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201394)) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

This course will provide an overview of the field of Business and Human Rights, while affording students an opportunity to work in organizations that are addressing issues in the field in various ways. This is a rapidly emerging field characterized by viewing the adverse impacts of business operations through the lens of human rights principles. There is no single form of regulation or regulatory authority, and only a handful of potentially enforceable legal obligations. Instead, there are a variety of different types of initiatives and programs that depend upon the type of rights at issue, the business sector involved, and the nature and location of the business activities that cause adverse impacts. This means that there are significant opportunities for creative approaches to produce meaningful change.

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, sex discrimination, freedom of expression, privacy, and climate change. We will also examine ways in which women in the global economy may be especially vulnerable to such harms.

This will provide an opportunity to examine the range of responses to these abuses and their effectiveness, such as voluntary industry standards; mandatory human rights due diligence; guidelines established by international organizations such as the United Nations and the Organization for Economic Cooperation and Development, and the International Labor Organization; mandatory and voluntary disclosure provisions; international finance standards; international trade law, and other measures.

Students will also learn about issues that are distinctive to particular economic sectors, such as apparel, energy exploration, mining, financial services, 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.

With respect to learning objectives, the seminar portion of the practicum is intended to acquaint you with:

- (1) some of the most significant types of adverse impacts that business operations can impose;
- (2) the debate over the extent to which changes in corporate production processes and liberalized trade law have contributed to such impacts;
- (3) the major sources of human rights protections for persons who suffer such impacts; and
- (4) the range of initiatives that are emerging to protect against and respond to business violations of human rights.

FIELDWORK: Students will be placed with organizations in the

LAW 370 v02 Business and Human Rights in the Global Economy
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 370 v02>)

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 healthy.

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 1372 v00 Business Essentials: A Mini-MBA for Lawyers (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1372 v00>)

J.D. Seminar | 3 credit hours

A common complaint of recent law school graduates is that they wish they had been exposed in law school to business frameworks and skills that could help them succeed in corporate law and in business overall. 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 and frameworks 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 three mandatory discussion board assignments during the semester; their performance in an in-class group presentation, and an in-person final exam.

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

The course will normally meet for 85 minutes, but five classes will meet the full 2 hours. In Fall 2024, the dates the course will meet the full 2 hours are: 10/10, 10/29, 11/5, 11/19, and 11/21. [Spring 2025 dates TBD.](#) There will also be four joint class sessions on Fridays, from 9:35 am - 11:00 am. In Fall 2024, the dates of the joint class sessions are: 9/27, 10/25, 11/8, and 11/15. [Spring 2025 dates TBD.](#)

LAW 058 v03 Business Planning Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 058 v03](https://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 and 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 1552 v00 Business, Capitalism, and Society ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1552 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201552%20v00))

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

Over the last 200 years, free market capitalism has proven itself as an unmatched engine for driving economic growth in the United States and around the world, resulting in unparalleled innovation, improving standards of living, and vastly lengthening the average life span. Yet big problems persist, including uneven economic opportunities, degradation of natural resources, and continuation of corporate scandals. Considering these problems as pressures on democratic capitalism, the course will evaluate the relationship between business and society. The course will focus on potential approaches to managing the tensions and trade-offs that present themselves when both economic vitality (growth, innovation) and system stability (fairness, sustainability, societal needs met) are desired outcomes.

Learning Objectives:

This course will explore potential approaches to reconciling the benefits of free market capitalism with the values and expectations of a democratic society. This seminar will raise important questions and highlight issues that are relevant to a number of potential law graduate career paths including that of in-house counsel, external counsel, senior management team member, corporate board member, and policymaker & staff. To that end, students taking the course will develop an understanding of:

- The evolution of views on the purpose of business in society (assumptions and realities of corporate governance)
- The current problems putting pressure on democratic capitalism (externalities, regulation or lack thereof)
- Emerging theories to address the inherent tensions in the system (new structures, governance priorities, industry self-regulation)
- Possible roles one can play in addressing the shortcomings of democratic capitalism

Note: UPPERCLASS WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 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 3060 v00 Business, Human Rights and Sustainability (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3060 v00>)

LL.M. Course (cross-listed) | 1 credit hour

The relationship between business, human rights, and sustainability has gained momentum in recent years with the private sector, governments, civil society, and international organizations, owing largely to the passage of the United Nations Guiding Principles on Business and Human Rights (UNGPR) in 2011, the 2012 UN Rio + 20 Sustainable Development Conference and the UN Sustainable Development Goals (2015). These developments were preceded and followed by a series of multi stakeholder (governments, private sector, investors, civil society networks and organizations) and specific industry driven initiatives looking at how to integrate these international standards into both self and binding regulatory processes. As a result, many of these initiatives led to an emerging international soft law system of business, human rights and sustainability that is based in the internationally acknowledged body of hard law principles.

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

LAW 1620 v00 Campaigning for Public Office (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1620 v00>)

J.D. Seminar | 2 credit hours

This simulation course will provide students with the fundamentals of organizing, managing, and executing an effective campaign for political office, within a bipartisan context grounded in ethical public service. Each enrolled student must identify a local, state, or federal public office that they plan to run for (plans to run for this office can be tentative and prospective). Students will then learn campaign basics, message development and delivery, fundraising strategies, communication and media strategies, applicable campaign finance and election laws, and debate preparation. Students will prepare and give “stump” speeches and participate in a simulated candidate forum. Students will also develop policy platforms and learn how to assess and respond to the needs of a constituency and the public.

LAW 090 v00 Capital Punishment Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 090 v00>)

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.

LAW 500 v00 Center for Applied Legal Studies (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 500 v00>)

J.D. Clinic | 12 credit hours

See the Center for Applied Legal Studies website (<https://www.law.georgetown.edu/experiential-learning/clinics/center-for-applied-legal-studies/>) for more detailed information about the clinic.

For registration-specific supplemental materials, please see the Center for Applied Legal Studies PDF (<https://georgetown.app.box.com/s/ncd1jhupnlm387tyr3j50g5lamcwdhzw/>).

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

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

LAW 1079 v00 Child Welfare Law and Practice in the District of Columbia ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1079 v00](https://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, the student should reach out to the professor before the beginning of the semester to discuss field placement options.

Note: F-1 and J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu.

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

LAW 1529 v00 China and International Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1529 v00](https://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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1546 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 286 v02>)

J.D. Seminar | 2-3 credit hours

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

Recommended: Constitutional Law II: Individual Rights and Liberties.

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

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

LAW 1040 v01 Civ Tech: Digital Tools and Access to Justice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1040 v01>) (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 (lawexp@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 PRACTICUM REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Rostain (tr238@law.georgetown.edu) by Wednesday, October 5, 2022 with a statement of interest.

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

LAW 1533 v00 Civil Discovery in Federal Courts (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1533 v00>)

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

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 1876 v00 Civil Justice Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1876 v00>)

J.D. Clinic | 10 credit hours

See the Civil Justice Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/our-clinics/civil-justice-clinic/>) for more detailed information about the clinic.

For registration-specific supplemental materials, please see the Civil Justice Clinic PDF (<https://georgetown.app.box.com/s/yt3ou78yo9i6txxov60nl9kvjkg28md/>).

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

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

Note: Laptops may not be used during class sessions.

LAW 1494 v00 Civil Litigation Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1494 v00>)

J.D. Clinic | 8 credit hours

Please see the Civil Litigation Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/our-clinics/civil-litigation-clinic/>) for more detailed information about the program.

For more information about clinic registration, please see the Clinic Registration Handbook (<https://georgetown.box.com/s/y9f8wg3jvqcuynevip3ytyrl6nj9pyv6/>).

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

LAW 060 v00 Civil Litigation Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 060 v00>)
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 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 (Fall 2024) enrollment in Evidence.

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

Note: This seminar is open 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. Students may not withdraw from this class after the add/drop period ends without the permission of the professor. 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 001 v01 Civil Procedure (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 001 v01>)
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.

LAW 1684 v00 Civil Rights and Violence Against Women ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1684 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201684%20v00)) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

This practicum aims to finalize and publish research on civil remedies for sexual assault, harassment and battering. The issue has become more timely given recent Supreme Court opinions suggesting that state tort law (the subject of two of our memos) may be the only viable remedy for survivors. Three prior practicums have produced three memos, with important empirical findings on the limited availability of civil remedies, in the federal and state systems, for our partner organization, Legal Momentum (formerly NOW Legal Defense and Education Fund). This evidence was cited in testimony before the House of Representatives in favor of the Equal Rights Amendment, but has yet to be finalized or published. Students seeking to learn how to publish academic work may find this practicum course particularly useful, as we will seek to publish our end product. Advance approval of the instructor is required: please send the instructor a resume, a transcript, and a paragraph explaining why the student seeks to take this class. *Students should not take this practicum if they do not want to do significant research, writing, and blue-booking.*

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 Tuesday, June 13, 2023. After June 13, 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 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 528 v02 Civil Rights Clinic ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 528 v02](https://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.

For registration-specific supplemental materials, please see the Civil Rights PDF (<https://georgetown.app.box.com/s/z690tob0d7z7oz0xdln9v8evejv6i7to/>).

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

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

LAW 1322 v00 Civil Rights Statutes and the Supreme Court Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1322 v00](https://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.

Recommended: Constitutional Law II: Individual Rights and Liberties.

LAW 1865 v00 Civil Rights: Section 1983 & Police Accountability
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1865 v00>)

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

This course will provide an overview of remedies (including damages and injunctive relief), and key civil rights doctrines (including municipal liability, qualified immunity, and supervisory liability). The course will focus heavily on 42 U.S.C. § 1983 (The Civil Rights Act of 1871).

Required readings will include state and federal court opinions, academic and media articles, and a recent book about civil rights lawsuits against law enforcement: *Shielded, How the Police Became Untouchable*, by Joanna Schwartz. The materials covered are applicable to a wide range of civil rights litigation, but the focus of the course is on civil litigation against law enforcement officers and agencies. In addition to classroom discussion of assigned readings, the course will include visits from practitioners with experience in the topics covered by this course. Throughout the course, students will be challenged to think critically about the law's claim to neutrality and its differential effects on subordinated groups. This approach is essential to understanding why Section 1983 has been interpreted as it has over time, and how this impacts the legal arguments and strategic decisions lawyers practicing in this area should make.

Learning Objectives:

- an understanding of doctrines critical to the litigation of civil rights cases brought against law enforcement agencies and officers; both the ways in which the doctrines have been broadly defined by the Supreme Court and some examples of lower court applications of the doctrine;
- an understanding of the policy goals that animate civil rights doctrines, and the ways in which those doctrines further and inhibit those goals;
- an understanding of how facially neutral doctrines shield law enforcement and agencies from accountability in ways that disproportionately disadvantage subordinated groups, including those identified by race, gender, indigeneity, and class;
- an understanding of the ways in which lawyers deploy procedural rules as part of their litigation strategy, and the consequences of various strategic choices;
- the ability to think strategically about how to frame and pursue a police misconduct civil rights action;
- hone ability to read, analyze, and explain your understanding of a court opinion;
- improve ability to apply black letter law and case holdings to novel factual scenarios;
- the ability to constructively participate in and lead discussions of complex issues related to policing, including issues regarding structural racism and state violence; and,
- the ability to work collaboratively with classmates on exercises exploring various aspects of civil litigation.

Prerequisite: Criminal Justice or Democracy and Coercion (or equivalent from another school for transfer students).

LAW 1841 v00 Civil Rights: The Ensuing Pursuit of Justice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1841 v00>)

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

By providing a rich historical introduction to the histories of various groups of color in the United States and their encounters with white Europeans and their descendants, we will explore the themes of race and racism in a variety of doctrinal contexts. We will examine federal and state cases and legislation, which have defined the scope and limitations historically faced by minorities over time from the point of slavery to modern day. We will also examine how early social and economic realities have shaped society's and thus the court's view of the role of minorities in America. Finally, we will study major cases leading to systemic change and the advancement of equal justice and at times retrenchment.

The overall themes and reading assignments for this course are directly related to Georgetown's Institutional Learning Outcomes (ILO). Specifically, this course provides students the ability to think critically about the connections between race, history, and legal doctrine or law, and the differential effects that has on minority groups.

Learning Objectives:

This course will enable students to enhance their critical thinking skills, examine and analyze legal precedents, and develop or improve their advocacy skills and legal writing.

We will examine throughout the semester why and how the law uses racial identifications in theory and in practice, which will require students to think critically about the powerful and ingrained modes of thinking about race and the impact that has on the law's claim to neutrality. We will begin with a discussion on implicit bias and how it provides a background for understanding the twists and turns over the years of the notions of race in America. Students will then use this understanding throughout the remainder of the course to think critically about the role of implicit bias in the law as it pertains to race, ethnicity, and culture.

LAW 1941 v00 Climate Change Law and Policy Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1941 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201941%20v00))

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

This seminar provides an introduction to issues of law and policy related to climate change. Areas of focus include U.S. legislation and regulations, subnational efforts (city, state, regional policies), international negotiations, private sector engagement and more. In addition to reviewing the legal and policy mechanisms for curbing emissions that cause climate change (e.g., market-based approaches, conventional regulations, information disclosure, voluntary actions, litigation), the seminar will cover opportunities to adapt to a changing climate and policy mechanisms to support climate resilience at a local, national and international scale. Ethical and equity considerations will be considered regarding climate change risks and responses, including potential use of technologies such as carbon capture and geoengineering. Grades will be based on class participation, written reflections and assignments related to readings, and, for students registered in the 3-credit section, a research paper that can satisfy the J.D. upper class legal writing requirement.

Learning Objectives:

Students will learn about a topic of immense importance to their personal and professional lives no matter what their chosen field given the significant impacts on our economy, geography and way of life from a rapidly changing climate. They will be conversant in the policy and legal strategies available to address climate-related risks as well as opportunities associated with a transition to cleaner energy. They will gain experience with critical thinking and have opportunities to provide written reflections on readings and through class participation. Students will participate in a negotiation exercise simulating international climate negotiations. They will exercise sound judgment in selecting a topic for their research paper, demonstrate organizational skills and timeliness in submitting early work products, and obtain and incorporate feedback in completing their final written product. They will have the opportunity to present research highlights succinctly and clearly, and to receive and share constructive feedback with classmates. Their final work product will be a full research paper that will demonstrate depth in one or more areas of climate change-related research, policy or law.

Mutually Excluded Courses: Students may not receive credit for this course and Advanced Environmental Law: Climate Change (Project-Based 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 271 v01 Commercial Debt Financing ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 271 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20271%20v01))
J.D. Course (cross-listed) | 3 credit hours

Commercial debt financing has been around as long as there have been banks, but developments such as syndicated leveraged loans financing private equity buyouts and the growth of non-bank lenders have increased the demand for sophisticated legal counsel. In fact, at many law firms the commercial debt practice is larger than the securities practice. This course is designed to give students a foundation in this important area of transactional law, beginning first with the structuring and documentation of the lending transaction and then focusing on the use of collateral to secure such loans. Unlike the traditional law school pedagogy, which covered real property mortgages and personal property secured transactions under Article 9 of the Uniform Commercial Code in separate courses, this course covers both mortgages and secured transactions in parallel in one course. The course also covers other property financing techniques and issues including leasing, mezzanine and subordinated debt, guarantees and other credit enhancements, personal property security interests outside the UCC, loan syndications and securitization and the impact of insolvency laws and principles on secured lending. The course will not emphasize math, instead focusing on practical understandings and concepts involving the business and legal frameworks for commercial debt financing and the role of lawyers in such transactions.

Course Goals/Student Learning Outcomes:

The primary goal of this class is to have students gain a broad-based understanding of commercial secured debt financing law and transactions so that they will be able to collaborate and communicate effectively with clients and other stakeholders. More specifically, learning outcomes include:

- An understanding of how and under what circumstances businesses undertake commercial debt financing and the role of lawyers in these activities.
- An appreciation of the varying perspectives of borrowers, lenders, lawyers and other professionals in the origination, documentation and collection of commercial debt financings.
- An understanding of the importance and use of collateral and other credit enhancements to benefit the position of and lower the risks of commercial debt financing for lenders.
- Working knowledge of the principal substantive legal aspects of commercial debt financing, including statutory, regulatory and contractual concepts, so that the student can be operational on such matters as a new lawyer.
- Knowledge and understanding of the terminology used by lenders and borrowers in commercial debt financing, and the ability to utilize such terminology in drafting, negotiating and interpreting financing agreements and instruments and otherwise approaching legal assignments.

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

LAW 3078 v00 Commercial Space Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3078 v00](https://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 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 611 v19 Communication Design & Law: Re-Designing Legal Information ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v19](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v19))

J.D. Seminar | 1 credit hour

This is a Week One, project-based simulation course.

Communication is at the heart of law. As lawyers, we capture and share our work through briefs, memos, reports, legislation, contracts, presentations, articles, and email.

The core idea driving this course is that lawyers can have a bigger impact if they create written work that more people can understand.

This class will help you do that through the lens of communication design. Legal writing is often opaque, dense, and intimidating. Communication design is the theory and craft of transforming this into something that is approachable, actionable, and empowering.

Over four fast-paced, intense days, you will:

- Learn about the principles of communication design
- Practice evaluating design and giving feedback
- Redesign a complex document into something understandable using the document design and plain language.

We include several small-but-meaningful in-class challenges to illustrate key concepts.

The class culminates with an overarching communication design project. Some examples of this final project may include re-designing:

- The Supreme Court opinion
- A legal contract
- The sign-up process for a government benefit.

By the end of the course, you will share your work with the class for shared feedback.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 28, 2022 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 528 v01 Communications and Technology Law Clinic (IPR) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 528 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20528%20v01))
J.D. Clinic | 10 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://georgetown.app.box.com/s/33m1gfup0irzm1077b8rm7s9pzb4ed23/>).

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

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

LAW 1835 v00 Communications Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1835 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201835%20v00))

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

This course will examine the historical, current, and prospective legal and regulatory treatment of communications services, devices, service providers, and platforms. Focusing on current regulatory and policy developments, we will cover issues concerning telephone companies, wireless carriers, Internet application and service providers, device manufacturers, and broadband network operators. The emphasis of the course will be on the rules, policies, and processes of the Federal Communications Commission (“FCC”), but we also will discuss the roles of Congress, courts, and the Executive Branch. Once armed with a firm background in existing statutory and regulatory requirements, students will explore current legal and policy questions regarding communications law. In particular, our focus this semester will be on the structure and functions of the FCC, mobile broadband networks; recent debates surrounding the regulation of broadband networks and online platforms; and some special “hot topics.”

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

LAW 073 v05 Communications Law and Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 073 v05](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20073%20v05))
J.D. Course (cross-listed) | 3 credit hours

This course will survey the historical, current, and prospective legal and regulatory treatment of communications services, devices, service providers, and platforms. We will examine legal and regulatory issues regarding telecommunications services, mobile communications, broadcasting, cable, and broadband networks. The emphasis will be on the rules, policies, and processes of the Federal Communications Commission (“FCC”), but we will also discuss the roles of Congress, courts, the Executive branch, states, and localities. Armed with a firm background in statutory and regulatory models, students will explore current and future legal and policy questions regarding communications law, considering the challenges technological convergence and innovation pose for existing regulatory frameworks in areas such as competition, spectrum policy, broadband subsidy, and net neutrality.

Learning Objectives:

- Understand the regulatory framework for the communications sector, including the statutory framework for the FCC’s regulatory authority.
- Understand the roles, as well as the institutional competence and limitations, of the other key players in communications law and policy – Congress, the Executive branch, courts, states, and localities.
- Deepen students’ understanding of major communications policy topics, so that they can identify key concepts and attendant arguments in play.
- Analyze communications issues in an interdisciplinary manner, recognizing the intersection of economics, technology, policy, and law.
- Practice skills useful to participating in the regulatory advocacy process by drafting a short, mock *ex parte* letter to the FCC on a designated issue. Skills practiced will include, among others, making legal arguments, discussing policy rationales, and appealing to policymakers’ agendas.

LAW 200 v01 Communications Law: Law and Policy in the Internet Age (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 200 v01>)

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. Note that the focus of readings and in-class discussion is on physical communications technology, not on policies relating specifically to social media sites (although such topics are not out-of-bounds for paper topics). 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 1513 v00 Community Development Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1513 v00>)

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 v02 Community Development Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1513 v02>)

J.D. Seminar | 3 credit hours

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 legitimated and sometimes disrupted by the histories and current practices of the field.

This praxis of community development centers a community wealth building, reparative, and sustainable economy approach to the challenges and opportunities experienced by practitioners working in or with marginalized and divested communities impacted by apartheid, colonial, and neo-colonial practices. This emerging praxis is part of a Next Systems movement rooted in what is often called the Solidarity Economy. The latter centers racial equity and community-owned, democratically accountable, organizations and enterprises in reducing the disparities in wealth, health, and wellbeing.

Prerequisite: There are no required prerequisites for this course.

Recommended: Previous exposure to community organizing and/or economic development in the public, private, or nonprofit sectors, or experience in urban planning and/or affordable housing could be helpful but is not required. Interest in the field and curiosity are far more important.

Note: This course is open to J.D. students only and non-degree students may not enroll.

This course will be enrolled via waitlist.

LAW 091 v11 Comparative Constitutional Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 091 v11>)
J.D. Course (cross-listed) | 3 credit hours

How do we lose and save a constitutional democracy? How can democratic backsliding be prevented? What should we consider in designing a constitution? Can constitutions exist without constitutionalism? What is an authoritarian constitution? How do constitutions transition 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 adjudication. Drawing on examples across the world, we will also examine individual rights issues, such as freedom of religion and freedom of expression, as well as constitutionalism in times of emergency and during the COVID-19 pandemic. We will also consider how constitutions can be abused and the question of whether and how constitutionalism might be able to endure in fragile democracies.

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

LAW 1946 v00 Comparative Constitutional Law - Free Expression (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1946 v00>)

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

This seminar considers issues of free expression as they have been dealt with by constitutional courts around the world. Every session will include treatment of U.S. law on the week's topic; other nations considered include Canada, Colombia, Hong Kong, Germany, Israel, New Zealand, and the United Kingdom (as well as the European Court of Human Rights). Topics covered include seditious speech, speech said to cause lawbreaking, national security, demonstrations in public spaces, false statements that harm reputation (libel), criticism of the judiciary, false statements as such, campaign finance, and regulation of the internet. We will discuss different doctrinal approaches, including balancing, proportionality, and categorical rules, and will consider the effects of politics, the legal culture, and culture more broadly on the shape of doctrine. Some previous knowledge of free expression law in one or more jurisdictions is recommended but not required.

Learning Objectives:

The objectives of the course are to:

1. Provide students with an understanding of key theories of free speech, particularly in modern democracies
2. Examine selected aspects of free speech law in a number of developed countries, including the United States, the United Kingdom, Canada, Australia, and Singapore
3. Familiarize students with canonical free speech cases

Prerequisite: Constitutional Law I: The Federal System.

Recommended: 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 091 v10 Comparative Constitutional Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 091 v10](https://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 LL.M. 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.

LAW 079 v08 Comparative Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 079 v08](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20079%20v08))

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

Comparative law involves the study of several global legal systems - including common law, civil law and religious law – with a goal of preparing students who may find their future careers require knowledge of more than one legal system. It may also be of interest to students who desire to examine the theoretical underpinnings of other countries' laws and courts out of academic interest. While the goal is to explore the application of comparative methodology to national and regional legal regimes, the focus will be on both the theoretical underpinnings of the comparative legal method and the historical development of the process for comparing rules, principles, and institutions of different countries. The course also emphasizes the current use of the comparative method in both public and private law by legal actors such as lawyers, judges, and legislators. In the light of contemporary developments, the course will also provide students the international perspective to make substantive connections between the American common law and other legal traditions, and consider recent debates whether national legal systems and institutions are converging or whether differing economic, political, and social environments are leading to greater diversity and possibly even conflict.

Mutually Excluded Courses: Students may not receive credit for this course and the upperclass course, Comparative Law: Focus on EU and US or the first year elective by the same name.

LAW 1791 v00 Comparative Law: China in Context ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1791 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201791%20v00))

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

This course surveys the legal system of the People's Republic of China, using China as a vehicle for asking broader questions about law and legal comparison. It is meant to be inviting to all students, including those with no background in China who wish to better understand the legal system of an increasingly important global power. Topics will include: China's traditional legal order and encounters with the West; the sources of law in contemporary China; courts and dispute resolution; the legal profession; the criminal justice system; selected topics in administrative law, constitutional law, economic law, environmental law, family law, international law, and labor law; China in transnational litigation; and the evolving use of digital technologies in Chinese law. As with any course in comparative law, a key aim will be to deepen understanding of our own legal system through close and careful examination of another.

LAW 079 v07 Comparative Law: Focus on EU and US (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 079 v07>)
J.D. Course | 2 credit hours

This course consists of an introduction to legal comparison with a focus on private law. The course is divided into two parts. The first part presents the functions and aims as well the methods of comparative law in general. After an overview of the legal systems in the world, the course analyses the civil law system in Europe and compares it with the common law system in the United States. It also shows how international and transnational laws address some of the differences between the two systems. While the course focuses on substantive law issues, in the fields of contract and tort, it also examines some structural issues – such as the court systems, the education of lawyers and the role of judicial review. The second part of the course aims at providing an understanding of the ways in which EU law impacts the evolution of national law. Special attention is devoted to the link between private law and the Single Market, but also to the cultural and linguistic obstacles that come up in the process of harmonization of national laws in Europe. Overall, the course also aims at providing a practical introduction to issues of European law faced by American lawyers. Further it will show how legal comparison is a means for thinking about the law in broader terms.

Mutually Excluded Courses: Students may not receive credit for both this course and the first year elective by the same name.

Note: In Spring 2025 this course will meet on Mondays and Wednesdays, 11:10-1:10 pm on the following dates: 1/13, 1/15, 1/22, 1/27, 1/29, 2/3, 2/5 2/10, 2/12, 2/19, 2/20 (Monday classes meet), 2/24, and 2/26.

LAW 1098 v00 Complex Litigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1098 v00>)
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 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 080 v00 Computer Crime Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 080 v00>)
J.D. Course (cross-listed) | 2 credit hours

This course will explore the legal issues that judges, legislators, prosecutors, and defense attorneys confront as they respond to the recent dramatic increase in computer-related crime. In particular, we will consider how crimes online challenge traditional approaches to the investigation, prosecution, and defense of crime that have evolved from our experience with crimes in physical space. Topics will include: the Fourth Amendment online, the law of electronic surveillance, computer hacking and other computer crimes, the First Amendment and the Internet, and special issues in transnational and national security investigations.

Recommended: Criminal Law or Criminal Procedure or Criminal Justice recommended but not required. Although much of this class involves computer and internet technology, no prior technical background or knowledge is required.

LAW 1384 v00 Computer Programming for Lawyers: An Introduction
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1384 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW1384v00))

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

This class provides an introduction to computer programming for law students. Students will learn to code in Python, a language which is both easy to learn and powerful. There are no prerequisites, and 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.) Additionally, lawyers are increasingly 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. Recognizing that artificial intelligence (AI) is changing what it means to program, the course will instill both fundamental programming knowledge and, once basics are established, techniques for using AI to solve complex problems. The course is designed to give students the skills and understanding necessary to create time-saving programs amid a rapidly evolving technological landscape.

The course will also feature discussions around the social and ethical implications of computer programming, with a focus on privacy, intellectual property, consumer protection, equity, and antidiscrimination.

This class will consist of weekly lectures, consisting of both lectures and guided group and independent activities. There will also be weekly labs, in which students will go over issues they might be having with the problem set and work in small groups with their TA.

Students will be required to complete problem sets between class meetings. To obtain a passing grade, students must complete problem sets, participate in class sessions, and demonstrate that 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: Students who are taking a Clinic – or with other, similar time-intensive commitments – should think carefully before enrolling in this course. This course requires a substantial time commitment, and the instructors have observed that students encounter difficulties meeting the commitments of this course and a Clinic in the same semester.

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session and the first lab session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session and the first lab session in order to remain eligible to be admitted off the waitlist. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit

LAW 1499 v00 Computer Programming for Lawyers: Intermediate
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1499 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW1499v00))

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 REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students should contact Professor Adler at (wta13@georgetown.edu). Priority will be given to students who express interest at least one month before classes start.

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 Monday, August 5, 2024 and only by notifying Professor Adler in writing.

LAW 363 v01 Conflict Management Systems Design Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 363 v01](https://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 law school skills-based class on negotiation or mediation is required, such as Negotiations Seminar; Mediation Seminar; Mediation Advocacy Seminar; Negotiations and Mediation Seminar; or Multiparty Negotiation, Groups Decision Making and Teams. The two-credit sections of International Negotiations Seminar do not satisfy the prerequisite for this class.

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

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. **NOTE: In the Spring 2023 semester, this course will take place online via Zoom.**

LAW 084 v04 Conflict of Laws (Private International Law) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 084 v04](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20084%20v04))
J.D. Course (cross-listed) | 3 credit hours

In our increasingly globalized world, litigation frequently transcends state or national borders. Transnational litigation implicates the three main topics addressed by the field of Conflict of Laws (also known as Private International Law): Jurisdiction/choice of forum; choice of law; and enforcement of foreign judgments. This course focuses on how U.S. courts resolve these issues (although some attention will be paid to how other countries address them). Special attention will be devoted to the extraterritorial application of US law and to conflict of laws issues that arise in transnational litigation involving Business & Human Rights.

LAW 309 v02 Congressional Investigations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 309 v02](https://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 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 309 v03](https://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 v01 Congressional Oversight of the Executive Branch ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1486 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201486%20v01))

LL.M. 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 Wilson¹

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.

¹Woodrow Wilson, *Congressional Government*, (Boston: Houghton, Mifflin, 1885), 303

Learning 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 1724 v00 Conservative Legal and Political Thought Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1724 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 822 v00>)

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 089 v00 Constitutional Aspects of Foreign Affairs Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 089 v00>)

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.

A 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.

LAW 1884 v00 Constitutional Dimensions of Environmental Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1884 v00>)

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

Since the 1970s, environmental law has provided an important context for the development of constitutional doctrines. These developments have accelerated in recent years as environmental issues have risen to the forefront of the political debate and received increased attention from parties across the political spectrum. This course focuses on recent jurisprudence, and current developments in environmental law that relate to constitutional issues. To that end, students will examine recent agency rules, appellate briefs, and court decisions. At the outset we will discuss constitutional limits on Congress's power to enact statutes addressing environmental harm. We will then turn to how courts interpret Congressional delegations of authority to administrative agencies including separation of powers issues. Finally, we will address constitutional limits on judicial review. The course will also include conversations with guest speakers from the federal government, state government, and private sector who have worked directly on developing the challenged actions and litigating the cases we will discuss.

The course materials will include agency regulations and guidance documents, excerpts of merits briefs and oral argument transcripts, as well as published opinions.

Prerequisite: Constitutional Law I: The Federal System.

Recommended: [Administrative Law and](#) Environmental Law.

LAW 1601 v00 Constitutional Impact Litigation Practicum (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1601 v00>) (Project-Based Practicum)

J.D. Practicum | 5 credit hours

This project-based practicum course will give students the unique opportunity to be part of the constitutional litigation and policy 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 defend constitutional rights and values while working to restore confidence in the integrity of our governmental institutions. Recent work includes safeguarding rights to free expression, assembly, and democratic participation; combating threats from unlawful private militias and political violence; fighting the criminalization of poverty and other forms of criminal legal system overreach; defending the rights of young people and marginalized communities; and preserving fundamental separation-of-powers principles. 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 and litigation-adjacent policy development.

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 Professors 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 complicated legal issues to the public, in forms such as short op-eds and other public education materials.

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 workload 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; mooted oral advocates for argument; drafting press releases and/or op-eds relevant to ICAP's litigation; and assisting with litigation-adjacent policy development. Students also may be involved in fact gathering related to ICAP's litigation, including reviewing and analyzing publicly available data.

Prospective students should review ICAP's website (<https://www.law.georgetown.edu/icap/>) for examples of previous work. Examples include 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; obtaining an injunction against anti-protest legislation designed to chill First Amendment rights; representing the U.S. House of Representatives Select Committee to Investigate the January 6 Attack on the United States Capitol in obtaining presidential records relevant to its investigation; suing the Wisconsin fraudulent electors and the attorneys who conceived of the scheme; and representing homeless residents of Grants Pass, Oregon, in challenging the enforcement of a law seeking to criminalize their existence in the community. Students will undertake multiple projects over the course of the semester, engaging with not only the Professors, but also with ICAP's other litigators. Students will be

LAW 1609 v00 Constitutional Interpretation Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1609 v00>)

J.D. Seminar (cross-listed) | 2 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. Materials will be provided by the instructor or invited guests. Students will be graded on short reaction papers due every two weeks. *Given the theoretical nature of the topic, law review students are especially encouraged.*

LAW 1880 v00 Constitutional Issues in Corruption & Election Crime Enforcement (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1880 v00>)

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

This course will explore constitutional limits on legislative and prosecutive efforts to prohibit corrupt conduct involving payments to public officials, excessive or prohibited campaign contributions and independent expenditures, fraudulent fundraising by SuperPACs, and false statements by government employees. Students will review the historical evolution of relevant statutes, applicable constitutional principles, and Supreme Court and lower court decisions addressing constitutional limits on legislative and enforcement efforts.

The course will be organized chronologically within specified topics. The primary topics will include: Constitutional Principles; Bribery & Extortion; Fraud & Misapplication; Election Crimes; and Constitutional Privileges. The topics will span several consecutive classes with relevant case law assigned as the primary reading material.

Prerequisite: Criminal Justice (or Criminal Procedure) and Constitutional Law I: The Federal System.

Recommended: Criminal Law.

LAW 004 v00 Constitutional Law I: The Federal System (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 004 v00>)

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 004 v01 Constitutional Law I: The Federal System (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 004 v01>)

J.D. Course | 3 credit hours

This course is the basic course on United States constitutional law. The course explores the architecture of the United States Constitution and focuses on topics illustrating three core structural aspects of American constitutionalism: (1) the tradition of constitutional review by the judicial branch; (2) the configuration, interaction, and powers of the three branches of the national government; and (3) the Constitution's distribution of power between the federal and state governments.

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

LAW 215 v00 Constitutional Law II: Individual Rights and Liberties (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 215 v00>)

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: 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.** 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, especially for the law's claim of neutrality toward subordinated groups.

Note: Note for students in Professor Goodwin's section (LAWJ-215-07): Laptops may not be used during class sessions.

LAW 1881 v00 Constitutional Law: Federal Courts Tackle the Digital World (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1881 v00>)

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

For more than a century, court decisions have lagged advances in technology. The advent of the Internet and developments in artificial intelligence, particularly generative artificial intelligence, have accelerated this gap. This course explores how federal courts are tackling disruptive technologies and digital challenges. The focus will be on a few select areas, including speech, Section 230 of the Communications in Decency Act, privacy, and artificial intelligence, though in reality the lines are blurred between these topics. We will look at cases that serve as the analytical foundation for these issues and consider contemporary judicial efforts to address the shifting legal and digital landscape in an ambiguous environment. Students will have an opportunity to engage in structured, in-class debates and exercises to highlight conflicting views in this arena. The course will also address how judges are engaging with technology in their chambers and courtrooms and how this engagement may impact the decision-making process.

Recommended: Constitutional Law

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 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 1538 v00 Constitutional Law: The First and Second Amendments
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1538 v00>)

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 foundational 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.

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:

WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 1:30 p.m. - 4:50 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 17th through Friday, January 24th, 2025. 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
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1512 v00>)

J.D. Seminar | 2 credit hours

Seminar Description

This seminar will explore the practice and strategy of constitutional litigation through a close study of high-profile constitutional challenges to Executive Branch action in recent years.

We will begin with an introductory session focused on recent trends in constitutional litigation against the Executive Branch. Over the rest of the semester, we will closely study a series of 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 emergency applications in appellate courts, to the varied challenges that may follow a successful lawsuit. Along the way, we will consider the strategies 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 (notably including the Office of the Solicitor General). In addition to mastering how constitutional litigation unfolds, we will seek to develop a clear-eyed view of how lawyers approach the most important judgment calls involved in prosecuting and defending constitutional claims.

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

- President Trump's "travel ban" policies
- President Clinton's adoption of a "Don't Ask, Don't Tell" policy for military service
- President Trump's exclusion of transgender persons from military service
- President Trump's threats to revoke federal funds from "sanctuary cities"
- President Trump's "Remain in Mexico" policy
- A motion filed by the Trump Administration's Solicitor General asking the U.S. Supreme Court to sanction the ACLU in a suit concerning requests by juvenile undocumented migrants to exercise abortion rights
- President Trump's compliance with the Emoluments Clauses
- President Trump's practice of blocking critics on Twitter
- President Trump's exclusion of selected CNN and Playboy reporters from the White House
- The first impeachment of President Trump
- The sexual assault and defamation lawsuit against former President Trump by E. Jean Carroll
- Former President Trump's assertion of an "absolute immunity" defense to criminal prosecution in federal court.
- The Biden Administration's COVID-19 vaccination-or-test policies
- The Biden Administration's student debt relief policies
- Challenges to the FDA's decisions concerning mifepristone
- Challenges to the Biden Administration's interactions with social media companies

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 discussions.

LAW 1908 v00 Constitutionalism in Greater China: China, Taiwan, Hong Kong (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1908 v00>)

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

For over a century, constitutional governance has been seen as a key reformist goal in China. From the Qing Dynasty to the People's Republic, would-be reformers, both inside and outside government, have pushed constitutionalist ideas as a means to strengthen the Chinese state, and to redefine the relationship between state and its citizens.

This course will look at the path of constitutional development in what might be called greater China: the People's Republic, Hong Kong, and Taiwan. Our core question will be straightforward: to what extent has the goal of constitutional governance been fulfilled? If the goal is not yet reached, what are the key barriers to further constitutional development? In each of these three jurisdictions, our answers will vary – often quite significantly, given the differing paths that each place has taken. But in all three cases, our answers will help us to better understand how political power is exercised in China, Hong Kong, and Taiwan, and what limits – if any – the constitution document places on state power.

In each case, we will examine the constitution to understand its formal provisions on key constitutional questions, including structure of government, separation of powers, and protection of human rights. At the same time, we will ask who is able to push for constitutional change, and how they are able to do it. What role can social movements, rights activists, and rights lawyers play in pushing for constitutional change? How do they use the constitution as a political platform to advance their own agenda? And how does the Party-state use its own constitution to push its own political and legal goals?

Recommended: Prior course on the Chinese legal system, or prior academic work related to Chinese history or politics.

LAW 622 v01 Consumer Finance (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 622 v01>)

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

This course is an introduction to consumer financial products and their regulation. It aims to acquaint students with the operation and uses of various consumer financial products, the structure of the markets in these products, the business concerns in offering these products, and the regulatory schemes governing them. The course covers consumer credit products, such as mortgages, credit cards, auto loans, student loans, rent-to-own, and overdraft; consumer deposit and payments products, such as bank accounts and prepaid cards; and consumer financial information products, such as credit reports. It also covers cross-product issues, such as debt collection, discriminatory lending, cost disclosure, and usury. The course pays particular attention to the complex allocation of regulatory jurisdiction allocation over these products among various federal and state agencies, including the Consumer Financial Protection Bureau and the Federal Trade Commission.

LAW 1452 v00 Consumer Protection Law Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1452 v00>)

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

Mutually Excluded Courses: Students may not receive credit for this course and Approaches to Consumer Protection.

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 1915 v00 Contemporary Free Speech Problems (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1915 v00>)

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

Congress shall make no law . . . abridging the freedom of speech" commands the First Amendment. This course explores how that charge has played out in practice by analyzing some of the most challenging free speech issues of our day, with a particular focus cases involving competing First Amendment rights. Topics include: incitement, threats, hate speech, protests, boycotts, aiding and abetting, campus speech, coercion and/or retaliation by public officials, jawboning, doxxing, anonymous speech, compelled speech, associational rights, the rights of "platforms," and speech about abortion post-Dobbs. Students will delve into the relevant legal doctrine, as well as its theoretical and analytical underpinnings, while also developing skills as advocates by applying that doctrine to actual cases. Students will be expected to make meaningful contributions to class discussion.

Recommended: Constitutional Law.

Mutually Excluded Courses: Students may not receive credit for this course and Arguing Free Speech in the 21st Century Seminar.

LAW 002 v01 Contracts (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 002 v01>)

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.

LAW 110 v03 Copyright Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 110 v03>)

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.

Note: This course will not meet on 9/23 and 11/6. To make up for the cancelled classes, this course will meet from 9:00 a.m. - 11:00 a.m. on the following dates: 9/4, 9/11, 10/15 (Monday classes meet), 10/21, 10/23, and 10/28.

LAW 110 v07 Copyright Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 110 v07>)

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 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.

LAW 110 v08 Copyright Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 110 v08>)

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

This course will cover the system of legal protection for creative expression and content dissemination in the United States, with a particular emphasis on policy and policy implications. Topics covered include: requirements for copyright protection, copyrightable subject matter, authorship, useful articles, Section 106 rights (including moral rights), copyright infringement and its elements, exceptions (especially fair use), copyright licensing (via the music industry), copyright infringement (with a focus on substantial similarity analysis), direct and secondary liability, and remedies. When applicable, we will include and encourage discussion of the historical, cultural, political and racial contexts in which copyright law arose, and how lawmakers have (and haven't) accommodated evolving norms.

LAW 1830 v01 Corporate Boards Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1830 v01>)

J.D. Seminar | 2 credit hours

This course will focus on the optimal functioning of privately-held and U.S. publicly-listed companies, as well as on the duties of directors and their advisors in times of crisis or significant change for the corporation. At the conclusion of this seminar, you will have navigated multiple real-life crises that the largest public and private companies face in the course of their business, and will be equipped to play a significant advisor role to corporate boards or other stakeholders requiring commercially-savvy legal representation in corporate crises. These are the matters that involve the country's most experienced and capable corporate boards, advised by the best-in-class law firms, investment banking firms, public relations firms, and consulting firms, among other advisors. Over the course of the semester, the class will analyze eight case studies for public and private companies facing a material, and in some cases, company-threatening crisis. The course will immerse students in the most commonly recurring disruptive events that cause trauma to private and public companies. Those disruptive events include commercial failure of the company, allegations of fraud, antitrust inquiries, activist aggression, SEC investigations, DOJ or federal or state Attorney General investigations, senior executive failures or departures, public relations crises, company-threatening civil or criminal litigation, political interference, competitive displacement, and the other most frequently-recurring fact patterns. We will first identify and analyze the legal issues that frame the viable legal options, and then identify and evaluate the commercial interests of the company. Within that legal and commercial framing, we will analyze the self-interests, objectives, and risk-reward calculus that drive each stakeholder's likely decisions and actions.

We will then role play the response plan to address the crisis, with each student playing a different role – some students will constitute the corporate board, both management and independent directors, some will role play the largest public or private shareholders, one or more will be the company's founder(s) where relevant, and the remaining students will be the lawyers representing these and other relevant stakeholders. The seminar will focus on mastery of the legal and commercial framework that frames the viable decision trees, as well as mastery of the skills and considerations necessary to navigate the dynamics and multi-dimension nature of corporate crises. This course will also focus on the fundamental record-establishing legal documents that reflect corporate board decision-making through crises, including the preparation of presentations, agendas, resolutions, minutes, and other legal, business, and strategy documents for boards and board committees.

Professor Green will provide case studies a week in advance along with the roles each student will play. The students will then use the week leading up to each class to conduct legal and other research, to communicate amongst themselves, with other classmates, and with external stakeholders and shareholders. The Chair/CEO will present the facts of each case and run the board meeting with the assistance of the General Counsel, the CFO, and other stakeholders. Professor Green will lead follow-up sessions to discuss and critique each management team's presentation and materials and the performance of the students assuming each role.

In addition to prepared case studies, Professor Green will provide reading materials taken from the Wall Street Journal, the Financial Times, the Economist, and the other leading business-focused media reporting on current real-life corporate crises. We will discuss and analyze the circumstances attendant to on-going public corporate events, and will apply what we are learning in our simulations to what is likely unfolding in the boardroom in these actual situations. Students will learn the legal and commercial framing of these scenarios and will gain insight into what is likely happening behind the scenes to manage each reported

LAW 1830 v00 Corporate Boards Seminar: The Duties of Directors and their Advisors (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1830 v00>)

J.D. Seminar | 2 credit hours

In this seminar we will simulate meetings of a board of directors of US listed public companies facing significant challenges or threats. Every two weeks, the class will examine a case study for a company in crisis. The class will be divided into teams of three to four students who will serve as members of management to conduct a board meeting. Typically, the students will serve as Chairman of the Board/CEO and other members of management, including General Counsel, Chief Financial Officer, and Chief Operating Officer, although those positions may vary, depending upon the details of the case. The student teams may also elect to have team members serve as outside financial, legal, or communications advisors to management and the board. The balance of the class will act as board members and will receive position descriptions for their director respective roles. Every two weeks, the board will face one or more corporate governance challenges as the company confronts a crisis. This course will emphasize the preparation of presentations, agendas, resolutions, minutes, and other legal, business, and strategy documents for boards and board committees. As stated above, student teams will take turns serving as the Chairman of the Board/CEO, General Counsel, and Chief Financial Officer (or a different member of the management team, as deemed appropriate), leading the board of directors through a discussion of the most critical issues in each case study. The management presenters will have two weeks leading up to each class to conduct legal and other research, to communicate amongst themselves, with other classmates, and with external stakeholders and shareholders (as played by Professor Kamerick). The Chairman/CEO will present the facts of case and run the board meeting with the assistance of the General Counsel, the CFO, and other members of management. Professor Kamerick will lead follow up sessions to discuss and critique each management team's presentation and materials and the performance of the students assuming the roles of board members. The course will focus on the customary functioning of United States publicly listed companies, as well as on the duties of directors and their advisors in times of crisis or significant change for the corporation.

Note: This course will meet on the following days, 2:30 p.m. - 5:30 p.m.: 1/23, 2/6, 2/23, 3/6, 3/20, 4/3, 4/17, 4/28.

This course has a mandatory attendance policy. Students are expected to attend all classes, including make-up classes. Attendance will be taken in the first 10 minutes of class. The faculty reserve the right to adjust grades based on class participation, including attendance.

Enrollment Policy: In Spring 2023, 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 611 v16 Corporate Compliance in the Financial Sector: Anti-Money Laundering and Counter-Terrorism Financing (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v16>)

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 class each 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: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors 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

LAW 1864 v00 Corporate Criminal Liability: Theory and Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1864 v00>)

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

The modern economy is dominated by corporations. When the activity of those corporations results in harm – whether through the promotion and sale of unsafe products, corruption and bribery of government officials, misrepresentations about financial affairs, the uncontrolled release of toxic chemicals or pollutants, or as a result of industrial accidents – governments increasingly look to apply criminal sanctions to the corporations and corporate executives. But the bases, purposes, and proper application of corporate criminal liability have been insufficiently studied, theorized, and appreciated, and while many find the notion of corporations having rights difficult to accept, the corporate criminal law in the US is premised on the idea that they have obligations above and beyond those held by their officers and employees. This course examines various approaches to corporate criminal liability both as a matter of theory and, through case studies focusing on some recent prominent federal prosecutions, in practice.

Recommended: Prior experience with Criminal Law is helpful but not required.

LAW 114 v05 Corporate Finance (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 114 v05>)

J.D. Course (cross-listed) | 3-4 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 preferred and common equity, bonds, loans and other debt instruments and convertible securities. Other financing instruments will also be considered including leases, derivatives and structured products. The course concludes with the application of corporate finance principles in contexts such as investment funds, mergers and acquisitions and financial restructurings.

Course Goals/Student Learning Outcomes:

The primary goal of this class is to have students gain a broad-based understanding of corporate finance so that they will be able to collaborate and communicate with clients and other stakeholders, such as bankers, investors and regulators on corporate finance matters and transactions. More specifically, learning outcomes include:

- An understanding of how businesses raise capital, how they make investment decisions and how they return capital to their investors and the role of lawyers in these activities.
- An understanding of the theory and methods used to value projects and enterprises, including both extrinsic and intrinsic approaches.
- An appreciation of the varying perspectives of clients, finance professionals, accountants and lawyers in approaching a business' capital structure.
- Working knowledge of the principal substantive legal aspects of corporate finance matters, including statutory, regulatory and contractual concepts, so that the student can be operational on such matters as a new lawyer.
- Knowledge and understanding of the terminology used by corporate finance professionals, and the ability to utilize such terminology in approaching legal assignments.

Prerequisite: For Professor Flax's sections: Prior or concurrent enrollment in Corporations.

For Professor Cuttino's sections: Prior enrollment in Corporations.

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

Note: Note for students in Professor Cuttino's sections: Laptops may not be used during class sessions.

LAW 113 v06 Corporate Governance Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 113 v06>)

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 1917 v00 Corporate Governance Workshop: ESG & Related Issues (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1917 v00>)

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

In this class, students will study, comment on, and develop scholarship of their own on topics related to the environmental, social, and governance (ESG) practices of corporations, social enterprises, and other business or nonprofit entities. The class begins with introductory materials and discussion to ground students in the theoretical and practical debates underlying ESG and related topics.

After introductory classes discussing the themes of the course, the professor will invite prominent legal scholars (primarily from other institutions) to present papers on ESG and related issues.

The paper topics may include:

- ESG disclosure and reporting
- ESG shareholder proposals (e.g., civil rights and racial equity audits) and anti-ESG shareholder proposals (e.g., anti-discrimination and anti-climate change proposals)
- Board diversity, including gender, sexual orientation, and racial diversity
- Critiques of ESG, stakeholder governance, sustainable business, and social enterprise
- ESG practices of social enterprises (e.g., benefit corporations) and nonprofit organizations
- The role of institutional investors, proxy advisors, shareholder activists, and lenders in ESG practices
- International perspectives and comparisons of ESG practices, social enterprise, or related topics

The specific topics considered will vary depending on the interests of the speakers, but the general focus will be topics related to ESG and corporate governance, broadly understood.

Professor Alicia Plerhoples 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 a group 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 ESG & social enterprise community who attend the workshop.

Course Objectives and Learning Outcomes: The objectives of the course are to (i) give you familiarity and understanding of the current academic literature on ESG and related topics, (ii) teach you to analyze, critique, and engage in academic legal writing, and (iii) refine your own analytical and writing skills.

Recommended: Corporations.

Mutually Excluded Courses: Students may not receive credit for this seminar and Corporate Purpose and Environmental, Social and Governance (ESG) Issues 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 1742 v00 Corporate Governance, Risk Management, and Compliance Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1742 v00>)

J.D. Seminar (cross-listed) | 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.

Prerequisite: Corporations.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 848 v00>) LL.M. Course (cross-listed) | 2 credit hours

Examines the U.S. 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.

Recommended: Corporations.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Corporate Taxation (formerly Taxation II).

LAW 850 v00 Corporate Income Tax Law II ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 850 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20850%20v00))
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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1267 v00](https://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 will 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).

LAW 2070 v00 Corporate National Security Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2070 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202070v00))

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

Corporate National Security Law explores important legal issues arising out of the U.S. government's reliance on the private sector for its national security, and the increasing convergence and conflict between national security, technology, and the private sector. The course will focus on: (1) privatization and insourcing/outsourcing issues for the U.S. government in the national security arena; (2) government contracts issues in the national security sphere; (3) export controls; (4) classified information and secrecy issues; and (5) emerging issues at the intersection of national security, technology, and the private sector.

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

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. Conditions and events such as climate change, the pandemic, the BLM movement, voting legislation 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, reporting of ESG-related information by companies and ratings of companies on the basis of that information 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.

Course Goals/Student Learning Outcomes:

The primary objectives of this course are for students to develop an understanding of the often-conflicting considerations that affect a corporation's handling of ESG issues and the perspectives of investors who make investment decisions on the basis of ESG considerations. This will include an understanding of state corporate law fiduciary considerations, the application of federal securities, labor, banking and other laws to ESG activities and the impact of corporate governance principles. Students completing the course should be in a position to advise clients and colleagues on these considerations.

Mutually Excluded Courses: Students may not receive credit for this course and Sustainability for Big Law and Big Business or Corporate Governance Workshop: ESG & Related Issues.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1540 v00>)

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, memoranda 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 422 v00>)
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, 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.

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.

LAW 121 v01 Corporations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 121 v01>)

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. Topics covered may include: factors bearing on choice of organization, including partnership attributes, process of corporate formation, corporate privileges and powers, corporate capital structure, and limited liability. The main focus of the course is the governance structure of the corporation and the fiduciary obligations of directors and officers, with an emphasis on public corporations. Additional topics may include: stock trading by corporate insiders, transactions in corporation control, and stockholder derivative suits, as well as policy discussions about federal-state jurisdiction, the nature of the corporate governance system, and the role of the corporation in modern society. Finally, in Professor Zytneck's section, the course serves to introduce the students to basic concepts in accounting, investment, business, and law and economics.

LAW 121 v05 Corporations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 121 v05>)

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. 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: Laptops may not be used during class sessions.

LAW 1805 v00 Courts and Congress (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1805 v00>)

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

This course examines the relationship between the federal judiciary and the Congress, and its role in shaping the administration of justice.

How do lawmakers exercise effective and appropriate oversight while fostering a system of federal courts that discharges the judicial power of the United States? How does the Judiciary maintain independence within a system in which Congress has so many controls over the Third Branch?

How can the two branches work together to sustain and strengthen the federal courts as an essential part of our government?

Anticipated session topics include: the Judicial Conference of the United States, legislative cooperation, appropriations, judgeships, confirmations, and oversight. Most seminar meetings will include discussion with practitioner guests.

Grading will be based on: (1) class attendance and appropriate contributions to seminar discussions, including written questions for guests submitted in advance of each class meeting; (2) two short memo assignments; and (3) a capstone exercise of proposing a congressional action and responding to a classmate's proposal.

LAW 512 v01 Criminal Defense and Prisoner Advocacy Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 512 v01>)

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.

For registration-specific supplemental materials, please see the Criminal Defense and Prisoner Advocacy Clinic PDF (<https://georgetown.app.box.com/s/gjpp89bch1im6ew1gseo1tbjgfwvcqk/>).

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

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

LAW 003 v00 Criminal Justice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 003 v00>)

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 receive credit for both this course and Criminal Procedure or Democracy and Coercion. Students may take both this course and Criminal Law.

Note: This course is open to J.D. students only and is restricted to evening students and transfer students from other law schools.

LAW 003 v01 Criminal Justice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 003 v01>)

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.

LAW 512 v00 Criminal Justice Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 512 v00>)
J.D. Clinic | 14 credit hours

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

For registration-specific supplemental materials, please see the Criminal Justice Clinic PDF (<https://georgetown.app.box.com/s/uqxsj8cc7qkavbwyoq6eyu2pz9j2m51w/>).

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

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

LAW 1652 v00 Criminal Justice II: Criminal Trials (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1652 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1655 v00>)

J.D. Seminar | 2 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.

LAW 1845 v00 Criminal Justice Seminar: Confronting and Reimagining Judicial Writing in Foundational Criminal Cases (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1845 v00>)

J.D. Seminar | 2 credit hours

Historically, legal opinions, and the law that they establish, have been shaped from a perspective that is largely white, male, and privileged. At the same time, legal opinions and the law have largely ignored the perspectives of racial minorities, women, and other marginalized groups. This course will focus on these missing perspectives and ask what the law would be like if the experiences and needs of these citizens were given equal consideration in criminal law and procedure.

Through an exploration of judicial writing and attorney advocacy in key cases, I will invite students to consider the analytical and writing choices judges have made in key criminal judicial decisions by looking beyond the page. After learning about critical race and feminist perspectives of law, and the use of rhetoric, storytelling, and metaphor in judicial writing, students will assess how race and gender are handled and whose perspectives are and are not discussed in key legal opinions. They will also read and critique published rewritten feminist and critical race opinions in many of these cases. Ultimately, students will rewrite legal opinions of their own with a better understanding of the judicial audience.

Note: This course will enroll via waitlist.

LAW 126 v00 Criminal Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 126 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 126 v02>)

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 790 v09 Criminal Law Across Borders ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 790 v09](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v09))
J.D. Course | 3 credit hours

“Criminal law across borders” studies two bodies of law. One is domestic (national) criminal law applied to crimes committed outside national territory. The other is crimes under international law: war crimes, crimes against humanity, genocide, and aggression. These are the “core crimes” tried by courts like the Nuremberg Tribunal, the tribunals for Rwanda, Sierra Leone, and former Yugoslavia, and the International Criminal Court (ICC). Along with the substantive law on these issues, we examine procedural law on topics such as jurisdiction and immunity from prosecution. As a 1L course, it will introduce basic doctrines of criminal law and international law. The course will also examine the problems confronting international criminal justice today, including the political backlash against holding leaders accountable for core crimes. The aim is to introduce students to basic doctrines of international criminal law, as well as doctrines concerning the extraterritorial application of U.S. criminal law. The course combines law, policy, and history.

Please note that we will read about and discuss some difficult issues in this course, including genocide, torture, sexual violence, and legal issues in current ongoing armed conflicts, including the Russia-Ukraine war and Israel’s conflicts with Hamas and Hezbollah.

Mutually Excluded Courses: Students may not receive credit for both this course and the graduate course or the JD course, International Criminal Law.

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

LAW 1610 v00 Criminal Practice Seminar: White-Collar Crimes in a Transnational Context ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1610 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201610%20v00))

J.D. Seminar | 2-3 credit hours

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 Outcomes

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.

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 128 v01 Criminal Procedure ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 128 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20128%20v01))
J.D. Course | 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 1780 v00 Criminal Procedure and the Roberts Court Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1780 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201780%20v00))

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

In this seminar, we will explore select Criminal Procedure cases decided by the Roberts Court. In each class, we will study either one or two cases in depth. Topics may include search and seizure, exceptions to the warrant requirement, excessive force, ineffective assistance of counsel, right to jury trial, double jeopardy, the right to confront witnesses, and *Bivens* liability, among others. Before each class, we will provide students with notes and discussion questions to facilitate their preparation and guide their discussion.

Students will be required to write a final paper of 15-20 pages double-spaced on any issue relating to criminal procedure. The grade on the final paper will be the starting point for the final grade. The grade may be adjusted upward or downward by one-half grade based on class participation.

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

LAW 3111 v00 Criminal Tax Law and Procedure ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3111 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203111%20v00))

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.

Recommended: Tax Practice and Procedure; Criminal Law; and Criminal Justice (Democracy and Coercion) or Criminal Procedure.

LAW 1848 v00 Critical Issues Facing the Department of Justice: DOJ's Mission, the Rule of Law, Exercise of Discretion, Enforcement Policy Priorities, and Seeking Justice: Role of Defense Counsel (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1848 v00>)

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

The Department of Justice is one of the most important and powerful executive branch departments in government. DOJ prosecutors make decisions that have a profound impact on the lives of individuals and the ongoing success of business entities. In this and recent, past administrations, the actions of DOJ have been the subject of intense public and congressional scrutiny resulting in difficult questions being raised as to the future role of the Department.

Drawing on my experiences as an Assistant U.S. Attorney, in senior leadership positions at DOJ (including Acting Deputy Attorney General, Chief of Staff to the Attorney General, and Deputy Assistant Attorney General in both the Civil and Criminal Divisions) and my work as a defense attorney in private practice, this course will focus on many, critically important issues confronted by the Department and defense bar. It will review significant roles played by DOJ including its responsibility as a prosecutorial and civil enforcement agency, as legal advisor to the President and government agencies, litigator to defend federal statutes, regulations and programs, and as policymaker in areas related to its mission. This course will consider DOJ's organizational structure, the importance of the rule of law, the senior leadership's decision-making process, and exercise of prosecutorial discretion, and the longstanding norms that guide DOJ's operations across a wide range of duties. Issues confronted by DOJ attorneys, in both civil and criminal arenas, many times present some of the most consequential legal and policy questions facing this nation.

This course will also consider the increasing criticism by political actors and the media that DOJ has been "weaponized" as well as the vital importance of DOJ acting with integrity and independence free of political influence in the face of this criticism. This will also include a discussion of the power of the President to direct the Attorney General to initiate a specific criminal investigation and prosecution as addressed in the July 1, 2024 Supreme Court decision in *Trump v. United States*.

This course, in part, will examine the principles of federal prosecution, the vital work of the Solicitor General's Office, the Office of Legal Counsel, the National Security Division, the role of DOJ in international affairs and the roles of DOJ law enforcement agencies including the FBI, DEA, ATF&E, and U.S. Marshal's Service. It will examine the unique role of the Attorney General as a member of the President's Cabinet including the White House Communications policy. This course will also review the line between enforcement policy driven by the President's agenda and a commitment to independent, objective law enforcement with a goal of seeking justice. Readings will include DOJ prosecutorial guidelines, policy memoranda, case law, Office of Legal Counsel opinions, speeches by DOJ's senior leadership and news articles.

Recommended: Criminal Law, Criminal Procedure, Constitutional Law

LAW 599 v00 Critical Legal Theory Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 599 v00>)

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 1795 v00 Critical Race Theory (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1795 v00>)

J.D. Course | 3 credit hours

Critical Race Theory places race and racism at the center of American law. This course will describe the origin story of Critical Race Theory along with the current anti-Critical Race Theory backlash. It will examine the role that race plays in creating legal doctrine. The course will examine racial biases in judicial decision making in many courses covered in the first year of law school, but not exclusively those courses. Legal doctrines covered in the following subjects will be analyzed: Civil Procedure; Torts; Contracts; Criminal Procedure; Criminal Law; and Property. The course will also consider whether Critical Race Theory has influenced judicial precedent and what Critical Race Theory judicial opinions might look like.

COURSE GOALS

By the end of the semester, students will:

1. Understand the role that racism has played in shaping American Legal doctrine in first year subjects.
2. Be equipped to critically evaluate the role of racism in shaping other areas of law.
3. Enhance their critical reading skills.
4. Enhance their critical thinking skills.
5. Enhance their ability to have difficult conversations about racism in a productive manner. Self-reflection is a key ingredient here.

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

LAW 807 v00 Cross-Border Transactions in Latin America (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 807 v00>)
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 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 1615 v00 Crypto Law Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1615 v00>)

J.D. Seminar | 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 briefly touch on "Initial Coin Offerings" ("ICOs")—fundraises by startups identifying technology-based problems and proposing the sale or financing of technology-based solutions. The primary focus will be on the US financial services regulators and their evolving treatment and regulatory approaches to digital assets beginning in 2013 up to the present.

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.

Mutually Excluded Courses:

Students may not receive credit for this course and Digital Assets and the Law.

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; Securities Regulation of Financial Institutions and the Securities Markets; or The Law of Money Seminar.

LAW 1633 v00 Current Developments in International Taxation Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1633 v00>)

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, at the multilateral level, world leaders agreed to a fundamental reform of the international tax system involving a global minimum corporate tax. Then in 2022 the United States did not follow through on implementing that agreement, leaving the question of whether the U.S. will implement the global minimum tax to 2025, when various provisions of the 2017 act phase out.

This course will study current developments in US and multilateral international tax policy. We will consider the major international tax questions at stake in Pillar 1 and Pillar 2 of the OECD project as well as the legislative questions at issue for corporate taxation in the United States in 2025, and the relationship between the negotiations at the OECD and U.S. international tax policy developments. We will also speak with government representatives involved in crafting legislative proposals and negotiating multilaterally.

Students will write short papers with respect to the primary materials 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.

Prerequisite: Federal Income Tax and International Tax (or U.S. International Inbound Tax and U.S. International Outbound Tax).

LAW 2038 v00 Current Issues in Tax Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2038 v00>)

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 cross-border tax, capital taxes, energy 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.

LAW 014 v01 Current Issues in Transnational (Private International) Law Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 014 v01>)

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" PIL questions of jurisdiction, choice of law, judicial assistance and enforcement of judgments, we will explore such topics as international family law (including international adoption, abduction and enforcement of child support and family maintenance), alternative dispute settlement mechanisms (including international mediation and commercial and investment arbitration), as well as the cross-border aspects of such topics as data protection and privacy, bankruptcy/insolvency, secured transactions, securities law, intellectual property, transport of goods by sea, letters of credit, leasing law, consumer protection, and even wills and trusts. You may write your papers in any of these areas (among others). All students will be expected to choose a topic to research, write and present 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", where it is developed and how; understanding of the relationship between international and domestic law; ability to research effectively in the field; ability to write coherently and present conclusions orally.

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
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1127 v00>)

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 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 3171 v00 Cyber Threat Landscape: Legal Considerations at the Crossroads of the Public and Private Sectors
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3171 v00>)

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

The cyber threat landscape is constantly changing: threat actor tactics and technological advances, including the proliferation of AI solutions, are rapidly evolving as the legal field tries to keep pace. While cyber defense and national security considerations are often thought of as governmental responsibilities, the private sector has a critical role to play in addressing cybersecurity threats. The management and mitigation of, and defense against, cybersecurity risks is multifaceted, and the public and private sectors are closely intertwined in this effort.

This advanced, discussion-based seminar will focus on the intersection of the private and public sectors in the cybersecurity field with a particular focus on legal considerations and challenges the private sector faces in the industry. We will cover a range of topics, including: intelligence and information sharing; cybersecurity threats, updates, and trends; private sector cybersecurity laws and regulations; cybersecurity investigations and threat actor disruptions and prosecutions; and challenges and tensions between the public and private sectors in these contexts. At the end of the seminar, students will participate in a live “tabletop” cyber-attack simulation with the goal of developing practical skills in the practice of cybersecurity law.

LAW 1545 v00 Cyber Threats, Information Security and Technology in the Practice of Law
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1545 v00>)

J.D. Seminar (cross-listed) | 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 611 v24 Cybersecurity Incident Response: Legal Leadership During Cyber Crisis (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v24>)

J.D. Seminar | 1 credit hour

This one-credit pass/fail Week One course will introduce relevant cybersecurity legal obligations by simulating a variety of real-life cyber threats. Students will learn about the complex legal considerations related to cyber incidents, including the various stakeholders in a cyber incident, the overarching legal frameworks, and the risk landscape that shapes incident response. Students will daily apply these legal considerations in fast-paced, intense scenarios.

This introductory course will provide an overview of the legal and ethical obligations applicable to all lawyers, as well as a foundation for upper-level cybersecurity and privacy courses. The course will include a daily substantive lecture and related simulation(s). The course will begin with simpler scenarios and build in complexity throughout the week. By the end of the course, the simulations will involve each student individually representing a different stakeholder with different priorities and objectives, each characterizing the complex landscape of considerations that influence how a cyber-incident response could play out. Students will taste what it feels like to be a lawyer working day-to-day in cyber-incident response—the messiness, the uncertainty, the high stakes, and the fun of working under such conditions.

The goals/student learning objectives for this course include:

1. Experience a variety of cybersecurity incidents and the corresponding legal decision-making processes associated with responding to such incidents.
2. Develop and sharpen lawyering skills, to include applying legal requirements in the face of uncertain and evolving facts, communicating complex legal issues orally with non-lawyers (e.g., with board members), and drafting documents in compliance with statutory requirements while keeping business and legal risk considerations in mind.
3. Gain knowledge of cybersecurity law, including statutory and regulatory obligations, government relations, and cyber-incident management.
4. Engage in effective problem-solving and prioritization of obligations related to cyber-incident response when faced with ambiguous information and tight deadlines.
5. Identify and appreciate ethical considerations related to cyber-incident response.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 09, 2025.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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**

LAW 1825 v00 Cybersecurity Risks, Rules and Responsibilities (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1825 v00>)

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

This class will focus on the laws, standards and liabilities that govern cybersecurity. The course will examine cyber threats and risks such as ransomware/extortion, destructive malware, critical infrastructure attacks, personal data breaches, email account take-overs, exfiltration of proprietary data and intellectual property, exploitation of software and internet hardware vulnerabilities, insider threats, malicious and defensive use of artificial intelligence, and state-sponsored cyberattacks.

Students will examine the roles of various government agencies such as the White House, FBI, DOJ, NSA, HHS, Cybersecurity and Infrastructure Security Agency (CISA), Federal Trade Commission (FTC), Securities and Exchange Commission (SEC), Commerce Department, Treasury Department, the intelligence community, financial regulators, and their respective international counterparts, etc.

The roles of boards of directors and corporate governance will also be explored. Readings will include a broad range of cybersecurity laws and regulations, executive orders, judicial decisions, enforcement actions and settlements, government and expert reports, agency guidance, corporate filings, and news articles. Current cyber developments will be discussed regularly, and students will be expected to participate actively.

LAW 3173 v00 Cybersecurity, Data Privacy, and Surveillance Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3173 v00>)

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

This seminar will serve as an advanced LL.M. and J.D. seminar covering topics in cybersecurity, data privacy, and surveillance law and policy, with a focus on national security, military, and international current and emerging issues. The seminar will also include a significant intelligence law and policy component as it relates to current U.S. legal and policy debates surrounding nation state cyberspace activities and government access, collection, and use of commercial and public data. Throughout the course, students will examine foundational U.S. law and policy in these related legal fields, as well as evolving digital technologies, the digital threat landscape, domestic cybersecurity issues, government interagency roles in safeguarding our digital world, and congressional oversight of government activities in cyberspace.

Recommended: National Security Law: International Law I.

LAW 459 v01 Deals: The Economics of Structuring Transactions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 459 v01>)
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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1708 v00>) (Project-Based Practicum)

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 Miami-Dade Public Defender, the Federal Public Defender, 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. 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 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

LAW 1551 v00 Decarbonizing the Energy Sphere: A Federal Regulatory Approach (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1551 v00>)

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

Burgeoning climate concerns, abetted by technological advances, have permitted new federal regulatory strategies to reduce carbon emissions in the energy sphere. Relying mostly on precedents less than four years old, this course will explore environmental policy involving wholesale energy sales, transmission of electricity, and transportation of natural gas. We will apply the legal framework of statutes organic to the Federal Energy Regulatory Commission as a starting point to examine incentives and impediments to new wind and solar generation and strategies such as carbon pricing. The operation and continuing relevance of the Public Utility Regulatory Policy Act in competitive wholesale markets will also be examined.

The course will further address how seemingly local concerns, such as rooftop solar, may implicate federal energy regulation and policy interests. Turning to pipelines, we will examine how National Environmental Policy Act, Clean Air Act, and Clean Water Act requirements affect authorization of new construction, applied concepts of environmental justice, law and policy regarding export of liquefied natural gas, and potential remedies for pipeline construction subsequently found to have been unlawfully authorized, among other topics.

Decarbonizing the Energy Sphere: A Federal Regulatory Approach will provide students the foundation to critically assess the balance of environmental values and ubiquitous consumer demands, such as reliability and affordability. Case readings will be paired with a policy text to undergird discussions of means within the broader investment and technological context to achieve environmental objectives. Our examination of policy options will be informed by consideration of a broad array of stakeholder interests. By gaining exposure to major environmental controversies in federal energy regulation, students will gain deep practical knowledge and develop insights into the formulation of decarbonization strategies.

To provide opportunities to apply course concepts and materials, students will participate during class time, and with ample advance notice, in oral argument and judging. By creating an outline in support of scenario-based legal positions and arguing for them in a supportive environment and reaching a determination in the context of a well-defined legal controversy, students will gain experience in the advocacy and evaluation of complex, contemporary legal issues where federal energy and environmental law intersect.

Recommended: Administrative Law.

LAW 134 v00 Decedents' Estates (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 134 v00>)
J.D. Course | 4 credit hours

This course addresses intestate succession; wills, their execution, revocation, and contest; nonprobate transfers; the nature, creation, and termination of trusts; and the interpretation and legal consequences of dispositive provisions, including problems involving survivorship interests, class gifts, powers of appointment, and the rule against perpetuities. Modern planning for elder incapacity and the fiduciary responsibilities of wealth management 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 1783 v00 Decentering the Police in Community Safety Practicum ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1783 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201783%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 actionable steps to decenter the role of policing in community safety efforts in order to make cities and neighborhoods safer and reduce the harms of policing. Students will participate in a weekly two-hour seminar and carry out approximately 15 hours of project work each week under the direction of the course professor.

SEMINAR: Nationwide, high-profile police killings and the documentation of patterns of police misconduct have brought about broad-based movements for change. There is a growing recognition that even lawful policing causes unnecessary harm and that we have over-relied on policing to meet community safety needs. A modern, evidence-informed approach to community safety requires decentering the role of police to make space for entities that can better carry out some responsibilities currently delegated to police. The seminar portion of this course will provide students an understanding of the history of policing and explore theories of why policing has evolved as it has. We will take close looks at particular harms and inefficiencies of the current public safety system that over relies on policing to meet a broad array of social challenges, from drug addiction and homelessness, to mental health crisis, trauma, and preventing violence. During seminars, students will hear from a broad spectrum of actors and stakeholders in the public safety system.

PROJECT WORK: Through this practicum, students will work on projects that explore and implement innovative approaches to community safety. Projects may involve research to enhance understanding of what is needed to make communities safe; implementing ideas that broaden the scope of who is involved in creating and maintaining community safety; or working directly to reduce the harms of current policing. Students will gain the skills and knowledge lawyers need to play an effective role in the effort to transform policing, community safety, and our criminal legal system. Student projects may be completely individual or in pairs, and may involve working with Georgetown Law's Center for Innovations in Community Safety on projects currently underway.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure. Second year evening students can take Criminal Justice concurrently. Transfer students can take Criminal Procedure concurrently.

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

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students should submit a résumé and written statement (maximum of 300 words), articulating their interest in the practicum and noting any relevant academic, work, or other experiences, especially in the field of policing, criminal legal system reform, and/or civil rights, to Professor Tahir Duckett (tahir.duckett@georgetown.edu). Students are encouraged to apply as soon as possible, as Professor Duckett is admitting students on a rolling basis.

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. 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

LAW 1815 v00 Decentralization, Finance, and the Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1815 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201815%20v00))

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

This seminar will examine the concept of decentralization and finance as it is applied across various issue areas: securities law, antitrust law, intellectual property, and financial stability.

Decentralization has attracted enormous attention with the rise of cryptocurrencies and decentralized finance. However, the term “decentralization” is a term of art rather than a legal concept—although the norms and general understanding of particular uses of the term can have decisive legal consequences. In this seminar, students will compare and contrast the contexts and settings in which the decentralization conversation has had particular salience, particularly when applied to Web 3 and blockchain technologies. Guest speakers will additionally visit the class to provide real world applications and perspective. A basic understanding of what a cryptocurrency is will be useful to students taking the 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 3153 v00 Decolonization, Global Health & the Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3153 v00>)

LL.M. Seminar | 1 credit hour

The history of global health is inextricably linked to colonial conquest. The early interventions of what was then called international health were developed within colonial settings and to a large degree, were dependent on the coercive power of colonial rule. Shaped by colonial ideas that colonized peoples were incapable of improving their own health, the existence of local medical knowledge and existing public health infrastructures in colonized lands were subverted and colonial health services were designed primarily to protect the health of European and American personnel who were essential to upholding the colonial economy." (Zeinabou Niamé Daffé et al, 2021)

COVID-19 has demonstrated that the modern global health systems, built on the foundations of colonialism, continue to perpetuate practices and laws that often result in inequitable access to health services and products, and unequal enjoyment of the right to health. Created on the foundations of tropical medicine. The Special Rapporteur on the Right to Health, Dr. Tlaleng Mofokeng, has made decolonizing human rights in global health an integral part of her mandate and to that end has proposed the idea of a forthcoming Lancet O'Neill Commission on Racism and Structural Discrimination in Global Health Law.

The course will provide a historical context to students of the impact of racism and colonization on modern day global health. It will examine the historical role of the law in entrenching racially discriminatory health law and policies, and examine the opportunities for reform through the work of the forthcoming Lancet O'Neill Commission on Racism and Structural Discrimination in Global Health, co-chaired by Dr. Tlaleng Mofokeng and Dr. Ngozi Erondu.

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

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

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

LAW 1916 v00 Democratizing Work Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1916 v00>)

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

This course explores the “future of work” in the context of mounting social challenges such as rising inequality, political turmoil, the climate crisis, and rapidly evolving AI technologies. Within this context, a historical debate on democratizing work is gaining steam globally. Focused on collective strength, a culture of care, and sustainability, this movement argues that shifting power to workers is key to solving longstanding issues like poverty, while also getting closer to ideals of democracy. Workers engage in a myriad of activities to shift power and accomplish these goals, including traditional labor reform, independent unions, employee ownership, and worker-owned cooperatives. While exploring these approaches, we will critically examine the relationship between political democracy and economic democracy within the workplace and beyond.

This course will feature guest speakers including academics, policymakers, community organizers, and artists who are on the cutting-edge of both theory and strategy in the areas of workplace justice, health, and economics. The core themes will focus on the intersections of race, class, and gender hierarchy. The readings and speakers will offer interdisciplinary perspectives from law, economics, political science, history, and sociology. In each class session, invited speakers will present a public lecture, followed by in depth discussion with enrolled students. This course fulfills the ILO #8 and WR requirements.

Learning Objectives:

- Critically examine the relationship between political democracy and economic democracy within the workplace and beyond (ILO)
- Critically examine the history of race, class, and gender hierarchy, and how these shape extraction, commodification, and exploitation in the context of work (ILO)
- Critically examine how the law has facilitated or reinforced the social challenges explored, such as race/class/gender inequality, poverty, precarity, and the climate crisis (ILO)
- Analyze, critique, and propose strategies to implement democratic principles and processes into mainstream business arrangements, such as corporations and nonprofits.
- Critically examine how the current social, economic, and political context present both opportunities and challenges for building solidarity and coalitions for a just society (ILO)
- Critically examine the social constructions of race, class, and gender, reflecting on why they exist and whom in society they benefit (ILO)
- Write a scholarly research paper incorporating these learning objectives (WR)
- Verbally present research arguments in a 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 969 v00 Derivatives Regulation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 969 v00>)
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.

LAW 847 v00 Developing & Financing Infrastructure Projects ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 847 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20847%20v00))
LL.M. Course (cross-listed) | 3 credit hours

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. Class on 11/2 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.

The required course textbook is:

E.R. Yescombe, Principles of Project Finance (London: Academic Press, an imprint of Elsevier, 2014) (2d Edition). Please note that the second edition is materially different from the first edition, and all page number and other references in this syllabus and in the course will be to the second edition.

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: This course is part of the following graduate programs:
Environmental and Energy Law LL.M.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor. **NOTE: ATTENDANCE IS MANDATORY at the Special Negotiation Workshop which may be offsite. The Special Negotiation Workshop will meet on Saturday, November 2, 2025 from 8:00 a.m. - 1:00 p.m. Failure to attend the Special Negotiation workshop may result in a withdrawal. The Special Negotiation Workshop will be held at Haynes Boone, 800 17th St NW. The specific room and instructions for admission will be provided by the professor.**

LAW 131 v02 Disability Discrimination Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 131 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20131%20v02))
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 1947 v00 Dispute Resolution & the Pursuit of Fairness: Negotiating Neutrality, Scarcity, & Belonging (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1947 v00>)

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

This course explores (1) how interpersonal and structural choices around resource distribution – the sharing of rights, land, money, power – are shaped by neutrality narratives embedded in our laws, norms, and customs, (2) how the interplay between neutrality narratives, scarcity fears, and limited conceptions of who “belongs” can lead to *inequitable* distributive choices (i.e. how we share resources) in dispute resolution, and (3) how the pursuit of fairness in dispute resolution might require a reimagining of neutrality, belonging, and distributive choices.

To this end, this course will draw on myriad discourses, including but not limited to, critical legal studies, neuroscience, social psychology, history, and anthropology. In every class, students will be invited to consider texts, examine relevant case studies, and reflect on lived experience. In every case study examined, students will be invited to consider how – in the context of this particular dispute resolution process – an us/them binary came to create and/or legitimate a set of distributive choices.

With an eye toward reimagining, the latter half of the course will explore a handful of case studies that speak to *how* certain groups of people are working – despite neutrality narratives, scarcity fears, and limited conceptions of who “belongs” – to distribute resources in ways that are more just, inclusive, and equitable. The goal: to help budding attorneys at once reconsider the *why* of conflict and the *how* of dispute resolution.

The three-credit version of the seminar will require students to research, write, and edit a research paper that meets the requirements of the Law Center’s upperclass legal writing requirement (WR). The WR papers should consider the how interplay between neutrality narratives, scarcity fears, and limited conceptions of who “belongs” informs distributive choices (i.e. how we share resources) in dispute resolution. Student are invited to explore the nexus between theory and practice by considering relevant discourses and/or real life case studies. The research paper must present a clearly defined research question, proffer an intelligible thesis, and rely on robust research and source exploration.

Learning Objectives:

Substantive Learning Objectives:

- To, in the tradition of critical legal studies, begin to identify and deconstruct the narrative of neutrality that is embedded in many of the laws, customs, and norms that comprise our social world;
- To begin to explore how this narrative might “work with” scarcity fears and limited conceptions of belonging to perpetuate and/or legitimate inequity dispute resolution processes and the resulting distributive choices;
- To, in pursuit of fairness, begin to consider the legal structures, policy interventions, and or social constructs that lie beyond these narratives and might allow for more just, inclusive, and equitable conflict resolution.

Skills:

- Critical thinking and rigorous self-reflection
- Presentation and public-facing oratory skills
- Consideration and development of clear, cogent arguments, counter-argument, and inquiry
- Drafting and revising a scholarly research paper (WR)

Recommended: An introductory negotiation course.

Note: This course will not meet on Thursday, January 16, 2025. The course will meet instead on Friday, January 17, 2025, 1:20 p.m. - 3:20 p.m.

LAW 3082 v00 Dispute Settlement in International Trade: A Comparative Examination of WTO, Regional & Bilateral Systems (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3082 v00>)

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 agreements of the United States (USMCA, CAFTA) and the EU. 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.

Note: This course will have a final exam.

LAW 1518 v00 Doing Justice: Trial Judges Explain How Tough Decisions Are Made (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1518 v00>)

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

As any judge who has served on a busy trial court can attest, there are many assignments where the cases come at you so hard and fast that there is barely time to step into the box and take your stance before the next one comes zooming in. And that is true of the “easy” cases. In addition, there are cases where the judge has to wrestle with a problem so complex, or so emotionally draining, as to test the fortitude and impartiality of even the most competent and experienced jurists. These might be called “go to the mountain top” cases.

In busy trial courts, “mountain top” cases can appear in the garb of criminal, civil, probate, or family cases. Often the judge is unable to find any guiding legal precedent and is forced to navigate uncharted waters in search of the “just” result. Sometimes controlling legal precedent exists, but following it will lead to an unjust result. And then there are cases where the judge has very wide discretion to apply a vague legal standard, like “the best interest of the child” in contested child custody proceedings, or finding the “right sentence” in a criminal case, where the statutory range might run from no prison time at all to life in prison.

Some cases are hard not only because of the subject matter, but also because they capture the attention of the entire community and become highly politicized. This can be especially challenging for elected judges, who know that whatever decision they make may become the fodder for an opposition campaign when they next stand for election, and may ultimately cost them their judgeship. These political realities do not lessen the judge’s duty to decide each case in accordance with the facts and the rule of law, by reference to neutral principles. But these requirements can make the exercise of that duty more agonizing, knowing that the decision is likely to be unpopular with at least one large segment of the population.

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 students drafting a paper describing not only the issues requiring judicial decision, but also how the interviewed judge sets about deciding those issues.

Prerequisite: Civil Procedure (or Legal Process and Society) or Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

LAW 518 v00 Domestic Violence Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 518 v00>)

J.D. Clinic | 10 credit hours

Please see the Domestic Violence Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/domestic-violence-clinic/>) for more information about the program.

For registration-specific supplemental materials, please see the Domestic Violence Clinic PDF (<https://georgetown.app.box.com/s/jzoxzhph2m46d7cfipe116rll7mh6hwa/>).

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

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

LAW 1794 v00 Domestic Violent Extremism Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1794 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201794%20v00))

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

This seminar is designed to provide an overview of the threat posed by domestic violent extremism (DVE) and the complex legal and policy issues raised by efforts to counter the threat. Although not a new threat, in recent years domestic violent extremists increasingly have organized themselves into paramilitary units, committed racially and politically motivated violence, intimidated people seeking to exercise their constitutional rights, and threatened government officials fulfilling their responsibilities. The increased threat on one side of the political spectrum has at times prompted corresponding threats from the opposing side.

Addressing domestic violent extremism raises a host of complex questions relating to law enforcement, national security, constitutional rights, and the appropriate scope of counterterrorism operations. This course will introduce students to these issues, enhance their ability to engage in rigorous analysis of them, and enable them to formulate practical responses consistent with the rule of law and in respect of civil rights and civil liberties. This analysis will be informed by an understanding of the history, nature, and sources of DVE, as well as the organizational and associational structures that it may take.

The learning objectives for this course are for students to:

- (1) Become familiar with the history, nature, sources, and structure of DVE in the United States and its global connections;
- (2) Understand and be able to analyze the wide range of constitutional issues that policymakers and lawyers must assess in attempting to address DVE;
- (3) Understand and be able to analyze the statutory and common law legal considerations that are relevant in addressing DVE;
- (4) Appreciate the policy considerations that should inform analysis of DVE; and
- (5) Formulate potential responses to DVE at the federal, state, and local level that appropriately weigh competing considerations based on rigorous analysis of the issues described above.

Assessment

This seminar is intended to be interactive and thought-provoking. I expect students to have read the assigned materials before each class session and to come prepared to participate in discussion on the relevant topic. It is likely that students will have different viewpoints on some of the topics covered, and we must all be respectful and courteous to each other, as well as to any guest speakers, during our in-class discussions.

Thirty percent of the grade will be based upon contributions to class discussions.

Seventy percent of the grade for the course will be based upon a 2,500- to 3,000-word paper analyzing a legal or policy issue related to DVE and proposing an option or options for addressing it. The paper should not be a summary of an issue or rehash the work of others, but should demonstrate thoughtful analysis and creative, legally sound proposals.

Note: This course will meet in Spring 2025 on the following Mondays, 3:30 pm - 5:30 pm: 1/13, 1/27, 2/3, 2/10, 2/20 (Monday classes meet), 2/24, and 3/10.

LAW 160 v01 Drafting and Negotiating Commercial Real Estate Documents: Contracts, Loan Documents, and Leases Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 160 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20160%20v01))

J.D. Seminar | 3 credit hours

This course dissects the major commercial real estate documents – loan documents, contracts, and commercial leases – by focusing on the drafting and negotiation of each. The course will examine the interplay between substantive legal issues and practical business and strategy questions in determining the contents of these documents. Some of the issues covered include the economics of the transaction, the rights and the responsibilities of the parties and the consequences of default. A significant portion of the course will focus on the role of negotiations in the process of determining the terms of the document and will include simulated negotiations and role playing.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the LL.M. course, Drafting Contracts; or the LL.M. seminar, Drafting Contracts.

LAW 1935 v00 Drafting and Negotiating for Commercial Real Estate Transactions ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1935 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201935%20v00))

J.D. Seminar | 2 credit hours

This course will help students develop the knowledge and skills needed to represent the key parties to a commercial real estate transaction. In order to do so, students need to gain an understanding not just of the underlying legal principles, but also with the customs, practices and forms typically used in commercial real estate transactions. This course addresses legal structures, processes, participants, and documentation necessary to complete common commercial real estate transactions.

Students will gain an understanding of the different types of commercial real estate (retail, office, industrial and multi-family), clients (buyers, sellers, lenders, tenants, landlords) and the roles played by brokers, title companies, insurance and, of course, lawyers, in getting commercial real estate transactions done (and what “closing” a deal actually means). Students will develop a basic understanding of legal issues that arise in commercial real estate transactions and the different ways in which those issues are typically addressed.

The course is designed around actual commercial real estate transactions and documents, with a focus on acquisitions and dispositions, commercial leasing, and joint venture agreements. Each topic is addressed through a mix of formats: mini-lectures, case analysis, document review, and class discussion. Significant portion of the course will focus on the role of collaborations and negotiations in the process of determining the terms of the documents and will include simulated collaborations and negotiations.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the LL.M. course, Drafting Contracts; the LL.M. seminar, Drafting Contracts, or Drafting and Negotiating Commercial Real Estate Documents: Contracts, Loan Documents, and Leases Seminar.

LAW 919 v00 Drafting Partnership & LLC Agreements (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 919 v00>)
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 1690 v02 Economic Analysis of Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1690 v02>)

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

This course introduces students to the field of law and economics. Law and economics is the application of tools from microeconomics to perform positive and normative analysis of the law and the legal system. We will focus on five core legal subjects: torts, contracts, property, criminal law, and legal procedure. No prior background in economics is required.

LAW 1919 v00 Economic Justice in Infrastructure Regulation: Energy, Water, and Telecommunications (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1919 v00>)

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

Our nation's infrastructure abounds in justice failures. Consider:

- In Flint, Michigan, officials subjected thousands of families to lead-poisoned water.
- In Puerto Rico, Hurricane Maria crippled an electricity infrastructure long neglected by its government-owned utility, leaving thousands of families without electricity.
- Wildfires in Maui, arising in part from years of neglect by the utility, plantation owners, and government officials, have left thousands homeless.
- Water flooding in coastal Charleston, South Carolina disproportionately affects marginalized communities.
- Navajos lack reliable electric supply in most of their territory.

Common to each of these situations is economic regulation. One or more public bodies created, encouraged, tolerated, or ignored conditions that allowed private behavior, often business behavior, to produce these adverse outcomes. This course will diagnose the causes and design solutions. Among the big-picture questions:

- In the context of economic regulation, what is economic justice?
- Does our economic regulation of infrastructural industries produce economic injustice? If so, with which actors does fault lie?
- Does facially neutral statutory language—bland statutory commands such "just and reasonable rates," "consistent with the public interest," no "undue preference or advantage"—have non-neutral effects?
- Do constitutional principles—such as the protection of private property—affect economic justice?
- How do regulatory procedures, all influenced by conflicting interest groups, affect economic justice outcomes?
- Should economic regulation address justice? Or should it seek only to improve economic performance, leaving justice to other regulatory agencies or to political processes?
- For all these questions, what roles can lawyers play?

Recommended: Administrative Law.

LAW 1901 v00 Economic, Social, Cultural, and Environmental Rights in the International Human Rights System Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1901 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201901%20v00))

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

Human rights are humanity's greatest ethical, moral, and legal capital. Seventy-five years ago, reeling from the devastation of world war, States came together to agree on a blueprint for preventing future cataclysms—respect for human rights—and codified that plan in foundational documents like the American Declaration of the Rights and Duties of Man and the Universal Declaration of Human Rights. The rights detailed in the UDHR—which encompass civil and political rights, like the right to free expression and a fair trial, and economic, social, and cultural rights, like the right to adequate food and housing—were seen as interdependent, indivisible, and mutually reinforcing: no right should be privileged above another.

But it wasn't long before the ideological divide of the Cold War fractured this consensus, with the West generally prioritizing civil and political rights and the Soviet bloc generally emphasizing economic and social rights.

This course will explore the negative impact of that artificial division, which resulted in the demotion of economic, social, and cultural rights (ESCR) to “second generation” rights, with scant enforceability and justiciability, and the urgency of repairing the breach, particularly in the context of the climate emergency. The course will situate economic, social, cultural, and environmental rights (ESCR) in the international and regional human rights systems, with a special focus on the Inter-American system. The course will then examine in detail a number of specific ESCR, with an emphasis on the impact violations of these rights have on women, indigenous people, people of African descent and other populations in situations of vulnerability or historically discriminated against. The course will examine the contours of the right to a healthy environment and will explore the role and responsibilities of business and other economic actors in upholding such rights.

Learning Objectives:

Students will gain a comprehensive understanding of economic, social, cultural, and environmental rights, including current developments and controversies surrounding these rights. Students will be able to identify tools and gaps in the national and international realization of rights such as the rights to clean water and sanitation, health, education, housing, work, and a healthy environment.

The course will also train students to craft persuasive arguments for the legal defense of these rights at national and international levels and to advocate on key issues, such as the climate emergency and the obligation of corporate due diligence.

Students will learn to apply the principles of universality, indivisibility, and interdependence, with a gender and intersectional approach, to the analysis of ESCR.

Students will get a unique insider's look at high-level advocacy for ESCR. I will share some of my own field experiences during the course and students will also have the opportunity to hear from some distinguished guest speakers.

Finally, this course aims to provide students not only with exposure to the legal principles underlying ESCR but a deep understanding of the impact of violations of these rights on the most historically discriminated populations. Exploration of each course topic will include the perspectives of people and communities most impacted by the lack of access and enjoyment of ESCR. This approach is designed to help build a community of practice and solidarity that will live on beyond the course

LAW 1673 v00 Effective Human Rights Advocacy in Polarized Environments Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1673 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201673%20v00))

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

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 contexts. Students will be exposed to leading experts in human rights advocacy, including staff from human rights organizations, congressional offices, messaging and communications experts, litigators and veteran human rights campaigners. Students will develop the analytical and practical skills necessary to build a successful campaign strategy.

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 1182 v00 Election Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1182 v00>) (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 election law. 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 this course will focus on voting rights law—including the Voting Rights Act, constitutional protections on the right to vote and redistricting law—and will also cover some related areas of law, including regulation of campaign finance. In the area of voting rights, the course will specifically examine the state of voting rights law and litigation in the wake of the 2013 Supreme Court decision in *Shelby County V. Holder*. The course will cover issues such as voter ID laws and other burdens on the right to vote, felon disenfranchisement, racial and partisan gerrymandering, and other voting-related topics based on current events. In the area of campaign finance, the focus will be on the law governing limits on contributions to candidates and the disclosure of funds contributed or spent to influence elections. Cases challenging these regulations as violative of the First Amendment have proliferated in the post-*Citizens United* world. Throughout the semester, students will be assigned several writing assignments that may include: complaints for potential federal lawsuits alleging violations of the Voting Rights Act and/or the United States Constitution; briefs or motions in pending voting rights cases; and other legal documents directly related to ongoing work in the voting rights and campaign finance fields. This practicum course will give students the opportunity, among other things to explore and weigh the governmental interests involved in voting and campaign finance restrictions against the rights those laws may infringe.

PROJECT WORK: Students in this practicum will have the opportunity to draft legal memos related to current election law matters. Assignments will be based on pending cases and matters, but will involve a wide range of election law issues raising important questions of constitutional and statutory interpretation.

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: Prior enrollment in Constitutional Law II.

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 course is suitable for evening students who can attend seminar and participate in 10 hours/week of project work. 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 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 195 v05 Election Law: Voting, Campaigning and the Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 195 v05>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1703 v00>)

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 769 v00 Emerging Issues in U.S. Financial Services Regulation
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 769 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20769%20v00))

LL.M. Seminar (cross-listed) | 2-3 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 will 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 circulate discussion questions ahead of each class to help students prepare. 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.

Note: J.D. students who wish to write a paper fulfilling the Upperclass Legal Writing Requirement must register for the 3-credit section of the seminar, while J.D. or LL.M. students taking the seminar for two credits will only need to write a short paper. The professors will also work with students to develop paper topics and provide feedback and support throughout the writing process.

LAW 1918 v00 Emerging Topics in Social Media Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1918 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201918%20v00))

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

Social media is revolutionizing what we buy, who our friends are, where we work, how we game, why we vote for certain candidates, and so much more. For the first time in history, anyone with an internet connection can speak and be heard across the globe in seconds, by audiences of one to one million. Rapper Travis Scott held a metaverse concert with tens of millions of viewers, South Korean president Yoon Suk-yeol generated huge campaign buzz with his charming digital avatar AI Yoon, and generative AI companies like ChatGPT and Midjourney can turn us all into Shakespeare, Taylor Swift, or Picasso (as long as they don't try to manipulate us or take over the world). This is just the beginning—Meta is building AI that interprets brain waves, and Google has filed similar patents. Haptics allow users to physically feel feedback from digital images, integrating the experience. Such innovations will continue to transform our daily interactions, melding our digital and physical lives in ways we cannot yet fully predict. The impacts on society are profound, and yet social media is fundamentally a business.

In most cases, a social media platform's first loyalty is to shareholders. As social media swells, the legal frameworks lag far behind in recognizing the critical roles social media and the internet play in our lives. Courts are only now starting to tackle the thorny issues raised by social media across a variety of contexts.

This course offers an overview of social media law through the lens of its economic, policy, and national security implications. In the social media space, the realpolitik of corporate regulatory strategy collides with the pressing needs of society unlike almost anywhere else in the law. Students will leave this course able to converse about the major legal and policy issues in a practical and compelling way with anyone in the social media ecosystem—be it consumer advocates, regulators, platform leaders, entrepreneurs, financiers, engineers, or others.

Recommended: Constitutional Law.

Mutually Excluded Courses: Students may not receive credit for this course and Social Media Law or Social Media Law Seminar.

Note: UPPERCLASS WEEK ONE COURSE: This will meet on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025. 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 the Assistant Dean for Experiential Education. Withdrawals are permitted up until the last class for this specific course.

LAW 1337 v00 Empirical Analysis for Lawyers and Policymakers Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1337 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3011 v00>)

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.

Prerequisite: Federal Income Taxation, Employee Benefits: Qualified Retirement Plans, Employee Benefits: Executive Compensation, Employee Benefits: Health & Welfare Plans.

Mutually Excluded Courses: Survey of Employee Benefits Law

Note: Required for the Employee Benefits Certificate.

LAW 3004 v00 Employee Benefits: Executive Compensation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3004 v00>)

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.

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.

LAW 3003 v00 Employee Benefits: Health & Welfare Plans ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3003 v00](https://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, labor and public policy aspects of the Affordable Care Act and other health care reforms.

Prerequisite: Federal Income Taxation.**Mutually Excluded Courses:** Students may not receive credit for this course and Health and Welfare Benefit Plans: Tax & ERISA Aspects.**Note:** This course is part of the following graduate programs: Health Law LL.M. Taxation LL.M.

This course is required for the Employee Benefits Certificate. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 3005 v00 Employee Benefits: Qualified Retirement Plans ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3005 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203005%20v00))

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

This course provides a substantive overview of the design, policy, operation, and taxation of qualified retirement plans offered by U.S. employers. The course addresses the statutory requirements of the Internal Revenue Code and ERISA, as well as regulatory and other guidance issued by federal agencies. You will learn about retirement plan structure, communications, investments, distributions, and fiduciary obligations. The course will focus on the policy goals and compliance challenges behind qualified plan rules and will include practical strategies for advising clients.

Prerequisite: Federal Income Taxation.**Note:** This course is required for the Employee Benefits Certificate**LAW 150 v04 Employment Discrimination ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 150 v04](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20150%20v04))**

J.D. Course | 3 credit hours

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 or concurrent enrollment in Evidence and Professional Responsibility.**LAW 150 v05 Employment Discrimination ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 150 v05](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20150%20v05))**

J.D. Course | 3 credit hours

This course explores the legal mandate for equal employment opportunity in relation to race, color, religion, sex, national origin, age, disability, and other protected categories. The course examines the doctrinal and theoretical aspects of employment discrimination law through a rigorous analysis of court decisions, statutes and regulations. The primary focus will be on Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Equal Pay Act, and related state and local laws. Legal readings will be supplemented with perspectives from psychology, sociology, and economics. We will also discuss the strategic and tactical approaches a practicing attorney will consider in actually utilizing these laws to represent clients.

LAW 263 v02 Employment Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 263 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20263%20v02))

J.D. Course | 3 credit hours

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.

LAW 263 v03 Employment Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 263 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20263%20v03))

J.D. Course | 3 credit hours

This course examines the relationship between individual workers and their employers. Among the topics to be covered are the doctrine of employment at will and its common law modifications; employee privacy; the employer's legal rights to own or control employees' loyalty, skills, and intellectual products; wage and hour regulation; workplace health and safety; and mandatory arbitration of employment disputes. The course will not cover anti-discrimination law or labor law. Students who are considering either field as an area of practice are strongly advised to take the separate courses that focus exclusively on each of these topics.

LAW 1860 v00 Energy Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1860 v00>)

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

This course covers the foundational legal and policy frameworks for energy systems in the United States, including: the management, development, transportation, and use of energy resources; the generation and transmission of electricity; and the future of energy systems. Throughout the course, students will engage with enduring themes of energy law: markets v. regulation; governance choices (including federalism); and the law's approach to climate change and social justice with respect to energy resources. The professor will use a traditional textbook as well as contemporary case studies to offer students opportunities to test and apply their knowledge throughout the course.

Learning Objectives:

- Upon the conclusion of the course, students will be able to comprehend, apply, analyze, and synthesize key energy-related statutes and regulations administered by the Federal Energy Regulatory Commission, the Nuclear Regulatory Commission, the Environmental Protection Agency, and the Department of Energy, as well as typical frameworks administered by state public utility commissions and other state energy agencies.
- Students will also be able to engage the core themes of energy law to analyze and critique existing legal regimes and new policy proposals.

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

LAW 1472 v00 Energy Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1472 v00>)

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

This course will present the framework for the governance of energy production, distribution and use in the United States, and provide a foundation for future coursework on these subjects. While the course will focus primarily on U.S. law, it will address some international subjects and examples. Topics will include the evolving U.S. fuel mix and market dynamics, utility restructuring and grid modernization, roles of state and federal governments, the role of different policymakers and regulatory bodies in overseeing U.S. energy systems, relevant environmental laws, and emerging policy issues. There are no prerequisites, although experience with administrative law or environmental law would be beneficial.

Learning Objectives:

1. Substantive expertise
 - The physical nature of the energy system (how it is produced, distributed, and used)
 - Common terminology and acronyms related to energy and its regulation
 - Key statutes and regulations applying to energy production, distribution and use, and key cases interpreting this legal framework
 - Current issues being debated in energy law
2. Understanding of governance structure
 - The roles and responsibilities of different policymakers and regulators (e.g., economic regulators, environmental regulators, natural resource managers, legislators) and how they relate to each other
 - State and federal responsibilities in overseeing the energy system
3. Legal and policy skills
 - How to explore questions of regulatory authority by state and federal agencies
 - How to write analytically about legal and policy questions

Recommended: [Administrative Law](#), [Environmental Law](#).

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

LAW 2009 v01 Energy Markets in Transition (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2009 v01>)

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

Energy markets are transitioning rapidly toward a lower carbon future in response to federal and state initiatives and the sentiments of activists, consumers and investors. This transition is creating business opportunities and legal challenges not only for new entrants, such as the providers of renewable energy, energy storage and distributed energy resources, but also for incumbent market participants, such as utilities, pipelines, natural gas producers, independent power producers and large energy consumers. The course will focus on the economic regulation of physical energy markets by the Federal Energy Regulatory Commission (FERC), along with the interplay involving the Congress, federal and state regulators, market participants and other stakeholders. We will examine five main areas: (i) the foundational laws (the Federal Power Act and Natural Gas Act) and legal doctrines governing FERC's regulation of physical energy markets and the non-discriminatory transmission of electricity and natural gas by wire and pipe; (ii) the impact of restructuring wholesale electric power and natural gas markets pursuant to those laws; (iii) energy market enforcement and compliance policies, derived in large part from securities market regulation; (iv) what generation, transmission and pipeline infrastructure will be needed to ensure reliability and resilience as we transition to a lower carbon future; and (v) "hot topics" such as carbon pricing in organized wholesale electricity markets, the shale gas revolution, federal-state conflicts, pipeline and electric transmission infrastructure development and cost allocation, and integrating distributed resources and renewables. Students will gain an appreciation for the legal and market challenges confronted by market participants during this transition. One or more sessions will feature guest lecturers. There will be no final examination. Instead, each student's grade will be based on a final paper that takes a position on a key legal or policy issue and defends that position persuasively, several short quizzes during the semester, and class participation.

LAW 142 v02 Energy Problems Seminar: Climate Change and Other Energy Issues (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 142 v02>)

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. The 3 credit section is open to J.D. students only and non-degree students may not enroll.

LAW 1737 v00 Entertainment Disputes (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1737 v00>)

J.D. Seminar | 2 credit hours

This course examines the types of disputes that generally arise in the media, sports and entertainment industry with a particular focus on disputes involving new technology and emerging legal issues such as streaming, AI, NFTs, Blockchain, NIL and others. We will also review the various methods by which such disputes are resolved. Finally, we may be joined in a few classes by special guest lecturers with expertise on these issues.

Note: Enrollment for this course is restricted to J.D. students.

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.

LAW 137 v03 Entertainment Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 137 v03>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 656 v00>)

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 mid-term 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: The Lifecycle of a Business.**LAW 1617 v00 Entrepreneurship: The Lifecycle of a Business (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1617 v00>)**

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.

LAW 1702 v00 Environmental Advocacy Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1702 v00](https://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, religion, and psychology, 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 these discourses and strategies. One basic aim of the course is for you 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 plays in shaping the environment we have today. Another is to help you think about what kind of advocate you hope to be.

Recommended: Recommended but not required: Prior or concurrent enrollment in environmental law, natural resources law, or international environmental law.

LAW 1855 v00 Environmental Justice Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1855 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201855%20v00))

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

This discussion seminar will explore topics in environmental justice from a range of perspectives, including historical accounts of the environmental justice movement, contemporary proposals as to how to respond to unfolding ecological crises, relevant case law and litigation, proposed legislation, domestic and international advocacy efforts, as well as imaginative literature and creative nonfiction. Our goals will be to arrive at a deeper understanding of pressing environmental problems, and, most important, to generate an array of compelling answers to the question, “what is to be done?”

We will begin by exploring accounts of our current environmental crises, their causes and impending consequences, and studying the beginnings of the environmental justice movement, which has sought for several decades to confront the racial and economic inequity of ecological harm. Our second meeting will explore several compelling contemporary proposals to address our current circumstances, ranging from domestic legislation and international diplomacy to organizing for a Global Green New Deal. In our third meeting we will focus on obstacles that impede meaningful change, both economic and political frameworks as well as legal efforts to preserve the status quo. Next, we will turn to creative nonfiction that explores various ways to think and work against these barriers towards a more sustainable and just future. Our fifth meeting will consider imaginative literature and art addressing the climate crisis to further expand our own imaginative horizons. Following our efforts to understand the potential and limits of past efforts to realize greater environmental justice, our sixth meeting will examine recent work addressing future possibilities for social movement advocacy, domestic and international organizing, litigation and legislation, and pushing for more fundamental changes to structures of collective governance and social life. In this penultimate week, we will read work associated with ecofeminist movements, indigenous environmental justice formations, the Black Hive of the Movement for Black Lives, the Sunrise Movement and other contemporary movement formations. In our final meeting, each seminar participant will share with the group a brief account of one additional idea and course of action they believe to offer an especially powerful response to our shared question, “what is to be done, now?”

Note: 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 1274 v02 Environmental Justice: Law, Policy & Regulation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1274 v02>)

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

This 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. It will explore the frameworks that inform the analysis of environmental justice issues, including how an environmental justice lens can be applied to a wide range of areas to ensure access and equity focus efforts to resolve these complex issues.

Learning Objectives:

The primary learning objective for this course is to introduce to students how to incorporate environmental justice principles into their perspective and analyses of legal and policy issues. The course will seek to accomplish this through developing the following skills/competencies: (1) developing frameworks for answering fundamental environmental law questions and how environmental justice law can be used to enhance problem-solving to answer those questions; (2) identifying and applying existing laws and remedies to resolve environmental justice issues; and (3) developing creative environmental legal problem solving that addresses inadequacies of current law and its enforcement.

Recommended: Environmental Law.**LAW 146 v01 Environmental Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 146 v01>)**

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

This course covers the key laws developed to control pollution. The main focus of the course is on current statutes, including the National Environmental Policy Act, the Clean Water Act, the Resource Conservation and Recovery Act, the Superfund Act (CERCLA and SARA), and the Clean Air Act. Other statutes, such as the 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.**LAW 146 v08 Environmental Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 146 v08>)**

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

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

LAW 146 v10 Environmental Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 146 v10>)

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

Between New Year's Day in 1970 and December of 1980, Congress enacted most of our major federal environmental statutes. To this day, these laws, as amended, form the core of this country's approach to addressing environmental problems. All of the laws aim to achieve cleaner water, air, and land, while at the same time taking very different approaches to doing so. This course will introduce you to the major federal statutes on environmental protection, including but not limited to the Clean Air Act, the Clean Water Act, and the Superfund law. You will come to understand the basic regulatory goals and mechanisms of these laws. You will also learn how one might choose among these goals and mechanisms in fashioning environmental policy. Ideally, you will come away with an informed judgment about how far we have come in protecting the environment and how far we still have to go.

Recommended: Administrative Law or a first-year elective on legislation and/or regulation.**LAW 528 v03 Environmental Law and Justice Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 528 v03>)**

J.D. Clinic | 10 credit hours

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

For registration-specific supplemental materials, please see the Environmental Law and Justice Clinic PDF (<https://georgetown.app.box.com/s/dz21lrvcnc7zvtivy2g6meoxsrn52ppk/>).

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

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

LAW 156 v01 Environmental Research Workshop (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 156 v01>)
J.D. Seminar (cross-listed) | 2-3 credit hours

Students in this class will have an opportunity to study, comment on, and develop scholarship of their own regarding environmental law and policy. The class will include introductory materials and discussion about attributes and methods of environmental scholarship. Then the workshop will introduce you to some of the best academic scholars in environmental law who will present a work-in-progress. In both advance written comments and through workshop discussion, students will engage presenting scholars regarding their scholarship. Depending on the presenters' paper subjects and others' availability, the workshop might also include a few classes with responsive comments from an outside visitor from government, not-for-profits, law firms, businesses, or legal academe.

Students can fulfill their Georgetown Law upper level writing requirement with an opportunity to produce substantial, publishable legal scholarship on a topic related to environmental, energy, or natural resource law, broadly defined, and receive three credits for their efforts. All students will provide all speakers and the professor with at least brief (no more than one page) of advance comments and questions. Two credit students will provide more in-depth comments to three speakers and the professor, with such comments expected to be five pages in length and reflect careful reading of both the paper and, as necessary to provide knowledgeable comments, draw on selective delving into other scholarly or primary materials relevant to, or referenced in, the presented paper. Our last session together will include a bit of debriefing, but will mainly be a session for three credit students to present their drafts and receive comments.

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 2042 v01 Ethics in Tax Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2042 v01>)

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: Federal Income Taxation.

Note: NOTE FOR SUMMER 2024: The professor will teach this course virtually via Zoom.

This is a distance-learning section. Students enrolled in the Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, the MSL program, and the certificate in State and Local Taxation 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 462 v00 EU Law: Selected Topics in ECJ Jurisprudence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 462 v00>)
J.D. Course (cross-listed) | 1 credit hour

The course examines the role the European Court of Justice plays in the evolution of private law in Europe. 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 ECJ 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 6, 2025 through Thursday, January 9, 2025, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam dates TBA. 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 487 v02>)

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: Federal Income Taxation.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of January 18 and January 25, 2025.

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 816 v08 European Union Law: Foundations and International Reach (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 816 v08>)

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

How – and with what legal capacities – can the European Union address challenges to its foreign policy and security interests like the war in Ukraine? How has the EU led the way globally in establishing rules for the digital economy, in areas ranging from data protection law to dominant platform services? How is the EU adapting to major changes in the global trade and investment system, ranging from a new focus on economic security to the retreat from investor-state dispute settlement? What legal tools can “Brussels” deploy to rein in illiberal EU member states? What is the legal and economic relationship between the United Kingdom and the EU following Brexit?

This two-credit survey tackles these and other topics in the course of providing a comprehensive introduction to the scope and operation of the law of the European Union. The first part of the course begins by focusing on the key legal and political dimensions of European integration. We next examine the EU judiciary and its relationship to national constitutional courts, followed by consideration of the EU's increasingly important fundamental rights and rule of law frameworks. Our examination of the EU's foundations concludes with the EU's singular economic and political accomplishment, the Single Market. In the second part, we turn to several dimensions of the EU's extensive international reach. We focus on its role as an international actor, for example through adoption of economic sanctions, and on EU law governing external trade and foreign investment. Several classes take up the EU's growing body of legislation and jurisprudence on the digital economy, most notably its leadership on data protection, data privacy and the multifaceted regulation of large digital platforms. The EU's response to the Ukraine war, and its expanding role in the security and defense area, is also considered. Topical political, economic and institutional developments are addressed throughout the term.

The course has no prerequisites. International Law or related courses may be useful at the margins.

Learning Objectives:

- Recognizing and appreciating the legal fundamentals and doctrines that underpin the European Union, the historical and current context in which European integration has evolved, and the nature of the relationship between EU institutions and Member States.
- Understanding general structure and specific instruments of EU primary and secondary law, in particular the text of essential articles in the EU Treaties, as well as gaining facility in identifying and working 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 or selected from a list provided by the instructors.

Recommended: International Law or related courses may be useful at the margins.

LAW 165 v01 Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v01>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v04>)

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.

Grades based on take-home exam (70%) and 3 quizzes. The two best quizzes are counted toward 30% of grade.

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: Laptops may not be used during class sessions.

In Fall 2024, class will meet for three hours each week, with fourth hour of weekly course content delivered asynchronously.

LAW 165 v07 Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v07>)

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.

LAW 165 v09 Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v09>)

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. on Thursday, November 7, 2024.

LAW 165 v10 Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v10>)

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. on Thursday, July 11, 2024.

LAW 1945 v00 Evidence Stories (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1945 v00>)

J.D. Seminar | 1 credit hour

This seminar will delve into the background and scope of classic Evidence Law cases, with an emphasis on the interwoven relationship between the facts, the law, and the people involved. Systemically important cases alter the legal landscape, but every case comes from some context—somewhere, some social facts, some people, some dispute. Normative issues, including those related to equality and inequality based on characteristics such as race, class, and sex, abound. The *raison d'être* of this course is to peel back the curtain on Evidence Law classics to better see all that. The more you put into this course, the better everyone's experience will be. I hope and expect to learn from you, as well as to help you widen your knowledge of evidence law.

Prerequisite: Evidence.

Note: This seminar will meet in Spring 2025 on Fridays and Saturdays, 10:00 a.m. - 1:20 p.m. on the following dates: 1/24, 1/25, 1/31 and 2/1.

LAW 1922 v00 Expelled from Democracy: A Legislative and Contemporary Analysis of Voting Rights and Incarceration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1922 v00>)

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

This course provides a comprehensive examination of the history of voting rights in the United States, with a specific focus on the disenfranchisement of incarcerated individuals. Beginning with an exploration of the foundational principles of voting rights in America, students will trace the evolution of suffrage from the founding era to the present day, analyzing key legislative and judicial developments at the federal and state levels. The course will then shift its focus to the disenfranchisement of incarcerated individuals, exploring the historical origins, rationales, and legal frameworks underlying this practice. The course will challenge the students' ability to think critically about the law's claim to neutrality and its differential effects on incarcerated individuals as members of subordinated groups, including those identified by race, gender, indigeneity, and class. Through case studies, legislative analysis, and guest lectures, students will examine the disparate impact of disenfranchisement policies on marginalized communities and explore contemporary efforts to restore voting rights to incarcerated individuals. By the end of the course, students will develop a nuanced understanding of the intersection of voting rights and incarceration, gain practical insights into legislative advocacy and reform efforts, and be equipped to critically engage with issues of democracy, equality, and justice in the modern era.

LAW 1491 v00 Externship I Seminar (J.D. Externship Program) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1491 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201491%20v00))

J.D. Externship Seminar | 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. 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 integration, 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 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 conduct their fieldwork on-site to the maximum extent permitted by their field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Students may be compensated for the work at their qualifying government, judicial, or nonprofit placement. Students may not 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 can begin working toward their hours 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: In externships, students do not provide legal advice, prepare legal documents, appear in court or before agencies, or do any course work that is construed as practicing law under D.C. Court of Appeals Rule 49 (Unauthorized Practice of Law). No attorney-client relationship is created by students' work in this course.

Note: Students must start their externships by June 7 or they will be withdrawn from the Summer 2024 J.D. Externship Program, including the companion seminar.

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 approximately weekly (six times total) during the summer session. **ATTENDANCE IS MANDATORY AT ALL SIX CLASS SESSIONS.** All enrolled students must be in attendance at the start of the first class session in order to be eligible

LAW 1491 v01 Externship I Seminar (J.D. Externship Program) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1491 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201491%20v01))

J.D. Externship Seminar | 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. 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, cultural competency, professional identity, legal problem-solving, work-life integration, 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 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 11 or 16.5 hours per week of fieldwork for at least 10 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must conduct their fieldwork on-site to the maximum extent permitted by their field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Students may be compensated for the work at their qualifying government, judicial, or nonprofit placement. Students may not work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 11 hours of fieldwork/week or 3 pass/fail credits for 16.5 hours of fieldwork/week for at least 10 weeks .

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 business day of classes.

Note: In externships, students do not provide legal advice, prepare legal documents, appear in court or before agencies, or do any course work that is construed as practicing law under D.C. Court of Appeals Rule 49 (Unauthorized Practice of Law). No attorney-client relationship is created by students' work in this course.

Note: Students must start their externships by Friday, September 13, 2024 or they will be withdrawn from the Fall 2024 J.D. Externship Program, including the companion seminar.

SEMINAR: In addition to their fieldwork, students participate in a biweekly (approximately), 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.

ATTENDANCE IS MANDATORY AT ALL SIX CLASS SESSIONS. 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 timely attend each class session in its entirety. Failure to attend any class session in its

LAW 1491 v02 Externship I Seminar (J.D. Externship Program) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1491 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201491%20v02))

J.D. Externship Seminar | 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. 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, cultural competency, professional identity, legal problem-solving, work-life integration, 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 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 11 or 16.5 hours per week for at least 10 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must conduct their fieldwork on-site to the maximum extent permitted by their field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Students may be compensated for the work at their qualifying government, judicial, or nonprofit placement. Students may not work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 11 hours of fieldwork/week or 3 pass/fail credits for 16.5 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 business day of classes.

Note: In externships, students do not provide legal advice, prepare legal documents, appear in court or before agencies, or do any course work that is construed as practicing law under D.C. Court of Appeals Rule 49 (Unauthorized Practice of Law). No attorney-client relationship is created by students' work in this course.

Note: Students must start their externships by Friday, January 31, 2025 or they will be withdrawn from the Spring 2025 J.D. Externship Program, including the companion seminar.

SEMINAR: In addition to their fieldwork, students participate in a biweekly (approximately), 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.

ATTENDANCE IS MANDATORY AT ALL SIX CLASS SESSIONS. 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 timely attend each class session in its entirety. Failure to attend any class session in its entirety will result in a withdrawal.

LAW 1492 v00 Externship II Seminar (J.D. Externship Program) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1492 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201492%20v00))

J.D. Externship Seminar | 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. 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 integration, 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 conduct their fieldwork on-site to the maximum extent permitted by their field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement.

Students may be compensated for the work at their qualifying government, judicial, or nonprofit placement. Students may not 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 can begin working toward their hours 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: In externships, students do not provide legal advice, prepare legal documents, appear in court or before agencies, or do any course work that is construed as practicing law under D.C. Court of Appeals Rule 49 (Unauthorized Practice of Law). No attorney-client relationship is created by students' work in this course.

Note: Students must start their externships by June 7 or they will be withdrawn from the Summer 2024 J.D. Externship Program including the companion seminar.

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.

ATTENDANCE IS MANDATORY AT ALL SIX CLASS SESSIONS. All enrolled

LAW 1492 v01 Externship II Seminar (J.D. Externship Program) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1492 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201492%20v01))

J.D. Externship Seminar | 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. 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, cultural competency, professional identity, legal problem-solving, work-life integration, 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 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 11 or 16.5 hours per week of fieldwork for at least 10 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must conduct their fieldwork on-site to the maximum extent permitted by their field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Students may be compensated for the work at their qualifying government, judicial, or nonprofit placement. Students may not work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 11 hours of fieldwork/week or 3 pass/fail credits for 16.5 hours of fieldwork/week for at least 10 weeks.

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 business day of classes.

Note: In externships, students do not provide legal advice, prepare legal documents, appear in court or before agencies, or do any course work that is construed as practicing law under D.C. Court of Appeals Rule 49 (Unauthorized Practice of Law). No attorney-client relationship is created by students' work in this course.

Note: Students must start their externships by Friday, September 13, 2024 or they will be withdrawn from the Fall 2024 J.D. Externship Program, including the companion seminar.

SEMINAR: In addition to their fieldwork, students participate in a biweekly (approximately), 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.

ATTENDANCE IS MANDATORY AT ALL SIX CLASS SESSIONS. 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 timely attend each class session in its entirety. Failure to attend any class session in its entirety will result in a withdrawal.

LAW 1492 v02 Externship II Seminar (J.D. Externship Program) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1492 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201492%20v02))

J.D. Externship Seminar | 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. 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, cultural competency, professional identity, legal problem-solving, work-life integration, 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 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 11 or 16.5 hours per week for at least 10 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must conduct their fieldwork on-site to the maximum extent permitted by their field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Students may be compensated for the work at their qualifying government, judicial, or nonprofit placement. Students may not work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 11 hours of fieldwork/week or 3 pass/fail credits for 16.5 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 business day of classes.

Note: In externships, students do not provide legal advice, prepare legal documents, appear in court or before agencies, or do any course work that is construed as practicing law under D.C. Court of Appeals Rule 49 (Unauthorized Practice of Law). No attorney-client relationship is created by students' work in this course.

Note: Students must start their externships by Friday, January 31, 2025 or they will be withdrawn from the Spring 2025 J.D. Externship Program, including the companion seminar.

SEMINAR: In addition to their fieldwork, students participate in a biweekly (approximately), 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.

ATTENDANCE IS MANDATORY AT ALL SIX CLASS SESSIONS. 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 timely attend each class session in its entirety. Failure to attend any class session in its entirety will result in a withdrawal.

LAW 611 v01 Extradition Simulation: International Law, Human Rights, and Effective Advocacy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v01>)

J.D. Seminar | 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 8, 2024, through Thursday, January 11, 2024.

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 27, 2023 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 173 v03 Family Law I: Marriage and Divorce (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 173 v03>)
J.D. Course | 3 credit hours

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.

While there is a final, take-home exam for the course, 50% of your grade will be based on a negotiation exercise which will take place at the end of October. I will discuss the exercise and final exam during our first class.

LAW 173 v05 Family Law I: Marriage and Divorce (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 173 v05>)
J.D. Course | 3 credit hours

Family Law I: Marriage and Divorce is a survey course that introduces students to the fundamental legal concepts of family law. This course will examine the changing nature of the family and the state's role in recognizing and regulating personal relationships between adults and between adults and children. The covered topics include competing conceptions of the family and the values they reflect, regulation of entry into marriage, constitutional rights in the family context, the rights and obligations of nonmarital cohabitants, divorce and financial consequences of dissolution, including property division, spousal support, child custody and child support. Throughout the semester we will consider the broader historical, societal and political elements shaping family law.

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

LAW 174 v01 Family Law II: Child, Parent, and the State (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 174 v01>)
J.D. Course | 3 credit hours

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.

LAW 174 v02 Family Law II: Children, Parents, and the State (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 174 v02>)
J.D. Course (cross-listed) | 3 credit hours

This course explores the allocation of decisional power among the child, the family, and various agencies of the state. We will analyze the tensions between parents' rights and state power, as well as children's rights and parental and state power. The course will examine the intersection and impact of race, gender, indigeneity, and class on the case outcomes for litigants in the context of establishing parental rights, children's rights, custody, adoption, abuse and neglect, termination of parental rights, and juvenile delinquency matters. Note: Students are not required to complete Family Law I: Marriage and Divorce before enrolling in this course.

The overall themes and reading assignments for this course are directly related to Georgetown's Institutional Learning Outcomes (ILO). Specifically, this course equips students with the capacity for critical thinking regarding the intersections of race, gender, indigeneity, and class in conjunction with legal principles and regulations pertaining to childhood, parenthood, parental rights, children's rights, state's parens patriae role, custody, adoption, abuse and neglect, termination of parental rights, and juvenile delinquency.

Prerequisite: Civil Procedure

Recommended: Evidence

LAW 193 v03 Federal Banking Regulation: Modern Financial Institutions and Change (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 193 v03>)

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

Banking Regulation today is at the cutting edge of federal power and regulatory experimentation. The financial collapse of 2008 was a near-death experience for federal banking regulators. We approach the subject with an intense focus on the dynamics of three critical pieces of the recent financial crisis: first, the development and growth of private markets for financial products; second, experimental regulatory strategies for controlling private risk taking and its effects on the integrated global financial system; third, the reemergence of areas of unique forms of hybrid power that combines private markets and government regulation.

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 precipitating 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 Banking and Financial Institutions Regulation or Financial Regulation and Financial Crises.

Note: All students are expected to attend class regularly.

LAW 193 v05 Federal Banking Regulation: Modern Financial Institutions and Change (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 193 v05>)

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

Regulation of financial institutions is at the cutting edge of federal power and regulatory experimentation. The financial collapse of 2008 was a transformative experience for federal financial regulators, and shaped their approach to risk management for the next 15 years—until a series of bank failures in the spring of 2023 prompted fresh doubts about this approach.

This course examines the regulation of financial intermediaries. The stated goals 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, and whether post-crisis reform has done a better job. The course is devoted to federal regulation and supervision of banks, bank holding companies, financial holding companies and their affiliates, as well as asset management firms and so-called shadow banking activities. Topics include restrictions on activities of banks, holding companies and their affiliates, debates about solvency and liquidity requirements, financial inclusion mandates, international coordination, digital asset markets and crypto activities, bank failure management, and systemic risk.

Mutually Excluded Courses: Students may not receive credit for both this course and Financial Services: Regulation in the Age of Disruption or Banking and Financial Institutions Regulation or Financial Regulation and Financial Crises.

Note: All students are expected to attend class regularly.

LAW 178 v02 Federal Courts and the Federal System (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 178 v02>)

J.D. Course (cross-listed) | 3-4 credit hours

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

Recommended: Constitutional Law II: Individual Rights and Liberties.

LAW 178 v03 Federal Courts and the Federal System (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 178 v03>)

J.D. Course | 4 credit hours

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 our governmental system. 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, the Eleventh Amendment/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.

LAW 421 v00 Federal Income Taxation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 421 v00>)

J.D. Course | 4 credit hours

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.

Learning Goals for Professor Brown's section

That you learn how to read the Internal Revenue Code ("Code"), not memorize it, so that when the Code changes – and it will – you will be able to understand the new provision.

That you engage the material during class, not merely transcribe the words that you hear.

That you strengthen your existing critical reading skills so that you become a skeptical reader which will better prepare you for the practice of law.

That you understand basic business terms and transactions, regardless of what area of the law you ultimately will practice. The lawyer who understands her client's business will prove to be invaluable to the client.

That you enhance your problem-solving skills. The successful lawyer of the 21st century must figure out a way to get to yes when the easy answer is no.

That you discover the relevance of tax policy issues to everyday life.

That you discover how federal tax policies have a racially disparate impact because of societal racism.

Mutually Excluded Courses: Students may not receive credit for this course and the graduate course, U.S. Income Tax: Policies and Practices.

Note: Tax LL.M. students cannot register for this course.

NOTE FOR STUDENTS ENROLLED IN PROFESSOR BROWN'S SECTION: Professor Brown's section covers the principles and policies of the Internal Revenue Code regarding the taxation of individuals. 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.

LAW 421 v03 Federal Income Taxation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 421 v03>)

J.D. Course | 4 credit hours

This is an introductory course in federal income taxation that considers the principles and policies of the Internal Revenue Code (the "Code") regarding the taxation of individuals and, to a lesser extent, businesses. Major topics include the definition of income, deductions and exclusions, assignment of income, and issues of timing. The course emphasizes proficiency in using the Code and administrative and judicial material.

By the end of the course, you should:

- Learn to read core provisions of the Code such that you will be able to puzzle through unfamiliar or newly-introduced provisions as necessary;
- Become literate in the basic vocabulary of tax law and the core concepts underlying the United States income tax system;
- Demonstrate an understanding of key income tax rules and policies;
- Appreciate how case law, precedent, and statutory and regulatory sources inform lawyers' understanding of tax law;
- Orally and in writing, apply case law, statutory law, and regulatory tax law to address income tax-related issues faced by a hypothetical client;
- Discover the relevance of tax policy to everyday life (and the ubiquity of tax!); and
- Evaluate and critically analyze selected tax laws and policies, in two senses: (1) identify how they may conflict with various normative principles, including those relating to equity, economic efficiency, and administrability; and (2) identify how, due to societal inequalities, they may have a disparate impact by race, gender, sexual orientation, and other characteristics.

Mutually Excluded Courses: Students may not receive credit for this course and the graduate course, U.S. Income Tax: Policies and Practices.

Note: Tax LL.M. students cannot register for this course.

LAW 1818 v00 Federal Income Taxation and Public Policy in the United States (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1818 v00>)

J.D. Seminar | 3 credit hours

This course will study federal income tax administration and public policies relating to federal income taxation in the United States. The course will systematically go through a federal income tax return (IRS Form 1040) so that students will learn rules for filing tax returns, how to compute federal income tax liability, issues of tax compliance and eligibility conditions for various tax benefits such as the Earned Income Tax Credit and tax-based financial aid for college. The course will also discuss how the administration of federal income tax programs affect individuals' economic decisions. Students are expected to come away from the course with a broad understanding of how the federal income tax system functions in the United States, and how it relates to multiple other public policies. The course aims to be relevant for personal finance, understanding tools of data analysis and careers involving expertise in income taxation and public policy.

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.

This course will meet on the main campus and will follow the main campus academic calendar. The meeting dates are January 10, 2024 - April 30, 2024.

LAW 213 v01 Federal Indian Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 213 v01>)

J.D. Course | 2 credit hours

This course 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.

LAW 530 v00 Federal Legislation Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 530 v00>)

J.D. Clinic | 10 credit hours

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

For registration-specific supplemental materials, please see the Federal Legislation Clinic PDF (<https://georgetown.app.box.com/s/g2dpqqjk9hc5jehxk7kwkzj9hb52tz9l/>).

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

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

LAW 722 v02 Federal Limitations on State and Local Taxation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 722 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20722%20v02))
LL.M. Course/Seminar (cross-listed) | 2-3 credit hours

As an instrument of federalism, the U.S. Constitution plays a vital role in defining state and local governments' taxing powers. In some instances this is accomplished by express Constitutional provisions; in others, by express or implied grants of authority to the legislative, executive or judicial branches of government. This advanced state and local tax course will explore and analyze Constitutional provisions that limit (and sometimes expand) state and local taxing powers. It will include a historical review of Supreme Court jurisprudence that underscores the inherent complexities and tensions precipitated by the intersection of federalism and the underlying goals embodied within the Commerce Clause, Equal Protection Clause, Import-Export Clause, Privileges and Immunities Clause, and Supremacy Clause, among others. The course also will explore how issues of federalism have shaped various Federal statutory enactments, as well as pending pieces of federal legislation. For example, it will analyze how federalist tensions and statutory dynamics were balanced in a proposed congressional bill concerning state and local tax incentives. Additionally, the course will explore the impact of Treaties and international trade laws, as well as their related enforcement mechanisms, which continue to spawn new issues implicating the States' powers to tax.

Prerequisite: Federal Income Taxation.

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 1166 v00 Federal Litigation Practice: Litigating Challenges to Federal Agency Decisions ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1166 v00](https://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 laws, such as health, finance, and environmental laws. This class 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 filing a motion for summary judgment on the administrative record.

Over the course of this class, students will present three oral arguments to the professor, who will role-play as the presiding judge, based on briefing from real district court cases. The arguments will simulate as closely as possible real world federal court hearings. Some arguments will be recorded so that students may review their oral argument performance. Professor Jones will provide students with critique and feedback after each oral argument, with the goal of improvement by each student over time.

This class is designed for students who are interested in gaining practical experience in litigation for or against the federal government. Through this course, you should:

- Understand the basic stages of litigating federal cases involving federal agencies;
- Become familiar with key administrative law concepts and how those concepts apply in a litigation setting;
- Refine critical reading skills, including recognizing rules, facts, and analyses that are both helpful and harmful to your client's interests;
- Understand how crucial facts are in litigation, and how to tie those facts to a legal argument that benefits your client;
- Demonstrate an ability to translate detailed arguments presented in legal briefs to clear, concise, and persuasive oral arguments before the court;
- Gain experience presenting arguments orally in a formal, courtroom-like setting;
- Demonstrate an ability to engage in effective legal analysis and advocacy through polished, readable, and concise written product;
- Practice how to research, analyze, and write about legal issues under time constraints.

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

Recommended: Administrative Law.

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

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

LAW 635 v00 Federal Money: Budget Process and Appropriations Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 635 v00>)

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

The federal budget is where the nation's priorities are expressed.

It allows the federal government to operate and shapes what the government will do. It is also an important source of revenue for state and local governments and thus affects their own policy choices.

This course provides an introduction to the laws, rules, and practices that govern how the federal budget is put together and how the budget is executed. We will study both traditional "regular order" and contemporary realities. We will pay particular attention to sites of contestation and control with respect to the key institutional players of the legislative branch (including different committees within both the House and Senate, party leadership, the Congressional Budget Office, and the Government Accountability Office) and the executive branch (including the President, the Office of Management and Budget, agencies, and inspectors general). We will also study the role of the courts in appropriations law.

Note: No accounting or budget background is needed.

LAW 1631 v00 Federal Practice Seminar: Contemporary Issues (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1631 v00>)

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 nondelegation, federal preemption, arbitration clauses and the Federal Arbitration Act, personal jurisdiction, *Chevron* or other doctrines of deference to agencies, congressional power over Tribes and/or States, Dormant Commerce Clause limits on congressional power, class action scope and limits, and the major questions doctrine. 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 substantially on the final paper, but may be adjusted upward or downward one-half grade based on class participation. We recommend but do not require completion of or simultaneous enrollment in Administrative Law or Federal Courts. (NB: This two-credit course does not fulfill the J.D. Writing Requirement.)

LAW 1844 v00 Federal Regulation of Biopharma: Commercial Considerations, Risk Identification and Mitigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1844 v00>)

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

This seminar provides an overview of the principal legal issues impacting the commercialization, sale and marketing of biopharmaceutical products. It:

- Provides an overview of the structure and operation of the biopharmaceutical industry, including manufacturers of innovator and generic products;
- Explores the principal laws governing the sale and marketing of biopharmaceuticals, including relevant portions of the Federal Food, Drug, and Cosmetics Act, the False Claims Act, and the Federal Anti-Kickback Statute;
- Explores how these laws create liability for both biopharmaceutical companies and their executives for the manner in which such companies price, report prices on, communicate about, and interact with regulators and health care providers about their products;
- Addresses industry-specific government investigations, risk assessment, and compliance efforts; and
- Concludes with a table-top exercise in which students role play a government investigation.

LAW 455 v00 Federal White Collar Crime (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 455 v00>)

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: Transfer students need to take Criminal Procedure.

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 v07 Federal White Collar Crime (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 455 v07>)
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.

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. on Thursday, November 7, 2024.

LAW 175 v00 Federalism in a Changing Legal Landscape Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 175 v00>)
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, as well as nondelegation principles and other related doctrines.

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, including new limitations on the federal administrative state, 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 1514 v00 Federalism in Practice: The Role of Governors and State Executives in Advancing Public Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1514 v00>)
J.D. Seminar (cross-listed) | 2-3 credit hours

LAW 189 v06 Feminist Legal Theory Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 189 v06>)
J.D. Seminar (cross-listed) | 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 JD 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.

LAW 1853 v00 Finance and Political Economy Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1853 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201853%20v00))

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

Financial markets are political. Yet, legal education has historically relied upon an unsustainable distinction between law, politics and markets. The predominate framework for examining markets has been neoclassical economics—which put simply, suggests that the independent market forces of supply and demand driven by rational, self-serving actors, dictate market outcomes. This course offers students an alternative framework with which to interrogate financial markets. Specifically, it examines how political, technological, and socio-legal drivers have shaped consumer credit markets to be integral to the modern economy, for better or worse. Students will explore the history of consumer credit; interrogate select laws and policies (e.g., Truth in Lending Act, Community Reinvestment Act); and critically examine agencies that impact access to consumer credit (e.g., Federal Reserve, credit bureaus). In doing so, students will tap into broader debates on economic and racial justice, surveillance capitalism, and labor movements.

Learning Objectives: Throughout this course, students will:

- Investigate, explain and apply normative frameworks for analyzing the relationship between law, financial markets, and the political economy.
- Interrogate the use of theoretical frameworks like neoclassical economics and think critically about the supposed neutrality of law and politics in financial markets.
- Examine the centrality of consumer credit in the modern economy, and consider the impact of such a political choice on differing class, gender, and racial demographics.
- Hone legal analysis, research and writing, and public speaking skills.

Note: Laptops may not be used during class sessions.

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 Upperclass Legal Writing Requirement.

LAW 2044 v00 Financial Market Reform and Innovation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2044 v00](https://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), 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 will also compare and contrast 2008 Financial Crisis and 2020 Covid Pandemic. In particular, we will discuss financial impacts and policy responses. 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 ever-evolving regulation of financial markets, institutions, and innovative financial products. You will gain a sense of the genesis and policy developments underpinning financial markets regulation, 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 the syllabus.

LAW 804 v04 Financial Reporting and Accounting (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 804 v04>)
LL.M. Course (cross-listed) | 2 credit hours

This course will examine traditional accounting topics with emphasis on their practical application to the practice of law. It will do so based on the development of an understanding of corporate financial statements and the underlying accounting concepts used in preparing those statements and related accounting records. Issues will be considered against the backdrop of current SEC and professional requirements. Particular attention will be paid to current issues and enforcement trends raised by the SEC and to the latest pronouncements of the FASB, AICPA and SEC. Selected public filings will be analyzed to give students additional insights on the actual quality of reported earnings and financial condition of the reporting company, and the apparent effect of various alternative accounting methods.

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 545 v01 Financial Restructuring and Bankruptcy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 545 v01>)
J.D. Course (cross-listed) | 4 credit hours

What happens when a business ends up in financial distress and cannot meet its obligations? This course is an introduction to the strategies a business can pursue to restructure its finances and the legal constraints on doing so. These strategies include both a public, judicial process—bankruptcy—as well as private, contractual deals undertaken in the shadow of bankruptcy.

The use of these strategies is shaped by tensions among a company's various stakeholders about how to maximize and distribute the value of the company. Restructuring law provides the rules for this stakeholder competition. It sets forth distributional rules—who has the right to be repaid first, second, etc.—and governance rules—who decides what a restructuring should look like and when they can bind others to their decision.

These rules provide a background term for nearly all business transactions. As such, bankruptcy law is important for every lawyer. Any lawyer advising a client needs to understand what will happen if a transaction—be it a financing deal, an asset sale, or a litigation settlement—doesn't go as anticipated.

Restructuring lawyers practice in a field that is immersed in actual business and financing operations because of the need to understand what a particular business needs to function on a daily basis. It is also a practice that combines transactional and litigation work and offers the opportunity to speak in court sooner and more often than almost any other practice area. Restructuring practice is highly specialized, but also universal because it interacts with nearly every other area of law—contract, environmental, labor, regulatory, tax, and tort—making the bankruptcy lawyer a jack-of-all-trades and the master of one.

The law of restructuring is also critical to social policy. Bankruptcy is the forum for addressing nearly every major economic problem. It determines who bears the costs of: mass torts; environmental harms; commodity price swings; changes in the labor market; and secular changes in the economy.

No prior background is required for the course.

Mutually Excluded Courses: Students may not receive credit for this course and Bankruptcy or Bankruptcy and Creditors' Rights.

LAW 193 v01 Financial Services: Regulation in the Age of Disruption
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 193 v01](https://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 fintechs, cryptocurrencies, DeFi, stablecoins and other challengers. The course provides a grounding in money and payments and how banks are structured and regulated: the balance sheet, the role of insured deposits, and the purpose of capital and liquidity. We review regulations designed to promote safety and soundness, privacy and cybersecurity, consumer protection, and international consistency. We then examine how fintechs, cryptocurrencies, stablecoins and money market funds all attempt to disintermediate traditional banks, and the regulatory challenges they pose. We examine the 2007-09 Global Financial Crisis and the economic effects of the 2020 global pandemic, and the lessons learned from each. Grades in this course are determined by class participation and a 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.

Note: This course is part of the following graduate programs: Securities and Financial Regulation LL.M.

LAW 2088 v00 Financial Statement Accounting for Tax Consequences
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2088 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202088%20v00))

LL.M. Course (cross-listed) | 1 credit hour

This course is important for the aspiring tax professional who desires to better understand and communicate with business decision makers concerning the consequential effects of transactions and how they will be reflected in the financial statement disclosures or tax related accounts found in the income or balance sheet. This course is important for the person who wants to best position themselves for job opportunities with some of the single largest U.S. and global employers of tax professionals (e.g., the Big-4 accounting firms) who place a premium on LL.M. (Tax) applicants with a basic understanding of the financial statement impact of various taxable events, which are important to many of their clients and the services they provide.

This one-credit pass/fail course is comprised of four conceptual modules: the first three modules focus on income based taxes; and, the fourth, non-income based taxes. The income tax modules are designed to first explain and illustrate the financial statement accounting rules applicable to a wide range of frequently encountered taxable events; and, secondly, illustrate how the financial accounting consequences arising from those events can drive the actions of business decision makers in a direction that may appear counterintuitive from a tax perspective only. Contemporary topics facing today's decision makers will be selected for this course, and will be explained and illustrated through assigned readings, classroom examples, and case studies.

The first of the income tax modules, Basic Accounting Concepts, will offer the uninitiated a high level overview of the conceptual cornerstones that drive most of the significant accounting questions related to taxation. Further, this first module will define and illustrate the concept of "deferred taxation", which is the financial statement mechanism used to reconcile the differing rules governing the recognition of transactions for financial statement and tax statement purposes; and, most frequently, where the accounting differences between US GAAP and IFRS arise. Other topics explained and illustrated herein will include: permanent differences; temporary differences involving deferred tax assets, deferred tax liabilities and the impact of changing tax rates; uncertain tax positions; undistributed profits of foreign subsidiaries; net operating losses; and, related financial statement disclosures.

The second income tax module, More Advanced Accounting Concepts, will drill down on other select topics where disparate financial statement standards exist between US GAAP and IFRS. Among the topics included in this module are: share-based payments; foreign non-monetary assets and liabilities; intercompany transfers of assets remaining within the group; tax basis and intention of management for settling assets/liabilities; the "initial recognition exemption"; and, the measurement of deferred taxes when different tax rates apply to distributed and undistributed profits.

Prerequisite: Federal Income Taxation.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025, 5:45 p.m. - 9:05 p.m. The course will have a take-home exam that must be completed during the week of January 18 and January 25, 2025.

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

LAW 1744 v00 FinTech and Financial Democratization Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1744 v00>)

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.

NOTE: For the Fall 2022 semester, mandatory attendance rules will not be enforced for this course; students will not automatically be dropped or withdrawn upon missing a class session. Students who miss class due to COVID-19 symptoms, quarantine, isolation, or other disruptions should contact the professor(s). Regular attendance and participation in all class sessions is expected, and students may be withdrawn, at the request of the faculty, if absent without good cause. 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1442 v00>)

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 390 v00 First Amendment (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 390 v00>)

J.D. Course | 3 credit hours

This course offers a survey of the First Amendment of the United States Constitution, particularly with respect to freedom of speech, freedom of association, and religious freedom. By the end of the course, students should have a thorough understanding of what activities receive First Amendment protection, and what government justifications must be demonstrated to rebut such protection.

Recommended: Constitutional Law II: Individual Rights and Liberties.

Note: Laptops may not be used during class sessions.

LAW 1834 v00 Follow the Science? Medicine in the Law's Crossfire (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1834 v00>)

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

More than ever, parties to bitterly-contested legal and political questions invoke medicine to support their side. Abortion, LGBTQ rights, criminal responsibility, racial equity, and vaccines and other measures against COVID-19 are among the areas of conflict that have drawn medical science and judgment into the mix. Often, physicians have been eager participants, sometimes going beyond what science shows. Such participation has a long, oft-troubling history: biomedical expertise has been invoked to identify witches, "prove" the inferiority of racial and ethnic groups, and block women's access to educational and professional opportunity. This seminar will explore advocates' use and abuse of medical science and judgment from America's founding to the present, with an eye toward distinguishing between what courts, political leaders, and parties to conflict should and shouldn't call upon medicine to do.

LAW 1202 v01 Food and Drug Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1202 v01>)

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

This course will introduce students to the foundational laws and policies governing the production and distribution of foods, drugs and medical devices in the United States, focusing on the Federal Food, Drug, and Cosmetic Act (the "Act") and the role of the Food and Drug Administration in enforcing the Act. The course will cover key concepts and definitions – e.g., "food," "drug," "labeling" – and federal statutory provisions designed to assure that such products are not adulterated or misbranded.

Students will also receive an overview of the different agencies that have jurisdiction over foods, drugs and devices on the state and federal levels, as well as an introduction to the ways in which such agencies exercise their authority through rulemaking, guidance and enforcement activity.

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

LAW 1600 v01 Food Justice Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1600 v01>) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

Rules governing food and agriculture can have a dramatic impact on the welfare of farmers, food and farm workers as well as the price of food, access to healthy food, the fate of rural communities, the environment, and animal welfare. This is a fieldwork practicum course that has both 1) a two-credit graded seminar exploring food justice and policy issues and 2) a two-credit fieldwork placement. The fieldwork credits are mandatory pass-fail.

SEMINAR: This seminar portion of the course will advance the Law Center's institutional learning outcomes by covering the policies, rules, and laws that govern food and agriculture, including laws and regulations related to farm subsidies, farm stewardship, pesticide safety, food safety, food labeling, food and farm labor, and animal welfare. The extent to which these policies have discriminated against farmers of color and food and farm workers and limited access to healthy food choices will be a major theme of this practicum. Students will have pervasive opportunities to think critically about the law's claim to neutrality and its differential effects on subordinated groups.

FIELDWORK: In the fieldwork component of this course, students will be assigned to projects with the Environmental Working Group, the Environmental Defense Fund, the Center for Science in the Public Interest, Earthjustice, or other food, farm, worker, environmental justice, and animal justice organizations working on these issues. They will have an opportunity to learn how such institutions play a role in advancing food justice issues being debated in both the administrative and legislative processes, and in matters subject to litigation. Students must work 10 hours per week for 11 weeks for two credits.

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, as well as food and drug law, and environmental law-related courses, are recommended but not required.

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

Note: This course is suitable for evening students who can commit to attending class and working 10 hours/week (during business hours) on site at 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 project-based practicum courses are similarly required to devote the requisite number of hours to their project.

LAW 1208 v00 Food Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1208 v00](https://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 focus mostly, but not exclusively, on the federal regulatory framework for food. Topics will include the legal definition of food, rules on food labeling, standards for food safety, provisions for food security, and regulation of the environmental consequences flowing from the agricultural practices that produce our food. Beyond the law itself, we will consider the scientific, economic, and ethical principles implicated by legal decisions concerning food.

Mutually Excluded Courses: Students may not receive credit for this course and Food and Drug Law.

LAW 3093 v00 Foreign Investment & National Security: The Committee on Foreign Investment in the United States ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3093 v00](https://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 1906 v00 Foreign Relations Colloquium ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1906 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201906%20v00))

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

Each colloquium session will focus on a scholarly paper and presentation by, or structured dialogue with, a leading scholar in the field of international law and foreign relations. The papers will relate to cutting edge issues concerning international law, broadly understood. On occasion, a second leading expert in international law and foreign relations will serve as a discussant and comment on the paper.

Students are expected to (i) carefully read the speakers' papers; (ii) prepare weekly response papers that will be provided to the speakers in advance of the colloquium session, and (iii) attend, and actively engage in, weekly, in-person sessions, including the preparation and asking questions at each meeting. This is a small and focused course and thus reading and active participation are essential.

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. The colloquia will be open also to professionals working in international law and policy in Washington.

LAW 089 v03 Foreign Relations Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 089 v03](https://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 2024. 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.

NOTE: For the Fall 2024 semester, mandatory first class attendance rules will not be enforced for this course. Enrolled students will not be dropped if not in attendance at the start of the first class, and waitlisted students will remain eligible to be admitted off the waitlist if not in attendance at the start of the first class.

LAW 009 v00 Foundations of American Legal Thought ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 009 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20009%20v00))

J.D. Course | 3 credit hours

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

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

LAW 052 v01 Fourteenth Amendment Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 052 v01>)
J.D. Seminar | 3 credit hours

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 196 v03 Free Press (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 196 v03>)

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

"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-fourth of the grade for the semester.

Recommended: Constitutional Law II: Individual Rights and Liberties.

Note: THIS COURSE REQUIRES THE PROFESSORS' PERMISSION TO ENROLL. Students should complete a brief Google form found here (<https://forms.gle/ChfyTg2hoED9KE9r6/>) with a short explanation of their interest in the course by 5:00 p.m. on June 13, 2023. Thereafter, the professors will admit students into open seats from the waitlist on a rolling basis. PLEASE NOTE: This course will not be offered during the 2024-25 academic year.

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

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

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

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

Learning Objectives:

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

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

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

LAW 1829 v00 From Formation to Exit - Capital Formation for Startups (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1829 v00>)

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

This course is early stage financing from formation to a \$75M Reg A+ round in hyper-speed. Students will play the role of the company's outside legal counsel. Students will assist with formation, capital formation, and general legal guidance. They'll assist with raising a \$1 million pre-seed round from friends and family, a \$5 million Regulation Crowdfunding Offering, and eventually a \$75M Regulation A+ offering. Lastly, the company will receive a term sheet from a prominent VC which students will assess, issue spot, and advise the company thereon.

Strongly Recommended: Securities, Corporations

Note: UPPERCLASS WEEK ONE COURSE: This course will meet for one week only on the following days: Monday, January 8, 2024 through Thursday, January 11, 2024, 6:00 p.m. - 9:20 p.m. 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.

LAW 1857 v00 From Nuremberg to Kyiv: Aggression and Accountability Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1857 v00>)

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

The Russian Federation's 2022 invasion of Ukraine brings to the forefront the question of aggressive war. The 1946 Nuremberg Charter labeled aggression a "crime against peace," and the Nuremberg Tribunal called aggressive war the supreme international crime. The UN Charter forbids the threat or use of force against the territorial integrity or political independence of another state. In its turn, Russia has invoked its right of self-defense under the Charter.

Legal questions pale in comparison with the life-and-death issues on the ground—but the legal questions are important, and will have long-term consequences. They include questions about how to define international crimes, mechanisms of accountability (the International Criminal Court, a proposed special tribunal for aggression, domestic prosecutions), immunities, and the very nature of sovereignty.

The seminar will tackle these questions not only from a legal point of view, but also from the points of view of history, philosophy, political theory, and practical questions. We will look closely at the Nuremberg trials and the formative era of the UN. We will consider the question of whether the United States has also waged aggressive wars – in Vietnam, the Balkans, and Iraq. This will require an examination of so-called "anticipatory self-defense" (preventive war) and humanitarian military intervention as justifications for use of force.

Although the focus will be on crimes against peace, the seminar will also treat other core international crimes: genocide, war crimes, and crimes against humanity.

LAW 3152 v00 Front Lines and Foreign Risk: National Security Through the Lens of CFIUS and Team Telecom (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3152 v00>)

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

This course examines how the United States increasingly relies on two committees to assess risks to national security arising from foreign investment in the United States and foreign participation in U.S. telecommunications. Specifically, this course provides students the opportunity to compare and contrast the assessment processes established by the Committee on Foreign Investment in the United States (CFIUS) and the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Team Telecom). To establish a foundation, students will consider the history of CFIUS and Team Telecom since the millennium and examine how successive administrations and Congress have shaped foreign risk reviews, which have dramatically increased in frequency, gravity, and complexity with greater public visibility. Students will assess how CFIUS and Team Telecom reviews fit within the broader U.S. national security strategy and will consider the increasingly prevalent view that economic security is national security. Students will learn that although national security priorities vary from administration to administration, bipartisan attention has continued to focus on risks related to foreign investment in the United States, particularly regarding the development of critical technologies (e.g., microelectronics, artificial intelligence, and quantum computing among others). Throughout this course, students will be encouraged to consider how the government balances the benefits of foreign investment and participation, including promotion of economic growth, productivity, competitiveness, and job promotion, while protecting national security.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Foreign Investment & National Security: The Committee on Foreign Investment in the United States.

LAW 1930 v00 Gen AI and Big Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1930 v00>)

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

The rapid rise of generative AI is creating new challenges for corporate law practice. Law firm leaders are concerned that using Gen AI for legal tasks will create significant legal and financial risks. At the same time, clients are saying they will not pay for services provided by associates if those services could have been performed by AI. Caught between these poles, corporate firms are trying to figure out how Gen AI fits into their service delivery and business models. Meanwhile, several legal research/legal tech companies are developing increasingly sophisticated legal AI tools in the hope of harnessing the power of Gen AI for research, writing, and analysis to capture a piece of the very sizable corporate legal market.

This course is intended to teach students how to use Gen AI in a corporate practice setting and expose them to the ethical, business, and other challenges that Gen AI poses for that sector. To learn how to research and perform legal tasks aided by gen AI, students will have the opportunity to work with Vincent AI, a cutting-edge legal research platform developed by VLex, a global legal intelligence that provides access to the most extensive collection of legal and regulatory information worldwide. We will also consider legal Gen AI through a broader lens and explore the ethical issues raised by legal Gen AI how it fits – or doesn't – into the traditional corporate law business model; and what the future of corporate practice might hold.

Pass/Fail: Receiving a passing grade depends on submission of assignments, thoughtful class participation, and a short paper due during the exam period.

Learning Outcomes.

By the end of the semester, students will:

- understand how to use legal Gen AI to assist in legal research, writing, and analysis.
- understand the risks and benefits of using legal Gen AI
- understand the professional responsibility issues raised by legal Gen AI
- understand the opportunities and challenges legal Gen AI for corporate service delivery and Big Law's business model.

Mutually Excluded Courses: Students may not receive credit for this course and Advanced Legal Writing with Generative AI.

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 will meet in Fall 2024 on Wednesdays, 11:10 a.m. - 1:10 p.m. on the following dates: 8/28, 9/11, 9/25, 10/9, 10/23, 11/6, and 11/20.

Enrollment in the LAWG section of this course is restricted to students in the Technology Law and Policy LL.M. and the Master of Law and Technology programs. 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 1075 v00 Gender and Immigration ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1075 v00](https://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 governmental protection for persons fleeing gender-based persecution and abuse. Students will participate in a two hour/week seminar and ten hours/week of fieldwork with law firms and nonprofit organizations in the D.C. metro area to assist lawyers representing clients fleeing their countries due to 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 and sexual minorities to leave their home countries and immigrate to the United States. In many countries, individuals face persecution and violence on account of their gender. 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. During the seminar, students will study and learn through experience about the societal forces causing the forced migration of women and sexual minorities and how U.S. laws and policies address the immigration status of these immigrants. We will focus on forms of relief that, while available to both men and women, are primarily accessed by women and members of the LGBTQ+ community to obtain legal status in the United States. Specifically, we will focus on: asylum, withholding of removal, protection under the Convention Against Torture, the Violence against Women Act, U Visas, and T Visas.

FIELDWORK: In the two-credit, mandatory pass/fail fieldwork portion of the practicum, students will work with lawyers from law firms and nonprofit agencies on real cases of immigrants 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 service agencies who are representing 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).

Recommended: Immigration law courses, administrative law, and trial advocacy courses.

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 3:30-5:30 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, students may only drop this class up until the start of the second class session on Wednesday, January 15. After that time, students will only be

LAW 1272 v00 Gender and Sexuality ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1272 v00](https://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.

LAW 2065 v00 Gender and U.S. Foreign Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2065 v00](https://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; Women, Peace and Security Act of 2017; U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally; U.S. Strategy on Women's Economic Security; 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.

LAW 1882 v00 Generative AI and the Future of Free Speech & Copyright Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1882 v00>)

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

In this course, students will gain an understanding of the technical basics of generative AI models and the copyright, First Amendment, and intermediary liability legal questions that will shape these models' development and use. Through course readings—including case law excerpts, law review articles, technical briefings, and policy white papers—class discussion, and experimentation with generative AI tools, students will develop familiarity with the capabilities and limitations of these tools and an understanding of how questions around generative AI relate to broader law and policy debates about freedom of expression in the digital age.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 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 1298 v00 Global Anti-Corruption Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1298 v00>)

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

In 1977, the United States adopted the Foreign Corrupt Practices Act (“FCPA”) to combat bribery of foreign public officials. As with many U.S.-led initiatives, it was seen at the time as naïve, quixotic, myopic, and doomed to failure. A little more than 20-years later, the Organisation for Economic Co-operation and Development (“OECD”) adopted its Convention on Combatting Bribery of Foreign Public Officials, and as required by the Convention, the countries of Western Europe promptly adopted organic statutes modeled, in large measure, on the FCPA.

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 participation and in-class exercises and projects, with the goal of sharpening critical thinking, tackling complex legal questions in concrete factual settings, and honing advocacy skills.

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

LAW 726 v00 Global Competition Law and Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 726 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20726%20v00))
LL.M. Seminar (cross-listed) | 2-3 credit hours

This course examines the current state of competition (or “antitrust”) policies and enforcement mechanisms around the world, using case studies from the US, EU, Asia and elsewhere. The international competition community is in the throes of a vigorous re-examination of the goals and tools of competition regulation and policy: has inadequate or ineffective competition regulation contributed to excessive industry concentration, income inequality, stagnant wage growth, and related harm to consumers and society? Or are existing competition enforcement tools sufficient to address actual competition problems, leaving other economic and social issues to be better addressed by other public policies and tools? Do digital markets and “platforms” require special rules? These issues present the challenges of accommodating competition policy to evolving political, economic and social demands.

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 course is part of the following graduate programs: International Business and Economic Law LL.M. International Business and Economic Law LL.M. - List A International Legal Studies LL.M.

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 726 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20726%20v01))
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 competition principles common to key jurisdictions including the U.S., Canada, the EC, the UK, and Japan, and will 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.

LAW 3028 v00 Global Drug Law and Regulation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3028 v00](https://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.

LAW 493 v01 Global Health Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 493 v01>)

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

Global Health Law is the flagship course offered by 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 compulsory for students in the National and Global Health Law LLM and the Global Health Law and Governance LLM.

The survey course explores the roles that the law, lawyers, and legal institutions play in public health across the globe. Global health law encompasses international law and policy that directly or indirectly affects health, including treaties, regulations, strategies, and expert guidelines. This course provides a strong foundation in these instruments, laws and policies, including topics such as governance of the World Health Organization, Universal Health Coverage, the International Health Regulations, the role of the UN Special Rapporteur on Health, and the proposed accord on global pandemic preparedness. The course also explores comparative national approaches to health governance, law, and policy.

The course is divided into three modules. Module 1 covers the foundations of global health law, providing overviews of public international law, international human rights law, international trade law, and the intersections between intellectual property law and health. Module 2 covers health systems and governance, including the World Health Organization, and public health ethics and principles. Module 3 addresses the human right to health and other key emerging topics in health law such as environmental law and health, the global campaign for Universal Health coverage, and the use of litigation to advance the right to health. The course culminates in students presenting proposals to reform international law to better protect and promote global and public health outcomes.

Students will hear from leading voices in global health law and benefit from the expertise of the O'Neill Institute for National and Global Health Law, as well as other resources at Georgetown University and in the broader Washington, DC community.

Course Goals/Student Learning Outcomes

1. Knowledge of the substantive foundations of global health law, including public international law; human rights law; global health governance; the interface between international trade and intellectual property law and health; and principles of public health law.
2. Knowledge of the legal issues related to a range of global health challenges, including access to health care and prevention and control of non-communicable diseases and infectious diseases.
3. Knowledge of the various roles that lawyers can play in advancing global health, including legal drafting, negotiating, litigation, and advocacy for law reform.
4. Ability to use various skills relied upon by global health lawyers, including legal research, analysis and writing, strategic thinking, and communication.

Recommended: Prior enrollment in International Law I.

Note: Required for the Global Health Law LL.M.

LAW 594 v00 Global Health Law: An Intensive, Problem-Based Exploration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 594 v00>)

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) H5N1; 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.

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 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 1836 v00 Global Health Security and the Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1836 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201836%20v00))

LL.M. Seminar (cross-listed) | 1 credit hour

This course analyzes the subject matter of global health security as it is shaped by international agreements and national implementation and preparedness laws. As societies and economies are increasingly interwoven and interdependent, new forms of health security threats have arisen, and nations are now contending with such implications through established agreements like the International Health Regulations (2005), a draft new pandemic agreement, and various forms of “soft power” diplomacy to mitigate infectious disease risks. In recent years, the realm of health security has expanded greatly with more governments, companies, and NGOs working to solve problems and pursue opportunities. Most prominently, the COVID-19 pandemic has shattered existing paradigms of stability and security, with ramifications from the global perspective down to that of nearly every world citizen. Over an immersive weekend of overview and interaction, this course highlights prominent threat categories, namely the “3-D threats” of Disaster, Disease, and Disorder. This seminar will be devoted as an active legal laboratory in which student ideas are solicited and shaped with the participation of the class.

The objective of the course is to crystallize student understanding at the international, national, and local legal level, the perspective viewed by national and organizational leaderships, and to frame student thinking by developing a broad, contextual understanding of the situation of health security. The course will draw connections between direct experience with purposeful intent through class exercises. Practical frameworks will be employed to simplify the dynamics within complex situations, and to organize student thinking about actions and options. An overnight simulation activity assessing a humanitarian crisis between the first and second day invites analysis about cause-effect, goals-intentions, and interventions-consequences. Two special guest speakers will share experiences on the policy frontlines, further enriching classroom dialogue. The course relies on active participation that feeds a mutual learning environment and that catalyzes and reveals students' ideas as they occur, thereby fostering an at-the-ready style of nimble thinking and conversing.

LAW 900 v01 Global Indirect Tax: The VAT ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 900 v01](https://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.

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 900 v03 Global Indirect Tax: The VAT (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 900 v03>)
LL.M. Seminar | 1 credit hour

Taxes on goods and services continue to be the largest revenue source for jurisdictions, particularly low- (LICs) and middle-income countries (MICs). On average across the OECD, taxes on goods and services accounted for 32.1% of total tax revenues in 2020 but represented 56% and 51% of total tax revenues in LICs and MICs, respectively. Value added taxes (VAT) produced 20.2% of total taxes in OECD countries on average in 2020, making it by far the main category of taxes on goods and services.

With economies becoming more interconnected, U.S. tax professionals increasingly advise clients investing abroad, 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 involved in corporate or international tax work. This course will introduce students to indirect taxation, including customs duties, and its application in various jurisdictions.

The emphasis of the course is on major principles of VAT regimes, as opposed to exceptions to the general rules. Further, application of a particular principle may produce favorable results to one taxpayer but unfavorable results to another taxpayer. This phenomenon is often encountered when one taxpayer is a domestically registered corporation and the other taxpayer is a non-registered foreign corporation unable to reclaim VAT. Therefore, the course will encourage the student to approach an issue with an open mind regarding possibilities for tax registration in foreign jurisdictions.

The course will examine the economic and policy rationales for such taxes and study in detail how value added taxes work, including tax calculations and the impact of customs duties in cross-border transactions, as well as practical VAT considerations in the digital economy and M&A transactions. The course will also encourage students to give thought to public policy issues such as ease of administration within developing countries.

Course Goals/Student Learning Outcomes:

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.

At the conclusion of this course (i.e., for the take-home exam) the student should be able to apply basic principles of indirect taxes and identify issues. The student should recognize when a client may have exposure for nonpayment of indirect and when a client may have failed to take full advantage of opportunities provided by various taxing systems.

Recommended: Federal Income Taxation.

Mutually Excluded Courses: Students may not receive credit for this course and LAW 900 v01: Global Indirect Tax: The Vat (2 credit-hour version).

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

J.D. Seminar | 0 credit hours

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

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

LAW 661 v00 Global Law Scholars Seminar I: Building an International Skill Set (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 661 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 662 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 068 v01>)

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

Around the world, people are mobilizing to defend democracy, protect human rights, and promote sustainable development. We'll study the international legal framework for civic activism, examining laws governing protests, social justice movements, and and nonprofit organizations. We'll also explore the impact of national security, authoritarianism, and digital technology on civic space.

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 frontline human rights defenders.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 750 v01>)
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 565 v00 Globalization, Work, and Inequality Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 565 v00>)
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 202 v00 Government Contracts (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 202 v00>)
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; 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 fraud; 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1110 v00>)

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 008 v03 Government Processes (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 008 v03>)

J.D. Course | 4 credit hours

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

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

LAW 008 v04 Government Processes (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 008 v04>)

J.D. Course | 4 credit hours

This course introduces you to the modern administrative and regulatory state. You will come to understand both the tremendous power exercised by administrative agencies and the significant constraints (legal and political) under which they operate. You will learn to identify the design features that might make an agency constitutionally problematic, the factors that make one type of decision-making framework more appropriate than another, the prerogatives and limits of agencies in interpreting the statutes they are charged with administering, and agencies' prerogatives and limits in adjudicating facts and exercising policymaking discretion. You will also learn to identify the factors that affect the availability and timing of judicial review of agency action.

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

LAW 1527 v00 Habeas Corpus Post Conviction Practicum ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1527 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201527v00)) (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 and is more appropriate for 3L students with a little more experience. 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 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.

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 sector 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 or criminal defense. 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 procedure is recommended but not required. Due to the challenging nature of habeas law, it is recommended that students wait until their third year to enroll in this course.

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 open to JD students only. THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students must submit a resume/CV and a statement of interest in the course to Professor Christina

LAW 183 v03 Health and Human Rights ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 183 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20183v03)) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

This course explores the potential of using the law, and specifically, the human rights legal framework, to improve health. Students will be exposed to real life projects at the domestic level in a number of different jurisdictions, especially but not exclusively from Latin-America and Africa; as well as at the regional and international level, including the Inter-American Human Rights System and the United Nations Human Rights System. With this approach, students will strengthen not only their knowledge of the human rights framework within their familiar jurisdictions, but will also have the opportunity to develop comparative legal research skills.

The human rights framework that students will learn in depth in this practicum is not limited to the right to health but involves other related human rights that are also social determinants of health or that are instrumental to the effective realization of the right to health. Therefore, students will be exposed to the substantive expertise needed to successfully practice the strategic use of the integrality of the human rights framework in the specific context of health. Students will also be required to consider the use of other legal frameworks that have the potential of having a positive impact on health outcomes.

The variety of projects will take into consideration the complexity and different dimensions of the right to health as well as the nature of the legal obligations that it imposes in different contexts. We will offer projects that respond to current and pressing global challenges with respect to health, for example, projects exploring the right to health and other rights in the context of public health emergencies, the link between health and the environment, the structural disadvantage that specific groups face with respect to their health and the role of private actors, to name a few.

For the execution of their projects, students will work with external partners of the O'Neill Institute for National and Global Health Law, in particular, the Health and Human Rights Initiative. ("HHRI").

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 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 the professor indicates

LAW 1028 v00 Health Care Fraud and Abuse Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1028 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201028%20v00))

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

One-fifth of the U.S. economy centers around health care industry sectors. This seminar examines criminal, civil and administrative tools used by federal and state enforcement authorities to police the U.S. healthcare system. We will focus on cases brought under federal and state False Claims Acts (FCA), the Anti-Kickback Statute (AKS), Stark laws, Federal Food Drug and Cosmetic Act (FDCA), and Foreign Corrupt Practices Act (FCPA). The seminar provides a survey of the enforcement activities of the U.S. Department of Justice (DOJ), the Office of Inspector General at Department of Health and Human Services (OIG), and state Medicaid Fraud Control Units (MFCUs) in matters against pharmaceutical and medical device manufacturing companies, physicians, hospitals, clinical practices, nursing homes, laboratories, and others. The seminar materials thoroughly cover the statutes, safe-harbors, and regulations that govern the health care industry. We will also discuss risk mitigation strategies and compliance program best practices across industry sectors to provide insight into the impact enforcement has on (1) clinical decision-making, (2) costs to providers, payers, and patients, (3) patient safety, and (4) quality of care. In an effort to maintain a broad perspective with the diverse and frequently changing legal landscape in the area, in addition to the case book, materials discussed and presented in this course draw from news reports, trade publications, and U.S. government agency materials.

The class requires a paper of approximately 20-25 pages in length.

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

LAW 206 v03 Health Care Law and Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 206 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20206%20v03))

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

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

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

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

LAW 3165 v00 Health Care Privacy and Security ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3165 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203165%20v00))

LL.M. Seminar (cross-listed) | 1 credit hour

This course will explore the primary legal and policy principles surrounding the use and disclosure of personal data across the healthcare industry – the key privacy and security laws, regulations and principles that govern how the healthcare industry operates. We also will focus on the concepts surrounding the privacy of health information, and evaluate why this information should be treated differently than other personal information (if at all). We will learn through understanding the relevant legislative and regulatory provisions, and by applying a series of case/situation examples for class discussion. The overall goal of the course is to provide both an understanding of the relevant legal principles for health care privacy in general and to develop an ability to address how these issues arise in legal practice.

This course will emphasize the primary privacy and information security principles set out in the Health Insurance Portability and Accountability Act ("HIPAA") as a baseline framework for compliance, and will explore how these rules apply in theory and in practice. We will discuss the best approaches for overall HIPAA compliance. We also will explore emerging areas for privacy and information security, including new enforcement principles, issues related to security breaches and breach notification, and the emergence of "non-HIPAA" data as a new challenge to the privacy and data security regulatory structure (including important developments connected to the Dobbs decision and the COVID-19 pandemic). We will spend some time on issues related to privacy and medical research. We also will assess how these issues affect the business of healthcare, including a broad range of strategic and compliance issues affecting healthcare companies and others that use personal data. We will conclude with an analysis of these issues going forward – how the law and the health care system are changing and how the regulation of the privacy of personal health data can impact these developments.

Recommended: Information Privacy Law (recommended but not required)

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 1:30 p.m. - 5:30 p.m. The course will have a take-home exam that must be completed during the week of January 18 and January 25, 2025.

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 3140 v00 Health Equity and Social Justice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3140 v00>)

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

This course will examine the social, legal, and economic systems in the United States that have precipitated health inequities for different populations throughout history. Students will develop an intense understanding of U.S. public health law and policy constructs and the varied social determinants of health that affect public health outcomes by exploring how past and current U.S. law and policy perpetuate disparities. This course will also explore how legal and policy reform can be utilized to promote health equity and eliminate injustices across populations. Topics covered in the course include health disparities in the U.S. among LGBTQ, immigrant, rural, and minority populations; substance use policy; maternal and child health; and environmental health. The course will utilize various learning modalities such as research review, discussion, case studies, and guest lecturers. By the conclusion of the semester, students will be equipped with tools to leverage the law to improve health outcomes and the skills necessary to become successful practitioners working at the intersection of public health administration and law.

LAW 2037 v00 Health Information Technology and the Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2037 v00>)

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

Health care decision-making and innovation are increasingly driven and made possible 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.

Note: This course is part of the following graduate programs: Master of Law and Technology Technology Law & Policy LL.M.

LAW 627 v00 Health Justice Alliance Law Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 627 v00>)

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.

For registration-specific supplemental materials, please see the Health Justice Alliance Law Clinic PDF (<https://georgetown.app.box.com/s/22tlc4jtqfdyhbl67hpy0apefekppz7w/>).

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

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

LAW 2076 v00 Health Law and Regulation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2076 v00>)

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 1828 v00 Health, Law and Islam (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1828 v00>)

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

The Muslim view is that the origins of Islamic legal code are rooted in the Muslim holy text (the Quran) and Sunna (the portion of Muslim law based on the prophet Mohammed's words or acts), and it is this jurisprudence that gives Islamic religious practice its connection and sustainability in everything including health law and policy.

This seminar provides an overview of where Islam as a rule of law and global health intersect through subject specific segments. The seminar will start by exploring Islamic law and the history of healthcare under Islamic law and move into segments that discuss food hygiene jurisprudence, prophetic medicine as Sunna, bioethics and Islam, mental health and Islamic law, migrant health and Islamic law, and finally sexual, reproductive and human rights under Islamic law. It presupposes the Quran and Sunna as the legal documents and where relevant, the seminar will discuss comparative aspects to western perspectives.

This seminar supports the notion that global health law is part of a growing health diplomacy where it becomes vital to understand key aspects of how culture and religion can influence health, policy and the law locally and globally.

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

J.D. Seminar | 2-3 credit hours

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

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

Note:

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

LAW 216 v02 Historic Preservation Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 216 v02>)

J.D. Seminar (cross-listed) | 2-3 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: 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 220 v02 Homelessness, Poverty, and Legal Advocacy Seminar
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 220 v02>)

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 participate in or observe an advocacy-related activity (e.g., attending a Council hearing or community meeting or training) on an issue relevant to the course.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1403 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 552 v01>)

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.

For registration-specific supplemental materials, please see the Rising for Justice (Housing Advocacy and Litigation Clinic) PDF (<https://georgetown.app.box.com/s/vvniitm9nzgfyzm89mrlzt5iyqqfs3e/>).

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

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

LAW 1793 v00 Housing Law and Policy Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1793 v00>)

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

In 1949, Congress enacted a broad Housing Act with the goal of providing “a decent home and a suitable living environment for every American family.” In this course we will examine the laws and policies that have both advanced and impeded the United States’ achievement of this goal.

While the course focuses on the effects of housing laws and policies on low-income households and communities of color, we examine these effects with sharp attention paid to the ways in which housing laws and policies have privileged higher income households and white communities. Through historical, sociological, political, and legal lenses, we examine housing law and policy holistically from Reconstruction to the present. Throughout the course, we will consider the role of affected communities in advocating for and/or resisting the laws and policies adopted.

Three broad themes animate this course. First, we consider the question of a “right to housing,” including the extent to which such a right has been recognized, and the ways in which the absence or recognition of such a right has influenced law and policy. Second, we discuss and debate the relative roles of the free market, regulation, and subsidization in expanding access to safe and affordable housing. Third, we study the centrality of race to housing law and policy in the United States, including the historical and present role of racism in shaping housing outcomes. Specific class topics include, among others, federal public housing and housing subsidies, exclusionary and inclusionary zoning, federal fair housing/antidiscrimination law, homeownership, homelessness, eviction, and substandard housing condition regulation. Across this range of topics, we will engage in both doctrinal and policy analysis.

Learning Objectives: By the end of this course, I hope you will be able to describe and discuss the major federal laws and policies that have shaped housing outcomes in the United States. I further hope that you will gain an understanding of the socio-political context in which such housing laws and policies developed, and that you will be able to describe the role of grassroots advocacy in pushing forward and/or resisting particular policies. Throughout this course, you will also gain a critical understanding of the role of race and racism in shaping housing law and policy.

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 1921 v00 How to Design Your Own Data Privacy Law Seminar
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1921 v00>)

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

Imagine you are the benevolent dictator of a country, and your population wants a new personal data privacy law. You are then tasked to design such a policy from scratch. This seminar discusses the many relevant decisions policymakers should make when shaping data privacy regimes.

In particular, this seminar covers: (i) what are the economic and non-economic reasons to regulate data privacy; (ii) what different bundles of rights are usually found in different data privacy laws, and how they interact with one another; (iii) the trade-offs involved in adopting a single comprehensive regime versus many sector-specific regimes; (iv) what are enforcement options to ensure that parties follow the laws on the books; and (v) how privacy laws interact with competition, innovation, national security, and other policies.

This seminar will focus on consumer/citizen data privacy laws. It complements rather than substitutes for Information Privacy Law (LAW 342). The seminar is not a general survey of black letter information privacy law, nor will it cover U.S. Fourth Amendment privacy and other similar topics. Ideally, students should have some prior exposure to privacy/data protection law before enrolling. We will cover the key privacy laws that you need to know in the initial class sessions.

Students will be encouraged to think about law as institutional engineers—that is, thinking critically about whether given legal provisions make sense and help further laws' stated goals. Data privacy is a field in flux, so class readings will be a mixture of privacy laws from different jurisdictions and academic articles in fields such as law, economics, computer science, and others.

Learning Objectives:

- Exposure to an array of doctrinal, statutory, regulatory, and policy landscapes in privacy law, and the complex interrelationships among them.
- Exposure to privacy compliance considerations that confront both private- and public-sector organizations.
- Awareness of international differences in the treatment of information privacy issues and comparative exposure to European data protection law in particular.
- Refinement of analytical and writing skills.

Recommended: Information Privacy Law or The GDPR: Background, Development, and Consequences.

Note: This Seminar allows students to write 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. 2 section students will be required to prepare an end-of-the-course presentation that does not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 034 v10 Human Rights Advocacy in Action Practicum (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 034 v10>)
(Project-Based Practicum)

J.D. Practicum | 7 credit hours

How can lawyers advocate effectively for solutions to pressing human rights challenges?

This project-based practicum enlists students in tackling real-world human rights challenges and creates a learning environment that equips students to analyze a problem, assess the legal and policy situation, and propose and execute strategies for change.

Students in this practicum receive intensive instruction from law professors and subject matter experts on both the relevant human rights law as well as effective strategies and tactics for human rights advocacy. Professor Massimino has a distinguished record of human rights advocacy and led Human Rights First, one of the nation's leading human rights advocacy organizations, as president and CEO before coming to Georgetown Law. Michelle Liu is an adjunct professor and has supported partner NGOs in several countries to promote women's and children's human rights through litigation and legislative reform. Melody Vidmar is the 2024–2026 Dash-Muse Senior Teaching Fellow and Supervising Attorney and has represented clients in all aspects of complex civil rights and liberties impact litigation before federal and state courts. Together with their professors and fellow classmates, students collaborate on a project that supports the mission and objectives of a chosen NGO partner of the Human Rights Institute (HRI). This collaboration gives students a unique opportunity to conduct legal and factual research, craft legal solutions, and develop an advocacy campaign with real-world impact.

In partnership with the Institute for Justice and Democracy in Haiti (IJDH), the 2024-2025 Human Rights Advocacy in Action Practicum will explore avenues to advance Haiti's case for restitution for its "independence debt," a payment that Haiti's former French colonial masters forced Haiti to pay in exchange for freedom from slavery and colonial rule. The catastrophic impacts of the independence debt on Haiti's development and additional vestiges of colonialism on the Haitian economy and society continue to reverberate today. In addition to developing the case for restitution of this historic injustice, the Practicum will highlight the integral role Haiti's restitution claim plays in the broader reparations movement. For more information about the project and partner organization, please visit HRI's Practicum website here (<https://www.law.georgetown.edu/human-rights-institute/scholarship/human-rights-advocacy-in-action-practicum/>).

The practicum is a **year-long** course and comprises three **mandatory** components: a two-hour weekly seminar, project-related teamwork performed in and outside of class, and a week-long field investigation (likely involving international travel) during Week One in January 2025.

Seminar

The seminar portion of the practicum will cover the substantive law and legal framework as it pertains to a particular human rights issue. Students will also use seminar time to propose and assess what legal remedies and accountability mechanisms may be appropriate and viable to address the human rights violation. Guest speakers with subject matter expertise may be invited to seminars to hold workshops and offer critique of student work. Finally, the seminar will also be the training ground for students to develop their critical thinking, public speaking, and persuasive writing skills through the formulation of a human rights advocacy campaign.

Project Work

Students will work in teams to complete a human rights project that furthers the mission of HRI's partner organization. Depending on the

LAW 1777 v00 Human Rights Advocacy: Lessons from the Campaign to End the Death Penalty and other Human Rights Campaigns (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1777 v00>)

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

While the public tends to think about capital punishment in relation to a high court's ruling to prevent or allow an execution to go forward, the broader campaign to expose the flaws in the practice of capital punishment and to end the death penalty involves a complex interplay of strategies—federal and state legislative advocacy, strategic communications, and community organizing and litigation. Indeed, nearly every human rights challenge requires a combination strategy, with many moving parts that have different targets, different tactics, and require different skills. How does an advocate know which strategies are appropriate for which challenges? How can you best prepare for some of the thorniest, most entrenched challenges to human rights? What tools are available to you? And what if the combination of strategies creates ethical or other tensions? This course will explore the various ways in which litigation and policy advocacy can work together to bring about transformative change on complex and difficult human rights concerns. The discussion will be grounded in the long-term effort to end capital punishment in the United States and it will draw on lessons learned from other human rights campaigns.

This seminar will 1) introduce students to multidisciplinary campaigns for human rights and 2) explore how litigation and policy advocacy can be combined and leveraged to create opportunities to advance human rights. Students will explore the range of strategies and tactics available and learn when and how to deploy them.

At the end of the seminar, each student or team of students will have led fellow students through a logic model exercise, prepared a high level multidisciplinary strategy memorandum and led a mock coalition meeting to achieve alignment and engagement on their plan.

There is no textbook for the seminar. Readings will include legal, academic, and general articles and materials on the subjects being covered.

Learning Objectives: The primary objective of this course is for students to understand the range of disciplines and tools available to them to implement a successful campaign and to identify synergies that can be achieved between litigation; policy advocacy, strategic communications and organizing. Students completing the course will understand which strategies to use when and how to navigate the potential conflicts between them.

LAW 1666 v00 Human Rights and Its Discontents Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1666 v00>)

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. 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 1949 v00 Human Rights and the Environment: Creative Lawyering to Save the Planet (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1949 v00>)

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

Environmental degradation, species extinctions, ecosystem fragility, climate change, and the disruption of water and food systems are putting our planet and all living things on it at risk. This fuels the triple crisis of climate change, biodiversity loss (including mass species extinctions), and human rights violations (attacks, reprisals, and killings of environmental rights defenders). In response to these existential threats, innovative public interest lawyers are pursuing creative strategies that use "soft law," compliance processes through judicial, quasi-judicial, and non-judicial grievance mechanisms to protect fundamental human rights to life, water, food, health, work, and habitat. This represents a new frontier of emerging comparative environmental rights jurisprudence and protection, influenced by the strengthening of soft laws that have established normative legal doctrines, some of which are now considered customary international law.

This course will explore that frontier. We will examine the history, relationships, linkages, and tensions between human rights, the environment, and development, with an emphasis on how development and corporate conduct are impacting the health and rights of the planet and its people, paying particular attention to the impacts on poor communities, women, Indigenous Peoples, and other vulnerable populations.

The course will introduce students to the work of public interest lawyers and their clients who are pursuing remedial action, justice, and accountability through a range of legal and non-legal fora at the local, national, regional, and international levels and will explore how these efforts are contributing to, supporting, and consolidating the evolution of a comparative environmental rights law doctrine. While topics will be introduced in their national and global context, the course will pay particular attention to jurisprudence in Global South countries.

Course Design

The intersection of human rights, the climate justice dialogue, and environmental protection are topical and evolving fields that provide a dynamic framework for strategic litigation, legal advocacy, education, and activism. Grounded in the history of this evolving framework, the class will engage in a number of contemporary conversations through the examination of ongoing cases and complaints, media reports, conferences, and practitioner toolkits.

Students will examine historical trends, map evolving tensions, explore symbiotic linkages, analyze theoretical concepts, and map their practical applications to contemporary issues. In particular, students will explore the power of corporations and their nexus to bilateral and multilateral institutions in global economic, legal, and political systems and how those relationships are linked to abuses of human rights and the environment. Students will also examine and evaluate attempts at reforms and regulation of the impacts of these corporate actions.

Learning Objectives

The primary learning objective of this course is for students to understand the ways in which "soft law"—non-binding declarations, compliance mechanisms, grievance procedures, and other non-judicial processes—can be used by creative, movement-building lawyers to develop enforceable legal standards. Students will learn to identify the ways in which emerging human rights and environmental law jurisprudential and other tools are being utilized to alleviate or mitigate unsustainable development and prevent environmental and human rights violations at the national, regional, and international levels. Students will also gain familiarity with how certain business and development projects endanger human rights and the environment and the ways that activists

LAW 1858 v00 Human Rights, Then and Now Seminar: Philosophy, History, Prospects (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1858 v00>)

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

"Human rights" names both a body of law and a moral ideal. The French revolutionaries issued a "Declaration of the Rights of Man" and the U.S. Declaration of Independence proclaimed rights that are both self-evident and unalienable. The British jurist Jeremy Bentham replied that the idea of unalienable rights is nonsense – indeed, "nonsense on stilts." Today we confront similar philosophical debates. Millions believe that international human rights take priority over national politics and legislation. Is that true? Where do human rights come from? What are their limits? Most human rights treaties and declarations ground human rights in human dignity. But what is human dignity, and how does it ground rights? Which matters more, security rights or economic and cultural rights? – These are philosophical questions, and the first part of the seminar will focus on them.

Today the human rights movement faces grave political challenges. Human rights NGOs are under attack in many countries; the same with the International Criminal Court. Scholars warn of "the twilight of human rights law" and "endtimes of human rights," and some argue that human rights treaties have made little practical difference. Others respond that the human rights movement has tangibly and measurably improved human well-being. Conservative critics warn of rights inflation and threats to state sovereignty; some on the left see the human rights movement as a minimalist substitute for global justice that fits too comfortably with neoliberalism.

This seminar will sample some of this writing and explore major philosophical and political issues about human rights today.

LAW 1286 v00 Human Trafficking and Modern Slavery in the 21st Century: Legal Perspectives (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1286 v00>)

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 immigration 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 037 v00 Immigration Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 037 v00>)

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

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

LAW 037 v02 Immigration Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 037 v02>)

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

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

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

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

LAW 1519 v00 Immigration Policy across the Branches ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1519 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201519%20v00))

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 [former 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 939 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20939%20v00))
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 two-credit 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, foreign sovereign (or foreign 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1032 v00>)

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

This class is intended to introduce students to many of the legal and practical issues that today's in-house counsel face. We will cover aspects of the law of professional responsibility and attorney-client privilege that have different implications for in-house lawyers than for outside counsel, as well as the expanding role of the chief legal officer as a business executive in addition to legal advisor. There will be a number of presentations by guest speakers which in combination with class discussion will explore some of the real-world challenges of working as in-house counsel including commercial contracts; litigation management; compliance; conducting internal investigations; selection, evaluation and management of outside counsel; crisis management; and balancing relationships with corporate management and the board of directors. The course will also cover career path options and what it takes to succeed as in-house counsel and land the coveted role of the chief legal officer.

Co-Teachers:

Prof. Veta Richardson is a former in-house counsel who now serves as CEO of the Association of Corporate Counsel, the leading global association for in-house counsel.

Prof. Justin Connor is also a former in-house counsel who now serves as Executive Director of the Center for Industry Self-Regulation at BBB National Programs.

Prerequisite: Corporations and Contracts for JD candidates.

For LLM candidates, including students already qualified to practice law in jurisdictions outside the United States, the prerequisite requirements may be waived.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1650 v00>)

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.

LAW 854 v00 Income Tax Accounting (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 854 v00>)

LL.M. Course | 2 credit hours

Covers the critical tax question of "when" as we consider accounting methods and accounting periods and their overlays on other areas of tax.

After all, what good is a tax deduction if you don't know when to take it? 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. We have fun analyzing these topics from technical, historical, tax policy, and strategy perspectives.

Prerequisite: Federal Income Taxation, but knowledge of financial accounting is not necessary for this course.

LAW 3145 v00 Indigenous Health Law and Access to Health Care
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3145 v00>)

LL.M. Seminar (cross-listed) | 1 credit hour

This course will examine US treaties, court cases, and Congressional acts to explore what it means for the Right to Health to exist, the ways that right is recognized among indigenous peoples, and major shortfalls in achieving equity through these paths. American Indians and Alaska Natives (AIAN) experience serious health disparities in key morbidity/mortality indicators. AIANs are also a bell-weather subgroup in the US for unusual disease such as bubonic plague or the rapid dissemination of novel infectious disease such as happened among tribes in the covid-19 pandemic. In addition to risk and vulnerability that contribute to health disparities, sovereign nation status of the 574 federally recognized tribes in the US and the Indian Health Service that serves them are particular structures shown to mitigate despair and promote future well-being in remarkably difficult circumstances. There are unique laws, operations, and tensions that undergird these structures. Recent actions to strengthen treaty obligations and extend equity movements to indigenous peoples are gathering energy to address health and justice disparities.

This course focuses on the laws and systems foundational to access to care and health services for Indigenous peoples in the US. The course will include discussions on self-determination, sovereignty, funding, social determinants of health, inter-generational trauma and additional elements of Indigenous health law in the US and compare these to other Indigenous health systems particularly those in Canada, Australia and New Zealand.

The course is designed to provide practical skills for students interested in health equity and justice, Indigenous access to care, Indigenous health law, and policy implementation. The course illuminates, in particular, outcomes of shared American history and distinctive obligations, systems, and opportunities to address ethnic disparities.

Recommended: Administrative Law; Federal Indian Law.

LAW 3114 v00 Industry Epidemics: NCDs, Commercial Risk Factors and the Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3114 v00>)

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.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3118 v00>)

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 long used the information domain to further their national interests.

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 U.S. Government imposed by the Constitution and U.S. 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: Constitutional Law

International Law

LAW 342 v03 Information Privacy Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 342 v03>)

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; philosophical bases for privacy protection; first amendment constraints on privacy law; information privacy compliance, enforcement, and regulatory practice; the European approach to privacy and data protection; privacy constraints on law enforcement activities; cybersecurity; and cross-border data flows. Special attention will be paid to issues raised by the information economy.

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; introduction to European information privacy and data protection law and the relationship between privacy and global information flows.

LAW 1294 v00 Information Technology and Modern Litigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1294 v00>)

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.

Recommended: Prior or concurrent enrollment in Evidence.

LAW 773 v00 Initial Public Offerings (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 773 v00>)
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 197 v00 Innovation, Technology, and International Financial Regulation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 197 v00>)
J.D. Course (cross-listed) | 3 credit hours

This course explores international finance and regulation as phenomena embedded in the concept of money. As such, it provides an overview of the theory of money, and then explores key financial and regulatory developments tied to it, including banking and banking regulation.

A significant portion of the class will be spent exploring how these phenomena apply to digital assets, including native cryptocurrencies (e.g. Bitcoin), stablecoins and central bank digital currencies. The course also addresses the intersection of financial regulation and international monetary law by surveying the 2008 financial crisis, the European debt crisis, recent attempts to internationalize the renminbi, and the future of the dollar as an international currency.

Note: The first class is not mandatory, though it is highly advised.

LAW 223 v04 Insurance Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 223 v04>)
J.D. Course (cross-listed) | 2 credit hours

Insurance is often invisible until something bad happens. In reality, insurance is a \$1.5 trillion per year industry that shifts, pools, and distributes risk across society. Virtually every piece of litigation involves at least one insurance company – and often more. Contracts are designed in the shadow of what insurance does (and doesn’t) cover. This course is designed to provide students with an understanding of basic insurance law concepts, including insurance theory and the significance of insurance in risk management and risk transfer; the business of insurance; the nature of various insurance products; and fundamental principles of insurance policy construction.

The course will begin with an overview and then systematically works through Baker & Logue, *Insurance Law and Policy: Cases and Materials and Problems* (Fifth Edition, 2008). There will be additional materials posted on the course webpage. Grading is based on an in-class, open-book final exam, participation and attendance. Participation and attendance will count for no more than a one-step increase or decrease, but such adjustments will be unusual. Open book means whatever printed materials you choose to bring with you to the exam – but excludes materials stored electronically and/or on computer media.

LAW 1929 v00 Integrated Advocacy for Social Justice ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1929 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201929%20v00))

J.D. Seminar | 1 credit hour

Few social change organizations continue to rely as heavily on litigation as once was the case. Instead, even the primary litigation-oriented legacy groups such as the NAACP LDF and the ACLU have explicitly adopted multi-dimensional, integrated advocacy strategies, that draw on litigation, legislation, administrative and policy advocacy, as well as on a variety of strategic communication models, community organizing and non-state institutional targets. This course will introduce students to the core skills necessary for the integrated advocacy approach to lawyering for social justice.

The course will be built around a case study involving litigation of constitutional and/or statutory civil rights claims in an anti-discrimination case. The class will begin by collaborating on the outline of a litigation strategy to address the problem in the case study and then delve more deeply into the integration of multiple modes of advocacy using skills including mapping, media, and engagement with non-legal institutional venues. Students will gain experience in framing, the use of narrative, and consideration of different modes of legal work.

Note: UPPERCLASS WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025, 1:30 p.m. - 5:30 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 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 the Assistant Dean for Experiential Education. Withdrawals are permitted up until the last class for this specific course.

LAW 1931 v00 Integrated Advocacy for Social Justice (Week One Teaching Fellows) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1931 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201931%20v00))

J.D. Seminar | 1 credit hour

Week One Teaching Fellows work with faculty to facilitate the first-year Week One simulation courses offered in January. Fellows will work in teams of two to six fellows for their specific Week One class. The description of the course is available on the Curriculum Guide here ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201929%20v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201929%20v00)). Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

Teaching Fellows should expect to meet with their faculty for two full-day training sessions, one before the exam period in December, and the second on Saturday, January 4, 2025, to review course topics, goals, simulation structure, and receive training on their role throughout the course. Readings will be assigned.

Fellows then attend all of the classroom sessions during Week One and assist in facilitating discussion and small-group work of first-year students. For example, fellows may moot students as they prepare for a mock oral argument or client presentation, or play the witness in a key witness interview. Fellows also meet and consult regularly with faculty during the course to discuss student progress and course logistics.

At the conclusion of Week One, all fellows must complete a **6-8 page reaction paper** assessing how the course worked, overall student experience, and how the course could be improved (e.g., legal issues, factual issues, structure of exercise).

Mutually Excluded Courses: Students who are enrolled in a Spring semester clinic should determine when any clinical meetings will take place during Week One to ensure there will be no conflict with their responsibilities as a fellow. In addition, because of the significant responsibilities each Week One course requires, students enrolled in the Human Rights Advocacy in Action project-based practicum course may not concurrently enroll in a Teaching Fellow course.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students must complete the online Week One Teaching Fellows Application Form which will ask students to, among other items, identify the Week One courses for which they would like to serve as a Teaching Fellow. A resume and a 1-page statement of interest must be provided, as well. The Application Form will be made available to students no later than September 2024. If you have any difficulty accessing the application or have questions about the application process, email lawexp@georgetown.edu.

This course is open to upper-class J.D., LL.M., and S.J.D. students. J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu. UPPERCLASS WEEK ONE COURSE. This course will meet on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025 during the classroom meeting times for the course to which the fellow has been assigned. Additionally, teaching fellows will meet with their professors once in early December 2024 and once in early January 2025 (Dates TBD). Professors may schedule alternative and/or additional trainings as needed. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. This course does **not** count toward the Experiential course requirement. ATTENDANCE AT ALL CLASS SESSIONS AND FELLOW TRAININGS IS MANDATORY. After accepting an offer, the student may drop the course ONLY with the permission of the professor. Permission is granted only where remaining enrolled in the course would cause significant hardship to the student.

LAW 1670 v00 Intellectual Property and Information Policy Clinic
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1670 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201670%20v00))

J.D. Clinic | 10 credit hours

The Intellectual Property and Information Policy (iPIP) Clinic casework focuses on counseling for individuals, non-profit organizations, and other groups engaged with intellectual property and information policy matters from a public interest perspective. Past matters have included strategic advising, policymaking, and impact advocacy. Matters vary, but each presents 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.

Through the seminar, students can expect to learn about how substantive intellectual property law (copyright, trademark, trade secret, and patent) and information policy (privacy, right of publicity, Communications Decency Act § 230, Freedom of Information Acts, the Computer Fraud and Abuse Act) intersect with social justice movements, both historically and presently.

By the conclusion of the Clinic, students will have accomplished the following objectives:

- # Develop knowledge of the core areas of intellectual property law and information policy,
- # Analyze how social justice movements, historically and presently, shape intellectual property law and information policy;
- # Nurture the skillset necessary to become an effective lawyer, including the abilities to think, speak, and write efficiently, accurately, collaboratively, and creatively,
- # Foster a working environment rooted in hard work, trust, humility, respect, and joy.

Please see the Intellectual Property and Information Policy Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/our-clinics/intellectual-property-and-information-policy-clinic/>) for more detailed information about the program.

For registration-specific supplemental materials, please see the Intellectual Property and Information Policy Clinic PDF (<https://georgetown.app.box.com/s/r9f3wbo2t7z2tp5e01b2id1q5xewwb6f/>).

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

Recommended: There are no prerequisites, but students may find one or more of the following courses useful: Copyright Law, Trademark and Unfair Competition, Patent Law, or Information Privacy Law.

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 233 v01](https://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 patents and other intellectual property in drugs and biologics; (2) the interplay of the regulatory approval process for therapeutic 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 legislation 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 a final paper or 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 1471 v00 Intellectual Property and Startup Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1471 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201471%20v00))

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

This course explores key concepts of intellectual property, corporate, and securities law as applied to the startup business environment. We will examine the basic principles of patent, trademark, copyright, and trade secret law. We will discuss the stages of the startup business cycle and evaluate the intellectual property, corporate, and securities issues relevant to each stage. This course explores the best practices and common mistakes of startups while pursuing intellectual property protection. Finally, the course focuses on client communication skills, including the clear articulation of complex legal problems to a startup client.

Note: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 6:00 p.m. - 9:20 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 17th through Friday, January 24th, 2025. 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. Note for LL.M.s: The LAWG section is restricted to students enrolled in the Technology Law and Policy LL.M.

LAW 226 v00 Intellectual Property in World Trade ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 226 v00](https://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.

Note: Enrollment in the LAWG section of the seminar is restricted to students in the Technology Law and Policy LL.M. and the Master of Law and Technology programs.

LAW 293 v01 Intellectual Property Litigation: Pretrial Skills ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 293 v01](https://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 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, Civil Discovery in Federal Courts or Civil Litigation Practice: From the Complaint to the Courthouse Steps.

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

LAW 611 v02 Internal Investigation Simulation: Evaluating Corporate Corruption (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v02>)

J.D. Seminar | 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 9, 2023, through Thursday, January 12, 2023.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 28, 2022 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 2079 v00 International and Comparative Antitrust Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2079 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 230 v00>)

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 780 v01 International and U.S. Customs Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 780 v01>)

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

Whenever merchandise crosses an international border, it is subject to customs laws and procedures. And with the growth of international trade and commerce over the years, customs laws and procedures have become increasingly more internationalized, important, and complex. Therefore, knowledge of customs laws and procedures is important to the practice of international trade law.

This course will provide a basic introduction to the rules and principles relating to both international and U.S. customs laws and procedures.

This will include an examination and review 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 be examined and reviewed together with international organizations dealing with international 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 and reviewed.

There are no prerequisite courses required for this course.

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

LAW 882 v08 International Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 882 v08>)

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

This course aims to familiarize students with international commercial arbitration and will follow the traditional steps of international arbitration proceedings from the registration of the dispute to enforcement and challenges of an award in national courts. This course will not rely solely on US law but, instead, adopt a global approach to international arbitration.

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, Introduction to International Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

LAW 3177 v00 International Arbitration and Human Rights: Past, Present, and Future (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3177 v00>)

LL.M. Seminar (cross-listed) | 1 credit hour

Traditionally, the law of human rights has received scant regard in the study and practice of international arbitration. Nor have students, scholars, or practitioners of human rights law seen international arbitration as much more than a form of private dispute settlement that is anathema to the principle of an open system of public justice underpinning the rule of law. That position has only been entrenched by the phenomenon of specialization and fragmentation in the study and practice of international law and dispute settlement.

This course offers a different perspective and approach to the subject, at a time when the relationship between the law of human rights and international arbitration is being fundamentally recast, and when international arbitration and human rights are both subject to a populist challenge. The course will address both the substantive and procedural legal issues arising today at the interplay of human rights and international arbitration from the perspective of both legal scholarship and practice. Students will be taken to the key treaties, as well as to decisions of arbitral tribunals, domestic courts, and regional human rights courts. The course will also explore areas of future development, including in the burgeoning areas of ESG and business and human rights.

Recommended: International Arbitration, or International Commercial Arbitration, or Introduction to International Commercial Arbitration, or Current Topics in International Investment Arbitration.

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 1758 v00 International Arbitration in the Middle East (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1758 v00>)

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 863 v00 International Business Litigation and Federal Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 863 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 240 v01>)
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) or the graduate course International Negotiations (LAWJ/G-3029).

Note: This course is open to J.D. and LL.M. students.

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 Zoom.

LAW 240 v02 International Business Negotiations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 240 v02>)

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 SMU Dedman School of Law (SMU), 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 be conducted through written exchanges and via five (5) negotiation sessions, via videoconference. Substantive law issues related to the transaction, as well as negotiations strategy and related issues, will be addressed in this class.

The course aims to provide students with an introduction to transactional law and facilitate an opportunity for them to: (i) experience the sequential development of a business transaction over an extended negotiation, (ii) study the business and legal issues and strategies that impact the negotiation, (iii) obtain insight into the dynamics of negotiating and structuring international business transactions, (iv) learn about the roles that lawyers and law play in these negotiations, (v) gain experience in drafting communications, and (vi) engage in a negotiating experience in a context that replicates actual legal practice with an unfamiliar opposing party (here, the students at SMU).

The thrust of this course is class participation and active involvement in the negotiation 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 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).

LAW 876 v04 International Business Transactions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 876 v04>)

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, or Corporations.

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and International Dispute Resolution or the J.D. course, International Business Transactions.

LAW 876 v10 International Business Transactions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 876 v10>)

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 investment, and international investments including project finance.

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. course, International Business 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.

LAW 876 v12 International Business Transactions ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 876 v12](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v12))
LL.M. Seminar | 3 credit hours

This course covers a wide range of subjects relating to the legal framework for international commercial transactions. The course begins with an analysis of transactions for a sale of goods and also assess issues that arise with the transport and payment of such goods (including letters of credit and standby letters of credit). We then address non-establishment forms of business and touch upon distributorship issues and intellectual property. We complete the range of transactions by looking at foreign direct investment and joint ventures. We will generally view each of these subjects through the lens of international dispute resolution, although we will occasionally consider transactional issues as well. We finish the course by assessing the various strategic issues that come up in cross-border litigation and arbitration and also by considering the quickly growing area of corporate social responsibility.

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. course, International Business 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.

LAW 882 v03 International Commercial Arbitration ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 882 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v03))
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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 882 v06](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v06))
LL.M. Course | 1 credit hour

In today's global economy, parties to cross-border commercial transactions usually 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 6, 2025 through Thursday, January 9, 2025, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of January 18 and January 25, 2025.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3033 v00>)

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 with a Focus on the Law of Sales (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1036 v00>)

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

The course analyzes the regulatory framework of international contracts. On the basis of court decisions and arbitral awards, 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, and INCOTERMS. 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: In Spring 2025 this course will meet on Tuesdays and Thursdays, 9:00 - 11:00 am on the following dates: 1/14, 1/16, 1/21, 1/23, 1/28, 1/30, 2/4, 2/6, 2/11, 2/13, 2/18, 2/25, and 2/27.

LAW 790 v01 International Criminal Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 790 v01>)

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.

LAW 790 v10 International Criminal Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 790 v10>)

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

This course studies two bodies of law, both concerned with “criminal law across borders.” One is domestic (national) criminal law applied to crimes committed outside national territory. The other is crimes under international law: war crimes, crimes against humanity, genocide, and aggression. These are the “core crimes” tried by courts like the Nuremberg Tribunal, the tribunals for Rwanda, Sierra Leone, and former Yugoslavia, and the International Criminal Court (ICC). The Russian invasion of Ukraine, the ICC’s indictment of President Putin, and many states’ proposal to establish an international tribunal for aggression make international criminal law exceptionally salient today.

Along with the substantive law on these issues, we examine the foundational topics of jurisdiction, extradition, and immunity from prosecution. The course will also examine the problems confronting international criminal justice today, including the political backlash against holding leaders accountable for core crimes. The aim of the course is to introduce students to basic doctrines of international criminal law, as well as doctrines concerning the extraterritorial application of U.S. criminal law. It also provides an overview of the work of international criminal tribunals and the challenges they face. The course combines law, policy, and history.

The textbook for the course is *International and Transnational Criminal Law*, 4th edition, by David Luban, Julie O’Sullivan, David P. Stewart, and Neha Jain.

Mutually Excluded Courses: Students may not receive credit for both this course and the perspective elective, Criminal Law Across Borders, or the graduate course, International Criminal Law or International Criminal Law Seminar: Tribunals and Crimes or International Humanitarian Law and International Criminal Courts.

LAW 835 v00 International Debt Workouts ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 835 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20835%20v00))
LL.M. Seminar (cross-listed) | 1 credit hour

Cross-border lending has grown exponentially in recent decades, especially with the opening of new markets in emerging economies and further integration of financial markets globally. High yield, EM risky lending has also grown in a low interest rate environment in developed markets. With a higher inflation and interest rate environment globally, debt refinancing and liability management is expected to significantly increase in the short term.

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 early 2000's, the 2008 global financial crisis, and the post COVID-19 changes to behaviors). 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.

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.

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, having worked in several workouts worldwide. Evaluations will be done by a final short reaction paper in groups and by class participation. There will be no exams.

Recommended: Bankruptcy and Insolvency.

Strongly Recommended: 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.

LAW 3132 v00 International Development, Humanitarian Assistance and Global Health ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3132 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203132%20v00))

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

The course provides an overview of the international and domestic legal and policy framework applicable to the delivery of foreign assistance and global health for the following: bilateral development partners, international/multilateral institutions, and recipient countries; non-governmental and civil society organizations; and private sector actors.

By the end of this course, students will be able to:

- Identify and interpret the key relevant documents that define whether and how to provide different types of foreign assistance (including foreign assistance statutes and regulations, annual appropriations, bilateral treaties, and international treaties).
- Predict and explain policy decisions based on knowledge of areas of government discretion and restrictions.
- Identify and outline potential options to implement foreign assistance, global health and other projects based on knowledge of cross-cutting, generally applicable rules.
- Identify what you would need to know and the resources an organization will need in order to implement a project in response to a newly identified humanitarian aid or global health crisis or foreign assistance challenge.
- Differentiate between ideals and goals that are achievable under the relevant legal and regulatory framework from activities that are restricted or prohibited.
- Express the values or rationales that most influence or shape your interest in this field and how they inform your ability to assess the likelihood of success of an assistance activity.

LAW 1380 v00 International Economic Law & Policy Colloquium ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1380 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201380%20v00))

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

The International Economic Law & Policy Colloquium offers students an understanding of the theory of international economic law and related policy analyses. This year's theme will be supply chains. Students should expect to discuss subfields of international economic law as they relate to supply chains such as trade, investment, finance, tax, business transactions, sustainability, economic security, and more.

Students will prepare responses to readings for each session in preparation for discussion with distinguished guest speakers from the international economic law and policy world, as well as an end of the semester brief on a specific policy issue concerning a relevant matter of international economic law. High quality briefs may be distributed to policymakers in Washington, DC and beyond.

Recommended: Ideally students will have taken a course in international economic law or a related field. IIEL Fellows are strongly encouraged to enroll.

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 1701 v00 International Economic Law and Institutions ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1701 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201701%20v00))

J.D. Course (cross-listed) | 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 central 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 backlash to globalization and efforts to “decouple” or restrict the flow of capital, goods or technology to certain markets, or to reconfigure global supply chains.
- The role of the state in the market economy, including the role of subsidies and other forms of government intervention and the debate over non-market economies in the WTO.
- 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 both economic crime on economic development and financial stability, with a review of efforts by the international community to address this problem.

Learning Outcomes

By the end of the course, students will have gained a general understanding of the range of legal frameworks that govern international cooperation in trade, monetary affairs, international capital movements (including foreign direct investment) and international development. They will also have gained insight into the relationship among these frameworks, which is critical in an environment where global economic problems require integrated solutions. Importantly, they will have gained an appreciation of the institutional dimension of economic cooperation, which is of great importance given that a critical feature of the post-war architecture has been the extent to which the international community has delegated authority to international organizations to provide the “machinery of cooperation” despite a waning faith in multilateralism. Having gained an understanding of the general principles that underpin international economic law and institutions, students will have an opportunity to apply this understanding to a number of cross-cutting

LAW 1260 v00 International Economic Law Practicum ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1260 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201260%20v00)) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

In this project-based practicum course focused on international economic law, primarily international trade and investment law, students will participate in a seminar and will work throughout the semester 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. Students will participate in a weekly seminar with two-hour sessions (during some weeks, primarily at the start of the semester and around the middle and end of the term, the seminar meets two or three times, 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, not only through traditional in-class teaching but also through hands-on work on a specific legal project of high practical importance for their “beneficiary.” Second, the practicum aims to improve students’ professional skills to become successful lawyers, including 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 and to make them aware of professional opportunities in the international law field and discover new challenges. Through interactions with students from diverse background and a diversity of “beneficiaries”, often from other countries and legal systems, participants will build inter-personal skills, learn about other legal, economic, and social systems, and experience the challenges and needs of a wide variety of stakeholders affected by international economic law, extending well beyond traditional issues and stakeholders.

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:

LAW 166 v00 International Efforts to Combat Corruption Seminar
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 166 v00>)

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 or Understanding and Combatting Corruption Seminar.

LAW 3032 v00 International Energy Arbitration (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3032 v00>)

LL.M. Course | 2 credit hours

The course begins with an introduction to international energy arbitration, followed by discussion of the future of the international energy industry as it transforms to meet the imperatives of climate change. The next section concerns the industry's value chains, life cycles, and commercial relationships. An extensive presentation on the legal framework for international energy arbitration covers international laws and norms, national constitutions, national petroleum laws and regulations, and the historical development of upstream host government petroleum contracts and petroleum fiscal systems. To place the subject of host government contracts in its proper setting, the next section describes resource politics and resource cycles and examine the legal status of host government contracts. Segments on contract stabilization and choice of law come next.

Identification of the types of upstream host government disputes sets the stage for discussion of 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 examines commercial disputes arising out of joint operating agreements, gas contracts, and LNG sales contracts. It concludes with a discussion of U.S. court enforcement of energy awards relating to projects in Colombia, Mexico, Laos, and India. For those students considering international energy arbitration as a career, the course materials end with the professor's advice on how to build an international energy arbitration practice.

The course provides in-depth knowledge of the main types and key drivers of international energy disputes, including disputes that may arise during the energy transition, and the substantive issues involved in their resolution, 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.

To aid students to learn and retain important facts and features about the international energy industry and its disputes, the course materials contain 19 sets of Key Take-Aways, which appear after each section of materials, except those sections comprising only a few slides.

Recommended: Prior or concurrent enrollment in an introductory international arbitration course would be helpful but not necessary.

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 unless the professor has excused their absence. 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 a mandatory pass/fail and will not count toward the

LAW 145 v00 International Environmental Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 145 v00](https://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, fresh water (both surface and ground water), marine resources, 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 ecocide as an international crime.

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 problems; to understand international instruments and negotiations; and to be able to apply legal concepts developed in the course within different national settings for implementing international law.

Recommended: International Law I: Introduction to International Law

LAW 1544 v00 International Environmental Law in Practice ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1544 v00](https://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 Vidal. This project-based practicum course will involve working with different environmental organizations on international environmental law and policy issues, providing opportunities for students to navigate the reality of international negotiation, policymaking, and international advocacy. Students will participate in a two-hour/week seminar and work on 10 hours/week of project work.

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 the 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. Topics that students have worked on in previous semesters include i) Research on the relationship between environmental law and space law with UNEP, ii) Operationalization of EU CBAM regulations in developing countries (EDF), iii) Comparative analysis of legislation to phase out coal plants in implementation of international climate change commitments (Earth Justice), iv) Application of forest and landscape restoration principles across Rio Conventions (GPFLR), among others. Students' specific activities may include preparing background documents and informational materials in support of an ongoing project; 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 and analyzing 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.

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

Recommended: International Environmental Law.

Strongly Recommended: International Law I: Introduction to International Law.

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.

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 the two-hour

LAW 227 v04 International Human Rights ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 227 v04](https://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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 814 v00](https://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 systems such as the European and Inter-American Courts of Human Rights. 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, crimes against humanity, and torture; application of human rights obligations, commitments, and norms to non-state actors (including corporations); positive duties on states to protect individuals from abuses by non-state actors; 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 814 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20814%20v02))
LL.M. Course (cross-listed) | 3 credit hours

This course provides an intensive survey of modern international human rights law. Tracing the historical evolution of human rights norms, we will first explore how they became a dominant feature of the post-World War II, post-colonial, and post-Cold War international orders. We will cover the doctrinal and institutional mechanisms of the modern human rights system, including the core treaties and international and regional bodies, with a particular focus on how courts, both international and domestic, can give human rights the force of law—or deprive them of it. We will examine how international human rights law defines specific rights (e.g., the right to life, the prohibition of torture), struggles to overcome structural and historical biases (e.g., discrimination on the basis of sex, gender, or race), and adapts to different contexts (e.g., climate change, armed conflict, social media and surveillance). Throughout the course, we will study why states and businesses respect human rights, why they don't, and how lawyers, NGOs, and other actors can work to ensure that most human rights norms are honored most of the time. Our readings will draw from case law, treaties, academic works, legal briefs, and other sources that offer a real-world sense of how 21st Century human rights law is articulated, litigated, and adjudicated.

Learning Objectives:

- be able to identify and apply IHRL treaties, norms, and jurisprudence to historical and contemporary legal and policy issues, including genocide, climate change, torture, racial discrimination, gender discrimination, LGBTI rights, corporate accountability, and online privacy and expression;
- be able to identify the key human rights mechanisms at the international and regional levels;
- be able to strategize how human rights disputes can be brought before these mechanisms or domestic courts.

Prerequisite:

.

Recommended: Prior enrollment in International Law I: Introduction to International Law (or equivalent).

At a minimum, students who have not previously studied public international law should read at least one treatise on the subject before the first week of class, e.g., *Public International Law in a Nutshell* 6th Ed, by Thomas Buergenthal and Sean Murphy.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1755 v00>)

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 some of the historical movements in the creation of human rights and political forces driving outcomes.
- Students will learn how to assess the strengths of the international human rights regime and identify key areas and methods of critique.
- 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. The 3 credit section is open to J.D. students only and non-degree students may not enroll.

LAW 1913 v00 International Investment Law: Theory and Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1913 v00>)

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

International investment law is a unique area of international law in which an individual investor can sometimes hold a State accountable for breach of an international law obligation undertaken by the State towards investors in an international treaty. Investor-state dispute settlement is at once practical – tribunals must resolve the concrete disputes and requests for relief before them – and the subject of passionate theoretical debates.

Since the 1960s, and especially since 1990, States have negotiated over 3,000 treaties containing protections for foreign investors, including bilateral and multilateral investment treaties (BITs and MITs) and trade treaties with investment provisions (TIPs). State consent to arbitration of disputes with foreign investors under such treaties has given rise to a rich, varied, and contested jurisprudence – and regular calls for change and reform.

This seminar will examine the historical emergence and evolution of international investment law, the treaties concluded to encourage and regulate foreign investment, the case law of international arbitral tribunals and commentary thereon, and the procedures followed in the arbitration of international investment disputes. The seminar aims to enable students to develop an understanding of the key jurisdictional, substantive, and procedural issues in international investment law and to engage them in the controversies surrounding them.

Strongly Recommended: Recommended: Prior or concurrent enrollment in International Law I

LAW 1863 v00 International Justice for War Crimes and Atrocities Practicum (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1863 v00>) (Project-Based Practicum)

J.D. Practicum | 10 credit hours

This project practicum will provide an opportunity for students to be involved in two projects designed to further accountability for war crimes and other atrocities.

Most of the work will be on the Atrocity Crimes Advisory Group (ACA), which is a project established by the United States, European Union, and United Kingdom to assist the Ukraine Office of Prosecutor General (OPG) in investigating and prosecuting war crimes and atrocities committed during the conflict that began with Russia's full-scale invasion of Ukraine in February 2022.

A second project is the Innovation Council for International Justice (ICIJ), which is an initiative that will bring together experts from a wide variety of fields to analyze efforts to achieve accountability for war crimes and atrocities in order to draw lessons for innovative future approaches to this challenge.

In the project portion of the course, students will be involved in activities with the ACA and the ICIJ that will give them a ground-level view of how institutions to provide accountability for atrocities operate in practice. These activities will enable them to acquire skills that go well beyond the typical law school experience, and may include:

- (1) coordinating, developing agendas for, attending, and summarizing meetings involving ACA subject matter experts;
- (2) helping organize visits to the US by Ukrainian prosecutors, investigators, and officials, as well as ACA events;
- (3) working on initiatives requested by the OPG such as a victim and witness support protection and support program;
- (4) supporting the collection of information on the Ukrainian population's experience of the war and their conceptions of what would constitute accountability for harm; and
- (5) conducting occasional research for the OPG.

The seminar portion of the course will:

- (1) provide students with a solid understanding of how substantive international law attempts to ensure accountability for war crimes and other atrocities;
- (2) give them an appreciation of the jurisdictional issues that arise in international criminal law and their implications for seeking justice;
- (3) illuminate political and social challenges in creating mechanisms to seek justice for war crimes and atrocities;
- (4) prompt consideration of the conceptual and jurisprudential issues involved in ascribing criminal liability to individuals who may have engaged in significantly different activities, through discussion of concepts such as command responsibility and joint criminal enterprise;
- (5) invite reflection on ethical questions that arise in seeking accountability for war crimes and atrocities, such as potential tensions between obtaining an end to conflict and securing justice; the concept of a just peace; the extent to which political considerations should inform prosecutorial decisions; the appropriate role in prosecution decisions of local communities who have been harmed by atrocities; and the relative weight in prosecution decisions of considerations such as the gravity of an offense, strength of evidence, public attention, specific deterrence of allegedly culpable individuals, and general deterrence of future perpetrators.

LAW 1362 v00 International Law Colloquium (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1362 v00>)

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 cutting edge issues concerning international law, broadly understood. Students will be expected to read the papers and prepare a short written reaction memos concerning some 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. The presentations will take place over lunch in the Hotung faculty Dining Room. Lunch will be provided.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 235 v02>)

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

This survey course introduces students to the nature, sources and institutions of international law and major developments in the contemporary international legal system. It considers such topics as treaties, executive agreements, customary international law and jus cogens; recognition of states and governments; the principle of self-determination; methods of international dispute resolution, especially before international courts including the ICJ and through international arbitration; domestic jurisdiction over disputes with international elements; international immunities; the role and operation of the United Nations and other international and regional entities, such as the EU and the OAS; International Human Rights Law; Law of the Sea; Law of Outer Space; Private International Law; how the international system protects (or fails to protect) the environment; International Criminal Law; the use of force in self-defense against other countries, rebellions, or terrorist groups, humanitarian intervention, etc.

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
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 235 v08](https://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
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 235 v16](https://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.

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. on Thursday, July 11, 2024.

LAW 235 v17 International Law I: Introduction to International Law
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 235 v17](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v17))

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.

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. on Thursday, November 7, 2024.

LAW 1010 v00 International Law in Domestic Courts Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1010 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201010))

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, including civil and commercial litigation against foreign parties, suits against foreign states or international organizations, human rights litigation under the Alien Tort Statute and efforts to enforce the judgments of foreign courts. We will also consider the impact of rulings by the International Court of Justice and the International Criminal Court, questions of sovereign immunity and Acts of State, when and how international law can be used to interpret domestic statutes, and how to prove 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1231 v00](https://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 761 v03 International Law, Human Rights & Fighting Impunity
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW761v03>)

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 (20%) and a seminar paper (80%). 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
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW1323v00>)

J.D. Course | 3 credit hours

This course teaches international law by focusing on two bodies of law and how they protect the basic human rights to life and to liberty. These are international human rights law and international law governing the use of military force, which regulate the use of force in very different ways. After we engage in an in-depth analysis of each of these bodies of law, we will examine how well they are suited to protect life and liberty from the forms of violence that are most common in the modern world.

Governments provide protection against threats to human rights, but also themselves may pose such threats. Law therefore must both enable states to protect human rights and prevent states from violating them.

Relevant to our course, states have an obligation under human rights law to protect individuals from violation of their rights to life and liberty by other individuals and groups. Human rights law also, however, limits how far government may go in infringing rights to life and liberty when fulfilling this obligation.

States also have a responsibility under human rights law to protect their populations from serious threats to life and liberty by other states, and by large nonstate armed groups. What we think of as national security law regulates when and how countries may use military force to infringe these rights when fulfilling this obligation. The domestic law component of this body of law regulates when the government has authority under its own laws to invoke national security power when using force. The international law of war governs when the state has authority to use military force under international law, and how a state may use such force when it does so.

As this course will illustrate, the international regulatory framework for protecting life and liberty was designed for a world in which threats to life and liberty arose from either private individuals or small groups on the one hand, or other countries on the other. In this world, police provide protection against the first threat, and international human rights law governs how far they may infringe on life and liberty to do so. The military provides protection against the second threat, and the international law of war governs how far it may infringe on life and liberty in meeting this obligation.

In recent years, however, most serious hostilities have been between countries and large nonstate organized armed groups. When a threat by private persons should be addressed under human rights law, and when it becomes so significant that it should be addressed under the law of war, therefore has become a source of significant controversy. This course will provide you with a foundation in the basic principles of international law, international human rights law, and the domestic and international law governing the use of military force, with the goal of equipping you to analyze this pressing modern challenge.

Learning objectives for the course are for you to become familiar with:

1. basic concepts in international law, especially relating to treaties, customary law, and how international law interacts with domestic law in the United States;
2. basic concepts in international human rights law; United Nations, European, and Latin American Conventions on human rights, and their impacts on domestic law;
3. basic provisions of domestic and international law that deal with when states may use military force, and international law governing how such force may be used in armed conflict; and
4. based on your understanding of the subjects described above, for you to appreciate how many modern threats to life and liberty present challenges that do not fall squarely within either international human rights law or the international law governing military force. This

LAW 1877 v00 International Law, the Global Arms Trade and Human Rights (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1877 v00>)

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

The global trade in arms is estimated to be worth at least \$127 billion dollars (in 2021, the most recent year for which data is available), and has been increasing since 2015. This trade involves not only major powers such as the USA, Russia, and China but also many countries in the global North and South. It also involves a range of technologies, from light weapons and ammunition to aircraft, missiles, drone systems, weapon launchers, through intelligence, information and cyber systems. Recent human rights activism and investigative journalism have drawn public attention to the devastating human rights implications of the trade in what are deemed “conventional” arms. Civil society actors decry the fact that small arms and light weapons have caused the death of millions of individuals in civil wars in the last two decades. Yemeni and European human rights lawyers have initiated legal proceedings against European corporations for complicity with war crimes committed by Saudi Arabia in Yemen with weapons purchased in Europe. Seventeen news organizations joined hands with Amnesty International to investigate Israeli spyware Pegasus, revealing how it has provided authoritarian rulers with the means to surveil their populations and concentrate power.

Indeed, beyond the taking of life, the arms purchased legally by states around the world directly and indirectly harm a wide range of human rights protected in international law, including health, liberty, privacy, free speech and association, and religious freedom. In this course we will explore how international law regulates the global arms trade, focusing on the place of human rights considerations in this regulation. This international regulation is fractured. While weapons of mass destruction and weapons deemed particularly cruel or destructive are subject to specific bans or stringent transfer restrictions, the trade in the bulk of conventional weapons is subject to norms deriving from international humanitarian law, international criminal law, international human rights law, international trade law, non-binding multilateral regimes coordinating export controls, and binding and non-binding rules on business and human rights. After an introduction to the history, trends and political science of the global arms trade, we will discuss the above legal norms and their enforcement mechanisms. In addition to legal sources such as treaties and case-law, we will read scholarship in international law and international relations critically assessing the law from a human rights perspective. The course’s overarching aim is to understand whether international law limits the global arms trade’s harms to human rights, or to the contrary facilitates them. In the process, by examining how various subfields of international law address the arms trade, we will explore the relative strengths and weaknesses of these subfields to protect human rights, of formally binding rules and soft law, and of regulation targeting states, individuals and corporations.

Learning Objectives:

The main learning objective is for students to understand the various international norms regulating the arms trade, including the emerging body of scholarly literature in international law and international relations discussing those norms. Until recently, the international regulation of the conventional arms trade was severely under-studied and under-researched. The course will introduce students to the principal scholars in the field, enabling them to continue researching these issues should they wish to do so in the future. This course will also introduce students to the global arms trade, its main economic and geo-political characteristics, and its human rights implications. They will also learn about the main sources of reliable information about this trade.

More broadly, through discussions in class drawing on legal and international relations literature, the course aims to help students develop critical perspectives on international law, in particular on questions of norm fragmentation, norm enforcement, North-South relations, and

LAW 1639 v00 International Litigation in Europe: Key EU Regulations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1639 v00>)

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 9, Tuesday, January 10, Thursday, January 12, and Friday, January 13, 2023, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed between January 20 and January 27, 2023. 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. **NOTE: Mandatory attendance rules will be enforced for this class for the Spring 2023 semester. Students who cannot attend class in person due to COVID-19 symptoms, quarantine, or isolation should contact the professor(s) and may be required to attend class synchronously online via Zoom.**

LAW 3029 v00 International Negotiations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3029 v00>)

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

The International Negotiation course will focus on the methods and objectives for successfully engaging in international negotiations. This course will include in-depth reviews and class discussions of negotiations conducted by governments, the private sector, non-governmental organizations, as well as international institutions. The course will provide important insight into the necessary preparations and research necessary to conduct international negotiations as well as a better understanding of the complexities and nuance of actual negotiations. The course will provide students an opportunity to review and dissect previous negotiations and prepare and conduct negotiations based on their understanding of what works and what does not. Discussions will focus on the most important aspects of negotiations – mutual understanding of the expected outcome, in-depth review of the expected positions of the parties, how to accurately understand the extent of any leverage and how to assess a successful outcome. Cultural, linguistic and other possible impediments to a successful negotiation will also be explored to provide students a full understanding of all that goes in to a successful negotiation.

Recommended: Prior enrollment in International Law, Conflicts.

Strongly Recommended: Legal writing.

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

LAW 240 v00 International Negotiations Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 240 v00>)

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 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 958 v00>)

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.

LAW 2021 v00 International Oil & Gas Industry: Legal and Policy Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2021 v00>)

LL.M. Seminar (cross-listed) | 1 credit hour

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: 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.

LAW 1914 v00 International Organizations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1914 v00>)

J.D. Seminar | 2 credit hours

International organizations touch our lives in many important ways, from actions as simple as sending a postcard abroad to mobilizing the international community to combat global pandemics to responding to one State's aggression against another. In many instances, they have been very effective as a means of organizing collective responses to common problems. At other times, they have been seen as exceedingly ill-equipped to rise to some of the greatest problems of our times due to political paralysis, mismanagement, and other factors.

The course will provide students with an overview of international organizations and the pivotal role they play as the primary fora within which States develop and implement international law and policy. It will familiarize students with the structure, decision-making powers, financing, and other institutional law aspects of international organizations. It will also explain the position of international organizations within the international legal system, and how the system has evolved to accommodate organizations of varying size, scope, and composition. Toward the end of the course, we will examine the effectiveness of IOs' engagement on several contemporary issues. Even though this is a survey-type course, the intent is to address these issues at a fairly advanced level of analysis, and the course will involve close reading of international and regional legal instruments.

Prerequisite: Prior or concurrent enrollment in International Law I

LAW 928 v01 International Project Finance (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 928 v01>)
LL.M. Course (cross-listed) | 2 credit hours

This course provides a detailed overview and analysis of the technique of project financing in an international environment (particularly in emerging markets). The focus is on the perspectives of the various parties to the project, including output purchasers, providers of goods and services, equity holders, and especially commercial banks, international financial institutions and other lenders. The aspects peculiar to infrastructure projects in specific industries (such as power generation, ports, toll roads, etc.) are also considered.

Learning objectives:

Achieve competency in understanding and analyzing international project finance transactions, from the perspective of the various parties to the project, including:

- Identify, understand and analyze project risks during development, construction and operational phases;
- Analyze transaction structuring and identify contractual and non-contractual risk mitigation and shifting methods for project parties;
- Apply basic finance and legal principles with respect to practical and contractual remedies, as well as dispute resolution mechanisms; and
- Consider specific case studies, as well as sample transaction documents, to better understand the issues that arise in a typical international project financing.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 928 v03>)
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 5, 2025, 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 928 v02>)
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 3006 v00 International Right to Health (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3006 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 509 v01>)

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.

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 058 v06](https://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, a submission to a foreign tax administration, a legislative, treaty or regulatory proposal, 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.

LAW 244 v01 International Trade ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 244 v01](https://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 1799 v00 International Trade and Investment Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1799 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201799%20v00))

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

This three-credit course introduces students to the legal and policy aspects of international trade and investment law, two pillars of international economic law that have developed dispute settlement systems. These two areas of law affect a broad array of national legislation, regulation, and administrative practice, as well as other areas of international law and policy, such as development, human rights, climate change, and other environmental issues. Both trade law and investment law have raised anxieties regarding their linkages, effects, and overlaps with non-economic issues. The United States, European Union, China, and many other countries have actively engaged in litigation and new negotiations in both fields of law. In international trade law, governments bring legal claims against each other for breaches of obligations, while private lawyers work with private commercial interests behind the scenes and often directly on behalf of governments. International investment law, in contrast, provides direct rights to private foreign investors to bring claims against governments. These disputes are proliferating and sometimes overlap with international trade law claims. In the past, the U.S. always sought protection for its investors in developing countries, but with shifts in the global economy, the U.S. increasingly became subject to such suits by foreign investors. This course will introduce students to both of these areas of international law practice.

LAW 244 v05 International Trade Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 244 v05](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v05))

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 and the WTO 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.

LAW 966 v01 International Trade Law & Regulation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 966 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20966%20v01))

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 "List A" 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 1897 v00 International Trade Remedies and the WTO (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1897 v00>)

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

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.

Note: UPPERCLASS WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025, 9:00 a.m. - 12:20 p.m. The course will have three issue-spotting exercises and a final writing assignment. 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 1770 v00 International Trade Rules and Climate Change Seminar - Can the Two Get Along? (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1770 v00>)

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

Global climate change is most significant environmental challenge of the 21st century. Because the emissions of greenhouse gases (GHGs) result from virtually every kind of economic activity – driving a car, heating a home, operating a cement factory, raising chickens – any policy aimed at reducing emissions will have significant and broad-based impacts on domestic economies around the world. And because most of those economic activities involve the movement of goods, services, people or intellectual property rights across international borders, policy actions taken in response to climate change can implicate global trading rules.

As countries around the world adopt different approaches to addressing the threat of climate change, the risk of conflict between basic rules governing international trade and measures taken to control GHG emissions rises. This seminar will explore those overlaps and potential for conflict versus the opportunity for the global trading system to contribute to the reduction in GHG emissions. The course will include a survey of the basic international rules touching on climate change, including the Paris Agreement, underlying UNFCCC documents, the UN's sustainable development goals, human rights agreements and the basic international trade rules of the World Trade Organization (WTO) and key regional agreements, including the EU treaties and the USMCA. It will examine a number of the key issues at the intersection of trade and climate, including whether and under what conditions countries can impose a carbon border adjustment mechanism that is consistent with the WTO rules; the increasing use of government subsidies to promote the development and use of green technologies and whether new rules on subsidies are needed to regulate them; the increased clamoring for the sharing of cutting-edge green technologies, notwithstanding the WTO's intellectual property rules; the growing volume of cross-border trade in electricity and the expansion of renewable energy and intellectual property rights feeding into internationally-operated smart grids; the need for the development of accepted and enforced standards for "green" finance; and the implications of climate change for human rights and immigration policies as rising sea levels, severe droughts and extensive fires force massive migrations.

The seminar will also explore the areas in which the trading system could make a positive contribution to the fight against GHG emissions, including the options for limiting fossil fuel and fishery subsidies and supporting the financing of renewable energy facilities. In addition, it will examine whether the current exceptions to the trading rules provide sufficient policy space for innovative approaches to climate change.

Learning Objectives: The primary objective of this course is for students to develop an understanding of the potential for conflicts between trade measures and trade rules with efforts to restrain or tax GHG emissions, along with WTO-consistent policy and financial options to support the fight against climate change. The course will give students to opportunity to develop cutting-edge proposals of significant value to political and thought leaders around the world about how best to use the trading system to support climate mitigation and adaptation measures.

Mutually Excluded Courses: Students may not receive credit for this seminar and LAW 1770 v01: International Trade, Energy and Climate Change 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 Upperclass Legal Writing Requirement.

Only the 2-CR section will fulfill the WTO & International Trade Certificate List B requirement. Only the 3-CR section will fulfill the WTO &

LAW 959 v00 International Trade, Development & the Common Good
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 959 v00>)

LL.M. Seminar (cross-listed) | 2-3 credit hours

This course will examine the connection between trade law and development, including aspects of international and regional trade agreements, comparative law, and diverse areas of market regulation at the national level. 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. It will engage students in ways in which economic law can help encourage sustainable and inclusive development and will assess challenges associated with legal and regulatory capacity and the uneven implementation of laws in practice. Cross-cutting and inter-disciplinary approaches in the field, such as socio-legal approaches, human rights, food security, the UN Sustainable Development Goals (SDGs), 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 World Trade Organization (WTO) disciplines, regional trade agreements (RTAs), and other relevant international legal frameworks. Phase II will focus on different issues and will cover a number of substantive aspects of trade and development in depth, all of which impact stakeholders and communities and hold greater potential to contribute to the common good. Specific areas of focus will include domestic market regulation and investment, non-tariff measures, regulation of services, trade facilitation, agriculture, labor and environment, intellectual property rights, gender, and digital trade.

Phase III of the course will consist of an in-class exercise to apply the theory and substantive legal approaches discussed in Parts I and II in the context to practical trade and development challenges.

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. The readings will highlight different aspects of the legal and regulatory environment in the context of encouraging sustainable and inclusive development globally and at the grassroots level. Discussion questions will be provided 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 different stakeholders (entrepreneurs, countries, and communities). 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.

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, but the course does not have any prerequisites).

Note: Only the 3-CR section will fulfill the WTO & International Trade Certificate List C requirement.

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 1770 v01 International Trade, Energy and Climate Change Law
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1770 v01>)

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

This class examines the complex intersection of international trade, energy, and climate change law and policy. It explores how these different legal frameworks, designed to protect varying and sometimes conflicting values like non-discrimination, energy security, and decarbonization, interact with each other. The class discussion will concentrate on the approaches policymakers take to navigate the challenges of promoting global trade while also tackling critical issues of energy security and climate change.

The course will survey key international rules related to climate change as these relate to clean energy, including the Paris Agreement, UNFCCC documents, the UN's sustainable development goals, and WTO trade rules. Topics covered include the complex intersection of trade, energy and climate change law and policy; the regulatory space for energy and climate policies under WTO rules; environmental taxes and emissions trading systems like the EU ETS; carbon border adjustment mechanisms like the EU CBAM; green subsidies and the WTO, including the US Inflation Reduction Act; climate-friendly regulation on energy efficiency and green energy; trade and climate negotiations at the WTO; trade aspects of climate action outside the WTO, including free trade agreements; trade implications of environmental due diligence mechanisms; lessons from the Montreal Protocol and Kigali Amendment on curbing ozone-depleting substances; and the growing field of climate litigation and its intersection with trade.

The seminar will examine areas where the international legal system could positively contribute to fighting emissions, such as limiting fossil fuel subsidies and supporting renewable energy financing. Through analyzing real-world case studies and debating key issues, students will gain an in-depth understanding of the challenges and opportunities at the nexus of international trade, energy and climate change law and policy.

Mutually Excluded Courses: Students may not receive credit for this seminar and LAW 1770 v00: International Trade Rules and Climate Change Seminar - Can the Two Get Along?

LAW 708 v00 International Trade, Intellectual Property Rights, & Public Health (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 708 v00>)

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, including on the Covid-19 vaccines waiver and its possible extension to diagnostics and therapeutics. 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 TRIPS-plus provisions in bilateral or regional free trade area agreements. The course would study relevant national/regional implementing legislation, for example on compulsory licenses, and discuss use of the WTO export compulsory license provisions. It will devote a session to Covid-19 and infectious disease pandemics. It will devote a session to Covid-19 and infectious disease pandemics. 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, including negotiations on the pandemic agreement.

In addition to the final paper, students will be graded on class participation, individual/group class presentations.

The learning objectives and outcomes of this course are to be able to:

- Identify the legal and policy implications of international trade rules, particularly those on intellectual property rights (IPRs), for public health, and critically evaluate proposals for changes to these rules;
- Understand past and current legal work of international institutions in this field, particularly the WTO and the WHO, and evaluate the way forward;
- Improve the basic skill of communicating effectively, both in writing and orally, on a legal topic covered by the course, for example by explaining clearly how the provisions of TRIPS could be used to promote both the innovation of and access to needed medicines;
- Improve the skill of independently conducting legal and policy research;
- Demonstrate the basic value of being respectful of the different views in this area, including during group work and in class.

Recommended: Coursework in International Trade, Intellectual Property Rights, or Public Health.

LAW 880 v00 International White Collar Crime (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 880 v00>)

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.

LAW 520 v00 International Women's Human Rights Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 520 v00>)

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.

LAW 3136 v00 Interstate (State-to-State) Dispute Resolution ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3136 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203136%20v00))

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

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 from a legal, historical and comparative perspective, tracking the development of interstate dispute resolution over time and across institutions. In addition, the course will serve as a primer for practice in interstate dispute resolution, including at the ICJ, and within a state's foreign ministry. We will tackle such practical topics as jurisdictional objections, provisional measures, advisory opinions, and claims commissions. The goal of the course is to be able to practice in the field and approach interstate disputes from legal and policy angles.

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?

LAW 1767 v00 Intro to Humanitarian Crises ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1767 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201767%20v00))

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

This course provides an overview of major principles, theories, operational concerns, and public policy issues related to complex humanitarian emergencies. The course highlights selected contemporary crises, examining causes and consequences of these emergencies. Examples include Ukraine, Sudan, Democratic Republic of Congo, Syria, Venezuela, Yemen, Myanmar and others. A particular focus is the role of humanitarian issues in foreign policy and international relations.

Note: This course is cross-listed with the School of Foreign Service and meets on the main campus. Main campus classes run Wednesday, August 28 through Tuesday, December 10 in the Fall 2024 semester. Be aware this course may run on a different calendar than the Law Center during weeks where there is a holiday. Please take this into consideration when creating your schedule so that you have flexibility to attend the class on a different day, but at the same time.

See the schedule of courses on the Main Campus Registrar's website (<https://registrar.georgetown.edu/scheduling/>) 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-1767-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The WR section is open to J.D. students only and non-degree students may not enroll.

LAW 1752 v01 Introduction to Alternative Dispute Resolution ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1752 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201752%20v01))

J.D. Seminar | 3 credit hours

This course will explore the frameworks and tools critical for effective negotiation, mediation, and arbitration. To ensure that students can understand the interplay between theory and practice, the course will utilize lecture, large group discussion, small-group case study dissection, and exercises/simulations. The course will cover myriad topics including but not limited to – the interest-based framework for negotiation, value creation/distribution in negotiation, creation/implications of “ethical climate” in negotiation, principal-agent preparation in mediation, components and critiques of mediation processes, arbitration procedure and agreements, and fairness in arbitration. To explore these topics, this course will use a textbook, contemporary writings, case studies, and exercises.

Learning Objectives:

- This is by definition a survey course that examines the theory and practice of alternative dispute resolution (ADR). As such, students will leave this course with (1) a high-level understanding the theoretical distinctions and overlap between negotiation, mediation, and arbitration and (2) an appreciation of how the processes can be/are used in the American legal system.
- Critically, students will leave this course able to analyze and critique the extant ADR system(s) with an eye towards (1) understanding the strengths and weaknesses of these processes, (2) appreciating applicability (or lack thereof) across context, and (3) identifying how these processes might be altered in the pursuit of justice.

Mutually Excluded Courses: The professor recommends that students who have taken an interest-based negotiation course not take this course as there will be significant overlap.

Note: Laptops may not be used during class sessions.

LAW 1752 v00 Introduction to Alternative Dispute Resolution ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1752 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201752%20v00))

J.D. Seminar | 2 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.

Note: Enrollment for this course is restricted to third and fourth year J.D. students.

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 will be posted to your student account in January, 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 1832 v00 Introduction to Foreign Intelligence Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1832 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201832%20v00))

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

Pearl Harbor fundamentally changed Americans’ sense of security. Together with an existential threat in the form of the Cold War, national security institutions rapidly proliferated. Many focused on the collection of foreign intelligence, with the result that by the 1970s, numerous entities were engaged in collecting information on U.S. citizens. Congress responded by passing the 1978 Foreign Intelligence Surveillance Act (FISA) and creating specialized courts to oversee applications for electronic surveillance. Simultaneously, the Executive Branch issued an Executive Order to provide guidelines for all other intelligence activities. Today, FISA, together with Executive Order 12333, provides a framing for the collection of foreign intelligence. Additional instruments, such as National Security Letters, Administrative Subpoenas, and Sneak and Peak Warrants, play a further role in anticipating and responding to threats.

This course, designed for students new to foreign intelligence collection, provides an overview of the key constitutional questions and jurisprudential distinctions. It addresses the statutory and regulatory framework for classified national security information and nuclear-related materials as well as institutional arrangements that comprise the intelligence community. The course then addresses different tools available to the government to obtain information, before addressing some of the most difficult and timely FI questions.

Prerequisite: Constitutional Law I or Democracy and Coercion.

LAW 2047 v00 Introduction to International Commercial Arbitration ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2047 v00](https://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 or International 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 511 v00 Introduction to Scholarly Editing Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 511 v00](https://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 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: The seminar will meet on the following Thursdays in Spring 2025: 3/20, 3/27, 4/3 and 4/10.

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 2024-2025 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 2025. 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 514 v01](https://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, interim writing assignments, and contributions to works-in-progress class sessions. At least two of the class meetings are designed as works-in-progress sessions for students to give and receive feedback on students' scholarly projects. Each class meeting requires students to engage in discussion, both giving and receiving feedback.

Learning Goals:

1. understand the scholarly writing process and implement it in your own writing
2. understand the structure and audience expectations of a scholarly paper
3. develop a workable topic and thesis
4. understand scholarly research and the resources available to you
5. complete interim assignments as a way to stay on track with your project and foster peer review and discussion
6. receive substantive peer review feedback on your work-in-progress
7. provide substantive peer review feedback on peers' works-in-progress
8. understand the publication process
9. foster a creative and supportive learning environment

Note: In Fall 2023, this course will meet on the following Fridays, 10:00 a.m. - 12:00 p.m.: 9/8, 9/15, 9/22, 10/13, 10/27, 11/3, and 11/17.

THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL.

Priority will be given to students who are current members of one of the law journals. No more than 12 students may be registered for the course. 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) (<https://curriculum.law.georgetown.edu/about:blank>) by 5:00 p.m. on Friday, September 1, 2023 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 1878 v00 Introduction to Sports Television: Drafting & Negotiating Talent Agreements (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1878 v00>)

J.D. Seminar | 1 credit hour

This course will provide students with an introduction to the sports television business, and the role of on-air talent, from the point of view of in-house counsel. Students will first examine the objective of sports talent agreements and the key parts of a talent contract, including structure, terms and common jargon used. As part of this assessment, they will review key contract provisions in the context of a talent agreement, such as force majeure, termination rights, representations and warranties, morals provisions and the remedies available to the parties.

Students will then gain an understanding of the strategies in-house counsel employ and challenges they face when negotiating and drafting such contracts, including assessing different negotiation tactics, the role of leverage, and understanding the perspective(s) of talent's representative during the negotiations process. Finally, students will have an opportunity to employ their learnings in the negotiation and drafting of a talent agreement.

Note: UPPERCLASS WEEK ONE COURSE: This will meet on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025. 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 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 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 the Assistant Dean for Experiential Education. Withdrawals are permitted up until the last class for this specific course.

LAW 730 v00 Introduction to U.S. Constitutional Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 730 v00>)

LL.M. Course | 2 credit hours

This course provides an overview of the major constitutional cases over the last 200 years. A portion 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 730 v05 Introduction to U.S. Constitutional Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 730 v05>)

LL.M. Course | 3 credit hours

This course provides an overview of the major constitutional cases over the last 200 years. A portion 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 3130 v00 Investigating Transnational Cyber Threats ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3130 v00](https://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, creating new investigative challenges: cybercriminals and national security cyber actors now both steal information for personal financial gain; nation-states have reportedly enlisted criminal organizations to act as their proxies to conduct cyber attacks against United States companies; and the tradecraft used by some nation-state actors includes tools and tactics 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 in data breach response and cyber threat intelligence gathering are altering how cyber offenses are 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.

LAW 676 v00 Investor-State Dispute Resolution Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 676 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20676%20v00))
LL.M Seminar | 3 credit hours

The subject of investor-state disputes and their resolution lies at the cutting edge of international law, and is a major factor in the development of the global economic system in years to come. Study of this form of arbitration provides insight into the evolving shape of customary international law, the conflict between capital-importing and capital-exporting states, and the status of individuals in the international legal order. This seminar will provide students with a firm grounding in the history, present practice, and future implications of arbitration between foreign investors and host states, sanctioned by multilateral and bilateral investment treaties. Topics that will be covered in this course are the history of the treatment of aliens and investments under international law; an overview of the most important international treaties that give investors a right to arbitration of claims; the most important elements of procedure that characterize investor-state arbitration, including tribunal composition, jurisdiction, evidence, award and challenge or annulment; substantive law of investment arbitration, the standards that apply when a tribunal determines whether a breach of the treaty has occurred; and the future development of investor-state arbitration including the challenges of globalization and other stresses, the clash of capital-importing and capital-exporting countries, environmental protection and free trade, restrictions on state sovereignty, the construction of an international investment jurisprudence, the limits on arbitrability, and the expansion of multilateral investment protections worldwide. Active participation in discussion of the course materials is required.

Prerequisite: International Law I

Recommended: International Commercial Arbitration

Note: For the Spring section: **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.

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, Terrorism, and Great Power Rivalry Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 063 v00>)

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

This seminar addresses modern military weapons – their development, acquisition, proliferation, use, control, and elimination – 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.

Note: Laptops may not be used during class sessions.

LAW 1765 v00 J.D. National Security Law Specialization Program (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1765 v00>)

J.D. Seminar | 0 credit hours

This course will build on the substantive issues covered in the Fall semester by introducing students who are interested in pursuing a career in national security law to the field from both a substantive and practical perspective. The goal will be to provide a foundation for students to make an informed career decision and prepare them with the practical knowledge they will need to succeed in the field.

Students will be exposed to the various potential career paths through presentations by faculty and practitioners. National security law is practiced in traditional hard security sectors, such as by military service members or civilians at the Defense Department or Department of State. However, national security can also be practiced by lawyers all across U.S. government agencies, including Department of Treasury, Commerce, and Justice or in the legislative branch. National security law is also practiced by lawyers in the private sector, from the non-profit sector doing policy analysis to law firms which focus on national security regulations. Introducing students to these career paths, through presentations or with field experience if possible, will be complemented through an informal mentorship program to guide second-year law students through internship and entry-level legal career application navigation.

The course will meet once every two weeks in two-hour classes for a total of seven classes. This course is only open to first year National Security Law Specialization Program students with professor permission.

Learning Objectives:

The learning objectives for the course are for students to:

1. Gain an understanding of how to prepare for a career in national security law.
2. Discuss and contemplate what type of issues arise in the national security law practice area.
3. Learn about the various career choices available to them and connect with fellow upper-class students, Georgetown faculty, and practitioners to further hone their interests.

Note: This course is open only to first year National Security Law Specialization Program students. Enrollment is by professor permission. This class meets for seven sessions in the Spring semester on the following dates: 1/15, 1/29, 2/12, 2/26, 3/19, 4/2, and 4/16.

This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit.

LAW 249 v00 Jewish Law Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 249 v00>)

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.

LAW 1778 v00 Judicial Politics: The Role of the White House, Congress, and Outside Groups in Selecting Judges and Justices ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1778 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201778%20v00))

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

Federal judges wield enormous power in our democracy, influencing nearly every aspect of American life. Recent years have seen increasing numbers of decisions on some of the most salient issues of our time, including civil rights, abortion, guns, economic regulation, and religious liberty. As a result, the political parties, progressive and conservative organizations, and business groups, devote substantial resources and energy for control over the judicial selection process. Debates over the confirmation of judicial nominees are often highly visible and contentious and are used as platforms to articulate views about what the law should be. Sometimes, the hearings serve to elevate issues such as sexual harassment and racial justice into the public domain for the nation to consider and debate.

This seminar will provide an overview of presidential nominations to the lower federal courts and Supreme Court since George Washington, with an emphasis on the years since the early 1980's when the Reagan Administration dramatically altered the selection of judges. It will compare and contrast the processes used by different presidents in picking judges, explore the role of outside groups and the parties, and examine the ways in which failed nominations set the stage for bitter partisanship. Reliance by the Biden Administration on demographic and experiential diversity will be highlighted as well as recent discussions related to structural reform of the Supreme Court. The seminar will conclude with an assessment of the impact that politicization of the federal judiciary has had on American life and society. During the semester, a number of outside speakers from the Senate, White House, and organizations will share their experiences and insights.

Learning Objectives: Students will gain an understanding of the reasons why, and consequences of, increasing polarization of the process of selecting federal judges. They will learn about the process used by past administrations, the changes that have occurred over the years, and the impact of those changes on the process. Students will also be exposed to the different eras in American politics as seen through public debates around judicial nominations. They will have the opportunity to review and debate several aspects of the process as well as proposals to reform the Supreme Court.

LAW 1106 v02 Judicial Review of Military Justice Proceedings: Current Issues and Constitutional Perspectives ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1106 v02](https://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 seminar will be held on the following days, 1:00 - 4:20 p.m.: February 7, 8, 21, and 22. 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 252 v09 Jurisprudence Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 252 v09](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20252%20v09))
J.D. Seminar (cross-listed) | 3 credit hours

This seminar will explore some of the most basic and general questions about what law is, what its justifying purposes are, and how the answers might shape how law is practiced—by officials, lawyers, and citizens in their respective domains. Seeking the truth about these questions is enriching and worthwhile for its own sake. A bit more concretely, the class is a chance for students to think in a sustained and disciplined way about how to harmonize their professional career with their highest ideals.

Note: Laptops may not be used during class sessions.

LAW 394 v02 Jury Trials in America: Understanding and Practicing Before a Pure Form Democracy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 394 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20394%20v02))

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

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1334 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201334%20v00))

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

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.

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 532 v02 Juvenile Justice Clinic ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 532 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20532%20v02))

J.D. Clinic | 9 or 14 credit hours

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

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

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

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

LAW 1813 v00 Keeping Government Honest: The Role of Inspectors General and Other Oversight Entities in Promoting Government Accountability (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1813 v00>)

J.D. Seminar | 2 credit hours

This course will explore the role and responsibilities of inspectors general and other government oversight entities in promoting accountability and effectiveness in government operations. Students will first examine the history of inspectors general, their mission, their legal authorities, and their relationships with their agencies and other branches of government. Students will also explore the role of other government oversight entities, such as the Office of Special Counsel, the Government Accountability Office, and congressional committees, in pursuing government accountability. Students will examine the relationship between inspectors general and these other entities, and the challenges in providing independent oversight of government operations. Students will hear from current and former inspectors general and leaders of oversight organizations, who will come to the second hour of the class to talk about the challenges they face, as well as the satisfaction and benefits of public service.

LAW 1714 v00 Labor Law and the Changing US Workforce Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1714 v00>)

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.

Recommended: Labor Law or Employment Law.

LAW 1910 v00 Labor Law and the Marginalized Worker Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1910 v00>)

J.D. Seminar | 2-3 credit hours

The innovations of modern technology notwithstanding, the American Economy has succeeded substantially through the labor and sacrifices of its workforce. In recognition of this vital component of America's economic structure, laws were created for the stated purpose of regulating, accommodating, and facilitating peaceful labor management relations. While these laws and systems were not a panacea, certain workers found relief from many workplace inequities. However, right from the beginning, certain other workers did not and would not find such relief. Was this failing by design, poor conception and execution, or something else? This seminar is an examination of select modern labor systems, their laws, and the effect on the marginalized worker in the United States.

A central theme in this course is the exploration of how the systemic structure of laws on the federal, state and local level defined where people of different races, gender and/or ethnicities could live and subsist. As we will see, many of these laws mirrored the oppressive objectives of the times and often served to perpetuate inequities either through categorical exclusions or intentional omission. Students will also explore how the impact of these laws have affected the modern workforce.

Learning Objectives: By the end of this course, the student will be able to describe and discuss the major federal laws and policies that have shaped worker rights and protections in the United States. It is my hope that the student will gain a critical understanding of how a history of institutionalized discrimination and segregation shaped the laws that, in some cases, failed to protect workers of a particular race, class or gender; and in other cases, served to perpetuate the marginalized state of these workers.

Recommended: Labor Law: Union Organizing, Collective Bargaining, and Unfair Labor Practices.

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

J.D. Course | 3 credit hours

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

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

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

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

J.D. Course | 3 credit hours

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

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

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

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

LAW 1792 v00 Law and Authoritarianism ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1792 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201792%20v00))

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

Three decades after the end of the Cold War, authoritarianism remains a major political force across the world. This seminar considers the relationship between authoritarianism and law. It mixes theoretical works with historical and contemporary case studies, drawing on insights from social science, political philosophy, and law. The course will address: the roles of constitutions, courts, lawyers, and legal activists in authoritarian societies; the growing use of digital technologies by autocratic governments; authoritarianism's challenges to American and international law; and the relationship between law and democratic erosion. This course is intended to be inviting to all students, and does not assume any specific knowledge of foreign legal systems.

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 1400 v00 Law and Business of Television ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1400 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201400%20v00))

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

An in-depth study of television industry legal concepts, contracts, business structures and economic models, focusing on the role of the attorney in the development and production of television programs; the relationships among attorneys, agents and entertainment executives that govern television; the legal issues innate in the of development and production of television programs; and topics involving the distribution of television product in ancillary markets (such as digital media and the role of artificial intelligence in TV production). Class will focus both on academic and theoretical underpinnings of legal and business concepts as well as practical practitioner/clinical points-of-view (including negotiations).

Recommended: Entertainment Law and Copyright Law are recommended, but not required.

LAW 292 v07 Law and Development ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 292 v07](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20292%20v07))

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:

LAW 276 v01 Law and Economics Workshop ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 276 v01](https://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 045 v03 Law and Multiculturalism Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 045 v03](https://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 3172 v00 Law and National Security Space Operations ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3172 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203172%20v00))

LL.M. Seminar | 2 credit hours

This course explores the development of law (domestic and international) governing space operations generally, application of the law to present day national security activities, and emerging issues in national security space law. The course will address the impact of the UN space treaties to national security activities, international and domestic law governing national security space operations, the role of commercial space actors in conflict, and current issues in national security space law. It will also consider U.S. strategic competitors' (Russia and China) approaches to the law of space operations.

Mutually Excluded Courses: Students may not receive credit for both this course and LAW 406: Space Law Seminar.

LAW 1713 v00 Law and Neuroscience Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1713 v00](https://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 199 v03 Law and Regulation of Drugs, Biologics and Devices ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 199 v03](https://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 U.S. Health Law Certificate Food and Drug Law Certificate.

LAW 1433 v00 Law and Religion (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1433 v00>) (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.

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 uniting 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 work under the supervision of an attorney mentor for 10 hours/week with organizations that focus on issues related to religious freedom. Some examples include: the ACLU, the ADL, The Interfaith Alliance, Americans United for the Separation of Church and State, Congress, Government agencies, The Christian Legal Society, The Native American Rights Fund, and Alliance Defending Freedom among others.

Note: F-1 and J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu.

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 as soon as possible (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 at least 10 hours of fieldwork/week during normal business hours. This

LAW 1470 v00 Law and Rhetoric Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1470 v00>)

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

This seminar explores the interaction between law and rhetoric. It begins by examining a variety of rhetorical methods or perspectives for evaluating how language persuades legal audiences. Weekly assignments include posting a short response to the reading. Students will also be assigned to working groups that present on and lead discussion of the assigned reading for one class during the semester. To satisfy the writing requirement, students will select one or more rhetorical perspectives to analyze and evaluate a legal artifact—judicial opinion, trial or appellate brief, oral argument transcript, etc.—of their choice. Students should leave this course with a broader understanding of how language functions in the law, a better appreciation for its power, and the ethical implications for lawyers in their role as advocates.

Prerequisite: Legal Practice: Writing and Analysis.

Note: Professor permission is not required.

NOTE FOR SPRING 2025 SECTION: 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.

LAW 1388 v01 Law and Social Change ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1388 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201388%20v01))

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

This class will explore contemporary understandings of the role of law in achieving social movement goals. The course begins with a case study of campaigns to re-enfranchise persons who have been convicted of crimes which will provide a 360-degree view of an ongoing law reform effort. Students will then explore a range of topics including theories of change, integration of multiple modes of advocacy, agenda setting, community-centered lawyering, the effects of different institutional venues, the impact of framing, the use of narrative, the relevance of communications research, the efficacy of different modes of legal work, and the advantages and disadvantages of working within the law for advocates of systemic change.

Learning Objectives: In a nutshell, students should leave the course with a more nuanced understanding of what is involved in effectuating Georgetown's motto that "Law is but the means, justice is the end."

Learning objectives include the following abilities:

- Refinement of analytical and communication skills;
- Close reading and critical interrogation of scholarly and policy analysis;
- Evaluation of strategic advocacy methods;
- Understanding the major theories regarding the political, economic and social forces that underlay examples of unfairness in the U.S. legal system and ability to link different identifications of harm (e.g., insufficient access to courts or carceral imperatives) with correlative goals for change;
- Capacity to integrate a range of advocacy methods in developing strategies for change; and
- Understanding how communications strategies, designed for use outside legal venues, have become central to the achievement of goals within the venues of courts and other governance institutions.

Mutually Excluded Courses: Students may not receive credit for this course and the seminar by the same title.

Note: This course will meet every Tuesday, 11:10 a.m. - 1:10 p.m. and alternating Thursdays, 11:10 a.m. - 1:10 p.m. on the following dates: 8/29, 9/12, 9/26, 10/10, 10/24, 11/7, and 11/21.

LAW 1388 v00 Law and Social Change Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1388 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201388%20v00))

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

This seminar will explore the role of law in achieving social movement goals. In recent years, the conventional wisdom on this topic has changed. An early wave of critique 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 that self-consciously uses multiple strategies for change, including litigation, legislation, administrative and policy advocacy, as well as a variety of strategic communication models. This course will delve into the components of multi-dimensional advocacy by studying the advantages and disadvantages of different institutional venues, various approaches to communications, how framing decisions are made and with what consequences, and the process of anticipating and responding to limitations of working within the legal system.

Our study of social movements will focus on those which have grown out of the experiences of subordinated groups. We will explore how collective action can best illuminate whether, when, and how the law has lacked neutrality in its regulatory actions toward such groups. The class will analyze the concrete ways that social movements oriented to changing the law have also changed the opportunities for achievement and human flourishing that are available in a meaningful way to persons in subordinated groups.

The course is designed both to impart knowledge and to produce knowledge. In studying the contemporary strategies used by movements seeking law and social change, we will analyze the role of law (including litigation and other forms of legal advocacy) in achieving social movement goals. Topics will include agenda setting, resource mobilization, the impact of different institutional venues, how framing decisions are made and the use of narrative, the relevance of communications research and public education work, accountability, the efficacy of different modes of legal work, and the risks of de-radicalization or disempowerment caused by working within the law. Knowledge production will be the goal of student presentations and papers.

Student Responsibilities

1. Attend and participate in every class (absent a pre-approved excuse)
2. During weeks in which there is a guest speaker, submit one or two questions in writing in advance of class which will be shared with the speaker.
3. Working in a team with other students, prepare and present a PPT to the class that analyzes a facet of the methodology of social change advocacy.
4. Research and write a paper of approximately 4,000 words in length analyzing the strengths and weaknesses of a specific legal campaign. Papers should
 - a. Describe the strategic and tactical choices being undertaken and the results;
 - b. Consider the impact of the legal campaign on the treatment of subordinated persons; and
 - c. Analyze how the organization's experiences illustrate or refute (or both) arguments in the theoretical or social science literature that students read during the course.

Mutually Excluded Courses: Students may not receive credit for this seminar and the course by the same title.

LAW 1859 v00 Law and Social Movements Colloquium ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1859 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201859%20v00))

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

This course will offer students the opportunity for in-depth examination of issues related to the dynamics and consequences of social movements that seek legal change, including their effects on members of subordinated groups that so often comprise such movements.

During the first sessions of the semester, class sessions will serve two purposes: to sharpen student skills in critical reading of legal scholarship and to prove students with a substantive background for the remainder of the semester.

During subsequent weeks, class sessions will consist of presentations by a guest scholar (typically a major law review article or excerpts from a book), discussion of materials related to the project or field of an upcoming guest presentation, or analysis of scholarship that is foundational to the field.

For class sessions focused on a guest speaker, all students will prepare short response memoranda including at least one question that will be provided to the speakers in advance of the class. Students will attend each presentation prepared to participate in a faculty workshop-style discussion with the author. Either individually or in a team, particular students will take responsibility for leading the class sessions that feature a guest speaker.

Students taking the course for 3 credits will complete "a sustained, in-depth research and writing project for a legal audience" that satisfies Georgetown's requirements for the UCWR. See Student Handbook at pp. 3-4: <https://georgetown.app.box.com/s/syzimfl775mex2n2n8styv3u0ff3swcw> (<https://georgetown.app.box.com/s/syzimfl775mex2n2n8styv3u0ff3swcw/>)

Students taking the course for 2 credits will write an end-of-semester reflection essay.

Topics to be covered.

The assigned materials will vary from year to year based on the focus of the work presented by guest scholars. In general, assigned readings will explore a variety of doctrinal, strategic, and theoretical topics, such as comparative analyses of the structures and strategies of social movements, the differential effects of litigation or legislative victories on groups seeking change, theories of backlash, the impact of different framing and communications strategies, and the role of law in social movements at various points in time. Some topics will concern cross-cutting issues that affect a variety of social movements (e.g., the value of litigation and the role of courts), while others may be particular to a specific movement (e.g., the effects of multi-dimensional advocacy in the effort to achieve marriage equality).

Although the movements under discussion will not be limited to those with progressive political affinities, a major focus of scholarship in this field concerns the ways in which structural bias and lack of neutrality in the legal system affects persons in subordinated groups and that emphasis will be reflected in the selection of speakers and materials. In general, legal scholarship often addresses the extensive amount of indeterminacy in a given field of law. We will focus less on resulting inconsistency in doctrine and more on its normative implications with respect to principles of equality and social justice.

Student learning goals

Close reading and critical interrogation of scholarly analysis; familiarity with and understanding of the scholarly literature on law and social movements; refinement of analytic and writing skills; effective

LAW 1087 v00 Law and Solidarity Economy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1087 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201087%20v00)) (Fieldwork Practicum)

J.D. Practicum | 5 credit hours

The interdisciplinary approach of this practicum - integrating law, business, and public policy - will be of interest to a broad spectrum of students. The practicum will appeal to students interested in becoming entrepreneurs or representing, working with, or investing in startup and early stage businesses, as well as students interested in social and economic justice movements and how innovative business and community development models can contribute to a more just world. Finally, those interested in how public policy can facilitate the growth of the solidarity economy will find the policy innovations in financing and other areas spawned by this movement to be of great interest.

The solidarity economy consists of enterprises and organizations like cooperatives, community land trusts, mutual benefit societies, foundations, and community anchored microbusinesses. The central aim of the solidarity economy is to build resident and community wealth by better balancing concerns for profit with concerns for people, communities, and the planet.

It challenges the prevailing paradigms of individual self-interest, zero sum competition, the prioritization of growth over equity, and extractive forms of profit-maximization that build the wealth of those outside local communities often at the expense of those within them. The solidarity economy values shared ownership models of participatory and economic democracy, environmental sustainability, and more equitable distributions of income and wealth for those living within the communities in which economic activity is generated. It is particularly interested in how this approach to ordering economic activity can promote equity by closing race, gendered, and place-based wealth gaps - a key driver in a broad spectrum of inequalities.

SEMINAR: Our two-hour/week seminar functions like a Solidarity Economy Incubator for concepts the professor and/or his community partners are spearheading. Students will develop skills around some combination of the following: case study and best practices research and analysis, market and financial feasibility studies, business, marketing, and operational planning. For the seminar projects, students work under the supervision of the professor and seminar advisors. The premise of the seminar project is that by understanding business models and plans, students can better fulfill their client's legal needs and develop the capacity to evaluate key aspects of the client's business.

FIELDWORK: In the field placement, students are supervised by attorneys partnering with the practicum. In this role, they research legal issues, draft documents, and assist attorneys in advising clients affiliated with the Practicum.

Between the Seminar and Fieldwork Projects (15 hours a week), students gain valuable insight into both the legal and business dimensions of a growing solidarity economy movement that promotes racial, gender and place-based equity through models of shared ownership rooted in the principles of economic democracy.

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 is suitable for evening students who can commit to attending class and working 15 hours/week, during business hours, on site at Foley & Lardner.

LAW 1087 v01 Law and Solidarity Economy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1087 v01>) (Fieldwork Practicum)

J.D. Practicum | 5 credit hours

In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. The interdisciplinary approach of this practicum - integrating law, business, and public policy - should interest a broad spectrum of students.

The practicum will appeal to students interested in becoming entrepreneurs or representing, working with, or investing in startup and early stage businesses, as well as students interested in social and economic justice movements and how innovative business and community development models can contribute to a more just world. Finally, those interested in how public policy can facilitate the growth of the solidarity economy, will find the policy innovations in financing and other areas spawned by this movement to be of great interest.

The solidarity economy is comprised of enterprises and organizations, in particular cooperatives, mutual benefit societies, associations, foundations and social enterprises, which produce goods, services and knowledge while pursuing both economic and social aims.

The central social aim of the solidarity economy is to center people and planet in economic systems rather than individual self-interest, zero sum competition, blind growth, and extractive forms of profit-maximization that build the wealth of those outside local communities rather than those within them. The solidarity economy values shared ownership models of participatory and economic democracy, environmental sustainability, and more equitable distributions of income and wealth for those living within the communities in which economic activity is generated. It is particularly interested in how this approach to ordering economic activity can help close race, gendered and place-based wealth gaps - a key driver of a broad spectrum of societal inequalities.

SEMINAR: The two-hour/week seminar functions like a Solidarity Economy Incubator for concepts the professor and/or his community development partners are spearheading. Students will develop skills around some combination of the following: case study and best practices research and analysis, market and financial feasibility studies, business, marketing, and operational planning. For the seminar projects, students work under the supervision of the professor and seminar advisors. The premise of the seminar project is that by understanding business models and plans, students can better fulfill their client's legal needs and develop the capacity to evaluate the viability of business ideas and plans.

FIELDWORK: In the field placement, students are supervised by attorneys partnering with the practicum. In this role, students research legal issues, draft documents, and advise clients affiliated with the Practicum.

Between the Seminar and Fieldwork Projects (21 hours a week), students gain valuable insight into both the legal and business planning dimensions of entrepreneurial ventures and the growing solidarity economy movement - one promoting racial, gendered and place-based equity through models of shared ownership rooted in participatory and economic democracy.

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 is suitable for evening students who can commit to attending class and working 21 hours/week.

LAW 135 v01 Law Firm Economics and the Public Interest: Advancing the Commitment to Pro Bono Publico through Law Firms and Other Legal Institutions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 135 v01>)

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, Rodriguez Zimmerman & Drysdale. 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: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 6:00 p.m. - 9:20 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 1296 v00 Law of Religion (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1296 v00>)

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

This course will examine the way in which U.S. law—principally the Establishment and Free Exercise Clauses of the First Amendment, as well as the Religious Freedom Restoration Act (RFRA)—treats religious belief, religious exercise, and religious institutions. Topics will include: defining "religion" for purposes of constitutional law; governmental burdens on, and discrimination against, religious exercise; state aid for religious activities and to religious organizations, including pursuant to school voucher and "charitable choice" programs; the constitutionality of statutory exemptions for religiously motivated conduct, including in the context of laws prohibiting discrimination on the basis of sexual orientation; the role of religion in public education and in the public square; and religious institutions' claims to legal autonomy.

LAW 1289 v00 Law of Robots (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1289 v00>)

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

Robots, artificial intelligence, and autonomous systems have long been the realm of science fiction, but they are increasingly a part of contemporary life as well. Computers fly airplanes, write compelling text, play Jeopardy, drive cars, trade stocks, and fight in wars. Autonomous systems are no longer a thing of the future, but a fact of modern life, and Moore's Law suggests that these changes will increase not incrementally, but exponentially. This course will examine whether or when we need a Law of Robots to regulate these autonomous agents, or where it is more appropriate to reason by analogy and regulate these systems by existing statute, regulation, or common law. The course will examine emerging issues across the spectrum of tort law, property law, copyright law, the laws of war, laws of agency, and criminal law. The class will not be a survey of existing law, but instead an examination of how to regulate emerging issues in law – how to extrapolate and reason by analogy, in robotics and beyond. Paper required.

Recommended: Property (or Property in Time), Torts (or Bargain, Exchange and Liability), Copyright Law, and Criminal Law.

LAW 936 v02 Law of War (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 936 v02>)

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 915 v00 Law, Healthy Lifestyles, and Business Regulation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 915 v00>)
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, also in low and middle-income countries. 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 law be permitted to do – to prevent and control them?

Unlike other global health threats, NCDs and their risk factors are partly the result 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 as the personal responsibility of each individual? Does a regulatory approach to the prevention of NCDs imply coercion? Does it signal the emergence of a “nanny state”? Do legal approaches to reducing NCD risks necessarily depend on motivating people to consciously change their lifestyles, or can laws embody different strategies? Is it possible to regulate business without micro-managing individuals or “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 in debates about effective, appropriate legal interventions.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 06, 2025 through Thursday, January 9, 2025, 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1542 v00>)

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).

Recommended: Environmental Law or similar course or clinic

Strongly Recommended: Administrative Law or Legislation Clinic

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 1948 v00 Lawyering in Web3: Supporting Clients in A Dynamic Legal Environment (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1948 v00>)

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

This course provides students the opportunity to develop practical client counseling skills in the context of a rapidly-changing and uncertain legal environment. Students will apply a risk-based approach to evaluating client objectives and proposed business models in circumstances of legal ambiguity and limited authority. Drawing on selected court decisions and a limited number of agency enforcement actions and administrative policy statements, students will develop practical, actionable client guidance for founders and high-growth, early-stage companies and provide analysis for managing lawyers.

In simulated client sessions and internal law firm presentations, students will practice strategies and techniques for effectively communicating with demanding clients who may have little legal knowledge or experience and identifying and evaluating legal issues posed by client business models. The context for the course is the practice of law in the innovative consumer media/tech sector referred to as Web3, in which legal issues specific to video games, blockchain and immersive technologies must be considered, including user-generated content and user ownership of in-platform assets.

Course Goals/Student Learning Outcomes

After successfully completing this course, students will have:

1. Gained an understanding of the challenges of legal practice and client problem-solving in rapidly-developing industry sectors;
2. Developed their ability to apply legal analytical and interpretive skills in a challenging legal environment, characterized by ambiguity and limited precedential authority;
3. Learned about preparation of practical, actionable client advice in the context of legal uncertainty;
4. Developed strategies and techniques for effective communication with demanding clients who may not be legally sophisticated;
5. Developed their knowledge of current US legal authority relating to video games, immersive technologies, and blockchain; and
6. Learned about the day-to-day work of a lawyer in a media/technology law practice.

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 the professor and the Assistant Dean for Experiential Education. 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.

LAW 361 v22 Lawyers' Ethics (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v22>)

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.

LAW 1017 v00 Leg-Reg: Introduction to Congress and the Administrative State (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1017 v00>)

J.D. Course | 3 credit hours

Most of your law school career, up until now, has been learning how to read cases. That can tend to make you think that courts are the center of the legal universe. Our constitution rejects that position. Courts were the least of the Founders problems: their job was to create a government where "we the people" control our rulers. That government includes two branches far more powerful than courts: the Congress and the Presidency.

Lawyers are leaders, and as leaders, no law student should leave law school assuming that only courts make or interpret law. Congress is often held in disrepute, but without it, we have no democracy. So, too, Presidents are often viewed with skepticism. We will learn about Congress and how it creates law and we will learn the basics of how the President executes the law through the "administrative state."

You should think of this course as foundational to almost every upper-level class—from tax to securities to environmental law. Not only will you learn about the basic institutions of our government, but you will learn a very important skill: *Reading statutes is the lifeblood of every lawyer's living—for a criminal lawyer, a bankruptcy lawyer, or an appellate lawyer, any lawyer. It is little known, but true, that the Supreme Court's docket is full of cases about statutes, more cases typically than ones resting on the Constitution.*

Reading statutes is a skill as basic as reading cases. This will require new analytic skills. Shifting from cases to statutes is not as easy as it looks. The analysis is more precise and requires new kinds of approaches, from analyzing legislative texts, to reviewing legislative evidence, to applying canons of construction. You will be briefing cases not to discover their "common law" rule, but their methods of analysis.

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

LAW 1785 v00 Legal Philosophy Seminar: Legal Interpretation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1785 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201785%20v00))

J.D. Seminar | 3 credit hours

This course will focus on theories of legal interpretation. Our primary focus will be on theories concerning the interpretation of statutes (e.g. textualism, purposivism) and the Constitution (e.g. originalism, living constitutionalism). But we will also consider perspectives on contract interpretation and treaty interpretation.

Learning Objectives: Students should become familiar with historical and modern debates about legal interpretation. This is a highly interdisciplinary course, introducing students to concepts and skill from analytic philosophy, linguistics, and empirical social science (e.g. competence in reading and evaluating empirical work related to legal interpretation). The course will also raise questions, particularly in our discussion of constitutional interpretation, about law's claim to neutrality and its impact on different populations, especially as concerns race, gender, native language, and class.

LAW 005 v01 Legal Practice: Writing and Analysis ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 005 v01](https://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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 005 v02](https://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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 001 v02](https://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.

LAW 360 v07 Legal Research Skills for Practice ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 360 v07](https://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. This course will focus on practitioner tools and research techniques. 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: 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 611 v23 Legal Skills in an AI-Powered World (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v23>)

J.D. Seminar | 1 credit hour

We are in what some experts describe as the Fourth Industrial Revolution, where Artificial Intelligence (AI) is at the foundation of significant technological advancements in fields including education, healthcare, transportation, agriculture, energy, and manufacturing. Historically, the emergence of new technologies has been accompanied by dire warnings about human redundancy. Certainly, AI's ability to augment human understanding and decision-making will raise questions regarding the future of the legal profession.

This Week One course will examine the impact of AI on law and policy, and how evolving technologies challenge traditional legal frameworks and regulations. We will explore contextual examples of AI in everyday life, and current and potential applications in the legal field. The course will include immersive real-world case studies considering various applications of AI, including use in criminal justice, autonomous vehicles, and facial recognition technologies. We will use these perspectives to analyze the legal, ethical, and social implications resulting from the use of AI and other advanced technologies.

By the end of this introductory course, students will have a working understanding of the legal and policy issues raised by AI, and the tools and skills necessary to analyze and address these challenges. We will simulate the practice of assessing risk and providing appropriate client-facing analysis and recommendations.

Note: J.D. Students: Registration for this course will be open to Evening Division 1E students only during the initial J.D. student registration window. Full-time Day Division 1L students will be able to add or waitlist this course after the initial student registration window.

FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 09, 2025. 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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). **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, 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 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors 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 1547 v00 Legal Spanish: The Traditions, The Culture and Lawyering Tools ([https://curriculum.law.georgetown.edu/course-search/?](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1547 v00)

keyword=LAW 1547 v00)

J.D. Seminar | 2-3 credit hours

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. Please submit the following to both Professors Cabrera (cabrera@law.georgetown.edu) and Serrano Guzman (sjs357@georgetown.edu) no later than 5:00 p.m. on Wednesday, October 4, 2024: (1) resume and (2) short explanation of interest in the seminar. The professors may conduct brief interviews by Zoom. After the October 4 application deadline, students who receive professor permission to

LAW 536 v01 Legal Writing Seminar: Theory and Practice for Law Fellows (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 536 v01>)

J.D. Seminar | 6 credit hours

All Law Fellows are required to enroll in the Legal Writing Seminar. Each Legal Practice faculty member teaches the Seminar to the Law Fellows assigned to that faculty member's first year sections. In the Seminar, students study the major schools of theory and pedagogy which support entrance to the legal discourse community. Students examine student and professional legal writing in light of its legal substance to identify effective and ineffective features. Under close faculty supervision, they learn to provide formative feedback to legal writers through written comments and individual instructional conferences. Finally, students are required to apply the insights they have gained by drafting a substantial analytical document that meets the Law Center's upper-level WR requirement.

Mutually Excluded Courses: Students may not receive credit for this course and Writing for Law Practice.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL.

LAW 304 v06 Legislation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 304 v06>)

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 first year elective by the same name or the upperclass course, Statutory Interpretation.

LAW 304 v07 Legislation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 304 v07>)

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 both this course and the first year elective by the same name or the upperclass course, Statutory Interpretation.

Note: Laptops may not be used during class sessions.

LAW 304 v08 Legislation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 304 v08>)

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 first year elective course by the same name.

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. on Thursday, November 9, 2023.

LAW 304 v09 Legislation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 304 v09>)

J.D. Course | 3 credit hours

This course is foundational to almost every upper-level class—from tax to securities to environmental law. Not only will you learn about the basic institutions of our government, but you will learn a very important skill.

Reading statutes is the lifeblood of every American lawyer’s living—for a criminal lawyer, a bankruptcy lawyer, a public interest lawyer or an appellate lawyer, any lawyer. *It is little known, but true, that the Supreme Court’s docket is full of cases about statutes and regulations, and these far, far outnumber constitutional cases.*

Most of your law school career, up until now, has been spent learning how to read cases to find the “common law” rule. This tends to focus you on courts. But democracy is made up of two other important institutions that are the primary lawmakers: Congress and the President.

This course focuses you on those entities as authors of statutes and regulations. We will learn key ways in which courts are different from the elected branches. And we will also learn an important skill every lawyer needs: reading statutes. Shifting from cases to statutes is not as easy as it looks, but it is essential to any practicing lawyer.

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 v10 Legislation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 304 v10>)

J.D. Course | 3 credit hours

Today, statutes enacted by legislatures form an important part of nearly every area of law—from health law, to consumer law, to tax law, to criminal law—and much legal work involves closely reading and interpreting statutes. This course provides an introduction to the production and interpretation of statutes, with the overarching goal of improving students’ ability to work with statutes in law school and their careers.

The course introduces the federal legislative process, the administrative state, and historical developments in American interpretive theory and practice. It also devotes significant attention to current developments in statutory interpretation—including the new textualism, originalism in statutory interpretation, the uses of linguistics in legal interpretation, and the major questions doctrine—and we will study several Supreme Court cases from 2017-2024. The course’s main text is Manning & Stephenson eds., *Legislation and Regulation*, 4th Edition (Foundation Press 2021). Supplementary materials will be uploaded to Canvas.

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1326 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201326%20v00))

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. This skills-focused class is designed to give you this critical foundation for upper level study and work as a lawyer.

The course starts with exploration of why legislation is enacted, the diversity of forms of regulation utilized in our laws, 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 with statutes 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* (4th edition) (2021) 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 1739 v00 Legislation Colloquium: Advanced Topics in Statutory Interpretation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1739 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201739%20v00))

J.D. Seminar | 2-3 credit hours

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.

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 3047 v00 LGBTQ Health Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3047 v00>)

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

Course Description

Despite progress in legal protections for LGBTQ+ and non-binary people, and in the face of recent setbacks, LGBTQ+ communities continue to face systemic obstacles to quality health care such as coverage, refusals of care, substandard care, lack of access to culturally competent care, discrimination, and inequitable policies and practices in health care settings. These experiences correlate with significant health disparities, including greater exposure to sexual, institutional, and state violence, higher rates of tobacco and other substance use, mental health concerns, HIV and other infectious diseases, 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 Black, Indigenous, and other People of Color, young and older people, people with disabilities, people with low incomes, 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, public benefits, health insurance, social determinants of health, and U.S. foreign policy—and gain a better understanding of the legal and social mistreatment of LGBTQ people at both the individual and community level and its impact on health. Topics covered will include health care access, LGBTQ-inclusive data collection, clinical and cultural competency, disability rights, reproductive justice, and health issues facing LGBTQ + youth and older adults. This course will also examine how 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.

Course Goals & Student Learning Outcomes

The primary objective of the course is to teach students about health disparities faced by LGBTQ+ communities, to identify the laws and policies that contribute to these health disparities, identify legal and policy measures to reduce those disparities, and to discuss emerging issues and topics that affect LGBTQ+ peoples' health. Through this course, students will learn about the impact that federal, state, and international laws and policies have on LGBTQ+ health, including speakers who are actively working in the LGBTQ+ community at nonprofits, Capitol Hill, and government agencies. Past speakers include attorneys from the NAACP Legal Defense and Education Fund, Lambda Legal, National Center for Transgender Equality, the National Immigration Law Center, and the Presidential Advisory Council on HIV/AIDS.

This seminar will help students develop critical thinking skills and will provide a clearer understanding of how federal, state, and international laws and policies impact LGBTQ+ health. The course will also highlight how lawyers can use the tools of law (e.g., litigation, legislation, regulatory action) to advance health justice and equity amid a rapidly changing legal and political environment.

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

J.D. Seminar | 2 credit hours

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

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

LAW 324 v00 Maritime Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 324 v00>)

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 1447 v00 Mediation Advocacy Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1447 v00>)

J.D. Seminar | 2 credit hours

Mediation is a core dispute resolution process, both within the context of courtroom and administrative litigation, as well as in the transactional context. This is true in all types of disputes, including commercial, employment, labor, international, cultural/community, policy, and domestic relations.

This seminar is an intensive, immersive, skills-oriented course designed around a simulated mediation of a complex dispute. Students will use this single mediation problem throughout three intensive days to learn the theory, principles, and practice of mediation advocacy by experimenting with different styles and techniques. Students will engage in various exercises within this simulation, such as selecting the appropriate type of mediator for the dispute, preparing clients that have conflicting goals, and coalition-building among parties with competing goals within mediation. Students will develop hands-on mediation skills that will help them recognize and capitalize on mediator tactics and prepare them to effectively advocate for a client. At the end of this course, students should understand the strategy and tactics necessary to build effective mediated settlement agreements in a multi-party dispute. This course will also prepare students to recognize and handle ethical and confidentiality issues in mediation, as well as the difficulties involved in mediating and resolving a case where the parties will continue to maintain relationships, either in the employment context or in the regulatory context.

The final grade for the seminar will be based on three components (this class does not have a final examination): (1) class participation, including discussion and simulation exercises; (2) a 5-page post-course reflective journal, and (3) a final 10 to 15-page paper creating a mediation advocacy plan addressing a current or recent conflict or dispute in the news. Additional instructions on these graded components will be provided in the course syllabus and in class.

Learning Objectives:

Through this course, students will:

- Develop and sharpen skills to act as an effective advocate in mediation.
- Understand and evaluate strategies and tactics used by a mediator in order to determine the best strategy and tactic as a mediation advocate.
- Gain knowledge in the doctrinal and theoretical underpinnings of mediation advocacy.
- Use your knowledge of an organized theoretical framework to analyze the issues of mediation advocacy through the use of a simulated mediation problem.
- Engage in effective problem-solving during different stages within the mediation advocacy simulation problem.
- Identify and appreciate ethical considerations that may arise while acting as an advocate in mediation.
- Demonstrate professionalism in interactions with classmates and professors.
- Engage in self-reflection and peer critique, including applying lessons learned in exercises to future performances
- Provide constructive feedback to classmates.

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

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

LAW 322 v50 Mediation Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 322 v50>)

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 upon: (1) the quality of class participation (25%); (2) planning documents and short written assignments (30%); and (3) a final paper, not to exceed 15 pages, evaluating a mediation scenario (45%). Students will be graded on their planning, but not on the outcomes of the mediation simulations.

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.

Strongly Recommended: Negotiations Seminar.

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

Note: Note for the Fall and Spring sections: This course is open to J.D. students only.

Class size is limited to 24 students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrollment is limited to students who are currently

LAW 1426 v00 Medical Malpractice Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1426 v00>)

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

This seminar focuses on the empirical literature on medical malpractice, medical malpractice litigation, and tort reform. We will cover physician and institutional liability, health care quality and medical error, the economics of litigating medical malpractice cases, the market for representation, the causes of malpractice crises, and the effect of the reforms that have resulted (and been proposed).

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 1469 v00 Merger Antitrust Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1469 v00>)

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 scarce, 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 five-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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 434 v02>)
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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1145 v00>)

J.D. Seminar | 1 credit hour

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1145 v01>)

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

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. The first class session will be held remotely over Zoom; subsequent class sessions will be held in person. 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 1317 v00 Military, Veterans and Society (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1317 v00>) (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 [legal](#) and [policy](#) 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 data, 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 [previously directed research and policy work on these issues](#) at [CNAS](#) and 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

LAW 3092 v00 Modern Ethics and Compliance Concepts in Business
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3092 v00>)

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 3168 v00 Modern Law of the Sea (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3168 v00>)

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

This course will examine the general contours of the law of the sea the essential part of which is governed by the UN Law of the Sea Convention. First, the applicable regime(s) governing establishment of maritime zones will be analyzed, including the policies that inform it. Second, we shall carefully consider the rules governing the exploitation of living and non-living resources in areas under national jurisdiction, the high seas and the Area. Third, the legal regime governing the continental shelf under international law will be analyzed, including its status as a customary international rule, prior to analyzing the particular role that the Commission on the Limits of the Continental Shelf (CLCS) holds in so far concerns the establishment of outer limits of the continental shelf. Fourth, the pretorian-made delimitation methodology will through case law be examined, including the role of CLCS recommendations in the delimitation of the outer continental shelf. Fifth, the legal regime in disputed maritime areas will be also be analyzed. Finally, the architectural structure of the dispute settlement mechanism in the UN Law of the Sea Convention, and its interrelations with other dispute settlement mechanisms, will be given careful attention.

Strongly Recommended: Public International Law

LAW 1179 v01 Modern Litigation Theory and Practice Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1179 v01>)

J.D. Seminar | 2 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 pre-requisites.

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.

LAW 3053 v00 Money Managers as Fiduciaries ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3053 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203053%20v00))

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

Money Managers – investment advisers, broker-dealers and the like – serve an important role in not only the financial system of the United States, but also the financial operations of institutions and the financial lives of individuals. The amount of money overseen by those professionals is huge. A very significant segment of money managers, those subject to the oversight of the U.S. Securities and Exchange Commission (“SEC”), for example, advise individual and institutional clients (including mutual funds) having aggregate assets under management in excess of \$100 trillion.

This course focuses on an essential legal obligation placed on money managers in providing services to their clients and prospective clients: complying with a broad variety of fiduciary duties. The course begins with a consideration of the common law concept of a fiduciary and the manner in which the concept has become imbedded in U.S. federal laws applicable to money managers. The course then turns its attention to the connection between fiduciary duties and the concept of fraud as defined in, and interpreted under, the U.S. federal securities laws and how the concept has been employed and expanded by the SEC to, in essence, set standards for money managers registered under the U.S. Investment Advisers Act of 1940 (the “IAA”).

The common law, the IAA, select sections of the U.S. Investment Company Act of 1940 (the “ICA”), and portions of the U.S. Employee Retirement Income Security Act of 1974, as amended (“ERISA”), will be the principal substantive provisions around which the course will be centered. A number of classes during the semester will be devoted to detailed study of fiduciary-related interpretations of consequence under the IAA, the ICA and ERISA articulated by courts in decided cases and by the SEC and the U.S. Department of Labor (“DOL”), which is responsible for the administration of the fiduciary provisions of ERISA, in published guidance, rules and enforcement actions.

The last two classes of the semester will be devoted to applying concepts learned over the first 11 classes in analyzing “hot fiduciary topics” of significant current interest in the U.S. money management business.

Note: First class attendance is strongly encouraged for all enrolled and waitlisted students.

LAW 1606 v00 Motherhood and the Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1606 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201606%20v00))

J.D. Seminar (cross-listed) | 2 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?

LAW 372 v02 Music Law Seminar: Changing Landscapes in the Music Industry and the Law that Governs It (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 372 v02>)
J.D. Seminar | 2-3 credit hours

This course will engage in an in-depth exploration of legal issues that arise in the music industry and the complex ways in which the law has shaped the evolution of the industry and the industry has shaped the development of the law. We will begin with a historical unit that traces the manner in which copyright and other laws affected the development of the music industry (and vice versa) in the 20th century. Our second main unit will cover a cross-section of the current legal issues faced by the music industry and the business practices that have been and are being developed to address those legal issues, and a third main unit will focus on contractual issues that arise in recording and music publishing deals.

While some of the specific issues covered may vary in light of ongoing developments in the law and music industry business practices, as well as student interest within the class, some of the possible topics of discussion and analysis include the distinct “bundles” of rights in music and how the industry developed to exploit them; music licensing and statutory royalty regimes; illegal Internet downloading, its effect on the industry, and the industry’s response; the changing power relationships among the players in the industry and the contractual and legal issues that emerge from those changing relationships; deregulation and the effects of horizontal and vertical integration in the industry; new distribution models and new models of consumption for music and how the law is developing to accommodate them; the changing conceptions of what it means to “own” music in light of technological innovations in the industry; payola prohibitions and their impact on the industry; the future of performance royalties for sound recordings; and legislative developments affecting the music industry.

Students will be graded based upon their class participation and submission of a paper for the course; the nature of the paper(s) assigned will depend upon whether students are taking the course for 3 credits to satisfy the Writing Requirement or for 2 credits.

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, with the expectation 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

Prerequisite: Prior or concurrent enrollment in Copyright Law. Students who concurrently enroll in Copyright Law are strongly encouraged to skim

LAW 593 v00 National and Global Health Law: O’Neill Colloquium (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 593 v00>)
J.D. Seminar (cross-listed) | 2-3 credit hours

In this interdisciplinary colloquium, leading national and international scholars in a range of domains will explore fundamental normative and policy problems of contemporary concern in health law. Topics will include health care, public health, global health, science, regulation, politics, ethics, and policy. The colloquium will have participants from across the Georgetown University campus among faculty, senior administration, and students, as well as participants in the Washington health policy and legislative community.

Each seminar session will focus on a presentation by, or structured dialogue with, distinguished guest speakers. Students from the Law Center and other schools within Georgetown University (including Nursing and Health Studies, Medicine, Arts and Sciences, Foreign Service, Business, and other graduate programs) will be expected to prepare for intensive discussions in which experts, faculty and students explore, analyze and deepen their understanding of issues selected for consideration each month. The colloquia will be open to other students and faculty members across Georgetown University as well as interested members of the public, particularly professionals working in health law and policy in Washington.

Mutually Excluded Courses: Students may not receive credit for this course and Pandemics, Global Health, and the Law 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 922 v01 National Security & the Law of the Sea (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 922 v01>)
LL.M. Course (cross-listed) | 2 credit hours

This course reviews the basic principles of international law related to the many exclusive and inclusive uses of ocean space, especially on those critical issues affecting U.S. national security. Students will develop a comprehensive understanding of the legal regimes governing the ocean, from internal waters and other coastal zones through the regimes of the high seas, and an overall appreciation for U.S. ocean law and policy, based on relevant principles of international and national law. Topics include navigation and overflight rights, living and non-living ocean resources, military and law-enforcement activities, protecting the marine environment, marine scientific research, the law of naval warfare, and the formal and informal processes for developing ocean policy and for resolving international disputes. Students will research and engage in class discussions on a number of problems involving national security issues and the use of ocean space, including resources on the continental shelf, maritime terrorism, military exercises, maritime transportation systems, at-sea trafficking in illicit drugs, piracy, weapons of mass destruction, collection of intelligence, and naval rules of engagement.

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 the course formerly known as Oceans Law and Policy.

LAW 1896 v00 National Security and Emerging Technologies ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1896 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201896%20v00))

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

The rapid pace of technology presents tremendous opportunities as well as risks for U.S. national security. It also generates a certain amount of grey area as statutory and regulatory provisions fall behind the tech curve. It is not at all clear how existing doctrinal, statutory, and regulatory regimes apply to phenomena like the metaverse, artificial intelligence, cryptocurrencies, and biomanipulation. This course, accordingly, tackles the interstices between law and tech, particularly as it presents in the online world. Part I lays a groundwork to ensure that students who do not come from either a national security or tech-intensive background have a firm understanding of constitutional doctrine, institutional delineation, and the basics of Ethernet and WiFi; IP Addresses, Protocols, and Routing; and circuit and packet switched networks. Part II shifts to analysis of online communications, storage, and computing. In conjunction with a deep dive on fourth amendment interception and third party doctrine, the course examines the enterprise network environment and cloud computing. It then moves into decryption and quantum computing, taking these in conjunction with the All Writs Act and covert action requirements. Part III focuses on network analytics. It emphasizes algorithmic sciences, data structures, sorting and searching, and artificial intelligence. The corresponding legal analysis centers on first amendment doctrine and social media platform practices, exploring how efforts to come to grips with misinformation and online manipulation have faltered in the face of first amendment considerations. Part IV focuses on online gaming technologies, addressing in the process blockchain and cryptocurrency and ways in which technology design and data collection is now enabling biomanipulation. The legal analysis engages, *inter alia*, the law of armed conflict. The course ends with a gaming lab, where students will have the opportunity to go online using haptic gaming equipment to deepen their understanding of legal challenges presented by the online world.

Prerequisite: Constitutional Law I: The Federal System.

Note: Note for LL.M. section: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Enrollment in this section is restricted to students in the National Security Law LL.M. program. Interested students should contact Professor Todd Huntley at (Todd.Huntley@law.georgetown.edu).

LAW 1458 v01 National Security and Human Rights Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1458 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201458%20v01))

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

The struggle to respect and ensure human rights while also protecting national security raises important and complex legal and policy challenges. This course will examine current issues at the intersection of human rights and national security, with a focus on the use of force.

The first half of the course will cover the legal frameworks governing the use of force, including the UN Charter and *jus ad bellum*, the law of armed conflict (also known as the law of war or international humanitarian law), human rights law, and the U.S. Constitution. Students will examine how the rise of transnational terrorist organizations and advancements in armed drone technology have blurred the line between wartime and peacetime legal rules and placed tremendous pressure on these legal frameworks in the decades following the 9/11 attacks. By the end of this portion of the course, students will be able to analyze uses of military force in the daily news to determine whether the use of force is lawful under domestic and international law.

The second half of the course will cover key issues at the intersection of national security and human rights including: U.S. drone strikes, indefinite detention and the use of military commissions at Guantanamo, the CIA's torture program after 9/11, the climate crisis, and more. Where feasible, we will cover current events and have practitioners from the field join us for a discussion of the topic. In past years, we have had speakers from the State Department, Defense Department, Congress, and human rights organizations such as Human Rights Watch and Human Rights First.

Student learning objectives for the course are to use class sessions and the preparation of a paper:

- To become familiar with basic human rights standards that govern the use of force in law enforcement settings, with particular emphasis on the International Covenant on Civil and Political Rights and the European Convention on Human Rights;
- To become familiar with basic international law standards that govern the grounds for resort to force (*jus ad bellum*) and regulate the way force may be used in armed conflicts (*jus in bello* or law of armed conflict/international humanitarian law);
- To gain an appreciation of the complex ways in which many current security threats and responses to them have features that do not fall squarely into the categories of either crime subject to law enforcement operations or armed conflict subject to conventional military operations; and
- To become familiar with a range of complex issues at the intersection of national security and human rights and the diversity of professional opportunities in these areas.

Strongly Recommended: International Law; National Security Law; Law of War; Foreign Relations Law; Constitutional Aspects of Foreign Affairs; International Human Rights Law; or the first-year elective International Law, National Security, and Human Rights.

LAW 1902 v00 National Security and Presidential Power Seminar
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1902 v00>)

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

This seminar will look at the president's authorities in the areas of national security and foreign relations, how the exercise of presidential powers in this area has developed and how it is constrained. The course will explore the historical and doctrinal foundations of presidential national security authorities, as well as more recent practices and controversies. A particular focus will be the how executive branch lawyers have grappled with these issues and the many conflicting demands and challenges they face. The course will look at issues such as the separation of powers framework, constitutional war and foreign affairs powers, constitutional and statutory emergency powers and their impact on civil liberties, intelligence authorities, and authorities related to the classification and control of sensitive information. Regularly throughout the semester the students will be asked to discuss case studies and to focus on how some of these issues have been – or should have been – handled by executive branch lawyers.

Learning Objectives: The course learning objectives are to deepen students' understanding of the President's national security authorities, how they have developed, how they are used and constrained, and the practicalities of providing legal advice on these issues. The goal is for students to come away from the course not only understanding these issues, which have significant current relevance, but appreciating of the challenges of practicing in this area and how lawyers might navigate those challenges.

Prerequisite: Constitutional Law I: The Federal System.

LAW 3156 v00 National Security Cyber Law & Policy: Encouraging Responsible State Conduct in Cyberspace
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3156 v00>)

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

The seminar will address the pernicious problem of malicious use of the Internet by States and the efforts both internationally and domestically to use law and policy to define responsible state behavior in cyberspace. Students will learn about the framework on Responsible State Use of ICTs developed in two United Nations cyber working group processes and will discuss U.S. and other countries' domestic efforts to deter malicious state activity below the use of force, including the use of diplomatic, law enforcement, military, and economic tools.

Students will discuss the applicability to state cyber operations of international rules and principles, including sovereignty, non-intervention, and the prohibition on the use of force, and will consider the thresholds under the law of state responsibility for potential response options, including the differences among unfriendly acts, retorsions, and countermeasures. The class will also explore the concept of due diligence. In an interconnected world, a state's failure to act—whether to secure its own systems or to take steps to address malicious activity that is emanating from its territory—can also be destabilizing. The class will consider several contexts—hacking by non-state malicious actors, disinformation on social media, and poor private sector cybersecurity—and discuss whether there is a requirement or expectation for states to ensure that information and communications technology infrastructure in their territory is not used to inflict significant harm on another state.

Recommended: International Law

LAW 849 v00 National Security Investigations and Litigation
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 849 v00>)

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 849 v01 National Security Investigations and Litigation
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 849 v01>)

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

This class will address the law governing national security investigations and related litigation. Topics will include foundational legal authorities, electronic surveillance, national security letters, and the differences between Article III courts and military commissions. National security law is often inaccessible, and can be particularly hard to follow when divorced from the context of historical tradition, governmental structures, and the operational reality in which it functions. While steering clear of classified or confidential aspects of the practice, the class will attempt to present the law in context. Class participation and three short papers are required.

Prerequisite: J.D. students must complete Criminal Justice, Democracy and Coercion, or Criminal Procedure.

Mutually Excluded Courses: Students may not receive credit for this course and the J.D. course, National Security Law: Investigations and Prosecution or National Security Surveillance.

LAW 972 v03 National Security Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 972 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20972%20v03))
J.D. Course (cross-listed) | 3 credit hours

This introductory, survey course will explore national security law as developed from the U.S. Constitution, relevant federal statutes, case law, and historical experience, as well as from principles and influences of international law and foreign relations. It will cover key components of, and debates over, the Federal Government's exercise of national security authorities, including: decisions to use force and how to employ it; detention and interrogation of combatants; collection, protection, and sharing of intelligence; military and civilian prosecutions for national security-related criminal charges, including terrorism, espionage, export control, and state-sponsored cybercrimes; civil litigation involving national security interests and concerns; protection of homeland security; and economic aspects of national security policy. Themes of the course will include: (1) the separation of powers among the three branches of the Federal Government, and appropriate roles for these branches in the conduct of national security activities; (2) the interplay between international law and domestic law; (3) textual, historical, and functional modes of legal argument as applied to national security issues; and (4) the evolution of modern warfare and its implications for relevant legal regimes.

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, August 7th, 2024. After the August 7th application deadline, students will be admitted into open seats on a rolling basis.

LAW 1151 v00 National Security Lawyering Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1151 v00](https://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 331 v01 Nationalisms, States, & Cultural Identities Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 331 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20331%20v01))
J.D. Seminar (cross-listed) | 2 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.

Mutually Excluded Courses: Students may not receive credit for this seminar and Regulating Migration: Comparative Perspectives and Theory Seminar.

LAW 1619 v00 Natural Resources and Energy Law and Policy Practicum ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1619 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201619%20v00)) (Project-Based Practicum)
J.D. Practicum (cross-listed) | 4 credit hours

This course will give students an experiential learning experience in the field of natural resources and energy law and policy. Students will work individually or in groups on real-world legal and/or policy problems related to natural resources or energy for clients or stakeholders currently engaged in this rapidly changing subject area.

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

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

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

Course Goals:

1. The course is intended to help you develop your legal skills. During the experiential portion of the course, you will develop legal skills by working on a real-world legal or policy problem for a client. You will prepare a written analysis appropriate for delivery to the client. You will also prepare an oral presentation of your work, including findings and recommendations for the client. In undertaking this project, you will develop in-depth expertise on a natural resources issue as assigned.
2. In preparing the written analysis for your client, you will have an opportunity to hone your legal writing and analytical skills. You will consider and determine how best to present your analysis and findings to the client in written form.
3. You will also develop your skills in oral communication as you prepare and deliver a formal oral presentation of your project for the class and also for your client.
4. 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.

In practicum courses, students do not provide legal advice, prepare legal documents, appear in court or before agencies, or do any course work that is construed as practicing law under D.C. Court of Appeals Rule 49 (Unauthorized Practice of Law). No attorney-client relationship is created by students' work in this practicum course.

Mutually Excluded Courses: Students may not receive credit for this course and Natural Resources Law: Energy, Water and Land Resources. Students may not concurrently enroll in this practicum course

LAW 329 v01 Natural Resources Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 329 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20329%20v01))
J.D. Course | 2 credit hours

This course surveys the federal laws, regulations, and constitutional provisions governing the ownership, conservation, exploitation, and preservation of renewable and non-renewable natural resources, such as public lands, wildlife, wilderness, parks, rangeland, fish, and forests. The course explores the philosophical, historical, and economic underpinnings of natural resource law. Emphasis will be placed on how agencies address natural resource issues and how courts resolve disputes in this area. Current issues, such as those relating to renewable energy and biodiversity, will also be examined.

LAW 1300 v00 Negotiating a Mergers and Acquisitions Transaction ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1300 v00](https://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.

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

LAW 1481 v01 Negotiations and Mediation Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1481 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201481%20v01))

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, the Mediation Seminar, or the Mediation Advocacy Seminar.

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

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

LAW 1482 v01 Negotiations and Mediation Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1482 v01>)

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 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, Negotiations Seminar (LLM), Negotiations Seminar (LLM - Week One), Mediation Seminar, or Mediation Advocacy Seminar.

Note: In Spring 2025, this course will meet on 2/21, 2/22, 2/23, 3/28, 3/29, and 3/30.

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

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

J.D. Seminar | 3 credit hours

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

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

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

Learning Objectives:

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

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

Recommended: Contracts, Torts, Civil Procedure.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Grades will be based on:

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

Learning Objectives:

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

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

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

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

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

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

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

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

Learning Objectives:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Grades will be based on:

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

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

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

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

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

LAW 317 v30 Negotiations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v30](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v30))
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. 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. on 9/20, 9/21; 9:00 a.m. to 4:00 p.m. on 9/22; 9:00 a.m. to 6:00 p.m. on 11/1; 9:00 a.m. to 5:00 p.m. on 11/2 and 11/3) spread over two weekends, plus 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 two short journals and a final (10 to 12 page) paper.

Learning Objectives:

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

More specifically, our goals are:

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

LAW 317 v53 Negotiations Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v53>)
J.D. Seminar | 3 credit hours

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

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

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

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

LAW 317 v54 Negotiations Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v54>)
J.D. Seminar | 3 credit hours

Course Description:

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

Course Goals:

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

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

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

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

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

LAW 317 v55 Negotiations Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v55>)
J.D. Seminar | 3 credit hours

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

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

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

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

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

Grades will be based on:

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

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

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

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

LAW 317 v56 Negotiations Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 317 v56>)
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 (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 effects of communication, power, and attitude toward conflict will be explored.

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

Prerequisite: Completion of all first year courses, except Property and Criminal Justice and the first-year elective.

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

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

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

Note:

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

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

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

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

LAW 626 v00 New Deal Legal History Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 626 v00](https://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 326 v00 Non-Profit Organizations Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 326 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20326%20v00))
J.D. Seminar | 2 credit hours

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

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

LAW 755 v00 Nuclear Non-Proliferation Law & Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 755 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20755%20v00))
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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2099 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202099%20v00))
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.

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 3077 v00 Oil and Gas Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3077 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203077%20v00))
LL.M. Course (cross-listed) | 2 credit hours

This seminar will provide an overview of oil and gas law, from its traditional roots in the common law of property and contract to more recent developments in administrative law and regulations. We will learn about how the law has shifted from a focus on production to a concern for safety and the environment. The course goal is to introduce students to the topics involved in the practice of oil and gas law, with an eye toward preparing for an oil and gas section of a bar exam (e.g., Texas). In addition to traditional issue such as surface management, drainage, royalties, and the oil and gas lease, we will consider modern-day complexities posed by exploration in the eastern United States, offshore drilling, and hydraulic fracturing.

LAW 1209 v02 O'Neill Institute Practicum: Regulating Alcohol, Tobacco & Food in International and Comparative Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1209 v02>) (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 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: 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 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 414 v01 Palestine/Israel: A Legal and Historical Account (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 414 v01>)
J.D. Seminar (cross-listed) | 2-3 credit hours

The course will discuss the legal and constitutional issues that arose with the establishment of the modern state of Israel over land inhabited by Palestinians. The course includes historical accounts of the unfolding conflict, debate over the one state solution, the nature of the Israel lobby and the BDS movement.

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 3020 v00 Pan-Epidemics and PHEICS: COVID-19, EBOLA, and What's Next? (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3020 v00>)

LL.M. Seminar (cross-listed) | 1 credit hour

This course will focus on the legal, public health and medical challenges presented by ongoing pandemics and epidemics, most notably COVID-19, as well as preparedness for future pandemics through the lens of 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), including the process for deciding whether to declare a Public Health Emergency of International Concern (PHEIC) (including historical examples of COVID-19, Ebola, Zika, MERS, Yellow Fever, polio, pandemic influenza, and more). It will also look at other legal mechanisms for pandemic preparedness, such as the Pandemic Influenza Preparedness Framework and examine reforms to global governance for health emergency preparedness that have been proposed as a result of the COVID-19 pandemic.

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, which opened in 2018 and has been extended to 2022 to add COVID-19. The class will include a tour of this exhibit.

The course will be discussion-focused, including 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 reach agreement.

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. Grading is based on participation in the final simulation exercise (no papers or exams).

LAW 1781 v00 Pandemics, Global Health, and the Law Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1781 v00>)

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

This course will cover the pressing threats to global health security, challenges in pandemic preparedness and response, and the law and policy responses required to make us all safer. We will examine the major actors, institutions, and legal frameworks in global health security, question whether they are adequate to meet the task, and discuss how they can be improved to better prepare the world for future health threats. Specifically, this course will offer opportunities to reflect upon the COVID-19 pandemic, including the weaknesses in international systems that allowed an outbreak to spiral into a pandemic, the various mechanisms utilized in the response, the inequities exposed and exacerbated, and the path forward.

The class will examine legal instruments (both "hard" and "soft" law) at both the national and global level, as well as agencies, institutions, and public/private partnerships.

The class format will include a mix of formal lectures, class discussions, and real-life simulations as an experiential component. The course is open to both Georgetown JD and LLM students. Subject to changing public health guidance, the course will be taught in person. Attendance and participation will be recorded.

Learning Objectives:

The goal of this course is to guide students to understand and critically assess national and global health law and governance frameworks, together with tools needed to safeguard health security. In addition to law and governance, the class will use health equity as a lens to understand allocation of scarce resources at the national and global level. Additionally, our aim is for students to actively consider solutions to secure a better future; one in which the world can respond to pandemic threats with science and equity at the forefront. We also expect students to develop high quality research and writing skills, presenting a clear thesis and well-developed arguments in all written assessments.

Reading assignments will include chapters and excerpts from the required course text, which explores the threats to global health security, the legal frameworks, institutions, and actors tasked with responding to these threats, and offers a blueprint for a more secure world. The course textbook will be supplemented with up-to-date readings on the COVID-19 pandemic and beyond. Students should come to each class highly prepared to comment and ask questions.

Mutually Excluded Courses: Students may not receive credit for this seminar and National and Global Health Law: O'Neill Colloquium.

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 1429 v00 Patent Appeals at the Federal Circuit ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1429 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201429%20v00))

J.D. Seminar | 3 credit hours

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 a shortened appellate brief and present 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 also 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 a professor.**LAW 332 v04 Patent Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 332 v04](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20332%20v04))**

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 332 v05](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20332%20v05))

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 333 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20333%20v02))**

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, AI, 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 Office Practice and Strategy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 387 v01](https://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 practice before the United States Patent and Trademark Office, including 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. 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.**Strongly Recommended:** At least one other patent law course and/or actual work experience in patent law either with the USPTO, a law firm, or an in-house IP department at a company.

LAW 334 v00 Patent Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 334 v00>)
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 1227 v00 Payment Systems: Law, Technology, and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1227 v00>)

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

Payments are the most ubiquitous type of transaction: every movement of money is a payment. This course introduces students to the technologies used to move money in domestic and international transactions and the law governing such transactions. The course provides students with an in-depth look at the major consumer and business payment systems: cash, checks, debit cards, credit cards, wire transfers, automated clearinghouse transactions, cryptocurrencies (focused on Bitcoin and Ether), and peer-to-peer systems like PayPal, Venmo, and Zelle. For each of the payment systems, the course explores how federal, state, and private law and technology determine (1) risk allocation for fraud and error, (2) speed and finality of payment, (3) privacy of payments (including anti-money laundering regulations), (4) the effect of making payment on contractual and tort obligations, and (5) the cost and cost-allocation of effectuating payment. Particular attention will be given to the key policy debates regarding payments.

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

LAW 3155 v00 Philosophy of International Legal Responsibility (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3155 v00>)

LL.M. Seminar (cross-listed) | 1 credit hour

Responsibility in international law—whether attributed to states, corporations, or individuals—takes many forms and is derived from an array of legal, geopolitical, and philosophical sources. Owing to the predominance of States as sovereign and equal actors in international relations, the philosophy and political science behind the international law of responsibility may be different than with respect to domestic law. This one-credit course is designed to expose students to the range and depth of questions involved in responsibility attribution at the international level. Students will be encouraged to identify and articulate conceptual connections across legal and philosophical texts.

This course, which will meet seven times for two-hour classes, will be a discussion seminar; students are expected to come to each class prepared to discuss the reading. The first hour of each class will generally focus on one or more cases, and the second hour will explore the philosophical or theoretical dimensions of the legal principles presented during the first hour.

Recommended: International Law; International Criminal Law; International Arbitration

LAW 1851 v00 Philosophy of Law Seminar: Experimental Jurisprudence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1851 v00>)

J.D. Seminar | 2-3 credit hours

This is an interdisciplinary course, whose subject matter falls at the intersection of (i) legal philosophy and (ii) empirical legal studies. We will study longstanding jurisprudential questions, including: Is evil law *really* law, how is a contract different from a moral promise, what (if anything) justifies criminal punishment, and what is the best way to interpret statutes and the Constitution?

The seminar introduces these questions from a classical jurisprudential perspective and includes readings from historical and contemporary legal philosophers like H.L.A. Hart, Ronald Dworkin, Brian Leiter, Julie Dickson, and Seana Shiffrin. It then focuses on the growing “experimental jurisprudence” approach to these questions. Most often, that approach involves studies from social or cognitive psychology. But we will also consider empirical perspectives that use tools from development psychology, linguistics (e.g. corpus linguistics), computer science (e.g. natural language processing), neuroscience (e.g. fMRI), and behavioral science (e.g. economic incentives for behavior).

Course Goals/Student Learning Outcomes

Students should become familiar with historical and modern debates about legal philosophy. This is a highly interdisciplinary course, introducing students to concepts and skills from analytic philosophy, linguistics, and empirical social science (e.g. competence in reading and evaluating empirical work related to legal interpretation).

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 1360 v00 Policing in the 21st Century: Law Enforcement, Technology and Surveillance (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1360 v00>)

J.D. Seminar | 2 credit hours

Government agencies have broad powers to act for the public good. This includes the ability to investigate individuals and organizations and to conduct surveillance about their activities, a capacity strengthened by recent technological advances. But the ability to perform these functions is limited by various constitutional protections, including the First Amendment, Fourth Amendment, and various statutory laws.

This course will explore the intersection of contemporary surveillance practices with the need to safeguard civil liberties. The course will place special emphasis on the ways in which surveillance is used to control and manage populations of people, the intersection between mass incarceration and surveillance, and the communities that experience the greatest degree of scrutiny. Throughout the course, we will investigate how race, faith, national origin, immigration status, penal status, class and other categories fundamentally shape who is being watched and why.

The course will begin with an exploration of privacy law and the limits that apply to surveillance practices, both electronic and non-electronic. We will examine free speech and freedom of expression under the First Amendment, search and seizure under the Fourth Amendment, and relevant statutory and regulatory laws. We will then explore an array of surveillance and policing practices.

We will also discuss how lawmakers, advocates and local communities are pushing back against overreaching policies, and situate these calls for reform amidst broader social and political movements, including Black Lives Matter. Our texts will include a variety of sources ranging from case law, legal scholarship, government manuals, and coalition letters to podcasts, TED Talks, and investigative journalism.

Learning Objectives:

1. Introduce some of the major issues in state surveillance, law enforcement, and privacy, and critically examine different approaches to these issues;
2. Test our approaches against current and rapidly developing surveillance practices, both electronic and nonelectronic;
3. Explore the intersection between mass incarceration and surveillance, and the war on crime and the war on terror;
4. Understand how surveillance practices are used to profile and monitor particular communities, including on account of race, faith, national origin, immigration status, penal status, class and other categories;
5. Examine different methods for challenging surveillance; 6. Anticipate the durability of these methods going forward.

Recommended: Prior or concurrent enrollment in Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

LAW 1942 v00 Policy Advocacy Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1942 v00>)

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

This seminar will explore methods, tools and skills used to conduct policy advocacy. It provides opportunities to learn about, discuss and practice skills essential to policy advocacy including actor mapping, legislative and regulatory lobbying, drafting oral and written comments, strategic communications, negotiation, forming successful alliances and more.

These skills will serve students in future work including those who want to use their legal education as a pathway to engaging in systemic policy change, whether that be in service of clients (including business, nonprofits, or public sector), and in understanding opportunities to inform and reform policy.

Students will have the opportunity to practice skills through in-class simulations and to develop a longer policy campaign strategy working in groups on topics of their choosing. Classes will include presentations with guests with relevant experience in government, think tanks and advocacy organizations. Grades will be determined by written submissions, class participation, and final projects and presentations.

Learning Objectives:

Students will better understand the policymaking process and relevant points and opportunities for intervention. They will gain experience with analytical and practical skills including developing strategy to inform policymaking as well as skills needed to weigh in with different policy and political actors including in Congress and the White House, with relevant agencies, with other influential actors and the media.

LAW 508 v02 Policy Clinic (Harrison Institute for Public Law) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 508 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20508%20v02))

J.D. Clinic | 8 or 14 credit hours

Students in the Policy Clinic provide services to make democracy work several policy themes. Recent projects include:

- *Community equity* – Combat gentrification and displacement in low-income communities of color, develop a community support fund, develop a community resilience hub.
- *Health and food* – Organize a consortium to improve working conditions in university food supply chains, expand access to oral health services, reinvent a better food chain for institutions (universities, hospitals, schools, and shelters), analyze social determinants of health (housing, food security, etc.) for state health officials.
- *Labor and human rights* – Organize a consortium to improve working conditions in university food supply chains (same as health above), protect worker rights in global supply chains for the FIFA World Cup and other mega-sporting events.
- *Trade and climate* – Develop mutually supporting climate and trade policies, develop options for international cooperation on climate policies through “climate clubs,” recommend strategies to decarbonize steel production without violating WTO rules, and identify strategies for reducing greenhouse gas emissions while preserving manufacturing jobs.

Please see the Policy Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/the-policy-clinic-climate-health-food-human-rights-and-trade-harrison-institute/>) for more detailed information about the program.

Learning outcomes for this clinic: Students are supervised, evaluated and graded on three skill sets, each of which has specific evaluation criteria in the Policy Clinic Operations Guide. (<https://www.law.georgetown.edu/wp-content/uploads/2022/04/2021-22-Policy-clinic-operations-8-12-21-v3.docx>)

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. *Analysis and strategy* – covers legal, policy and strategic analysis. It includes identifying issues that require analysis, learning the context efficiently, using diverse sources to avoid bias, explaining analytic methods, using a logical framework, and drawing conclusions that meet client needs.
3. *Communication, writing and speaking* – includes organizing documents and presentations, meeting audience needs for context and decision-making, relating analysis through stories and examples, presenting visual information, and editing for plain language, clarity, and English style.

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 408 v03 Poverty Law and Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 408 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20408%20v03))

(Fieldwork Practicum)

J.D. Practicum | 8-10 credit hours

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

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

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

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

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

LAW 1537 v00 Practicum on Helping Pro Se Litigants ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1537 v00](https://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 helping people who cannot afford to hire a lawyer and are forced to represent themselves in divorce, child custody, and child support matters in D.C. Superior Court. Working under the supervision of attorneys at the Family Court Self Help Center (SHC) and the Family Law Assistance Network (FLAN), students will provide family law-related information and community education to D.C. residents who have to address their legal problems without the benefit of counsel.

Students will participate in a two-hour/week seminar and carry out up to 10 hours/week of fieldwork on site at D.C. Superior Court. Students will assist litigants onsite at the SHC and prepare information about family law and procedure for self-represented parties. If available and needed, students may conduct client intakes for FLAN, also onsite at D.C. Superior Court.

SEMINAR: In the seminar, students will learn about: (i) family law and procedure in the District of Columbia; (ii) the types of information parties 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; (v) requirements and restrictions of the District's unauthorized practice of law rules, which govern the services students in the Practicum may provide; and (vi) other innovative access to justice projects.

FIELDWORK: In the fieldwork component of the course, students will: (i) under guidance from the Family Court Self-Help Center and/or the Family Law Assistance Network (FLAN), provide self-represented litigants with basic information about family law and procedure; (ii) prepare easily understood family law public education materials; and (iii) participate in innovative projects.

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 and two credit fieldwork will be graded separately. The fieldwork is graded 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

LAW 1803 v00 Practitioner's Perspective on Banking Structure and Regulation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1803 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201803%20v00))

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

A real world, practitioner's perspective is critical to understanding the complexities of practice as a banking lawyer. The law governing the regulation and supervision of banks and their affiliates is constantly developing and is one of the most intricate and interesting areas of U.S. law. This two-hour lecture and discussion course is designed to provide students with the tools to develop a career in banking law and will explore a broad range of topics of interest to lawyers practicing banking law.

Key topics include an introduction to the U.S. regulatory agencies involved in the supervision and regulation of banks, the powers and activities of banks and their affiliates, the important role of Federal deposit insurance, and the special procedures for resolving a failed bank. In addition, the course will cover the special manner in which anti-trust laws apply to mergers and acquisitions involving banks and their affiliates, and review the process for chartering new financial institutions, such as fintechs and minority-owned depository institutions.

The course will emphasize the unique regulatory framework applied to banks and the importance of racial equity in our financial system, including a focus on the Community Reinvestment Act and the policy response to address historic inequities in financial services. The course will also explore a variety of hot topics in banking, such as digital currency, the rise of fintech companies, and the growing importance of environmental, social, and governance and other cutting-edge issues.

Recommended: Administrative Law; Corporations.

Note: This course will have a mid-term take-home exam.

LAW 358 v00 Presentation Skills for Lawyers: An Experiential Workshop to Practice Core Skills (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 358 v00>)

J.D. Skills | 2 credit hours

This experiential workshop offers a unique combination of exercises, assignments, and readings. The purpose of the class is threefold: 1) to develop your skill as a presenter; 2) to enhance your confidence as a presenter and your desire to present; and 3) to practice leadership skills to increase the likelihood that others will turn to you to present.

The class involves three sets of core skills.

1) The first set of core skills concerns getting ready to present something to someone. These are leadership skills that involve deep listening and asking powerful questions. There are two reasons listening and inquiry skills are important. First, the great presenter understands the needs of their audience. The skillful presenter avoids making assumptions. They ask first. They do their homework about who, what, and why. They get context so they can tailor their presentation to deliver value. Second, the people who have the power to choose you to present need to trust you. They need to feel you understand them and their issues. They need to feel connected to you. If you ask powerful questions and genuinely listen to understand others, you are going to build trust and connection. You will enhance the likelihood you get a chance to present.

2) The second set of core skills concerns presentation stagecraft. This is what most people think of when they consider a “presentation skills class.” In this class, you will practice core “stand up” skills so that you develop your ability to:

- Speak directly to a person (don’t wash); make eye contact on each phrase; work the room.
- Talk loud and slow, enunciating clearly (but not self-consciously).
- Speak in short sentences in the active voice (avoid interrupting phrases).
- Take a breath - have a beat - between your phrases (avoid running on).
- Vocally drive through to the end of your phrases (avoid trailing off at the end).
- Stand up straight (aligned), pulling from the top of the back of your head (avoid hunching).
- Be open (avoid crossing arms or feet) with a strong base (avoid hip popping, foot rolling).
- Be physically calm in between gestures (avoid fidgeting, swaying, pacing, or twisting).
- Control your hands (letting them rest calmly at your sides or clasping them at your belly).
- Gesture broadly, getting your elbows out from your body (avoid “dinosaur hands”).

In addition to these presentation skills, we will also cover designing graphics, presenting with PowerPoint, boards, and props, Zoom stagecraft, and curating your appearance.

3) The third set of core skills concerns rehearsal and feedback. Great presenters try stuff out and get feedback from others about what’s working and what’s not. Most lawyers don’t rehearse or ask for feedback. Many think that presenting is about being the smartest person in the room. This class is not about being the smartest person in the room. It is about you making time for rehearsals and integrating feedback. It is about developing your growth mindset. It is about practice.

In sum, this class will enhance your skill as a presenter and the likelihood others ask you to present.

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

LAW 1493 v00 Prison Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1493 v00>)

J.D. Course | 3 credit hours

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 859 v00 Private Equity & Hedge Funds: Taxation & Transactions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 859 v00>)

LL.M. Course | 2 credit hours

Recent years have witnessed explosive growth in private equity funds and hedge funds. It is estimated that over \$1 trillion is currently invested in hedge funds globally, and assets held by private equity funds may also exceed \$1 trillion. Many law firms now have specialized practice groups focused on these investment vehicles, and the M&A tax practices of law firms and Big 4 accounting firms are often driven by private equity transactions. Given their rapid growth and economic clout, it is not surprising that private equity funds and hedge funds have attracted increasing attention in the tax-writing committees of Congress.

This course is designed to help students gain an understanding of the structure, economics, and taxation of these investment vehicles. The course will begin with a general overview of private investment funds, the different types of funds, and the main economic drivers affecting the fund, its investors, and the sponsor or general partner. We will then examine the major US tax issues that arise during the life of a fund, beginning with the consequences for investors and the general partner when the fund is organized. Students will study the partnership, corporate, and international tax issues that are common to each type of investment and to fund operations generally. Finally, the course will address the tax consequences of certain exit transactions, such as the sale of a portfolio company.

The course will also include recent legislative and regulatory developments affecting private equity funds, including the taxation of so-called “carried interests” (the profits interest earned by the general partner or sponsor).

Prerequisite: Federal Income Taxation (formerly Taxation I) and Corporate Taxation (formerly Taxation II) or Corporate Income Tax Law I.

Strongly Recommended: Partnership Taxation.

LAW 845 v00 Private Equity, Hedge and Other Private Funds (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 845 v00>)
LL.M. Course (cross-listed) | 2 credit hours

This course provides an in-depth look at the structure of, and law applicable to, private funds, which are pooled investment vehicles generally operating outside of the scope of a number of significant U.S. Federal securities laws. Among the investment vehicles we will study private equity, venture capital and hedge funds.

The course will begin with an overview of the private fund business in the United States followed by an examination of the exclusions and exceptions under the Investment Company Act of 1940 (the "ICA") on which private funds and their managers typically seek to rely in operating beyond the reach of the ICA. A second class relating to the ICA will examine provisions from which no exemptions covering private funds apply and the consequences to private funds and their managers arising from violating the ICA.

The course will then turn to a consideration over a number of classes of what has become the centerpiece of the U.S. Federal securities laws regulating private funds, the Investment Advisers Act of 1940 (the IAA). The series of classes devoted to the IAA will in turn be followed by a class focused the application to private funds of the U.S. Federal employee benefits law, the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), a class dealing with recent private fund "hot topics." The next two classes will center on business and marketing considerations faced by investment advisers and managers when organizing and operating private funds and significant business terms and conditions in private fund documents.

The last two classes of the semester will be a "practicum" designed to introduce you to a business/legal situation a practitioner in the private fund area could typically face today. We'll choose the subject of the practicum with student input around the midpoint of the semester.

Prerequisite: Prior or concurrent enrollment in Securities Regulation.

LAW 1903 v00 Private Law and the Costs of Climate Change Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1903 v00>)

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

The costs of climate change are crippling municipal budgets, upending business balance sheets, and imperiling home insurance premiums. This seminar examines private law interventions to the costs of climate change, with a focus on climate tort litigation, climate and catastrophe insurance, and corporate climate governance. It considers how law is both a driver of the costs of climate change, and a critical tool for mobilizing an effective response to them. This seminar is organized around three key themes: tort litigation, insurance, and corporate governance as they create and confront the costs of climate change.

Learning Objectives: At the end of this seminar, students should:

1. Be familiar with the general approaches to the study of law and legal reasoning;
2. Demonstrate the ability to identify and understand key concepts in substantive law, legal theory, and procedure;
3. Have the ability to write a competent legal analysis and/or effective transactional documents;
4. Demonstrate the ability to conduct legal research;
5. Demonstrate communication skills, including oral advocacy and/or negotiation skills;
6. Demonstrate an understanding of the interdisciplinary nature of law and the contributions that other disciplines can make to the study of 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 361 v00 Professional Responsibility (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v00>)
J.D. Course | 2 credit hours

This course will focus on lawyers' relationships with clients, opposing parties, the courts, and the public. Problems of professional responsibility are treated in several contexts, including the lawyer's duties to the client, the lawyer's reconciliation of duties to multiple clients, and the lawyer's reconciliation of client obligations with the demands of justice and the public interest. Although the focus of the course is on lawyers' ethical responsibilities, attention will be paid to the important role that lawyers play in advancing client interests and in self-regulating their profession.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v01>)
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 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 v04 Professional Responsibility (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v04>)
J.D. Course | 2 credit hours

This course examines, against the background of the D.C. Rules of Professional Conduct, the professional and ethical obligations and duties of the lawyer in today's society. A quick overview of the organized bar and the restrictions on the profession against such practices as solicitation precedes an in-depth examination of the lawyer's relationship with and obligations to his/her client as well as the additional and frequently clashing obligations which the lawyer owes the court, adversaries, and other persons. The course also includes a summary treatment of disciplinary proceedings and a discussion of the lawyer's professional obligation with respect to broad social problems, such as the distribution of legal services and the representation of unpopular clients and causes. The focus of each professor may vary, e.g., ethics in government, the large private law firm, public interest law, 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. on Thursday, November 7, 2024.

LAW 361 v30 Professional Responsibility (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v30>)
J.D. Course | 2 credit hours

This course addresses the ethical requirements that govern the practice of law and satisfies the Professional Responsibility requirement for graduation.

The goal of this course is to equip students with the knowledge required to recognize and navigate any future ethical dilemma they may encounter as attorneys. Students should develop a strong foundational understanding of both the ABA Model Rules and the state ethical rules in the jurisdiction where they plan to practice. Instruction will be focused on imparting a practical skill set that students can rely on when beginning their journey as attorneys. Students should come away with an understanding of the importance of adhering to higher moral and ethical standards as officers of the court. Students should also develop an intellectual curiosity (or a healthy fear) that inspires them to stay informed of the disciplinary law in their jurisdiction as they move forward in their careers.

LAW 361 v54 Professional Responsibility (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v54>)
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 ABA Model Rules of Professional Conduct as a baseline, but discussing variations in other jurisdictions, primarily the District of Columbia, (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. on Thursday, November 7, 2024.

LAW 361 v55 Professional Responsibility (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v55>)
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 v57 Professional Responsibility (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v57>)
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, the relationship of attorney to the judicial system, and 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.

LAW 361 v59 Professional Responsibility (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v59>)
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. on Thursday, July 11, 2024.

LAW 361 v28 Professional Responsibility: Advocacy and Ethics in Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v28>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1264 v00>)

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.

LAW 1187 v00 Professional Responsibility: Problems from Practice
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1187 v00>)

J.D. Course | 3 credit hours

Studying the legal profession, and particularly its code of ethics, is fascinating! May a lawyer rat on her client who is planning to kill someone? If a lawyer thinks that his client, a start-up technology company, is likely to be a big success, may the lawyer ask for stock in the company in lieu of a fee? May 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, you will read almost no judicial opinions. Instead, you will work on about forty ungraded problems, most of which are based on real situations that lawyers faced. Instead of reading autopsies of cases (that is, appellate opinions), the required readings will provide you with the relevant legal framework (the Rules of Professional Conduct and other law that governs lawyers). The assigned problems will ask you to step into the shoes of a lawyer who has to make a critical decision, often caught between conflicting loyalties. It will be your job to think about what you would do in that situation, taking account all of the relevant factors. You will not have to submit your decisions and analyses in writing, but you will be expected to formulate them before class and to be prepared to discuss the reasons for your decisions during the class.

Almost every class will include one or two periods in which you will discuss a problem in small groups before we discuss it in the class as a whole, though we will discuss some problems without first having a small group discussion. You will use your laptop or mobile phone to cast anonymous votes registering what you would do as the problems unfold. The class discussions will explore and evaluate the legal, ethical and strategic justifications for each possible course of action. After the discussion of each problem, the instructor will reveal what happened in the real case on which the problem was based.

This is a three-credit section of the course and therefore a deeper dive into the subject than a two-credit offering. If you elect this section, you should plan to:

- (a) attend almost all classes (except in the case of illness, religious observance or other compelling reason),
- (b) do almost all of the assigned reading,
- (c) analyze the assigned problems before each class (as if they were problem sets for a math or science course, though they are not math or science problems),
- (d) participate in class discussions (the instructor does not do cold calling but expects a lot of volunteering, and the strongest class participants will have a small grading advantage) and
- (e) vote in the frequent anonymous in-class polls.

Everyone has a different learning style. This section of the professional responsibility course will be most engaging for students who engage in these five aspects of "active learning" rather than merely taking notes.

The textbook for the course will be Lisa G. Lerman, Philip G. Schrag, and Robert Rubinson, *ETHICAL PROBLEMS IN THE PRACTICE OF LAW* (6th edition, 2023). (Note: because some of the problems require more class time than others, the reading assignments in this course are necessarily of uneven lengths. Two of the classes have long reading assignments, and two others have very short reading assignments). Also required is a supplement: Lerman, Schrag and Gupta, *Ethical Problems in the Practice of Law: Model Rules, State Variations, and Practice Questions* (2023-2024 edition). You should use the paper rather than the electronic editions of

LAW 361 v10 Professional Responsibility: The American Legal Profession in the 21st Century: Technology, Markets, and Democracy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v10>)

J.D. Course (cross-listed) | 3 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 sector. At the same time, the pandemic has exposed an ever-deepening crisis in access to civil justice, experienced by a large portion of Americans. Meanwhile in the political sphere, lawyers have been enlisted in the service of anti-democratic forces that threaten the rule of law. The course will be devoted to discussing what these trends mean for the regulation of lawyers and law as a profession. This course satisfies the professional responsibility requirement, but is not intended to prepare you for the MPRE. The course does not satisfy the credit requirements for students who need the LL.M. to become eligible to sit for the NY Bar.

Note: Note: Enrollment in LAWG-361-02 is restricted to LL.M. students in the Technology Law and Policy LL.M. program.

LAW 361 v60 Professional Responsibility: The Ethical Lawyer and the Good Life (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 361 v60>)

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, legal malpractice, the formation and termination of the attorney-client relationship, the duties of confidentiality, zealous representation and candor to the court, the lawyer's duties to adversaries and third parties, conflicts of interest, the attorney/client privilege and the work product doctrine. We will take a problem-oriented approach and make ethical arguments in class with respect to assigned problems to help students develop the 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 consider situations where what seems like the right course of action may be unethical. 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 by providing pro bono legal services and using ethical rules to help preserve a free and democratic society.

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;
5. to recognize the pressures and stresses of practicing law and the importance of taking action to address them;
6. to apply insights from the field of psychology to avoid bias in resolving ethical issues;and
7. to find happiness in the practice of law.

LAW 007 v01 Property (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 007 v01>)

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 v03 Property (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 007 v03>)

J.D. Course | 4 credit hours

Welcome! This course introduces property law as a series of legal entitlements to exclude others from certain resources and other discrete objects. We will approach these themes through the study of several distinct (and sometimes interrelated) topics, including: acquisition, ownership, sovereignty, personhood, custom and communities, entities, security interests, title records and transfers, neighbors, social policy, takings, and intellectual property, among others. When applicable, we will include and encourage discussion of the historical, cultural, political and racial contexts in which property law arose, and how lawmakers have (and haven't) accommodated evolving norms.

LAW 007 v02 Property In Time (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 007 v02>)

J.D. Course | 4 credit hours

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

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

LAW 1550 v00 Prosecuting Sex Crimes and Vindicating Constitutional Rights (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1550 v00>)

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

This course is a practice-based seminar that will examine gender-based violence, and more specifically sexual violence, as a criminal civil rights issue. While anyone can be a victim of sexual violence, the vast majority of victims are women, including transwomen. This is particularly true in the law enforcement misconduct context, where men are more often the victims of physical assault, and women are more often the victims of sexual assault. But unlike excessive force cases that may be captured on video or witnessed by fellow officers or civilians, sexual assaults often occur in secluded locations with no one to bear witness.

This course will address how to vindicate the constitutional rights of sexual violence victims through effective investigation, and where the evidence permits, prosecution of offenders. Through the lens of law enforcement-committed sexual misconduct and real-life case examples, this course will begin with a victim's account, and then determine how to build a case from that initial account.

Learning Objectives:

- Debunk the fallacies surrounding sex crimes investigations that inadvertently affect objectivity and derail investigations, thereby leading to more objective, purpose-driven investigation.
- Employ best practices when conducting trauma-informed interviews and trial preparation, by understanding the impact of trauma on a victim's ability to recount their assault and how the science behind trauma informs best practices to elicit a detailed account, and ultimately build a strong case.
- Learn to effectively use the Federal Rules of Evidence (specifically Rules 608, 609, and 412) to protect a victim's account from unfair impeachment.
- Learn to effectively develop corroborative evidence pursuant to Rules 413, 404(b), and 801(d)(1)(B).
- Develop a purpose-driven investigation that corroborates the victim's account while foreclosing common defenses in sex crimes trials.

Recommended: For J.D. students, prior or concurrent enrollment in Criminal Justice and Evidence are recommended, though not required.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Prosecuting Sexual Violence: Applying Research to Practice (Fieldwork Practicum).

LAW 1244 v00 Prosecuting Sexual Violence: Applying Research to Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1244 v00>) (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 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.

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 class will also include a writing competition

LAW 995 v00 Public Health and International Investment Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 995 v00>)

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 that allow for investor-State dispute settlement limit domestic regulatory autonomy, particularly in the field of public health.

International investment law is comprised of over 3000 BITs, which govern the acceptance and treatment of foreign investment. BITs impose various rules that can limit the freedom of domestic policy-makers, including rules governing national treatment, most-favored-nation treatment (principles of non-discrimination), fair and equitable treatment, and expropriation. Foreign investors, including transnational corporations, are increasingly using these rules to challenge domestic regulations such as public health measures through investor-State arbitrations.

The course will address:

1. the theoretical perspectives underlying the international law on foreign investment;
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 the expropriation of property rights and the circumstances in which health measures might be considered equivalent to expropriation;
4. rules governing the concept of 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; and procedural issues relating to the participation of civil society in the negotiation of investment treaties and the settlement of investment disputes through international arbitration.

There are no prerequisites for the course. The course is ideal for students in the Global Health Law LLM program or for students wanting a course on international arbitration or international investment 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 364 v07 Public Health Law and Ethics ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 364 v07](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20364%20v07))
J.D. Course (cross-listed) | 3 credit hours

This course explores the interwoven dynamics of law, ethics, and science in public health through examination of core legal theory and practice-based examples. With COVID-19 ushering law, policy, and decision-making around public health into broad public awareness, this class will draw upon current issues in society, enabling students to apply legal and ethical concepts to real-world scenarios. By spotlighting recent and historical examples of public health law in action, including COVID-19, opioids, obesity, tobacco, and the environment, this course will be valuable for students interested in health law and equity, as well as students seeking to deepen their expertise in public policy.

Students will learn the conceptual foundations of public health law in the United States, with 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 and the judicial decisions that shape them. Sources of tension between public health goals and objectives and civil liberties will be interactively contemplated, including, among others: disease surveillance and privacy; labeling and advertising restrictions and free speech; and considerations around individual versus population-based conceptions of health. Discussions of recent major legislative developments and court decisions impacting jurisprudence, public health authority, and individual rights will be incorporated alongside primary themes. Throughout the course, students will engage with public health law through applied learning—case studies and class exercises—focused on analyzing emerging issues, comparing national and global responses, understanding ethical implications, and developing legal and policy strategies that integrate health equity and address social determinants of health.

LAW 364 v08 Public Health Law and Ethics ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 364 v08](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20364%20v08))
J.D. Course (cross-listed) | 3 credit hours

This course explores the interwoven dynamics of law, ethics, and science in public health through examination of core legal theory and practice-based examples. With the COVID-19 pandemic and multi-country mpox outbreak ushering law, policy, and decision-making around public health into broad public awareness, this class will draw upon current issues in society, enabling students to apply legal and ethical concepts to real-world scenarios. By spotlighting recent and historical examples of public health law in action, including health emergencies (e.g., COVID-19, Ebola, Zika, and mpox), non-communicable diseases (e.g., diabetes and cardiovascular disease, including the role of nutrition and physical activity, tobacco, and the environment, this course will be valuable for students interested in health law and equity, as well as students seeking to deepen their expertise in public policy. We will also discuss the deeper social, economic, and commercial determinates of health.

Students will learn the conceptual foundations of public health law in the United States, with 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 and the judicial decisions that shape them. Sources of tension between public health goals and objectives and civil liberties will be interactively contemplated, including, among others: disease surveillance and privacy; labeling and advertising restrictions and free speech; and considerations around individual versus population-based conceptions of health. Discussions of recent major legislative developments and court decisions impacting jurisprudence, public health authority, and individual rights will be incorporated alongside primary themes.

Throughout the course, students will engage with public health law through applied learning—case studies and class exercises—focused on analyzing emerging issues, comparing national and global responses, understanding ethical implications, and developing legal and policy strategies that integrate health equity and address social determinants of health.

Note: This course meets on a condensed schedule. It will meet twice a week for the 1st eight weeks, then the course will meet once a week for the next five weeks. The last class meeting is on Wednesday, 11/20.

LAW 611 v21 Public Speaking For Lawyers (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v21>)
J.D. Seminar | 1 credit hour

When lawyers speak professionally, they are often engaging in some form of public speaking. This is true inside the courtroom but equally true in non-litigation settings—whether negotiating the terms of a business transaction, mediating an informal dispute, appearing before legislatures, city councils or municipal boards; pitching ideas to colleagues, clients, or potential clients; speaking to lay groups about various matters of legal controversy, or conducting media interviews for any variety of reasons.

This course examines best practices for public speaking from both theoretical and practical perspectives. Through a series of small group exercises and an 8-10 minute persuasive speech on a law-related topic to be given by each student at the end of the week, students will learn how to develop a skill-set essential for building confidence and success to speak in public in any form of law practice. This course is not for students who have participated in debate or other public speaking activities or competitions. Students will take part in providing feedback to classmates.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 8, 2024, through Thursday, January 11, 2024.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 27, 2023 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 1936 v00 Public Speaking for Lawyers (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1936 v00>)

J.D. Seminar | 2 credit hours

In this interactive course, we will examine best practices for public speaking from both theoretical and practical perspectives and how they relate to effective lawyering. During the semester, students will engage in a series of small-group exercises and prepare and deliver oral presentations on law-related topics. Students will develop methods for preparing to speak in a variety of settings (e.g., client presentations) and strategies for coping with performance anxiety. Students will also have ample opportunity to improve and build confidence in their public speaking skills as they prepare to enter law practice. Students will take part in providing feedback to classmates.

Mutually Excluded Courses: Students may not receive credit for this course and the first year Week One course by the same title.

Note: This course is not aimed at students who are already comfortable speaking in public as a result of participating in debate, moot court, etc.

LAW 3067 v00 Public-Private Partnerships: Law and Governance (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3067 v00>)

LL.M. Course (cross-listed) | 1 credit hour

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. 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1352 v00>)

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.

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

LAW 611 v06 Questioning Witnesses In and Out of Court (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v06>)

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 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: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 09, 2025.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors and Assistant Dean for Experiential

LAW 586 v00 Race and American Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 586 v00>)
J.D. Course | 4 credit hours

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

Recommended: Constitutional Law II: Individual Rights and Liberties.

Note: Laptops may not be used during class sessions.

LAW 1894 v00 Race and Democracy in the Nation's Capital (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1894 v00>)

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

Emblematic of the ongoing tensions between America's expansive democratic promises and its enduring racial realities, Washington often has served as a national battleground for contentious issues, including slavery, segregation, civil rights, the drug war, and gentrification. But D.C. is more than just a seat of government. The city has a rich history of local activism as Washingtonians of all races have struggled to make their voices heard in an undemocratic city where residents lack full political rights.

Tracing D.C.'s massive transformations—from a sparsely inhabited plantation society into a diverse metropolis, from a center of the slave trade to the nation's first black-majority city, from "Chocolate City" to "Latte City"—the course offers students an opportunity to experience the city in which they have decided to attend law school at a deep and meaningful level. The historical narrative explored during the course is peppered with unforgettable characters, a history of deep racial division, but also hope, resilience, and interracial cooperation.

Students will develop a critical legal framework for understanding the role of law in shaping the racialized democracy of America. They will do so by engaging law cases touching on segregation, disenfranchisement, urban renewal, and the drug war—all ways in which the law was weaponized to disproportionately impact Black people in Washington, D.C.

Learning Objectives:

- Gain familiarity with the geography, history, and current issues defining city politics, economy, and culture
- Acquire analytical tools to frame and understand the dynamics of race, politics, and power in the nation's capital

LAW 1461 v00 Race and Poverty in Capital and Other Criminal Cases Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1461 v00>)

J.D. Seminar | 3 credit hours

This course examines issues of race and poverty in the criminal legal system, particularly with regard to the imposition of the death penalty. Topics include a brief history of issues of race and poverty in the courts, procedures for consideration of the death penalty, appellate and post-conviction review of convictions, constitutional and ethical responsibilities of prosecutors, the right to counsel for people who cannot afford lawyers, and jury selection and decision making.

Learning Objectives: Students will develop knowledge and understanding regarding the history of racial bias in the courts and the extent to which courts continue to deal with issues of racial discrimination. Students will learn the substantive and procedural law regarding due process and equal protection guaranteed by the Fourteenth Amendment, the cruel and unusual clause of the Eighth Amendment, and constitutional requirements with regard to the prosecution and defense of criminal cases and the selection of juries. Students will analyze standards adopted by the Supreme Court in these areas, the evolution of those standards over time, the practical impact of the Court's decisions in trial courts throughout the country, and the arguments on both sides of constitutional issues being litigated in criminal cases. Students will learn the requirements for the preservation of error and the standards of review that apply in the appellate and post-conviction review of criminal convictions. Students will also improve their research skills, engage in complex legal analysis, develop and test a thesis or argument, gain mastery over a specific topic, and enhance the clarity and precision of their writing by writing a paper that satisfies the law school's upper-class writing requirement.

Note: In Fall 2024, this course will meet on the following Tuesdays and Thursdays: 8/27, 8/29, 9/3, 9/5, 9/10, 9/17, 9/19, 9/24/ 9/26, 10/3, 10/8, 10/17 and 10/22.

LAW 1335 v00 Race, Inequality, and Justice ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1335 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201335%20v00))

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.

LAW 1389 v00 Racial Capitalism and American Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1389 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201389%20v00))

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

This course explores the ways in which American law is implicated in histories of racialized differentiation, subordination, expropriation, and exploitation. 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 through 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. Students interested in enrolling should send a one paragraph statement of interest to Professor Munshi (Sherally.Munshi@georgetown.edu) and Whitney Carr (wc784@georgetown.edu).

Laptops may not be used during class sessions. 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 1753 v00 Racial Equity in Education Law & Policy Clinic ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1753 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201753%20v00))

J.D. Clinic | 10 credit hours

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

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

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

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

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

Mutually Excluded Courses:

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

LAW 1728 v00 Reading the Police Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1728 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201728%20v00))

J.D. Seminar | 2 credit hours

During this seminar our class will read six 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. Some author visits will be in person; others will visit via video conference.

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, politics and culture; the role that factors like race, gender, sexual-orientation, disability, indigeneity, age and class, 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.

The six books we will read include:

- *Unreasonable: Black Lives, Police Power, and the Fourth Amendment*, by Devon Carbado
- *We Own This City: A True Story of Crime, Cops, and Corruption*, by Justin Fenton
- *Becoming Abolitionists: Police, Protests, and the Pursuit of Freedom*, by Derecka Purnell
- *Shielded: How the Police Became Untouchable*, by Joanna Schwartz
- *Policing the Open Road: How Cars Transformed American Freedom*, by Sarah A. Seo
- *Punished: Policing the Lives of Black and Latino Boys*, Victor M. Rios

Reflection and Summaries: All students are required to submit a 750 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 graded and late papers will be penalized. In addition, all students will submit at least two discussion questions on Canvas before the first week's discussion of each book. Discussion questions will be graded pass/fail.

Grading:

Your grade for the class will be based upon: 1) attendance and the quality of your participation; 2) reflection papers for each book; and 3) discussion questions for each book.

Prerequisite: Criminal Justice or Democracy & Coercion or Criminal Procedure or Instructor Approval. (LL.M.s are welcome).

LAW 430 v01 Recent Books on the Constitution Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 430 v01](https://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, *Our Republican Constitution: Securing the Liberty and Sovereignty of We the People* (2016)
- Jonathan Turley, *The Indispensable Right: Free Speech in an Age of Rage* (2024)
- Jeffry Rosen, *The Pursuit of Happiness: How Classical Writers on Virtue Inspired the Lives of the Founders and Defined America* (2024)
- Robert Cottrol & Brannon Denning, *To Trust the People with Arms: The Supreme Court and the Second Amendment* (2023)
- Nathan Chapman, *Agreeing to Disagree: How the Establishment Clause Protects Religious Diversity and Freedom of Conscience* (2023)
- Anthony Sanders, *Baby Ninth Amendments: How Americans Embraced Unenumerated Rights and Why It Matters* (2023)

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.

LAW 1928 v00 Reconstruction and Civil Rights Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1928 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201928%20v00))
J.D. Seminar | 3 credit hours

Reconstruction and Civil Rights shifts the focus of post-Civil War constitutional history from the Supreme Court to Congress. It explores the meaning of the Thirteenth, Fourteenth, and Fifteenth Amendments in the context of the civil rights legislation that flowed from them, including the Freedmen’s Bureau Bills of 1865 and 1866, the Civil Rights Act of 1866, the Enforcement Acts of 1870 and 1871, and the Civil Rights Act of 1875. It recovers the political lives and ideas of members of Congress who inspired, drafted, and shepherded major pieces of legislation, including James Ashley, John Bingham, William Fessenden, Jacob Howard, Thaddeus Stevens, Charles Sumner, and Lyman Trumbull. It incorporates the influential perspectives of abolitionists, including Frederick Douglass and William Lloyd Garrison, and women’s rights advocates, including Susan B. Anthony and Elizabeth Cady Stanton. We will read and discuss the work of leading Reconstruction historians and law professors. We will write primary source research papers about the legislation, people, and events that led to the civil rights revolution of 1865 to 1876. Our goal is to explore how Reconstruction-era politicians and political thinkers changed the Constitution and attempted to make good on Sumner’s idea of “equality before the law.”

This seminar is focused on understanding Reconstruction Era history but not history for its own sake. It is inspired by the lack of debate about the history of the Fourteenth Amendment during the Supreme Court’s oral argument and in its majority opinion in *Students for Fair Admissions v. Harvard & UNC* and by the importance of history in our current constitutional discourse. In the future, advocates, legislators, and policymakers will benefit from a deep knowledge of post-Civil War history in unleashing the power of the Reconstruction Amendments to protect civil rights.

Learning Objectives:

Explore the passage of the Thirteenth, Fourteenth, and Fifteenth Amendment in the social and political context of Reconstruction and in relation to other pieces of federal legislation.

Analyze how members of Congress passed major pieces of federal civil rights legislation and overrode the veto of President Andrew Johnson to protect the rights of formerly enslaved people and free blacks.

Delve into the political lives and ideas of members of the Reconstruction Congress.

Discuss the impact of abolitions and women’s rights advocates on these Reconstruction Era debates over amendments and civil rights legislation.

Identify the different schools of Reconstruction Era history from the Dunning School to the present.

Debate cutting-edge historical and legal scholarship on Reconstruction Era legislation, amendments, and political figures.

Employ primary source research methodology after attending workshops led by the Georgetown Law Library and/or Library of Congress Manuscript Division archivists.

Research and write publishable quality papers based on the primary sources including the Congressional Globe, nineteenth-century newspapers, manuscripts, diaries, and electronically available sources.

Prerequisite: Constitutional Law II: Individual Rights and Liberties.

Mutually Excluded Courses: Students may not receive credit for this seminar and Abolitionism and the Law Seminar or Thirteenth Amendment.

LAW 440 v04 Refugee Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 440 v04>)
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.

LAW 1939 v00 Regulating Migration: Comparative Perspectives and Theory Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1939 v00>)

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

This course explores how different societies regulate human mobility. Using a comparative, law and society approach, we will denaturalize and probe the basic norms and values of our own immigration system by examining alternatives. As we will see, these systems answer three essential questions: (1) who gets to join a society (“admissions”); (2) what rights and obligations these new entrants to society have (“membership”); and (3) how much coercion these systems use to enforce (1) and (2) (what we will call “closure”). Some of these examples we will examine are historic and some are contemporary; some are more restrictive than our system and some are more open.

In every case, we will see that these real-world systems contain implicit answers to questions at the heart of political theory and political ethics. What qualities should we value in new members of our society? What are the rights and responsibilities of citizenship, and what forms of belonging outside citizenship – if any – should societies grant? How much coercion is it OK to use in migration control, and to what ends?

In the last third of the course, students will use the normative intuitions they have developed through contact with the case studies to grapple directly with classic and contemporary theoretical work asking these same questions. Students who opt into the three-credit version of the class will develop their own research projects that address the relationship between (im)migration law and public values.

Learning Objectives:

Substantive learning objectives:

- To contextualize familiar bodies of domestic and international law within a broader set of institutions and bodies of law that regulate human mobility;
- To understand some of the different designs that are possible for these systems;
- To begin to develop an understanding of the trade-offs, values, and assumptions embedded in these institutional designs, and to understand how these institutional designs affect people and communities (migrants and others) (ILO); and
- To see connections between migration, migration law, and phenomena including national identity, politics, political economy, labor, race, gender, and the state (ILO)

Skills:

- Public speaking and oral presentation
- Critical thinking
- Consideration of ethical dimensions of public policy
- Developing and writing a scholarly research paper (WR)

Recommended: Immigration Law & Policy or Comparative Law.

Mutually Excluded Courses: Students may not receive credit for this seminar and Nationalisms, States & Cultural Identities Seminar.

Note: Laptops may not be used during class sessions.

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

LAW 611 v25 Regulating Online Speech in the Age of Social Media
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v25>)

J.D. Seminar | 1 credit hour

In the age of social media, private companies have unprecedented power to shape and control the visibility and content of speech circulating online. This course is designed to introduce students to the legal principles that shape their decision making, from the First Amendment to Section 230, as well as to highlight areas where the absence of binding law gives way to a spectrum of policy considerations for companies to balance and apply. In each class, students will step into the shoes of social media platforms, policy makers, and advocates, using real-world scenarios to gain an understanding of the law and policy shaping the current landscape of online speech governance.

Through this course, students will:

- # Develop and sharpen lawyering skills, including crafting and analyzing arguments
- # Gain knowledge in the areas of law relevant to online speech governance
- # Come to understand and be able to deploy policy arguments that shape online speech governance in the absence of binding legal principles
- # Engage in effective problem-solving when collaborating in groups
- # Identify and appreciate ethical considerations related to the effects of online speech governance on vulnerable communities

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors 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 2080 v01 Regulating Private Health Insurance and Health Care Prices: Legal and Policy Disputes (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2080 v01>)

LL.M. Seminar (cross-listed) | 3 credit hours

Access to affordable and quality health care eludes millions of Americans. Through changes ushered in by the Patient Protection and Affordable Care Act (ACA), millions of Americans have gained health insurance. At the same time, implementation of the law's reforms have been challenging, and its provisions have been subject to extensive litigation and continued threats of repeal. Health care costs also continue to climb for privately-insured Americans more broadly – leading to calls for further action to regulate health care prices – the main driver of rising costs.

The legal and policy clashes over the ACA's implementation have also foreshadowed future obstacles facing subsequent major health care reform initiatives - such as the No Surprises Act and Medicare Drug Price Negotiation Program.

This course will examine the regulation of private health insurance and health care prices in commercial insurance and public programs. The course will explore federal regulatory changes under the ACA; subsequent reforms to private insurance under the No Surprises Act and other measures under consideration to address health care pricing; the new authority for Medicare to negotiate the price of prescription drugs; and legal challenges burdening the regulation of private health insurance and efforts to regulate health care prices. This course will also situate health care in the broader context of measures to address public health and population health, interrogate the persistent disparities in health care access and quality and the challenges to addressing those disparities, including what became more visible during the COVID-19 pandemic. Guest lectures will provide students with a greater, contextualized understanding of former and current legal and policy disputes related to private health insurance regulation and measures to address rising health care prices. The course will also explore what these legal and policy efforts mean for consumers, public health, and broad work to address inequities in health care access and outcomes—as well as where Congress and the White House may push forward with health reform in the future.

LAW 2054 v00 Regulation of Commodities and Derivatives Markets
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2054 v00>)

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

This course will focus on US federal and state laws and regulations affecting commodities (e.g., energy, GHG emissions, agriculture, metals, forex, cryptocurrency) and the related derivatives (i.e., swaps, futures, and options) markets. Topics include: (1) overview of the origins of derivatives, commodity trading generally and US federal regulation of commodity markets; (2) the concepts of hedging and speculation and risk mitigation; (3) 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); (5) application of commodity trading and derivatives statutes, regulations and Congressional proposals for new products (crypto) and other FinTech innovations; (6) analysis of energy and emissions-based derivatives as well as ESG and climate change mitigation policies; (7) discussion of recent developments in exchange trading, such as De-Fi and event contract trading; (8) registration and regulation of market participants, such as brokers, hedge fund operators, investment advisers, swap dealers, cryptocurrency intermediaries; (9) administrative and injunctive enforcement powers involving violations of the CEA; (10) current developments in self-regulatory oversight; (11) documentation of derivatives (e.g., ISDA) and commodity transactions; and (12) foreign market access to commodity and derivatives trading and developments in the EU and Asia.

Students who complete this course will have a solid understanding of the CEA and CFTC's rules and regulations under the CEA as well as federal relevant cases. In addition to learning the black-letter law, the students will learn how derivatives and commodities markets work in the US and overseas and how securities, energy, emissions, agricultural and financial markets interact with these markets. Through a series of in-class exercises culminating with the final paper students will develop their research, analytical and writing skills.

Recommended: Bankruptcy, banking.

Strongly Recommended: Securities, corporations.

LAW 1814 v00 Reimagining the Role of the Public Defender (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1814 v00>)

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

The course is designed to provide students with an opportunity to critically examine the criminal legal system and the role of public defenders within it. Students will be exposed to models of practice that challenge the notion that a public defender is simply a cog in an unjust system. Students will learn how public defenders can effectuate systemic change while securing the best outcomes for their individual clients.

The course will include readings that analyze the injustices perpetuated by the criminal legal system and their root causes. Through these readings and class discussions, students will analyze how facially-neutral laws and policies are the underpinning of a racist, classist, and unjust system. Case law and sample legal pleadings will show how public defenders have successfully challenged these systemic issues through individual client representation.

The course will also rely on presentations by directly-impacted individuals who will share their experiences with the criminal legal system, their experiences being represented by public defenders, and their struggles for justice within the system.

Overall, the course is designed to challenge existing perceptions of public defense and allow students an opportunity to learn about and explore the many ways that a public defender can challenge the injustices of the criminal legal system.

Course Goals/Learning Outcomes:

The objective of the course is to provide students with a nuanced understanding of what it means to be a public defender within a racist, classist, and otherwise unjust criminal legal system. Students will develop an understanding of the traditional role of a public defender, potential shortcomings of the traditional approach, and how the role of a public defender can be expanded to more directly challenge the systemic issues within the system. By focusing on historical injustices in the system (e.g. racism, police brutality, prison conditions), students will learn how public defenders can both zealously represent their individual clients while also challenging systemic issues. Students will analyze the historical and systemic injustices perpetuated by the criminal legal system while also learning practical litigation strategies used by public defenders to effectively effectuate change.

In line with Institutional Learning Outcome 8, this course will provide students with a practical understanding of how the criminal legal system operates. This understanding will allow students to think critically about how a criminal legal system touted as a neutral arbiter of justice is in practice a perpetrator of systemic racism, classism, and inequality.

Prerequisite: Criminal Justice, Constitutional Law

Recommended: Criminal Law, Evidence

LAW 1390 v00 Religion and Constitutions in Global Perspective Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1390 v00>)

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 1196 v00 Religion, Morality and Contested Claims for Justice Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1196 v00>)

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

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 even across claims that would otherwise tend to generate religious and political polarization.

LAW 399 v00 Religious Liberty on Trial Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 399 v00>)
J.D. Seminar | 3 credit hours

This course will consider the Supreme Court's jurisprudence with regard to religious liberty. We will look at the Free Exercise Clause and consider how the Court has answered the question "Does the Constitution mandate religious exemptions from neutral and generally applicable laws that incidentally burden religious belief and practice?"

We will look at the Establishment Clause and consider how the Court has answered the question "To what extent does the Constitution allow accommodations on the basis of religious belief and practice?" This review of Supreme Court case law will highlight the tension between a robust definition of religious rights and the interests of a democratic and pluralistic society. Today, the legacy of seminal Court cases—particularly, *Smith* and *Lemon*—is being seriously called into question as the Court charts a future jurisprudence more solicitous of religious claims. The doctrinal debate continues—and continues to generate as much heat as light—because the real question is not what standard courts use to review the constitutional validity of laws that affect religious belief and practice. Rather, the question is, what is the proper role of religion in our civic life? In other words, the real debate is, at its core, about what kind of social order we want to promote. Thus, this seminar is not only about the historical treatment of the Religion Clauses and their future consideration, but also about the nature and direction of our civic order. As with any other constitutional law seminar, the debate between proponents of some form of originalist interpretation and proponents of some form of living constitutionalism will always be in the forefront of our attention. (As with any other seminar, preparation for and engagement in class discussion is essential.)

Tentative schedule:

Week 1. Religious Liberty and Democratic Pluralism: Background Texts (Milton to Madison)

Week 2: What Is a Religion, Constitutionally Speaking?

Weeks 3: The Road to *Smith*

Week 4: Religious Liberty Post-*Smith*

Week 5: RFRA and RLUIPA

Week 6: Is *Smith* Dead? Should It Be? What Lies Beyond?: Critical Perspectives

Week 7: The Establishment Clause

Week 8: Is *Lemon* Dead?: Should It Be? What Lies Beyond?: Critical Perspectives

Week 9: Religious Liberty and the Family

Week 10: Religious Liberty and Public/Private Education

Week 11: Religious Liberty and the Workplace

Weeks 12 & 13: Student presentations

Mutually Excluded Courses: Students may not receive credit for both this seminar and Church-State Law 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. 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 268 v01 Remedies in Business Litigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 268 v01>)
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 fraud, 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 a "behind-the-scenes" case study illustrating how remedies issues are litigated, as well as a classroom visit with an expert witness. Students considering practice in business 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

Strongly Recommended: First-year courses in contracts, torts, and civil procedure.

Mutually Excluded Courses: Students may not receive credit for both this course and the former course, Commercial Remedies.

Note: This course will meet every Tuesday and A-week Thursdays from 11:10 a.m. to 1:10 p.m. The A-week Thursdays in Spring 2025 are 1/16, 1/30, 2/13, 2/27, 3/20, 4/3, and Tuesday, 4/22 (Thursday classes meet).

LAW 1194 v00 Renewable Energy Seminar: Policy, Law and Projects
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1194 v00](https://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 1071 v00 Reproductive Health and International Human Rights Law
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1071 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201071%20v00)) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

This fieldwork practicum course, focusing on the interaction between international human rights law and reproductive health and rights. The course will provide an overview of international reproductive health and rights, while affording students an opportunity to work in organizations that are addressing issues in the field in various ways.

As such, students participate in a two-hour weekly seminar and work for 10 hours/week for at least 11 weeks during the semester at an outside organization.

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 and sexual 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 necessary foundation for the students to conduct their fieldwork.

Fieldwork: Students will be placed with organizations working in the area of reproductive rights. Most likely, the work will be conducted remotely, as several of these organizations are not based in the Washington D.C. area. The work conducted for this portion of the course will be supervised by the external organization

Some of the projects may include assisting in drafting amicus briefs for cases currently pending before international bodies, and 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. 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 O'Neill Institute for National and Global Health Law, the Center for Reproductive Rights, Women's Link Worldwide, Human Rights Watch (Women's Rights Division), IPAS, the Women's Equality Center, and the 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 course and an externship or a clinic or another practicum course.

Note:

F-1 and J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu. (<http://lawcentervisa@georgetown.edu/>)

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-

LAW 1445 v00 Reproductive Justice Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1445 v00](https://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. The course will not focus on abortion or contraception, but will address the impact of Dobbs and forced birth. Students are welcome to 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: 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3090 v00](https://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

Note: The course incorporates some international perspectives, and US reproductive jurisprudence is influential globally—but happy to discuss further since the focus is US law.

LAW 1892 v00 Reproductive Rights and Justice Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1892 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201892%20v00))

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

The class will focus on reproductive health and the law. Understanding and learning about the legislative process is essential to this class. Reproductive justice issues span not only constitutional law considerations, but also other aspects of law, society, and the political process. Topics researched and/or discussed will include abortion, assisted reproduction, contraception, treatment of incarcerated pregnant individuals, pregnancy exclusion laws, rape and statutory rape laws, personhood and feticide laws, surrogacy, the use of child endangerment laws to prosecute women for their conduct during pregnancy, and parenthood.

Students will learn how to perform in-depth research and analysis involving these subjects and will then learn the process of drafting legislation, understanding the legislative process, and productively working with legislators, policy makers, advocacy groups, and other interested parties to promote reproductive liberties and enact necessary changes.

All students will gain significant exposure to legal research and writing and will work closely with the instructors to develop and hone these critical skills.

Course Goals:

The goals of this course:

- *Introduce students to the study of reproductive health law, policy, and regulations*
- *Familiarize students with the social, medical and legal literature on the topic*
- *Engage students with practical as well as theoretical ideas in reproductive justice*
- *Stimulate intellectual curiosity about the subject matter*
- *Inspire thoughtful analysis*
- *Encourage and facilitate discussions*

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 260 v04 Research Skills in International and Comparative Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 260 v04](https://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.

LAW 837 v00 Research with Human Subjects: Law, Policy & Ethics
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 837 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW837v00))

LL.M. Seminar (cross-listed) | 1 credit hour

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 week, 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.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 9, 2023 through Thursday, January 12, 2023, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed between January 20 and January 27, 2023.

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. **NOTE: Mandatory attendance rules will be enforced for this class for the Spring 2023 semester. Graduating students are encouraged to ensure they have enough credits should they be prevented from attending due to COVID-19 symptoms, isolation, quarantine, or other disruptions.**

LAW 1653 v00 Resolution of International Financial Crises Seminar
([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1653 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW1653v00))

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 v14 Restorative Justice: Theory and Practice in Criminal, Education, and Community Settings (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v14>)

J.D. Seminar | 1 credit hour

Restorative Justice (RJ) is a distinct form of conflict resolution – rooted in indigenous traditions – that aims to redirect society's retributive response to harm. For example, crime, in the context of RJ, is not considered an offense against the state but rather a harm against another person with impacts that reverberate through the community. Harm represents an imbalance in the community, not just the missteps of individuals. RJ elevates the role of those involved in and affected by harm in seeking acknowledgment and understanding; restoring relationships, emotional, and material losses; and addressing root causes of the harm through dialogue and problem solving.

Across the country RJ 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 the role of 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); co-architects of restorative justice programs; policymakers implementing and integrating restorative responses into legislation; and practitioners of RJ in a variety of settings.

We will be learning about the theory and practice of Restorative Justice in criminal justice, educational and community settings, exploring its challenges, possibilities, and interface with legal systems. The course will involve advanced readings, group work, activities, guests, and simulated restorative processes to gain an experience for what readings and academic discussions cannot offer.

Course Learning Outcomes

- Identify key restorative principles and practices.
- Describe the application of RJ in criminal justice, educational, and community settings, identifying and assessing legal challenges and possibilities.
- Experience restorative processes for community building and responsive to harm.
- Practice introspection through course exercises.
- Introduce and/or enhance fundamental skills and professional ethics that restorative practitioners need to practice.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when

LAW 712 v00 Rethinking Securities Regulations & the Role of the SEC (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 712 v00>)

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

Crisis often brings change. The stock market crash of 1929 prompted Congressional hearings that eventually produced revolutionary legislation: the Securities Act of 1933, which regulated U.S. securities offerings; and the Securities Exchange Act of 1934, which regulated securities markets and established the SEC. Like the financial meltdown 80 years ago, the recent financial crisis has sparked a critique of the U.S. financial regulatory system. Having witnessed a Ponzi scheme of unprecedented magnitude and the near decimation of venerable Wall Street firms, scholars, lawmakers, regulators, and investors have questioned the appropriateness of our current regulatory framework and the role of the SEC.

The first part of the course will focus on understanding the events that prompted the 1933 Act, the 1934 Act, the Investment Company of 1940, the Investment Advisers Act of 1940, and the establishment and growth of the SEC. Perhaps not surprisingly, many of those same policy considerations are driving current discussions within the Commission, in Congress, and in the Administration. The second part of the course will examine particular aspects of securities regulation from both substantive and organizational viewpoints, including the regulation of public companies, investment companies, and investment advisors, with an emphasis on the inner workings of the SEC. We will study the current functions played by the Commission's various divisions and offices as we explore the pros and cons of the existing regulatory architecture and the initiatives under consideration at the SEC and within Congress. The final segment of the course will focus on the future of the SEC and financial regulation in the U.S. We will review reform proposals and other ideas for reorganizing the system. We will have speakers including present and former senior officials from the SEC and the financial industry.

This course is open to both JD and LLM students and is recommended for students who wish to gain a deeper understanding of the SEC or may be considering an externship with the Commission.

Prerequisite: Prior or concurrent enrollment in Securities Regulation.

LAW 1779 v00 Roman Law Seminar: Family, Property, and Succession (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1779 v00>)

J.D. Seminar | 2 credit hours

Roman law developed over the course of more than one thousand years, and it continues to influence contemporary legal systems throughout the world. In this course, we will examine the portions of Roman private law that correspond to the Anglo-American law of family, property, and wills and estates. Readings will consist of excerpts (in translation) from Roman legal sources, principally Justinian's Digest. No background knowledge of Roman law or of Roman history is required.

Note: Laptop use is not permitted in this course (unless necessary to conduct Zoom instruction).

LAW 403 v04 Rule of Law and the Administration of Justice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 403 v04>)
J.D. Seminar (cross-listed) | 2 credit hours

This course offers students an opportunity to learn the definitions of “rule of law” and how to reform legal and judicial systems, including measuring the impact of those reforms. The field of rule of law reform is an expanding area of practice, be it focused on strengthening the concept of ‘Rule of Law’ and its indicators or to achieve certain economic, social and/or political goals.

The course begins by reviewing various definitions of what is meant by “rule of law”, recognizing that different institutions, governments, public and private sectors want to promote reforms to legal/judicial systems perhaps seeking the same end, but through different ways. The course uses a case study methodology, including specific sessions with U.S. and foreign judges and other rule of law practitioners active in reform efforts. Topics include: Democracy and the rule of law; Access to justice; Criminal justice and 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 a discussion of 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 around the world, including in the United States. We will see how reforms may target more competitive market economies, stronger law enforcement, gender equality or social justice. We will learn the impact of an increase in demand from users of justice systems who want improved services, not only “formal” justice users in courts, but informal justice services like paralegals and chieftaincy also. The course will also address the often overlapping or inconsistent agendas of donors, international organizations (e.g., United Nations, World Bank, Inter-American Development 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 organizations 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.

LAW 772 v00 S Corporation and LLC Taxation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 772 v00>)
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; Corporate Income Tax Law I; Prior or concurrent enrollment in Taxation of Partnerships.

LAW 960 v00 SEC Enforcement Process (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 960 v00>)
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 950 v01 Securities and Financial Fraud Investigations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 950 v01>)
LL.M Course (cross-listed) | 2 credit hours

The course is designed to provide a practical survey of a complex white-collar (securities, commodities, and other financial frauds) 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 criminal prosecutors and civil 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 various privileges. The course will cover substantive legal issues related to securities fraud, market manipulation, cryptocurrency regulation, and the Foreign Corrupt Practices Act (FCPA), among others. Further, 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 1392 v00 Securities Enforcement Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1392 v00>)

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

The United States has served as a model for securities regulation around the world. It has also served as a model for an effective enforcement regime in the capital markets. During this seminar, we are going to study, compare and contrast different, yet overlapping approaches to enforcing compliance with the laws and regulations that govern our capital markets. From U.S. Attorneys' General and the DOJ that put fraudsters in jail, to the SEC, the CFTC, and the banking regulators, that impose significant financial penalties, to state regulators, FINRA and exchanges, to individuals who fell victim to financial crime – all are involved in the enforcement project. We will discuss what works and what does not to detect violations, from whistleblowers to big data. We are going to address some significant constitutional challenges that have been raised, and discuss how the rise of digital assets has challenged enforcement. Several times over the course of the semester, we will host guest speakers to bring our classroom conversations to life.

Prerequisite: Prior or concurrent enrollment in Corporations.

Recommended: Securities Regulation.

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 940 v00 Securities Law and the Internet (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 940 v00>)
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. Finally, we will explore the growing debate over the current and potential increased regulation of cryptocurrencies and other digital assets and how various regulators fall into the existing regulatory framework.

Prerequisite: Securities Regulation.

Note: NOTE FOR SUMMER 2024: The professor will teach this course virtually via Zoom.

LAW 941 v01 Securities Litigation and Enforcement (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 941 v01>)
J.D. Course (cross-listed) | 2 credit hours

This course will examine the enforcement of the federal securities laws by the Securities and Exchange Commission, the Department of Justice and through private litigation, primarily class actions. It will examine the causes of action under the securities laws and their elements, including concepts of materiality, falsity, causation (loss and transaction), reliance, scienter and damages. It will cover specific procedural requirements such as pleadings and class certification, the economic aspects of securities litigation, including the efficient market hypothesis and event studies as well as issues raised by the recent Supreme Court jurisprudence such as *Dura*, *Tellabs*, *Morrison*, *Halliburton II*, *Omnicare*, *Salman*, and *Goldman Sachs*. It will also cover the dynamics of securities litigation, including the role of the Securities and Exchange Commission, trial advocacy issues, settlement and indemnification. It is our expectation that during the semester, each student will have the opportunity to make an appellate oral argument before the class in a case raising a securities law issue. One of the goals of this course is to enable the student to become an effective member of a litigation team in a firm representing a party in securities litigation.

Recommended: While there are no prerequisites for this course, courses in Corporations and Securities Regulation are recommended.

LAW 396 v01 Securities Regulation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 396 v01>)

J.D. Course (cross-listed) | 3-4 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 396 v05>)

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. 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 396 v07>)

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. on Thursday, November 7, 2024.

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

J.D. Seminar | 2-3 credit hours

The course will cover segregation in public accommodations, residences and education, historically and currently. Although the workforce, marriage, and access to citizenship and voting were segregated for centuries in the U.S., employment discrimination, anti-miscegenation, immigration and election law are beyond the scope of this course. Students will learn that the US is racially segregated in housing and education and that segregation is discriminatory. They will grapple with the fundamental question of why segregation exists and the role of law in creating and responding to segregation. Students will gain a historical perspective on the ideology of white supremacy that animates segregation. They will learn that the chief consequence of segregation is inequality, for everyone, people of color and whites. Among those consequences are mass incarceration, health and wealth disparities, wasted human capital due to lack of opportunity, racial hostility, militarized policing in certain neighborhoods (Ferguson & all its antecedents and successors), environmental degradation, and suburban sprawl. Students will also learn strategies for dismantling segregation and, hopefully, help develop innovative solutions in their research papers.

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

LAW 1085 v01 Sentencing and Pre-Trial Detention: Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1085 v01>)

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 punishment, 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.

Strongly 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: This course will be enrolled via waitlist. The Writing Requirement section (LAWJ-1085-06) is open to J.D. students only and non-degree students may not enroll.

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 1085 v02 Sentencing Law and Policy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1085 v02>)

J.D. Course | 2 credit hours

This two-credit hour course will address issues of sentencing law and policy with an emphasis on the federal criminal justice system.

The course examines how criminal sentences are structured from constitutional, statutory and policy perspectives including the application, function and limitations of the U.S. Sentencing Guidelines. We will examine the role of the sentencing courts, prosecutorial discretion, plea-bargaining practices, mandatory minimums, the issue of mass incarceration and alternatives to incarceration. 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 v00 Separation of Powers Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 397 v00>)

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. Reading materials for the seminar will include cases, statutes, legislative hearings, interbranch correspondence and other materials.

Mutually Excluded Courses: Students MAY receive credit for this seminar and Separation of Powers Seminar: Hot Topics in Scholarship with Professor Chafetz.

LAW 1711 v00 Separation of Powers Seminar: Hot Topics in Scholarship (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1711 v00>)

J.D. Seminar | 3 credit hours

The nature and consequences of our constitutional separation of powers are topics of substantial debate, with significant implications for our system of government. This seminar examines recent scholarly discussions of various aspects of the separation of powers. Topics will include deep dives into each of the three branches, discussions of the interactions between those branches and other institutions, and selected thematic topics.

Note: Laptops may not be used during class sessions.

Students can take this course and Separation of Powers with Professor Lederman and Separation of Powers Seminar with Professors Clement and Blatt.

LAW 1353 v00 Sexual Orientation, Gender Identity, Sex Characteristics and International Human Rights Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1353 v00>) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

This fieldwork practicum course focuses on issues of sexual orientation, gender identity, gender expression and sex characteristics from an international and national human rights law perspective. The course will provide an overview of the main human rights issues in these fields, while affording students an opportunity to work with organizations that are addressing human rights violations of people based on sexuality, gender and sex characteristics, in various ways.

As such, students participate in a two-hour weekly seminar and work for 10 hours/week for at least 11 weeks during the semester at an outside organization.

Background: Every day, lesbian, gay, bisexual, transgender and queer (LGBTQI) 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 LGBTQI 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.

FIELDWORK: Students will be placed with organizations working in the area of sexual and reproductive rights. Most likely, the work will be conducted remotely, as several of these organizations are not based in the Washington D.C. area. The work conducted for this portion of the course will be supervised by the external organization.

In the past, the work with external partners specific human rights issues faced by LGBTQI people, included collaborating on several policy and legal projects, including 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 and domestic 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).

Recommended: International Human Rights Law. Women's Rights. Gender and Sexuality and the Law.

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

LAW 1790 v00 Shareholder Power, Voting, and the Governance of Firms Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1790 v00>)

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

This seminar will focus on how shareholders exercise power over the modern public corporation through the shareholder vote. The shareholder vote has become the main contested domain in which shareholders can influence firm policies—or replace management altogether. Historically, these battles have centered around how the firm should be run to maximize stock returns. In recent years, struggles have expanded to contests over the firm’s environmental and social impact—and what the very purpose of the corporation should be.

Each week will center around a major academic debate in the space. The glue binding the topics is the allocation and exercise of power between management and shareholders. Most readings will be excerpts from academic papers, both in the legal literature and economics literature, with occasional excerpts from other materials. Class discussion will include a basic introduction to the empirical techniques used in some papers. 2-credit seminar students will be required to submit, before eight sessions of the student’s choosing throughout the semester, 500-word memoranda that critically analyze the readings for that week. 3-credit writing requirement students will be required to submit a final paper that satisfies the upper-level writing requirement (6,000 words).

Student Learning Objectives: The aims for this seminar are as follows:

1. For students to acquire a thorough understanding of the historical and current academic debates around shareholder power and shareholder voting;
2. For students to develop a basic facility with economic papers and methodology as it relates to this topic; and
3. For students to write critically on these debates and related policy.

Prerequisite: Corporations.

Note: Laptops may not be used during class sessions.

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 1909 v00 Slavery, Abolition, and the Constitution (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1909 v00>)

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

The primary aim of this course to familiarize students with (1) the history of slavery and racism in the United States and their roles in American law and society prior to the Civil War, (2) how slavery influenced the drafting and ratification of the Constitution and how slavery was both accommodated and challenged by later developments in constitutional law, (3) the growth and development of constitutional abolitionism in the United States before the Constitution was adopted and in the decades leading up to the Civil War, (4) the antislavery origins of the Fourteenth Amendment and the role of all three Reconstruction Amendments in constituting a “Second Founding” of the United States, and (5) the development of various notions of citizenship and civil rights in light of the nation’s history of slavery and racism.

While the main focus of the course will be on American slavery and the efforts of abolitionists to dismantle it, the course will also likely address two other topics that reflect patterns of oppression and exclusion in US history: the role of women in the Early Republic and how American Indians lost their land. Finally, the course will likely conclude with a unit that examines the demise of Reconstruction and the emergence of the “separate but equal” doctrine in the late nineteenth century. While many of the assigned readings will consist of primary sources and historical accounts of slavery and abolition, we will also read most or all of the following landmark cases: *Somerset v. Stuart*, *The Quock Walker Case*, *Mima Queen and Child v. Hepburn*, *Johnson v. M’Intosh*, *The Antelope*, *State v. Mann*, *Cherokee Nation v. Georgia*, *Groves v. Slaughter*, *Prigg v. Pennsylvania*, *Dred Scott v. Sanford*, *The Civil Rights Cases*, *Chae Chan Ping v. United States*, and *Plessy v. Ferguson*.

Prerequisite: Constitutional Law I: The Federal System or its equivalent (e.g., *Democracy and Coercion* for Section 3 students).

LAW 1173 v00 Social Enterprise and Nonprofit Law Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1173 v00>)

J.D. Clinic | 10 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.

For registration-specific supplemental materials, please see the Social Enterprise and Nonprofit Law Clinic PDF (<https://georgetown.app.box.com/s/aqpu39lgft5sv9g0r8su8vxazlgmi6ab/>).

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

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

LAW 1314 v00 Social Enterprise, Impact Investing, and the Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1314 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201314%20v00))

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

This course offers a comprehensive examination of the dynamic intersection between law, social enterprise, and impact investing. As the global landscape evolves to address pressing social and environmental challenges, legal professionals play a pivotal role in facilitating the growth and impact of businesses and organizations committed to positive change. Through a blend of legal theory, case studies, practical applications, and real-world insights, this course equips students with the knowledge and tools to navigate the evolving field of social enterprise and impact investing.

Traditionally, the public has relied on the government to tackle society's major social issues. Eventually, the non-profit sector began to play a larger role where the government was either unable or unwilling to take action. Today, the private sector is beginning to play a role by applying market-based solutions to address traditional social problems at greater scale and sustainability. In other words, there is a growing recognition that no one sector alone can address today's most pressing problems. In this class, we will explore the role that the three traditional sectors of society—nonprofit, government and private—can play, individually and together, to address social and environmental issues.

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). Social enterprises often require funding beyond traditional grants; thus, seeking impact investments, which involve trying to generate both financial return and social and/or environmental impact. Through this course, we will explore the unique legal challenges and opportunities that social enterprises typically encounter, especially when engaging in impact investments. Underlying all of this, we will also focus on the role that lawyers can play to either advance or hinder social impact.

Recommended: Social Enterprise and Nonprofit Clinic

Strongly Recommended: Corporations.

LAW 611 v05 Social Intelligence in the Practice of Law: Dealing Effectively with Clients, Colleagues, and Opposing Counsel ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v05](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v05))

J.D. Seminar | 1 credit hour

This skills-based simulation course will introduce students to the essential skills of social intelligence needed in all forms of a law practice—including law firms, government agencies, corporations, nonprofits, and solo practice. Students will learn about emotional intelligence and the factors that affect their abilities to interact with clients, co-workers, and opposing counsel. Students will study neuroscientific and psychological research that illustrates how basic brain function and other factors, such as strong emotion, influence how a person makes decisions. With this knowledge, students will develop strategies to improve their own decisions and to interact effectively with clients, colleagues, and opposing counsel as they engage in various types of decision-making. Using a combination of lecture, discussion, videos, skills exercises, and simulations of 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 to effectively communicate with others, present information in a persuasive light, recognize and address their own internal biases, and deal with interactions they may find difficult. 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, negotiation, 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–colleague. 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 interactions they may find difficult—skills that talented legal minds need to become great counselors at law.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 09, 2025.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when

LAW 1746 v01 Social Media Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1746 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201746%20v01))

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

This course offers an understanding of social media law in the face of disruptive technologies like artificial intelligence, extended reality, and blockchain. For the first time in history, anyone with an internet connection can speak and be heard across the globe in seconds, by audiences of one to one million. Traditionally in-person activities are going digital, as the Super Bowl held a virtual halftime show with Saweetie, and South Korean president Yoon Suk-yeol generated huge campaign buzz with his avatar AI Yoon. User-generated content is also changing, as generative AI companies like Midjourney and ChatGPT can turn you into Frida Kahlo or Shakespeare with just a written prompt.

This is only the beginning—haptics will allow users to physically feel their online interactions, while companies like Meta and Google are experimenting with AI that interprets brain waves.

In this course, we will examine these developments through a legal lens, discussing issues like Section 230, the First Amendment, antitrust, and privacy laws. Students will also leave the course conversant in the economic and policy considerations that frame regulatory discussions in the space, including platform business models, the creator economy, and national security concerns. As social media and the internet increasingly swallow all aspects of public life, lawyers of all stripes will need to tackle the new challenges that arise. This course is an all-important first step.

Mutually Excluded Courses: Students may not receive credit for this course and Emerging Topics in Social Media Law.

LAW 1746 v02 Social Media Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1746 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201746%20v02))

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

In the age of social media, private companies have unprecedented power to shape and control the visibility and content of online speech. And as government struggles to keep pace with developing technology in an age of political polarization, litigation has emerged as a key tool for questioning and challenging the role social media platforms have come to play in American society. This course is designed to introduce students to the legal principles that have shaped the birth, growth, and dominance of social media platforms over online speech, from the First Amendment to Section 230. It will explore the history of the main players in this space and invite students to consider how different legal avenues might lead to change in this ever-developing industry.

LAW 1746 v00 Social Media Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1746 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201746%20v00))

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

Does the government have the right to remove content from these sites? Can it require the same of private actors? What should the role of the platforms themselves 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, misleading, or manipulative information? What are the risks posed by the different courses of action? How should we think about 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 crowdsource 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?

In short, how should we think about social media in light of the current constitutional, statutory, and regulatory environment?

This course begins with a deep dive into technology and the business of social media before turning to First Amendment doctrine and contemporary social media cases. It then looks at issues related to misinformation and disinformation and electoral manipulation, with a particular emphasis on Russian and Chinese practices in regard to social media.

The course mixes traditional lecture background with Socratic exchange and intense debates. Students taking it for 2 credits (either p/f or for credit) will draft 8 1-page, weekly response essays for the readings. Students taking it for 3 credits will have the opportunity to develop a

LAW 1191 v00 Sovereign Debt and Financial Stability Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1191 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201191%20v00))

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

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 in lieu of the two five-page papers. 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 406 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20406%20v00))

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

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.

Strongly Recommended: International Law I.

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

Students may not receive credit for this course and LAW 3172: Law and National Security Space Operations.

LAW 947 v00 Special Topics in Exempt Organizations ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 947 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20947%20v00))
LL.M. Seminar (cross-listed) | 2 credit hours

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, 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. The course will also examine financing from the for-profit and nonprofit side, using low income housing tax credit, historic and renewable energy tax credits (Inflation Reduction Act), new markets tax credits and opportunity zone funds. 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.

Recommended: Taxation of Charities and Other Nonprofit Organizations.

LAW 1729 v00 Special Topics in Litigation: Representing Foreign Clients in U.S. Courts (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1729 v00>)

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: This course is only open to 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. 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 17, 2024 to drop the class without penalty. After January 17 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 775 v01 Special Topics in State and Local Taxation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 775 v01>)

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.

LAW 417 v09 Sports Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 417 v09>)

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

Sports law is hard. A sports lawyer knows something about torts, contracts, antitrust, labor law, intellectual property, and telecommunications/internet law. A sports lawyer's practice consists of litigation, transactional work, and regulatory work. A sports lawyer knows the law, legal strategy, and ethics. A sports lawyer is incredibly specialized in her knowledge and, yet, winning and losing comes down to good lawyering.

Sports lawyering is not what you saw in the movie *Jerry Maguire*. The agent-player relationship is just a tiny fraction of sports lawyering. This class seeks to broaden the concept of sports law to anything related to the business, law, and regulation of sport.

Be prepared to learn a lot of antitrust and labor law and a lot of doctrine. But also be prepared to look at many issues in the national news – from Tom Brady's suspension for deflating footballs to the NLRB's ruling that Northwestern football players cannot unionize – through the lens of the law. The issues are hot off the presses (or espn.com, deadspin.com, or si.com). The class will be a lot of fun. Where else do you get to talk about sports in class, argue cases and issues, and learn some black letter law while you are doing it?

This class will combine doctrinal concepts with how to be a real sports lawyer by arguing cases, either pending or already decided, in class. Each student will be assigned a five-minute oral argument to introduce a case. The class will serve as the judges. *These arguments are mandatory.*

Recommended: Antitrust Law (or Antitrust Economics and Law.)

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

J.D. Seminar | 2-3 credit hours

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

Learning Objectives:

This course aspires to empower its students to:

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

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

LAW 944 v00 State and Local Taxation: Income & Franchise Taxes (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 944 v00>)

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.

LAW 824 v01 State and Local Taxation: Other Business Taxes (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 824 v01>)

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.

Note: This course will meet Online via Zoom during the fall 2023 semester.

Students in the J.D. Program will not be allowed to enroll in this course.

LAW 2031 v00 State and Local Taxation: Sales and Use Taxes ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2031 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%2031%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. Finally, we will discuss current issues in the field of Sales & Use taxation, including application of Sales & Use taxes to remote electronic commerce and marketplace facilitators.

Prerequisite: Federal Income Taxation.**LAW 4001 v00 State Cyber Operations and Responses ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 4001 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%204001%20v00))**

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

This course will examine the applicable international and domestic law to State actions in cyberspace, including affirmative State actions such as intelligence collection, information warfare, and cyber effects operations; the responses by victim States and entities; and responses by private actors in the United States. The course will specifically delve into the international legal regimes pertaining to State sovereignty and the United Nations Charter; draft Articles of State responsibility and the doctrine of prohibited intervention; responsive actions under the doctrines of countermeasures, retorsion, and reprisal; and the application of the Jus-In-Bello. Additionally, the course will review current U.S. domestic law governing both actions by the U.S. government in cyberspace, whether in offense or defense, as well as limitations on response options by private entities. These legal and policy regimes will be explored through historic case studies and hypotheticals with a focus on analysis of those areas where there are competing views and interpretations. Students will assess the various legal and policy regimes through the lens of multiple actors, both States and non-States, with constantly evolving and advancing technology.

LAW 1831 v00 Status of Women in Islamic Law - Past and Present ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1831 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201831%20v00))

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

The status of women in the Islamic world is one of the most controversial and provocative topics. While many studies conducted by Western scholars, as well as by feminist Muslim-Arab activists, attribute women oppression in Muslim countries to Islam, Muslim scholars argue the opposite; Islam initiated a huge revolution in women's legal and social position, Islam instituted and promoted dramatically women's status in all aspect of life. Yet traditional social factors, deeply rooted in the customary law of these societies hinder the application of the Islamic reforms and principles.

The *Qura'an* – as the very word of God, and the *Sunna* - the prophet's heritage, have enshrined women's rights in all aspect of life such as: equality in the marriage contract, dowery, maintenance, lodging, health care, respect, guardianship and custody, dissolution of the marriage contract (without the husband's consent), inheritance rights, political and public involvement, education, abortion (in certain circumstances) and more.

In this course, we shall examine the status of women in the holy texts compared to actual practices. We shall touch upon the Islamic theory of Jurisprudence, the sources of the Islamic law and the techniques of renewal. Then, we shall explore women's status as it is instituted by these sources and its development in present day Muslim countries.

Special attention will be given to the unique experience of promoting women's rights initiated by the High *Sharia'a* Court of Appeals in West Jerusalem, for the Palestinian Muslims who live in a non- Muslim state - Israel.

In this course we aim to:

- Introduce the history of pre-Islamic Arabia, of the early Islam and the status of women in those times.
- Review women's rights enshrined in the sources of the Islamic law
- Learn about the obstacles that impede progress in promoting women's rights.
- Critically reflect upon and challenge the viewpoints of various scholars from both sides; feminist / activists and Islamic scholars.
- Discuss the proper ways of promoting women's rights in Muslim countries.

By the end of the course students should:

- Have knowledge of pre-Islamic and post-Islamic status of women.
- Have knowledge of the Islamic sources of jurisprudence.
- Get familiar with social and other conditions of which hindered promoting women's rights.
- Be able to critically assess various scholars' views of women status.
- have a firm understanding of the basic concepts of Islamic *Sharia'a* regarding women rights.

Note: This course will meet on Mondays and Wednesdays, 11:10 a.m. - 1:10 p.m. on the following dates: 1/18, 1/23, 1/25, 1/30, 2/1, 2/6, and 2/8.

LAW 1524 v00 Statutory Interpretation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1524 v00>)

J.D. Course | 3 credit hours

This three-credit course, taught by a U.S. District Judge (and 1990 Georgetown University Law Center alumnus), provides instruction and in-class exercises in statutory interpretation, with emphasis in three areas:

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.

LAW 1784 v00 Statutory Interpretation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1784 v00>)

J.D. Course | 3 credit hours

description forthcoming.

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

LAW 415 v00 Strategic Intelligence and Public Policy Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 415 v00>)

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

This seminar will explore several significant legal and policy concerns presented by the conduct of foreign intelligence activities in peace and war. To the extent possible we will focus on current or recent issues. We will discuss the role and history of Congress in authorizing, overseeing and regulating intelligence activities. We will also briefly review the constitutional authorities (primarily Art. II) of the President to undertake activities protecting the national defense in the absence of specific statutory authority, as well as the role of the federal courts in resolving national defense disputes.

More specifically we will discuss legal and structural issues associated with covert action, espionage, electronic surveillance for foreign intelligence purposes (the Foreign Intelligence Surveillance Act) and its impacts on privacy interests. We will consider the crimes of insurrection, conspiracy, and litigation issues involving the use of classified information in criminal and civil cases, including the use of secret evidence in criminal prosecutions. This discussion will include the state secrets privilege and the Classified Information Procedures Act (CIPA). We will examine unauthorized disclosures of classified information and whistleblower protections. And finally, we will briefly discuss the role of a free press in our democracy.

The overall approach of the seminar will be to have an open analysis and interesting discussion of these and possibly other related topics. Questions are welcome and can be addressed to Prof. Dyson at dd1117@georgetown.edu.

Note: The Summer 2024 sections of this course will enroll via waitlist. The Writing Requirement section (LAWJ-415-06) is open to J.D. students only and non-degree students may not enroll.

LAW 1630 v00 Strategic Responses to Data Breach: "We've Been Hacked!" (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1630 v00>)

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1348 v00>)

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.

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

J.D. Practicum | 5 credit hours

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

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

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

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

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

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

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

MEETING INFO

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

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

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

J.D. Practicum | 4-5 credit hours

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

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

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

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

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

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

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

MEETING INFO

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

ENROLLMENT INFORMATION: Students enroll in this course via GU

LAW 401 v00 Structuring Private Equity Funds and Transactions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 401 v00>)
LL.M. Course (cross-listed) | 2 credit hours

This course covers the key business and legal principles, as well as certain tax issues, applicable to the formation of private equity funds, including private offering rules, corporate structuring and practical skills with respect 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 discrete 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

LAW 1174 v00 Supreme Court Institute Judicial Clerkship Practicum (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1174 v00>) (Project-Based Practicum)

J.D. 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 court, the student will submit the memorandum to the student's 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 (9:50 a.m. - 11:50 a.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 his or her interest in the course to Professor Debbie Shrager (des113@georgetown.edu) by 5:00 p.m. on Wednesday, October 2, 2024. After the October 4 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 in both the seminar and fieldwork components and may not take either component separately. The student will have one week only in which to drop the course. After that time, a student may only drop the course with the

LAW 469 v00 Supreme Court Litigation Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 469 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20469%20v00))
J.D. Seminar | 3 credit hours

This is a three credit course, and class meets for two hours and forty-five minutes each Thursday between 2:45 and 5:30 p.m. The course has five primary aspects:

- First, we will focus on the Supreme Court as an institution and how it differs from other American courts. This will include readings and discussion of topics of longstanding importance, including the certiorari process, merits briefing, the role of amicus briefs, and the Solicitor General's Office.
- Second, we will study in depth several cases being decided this Spring.
- Third, through two short (10-12 pages, double spaced) writing assignments and opportunities for extensive one-on-one discussion and comment, there will be a heavy emphasis on effective legal writing.
- Fourth, we will focus on effective oral advocacy, as practiced in the U.S. Supreme Court, including multiple opportunities to observe and participate in such practice arguments yourself. We will have three extra two hour sessions on Friday afternoons during the term to observe actual moot courts in pending cases conducted by the Supreme Court Institute.
- Finally, we will also spend substantial portions of many classes considering materials addressing events which have occurred over the last half century relating to the Court's role in constitutional interpretation, including how that role has changed greatly within the recent past as a result of changes in the make-up of the Court.

Because that Court itself plays a unique role in our legal system—to identify and resolve important disputed and recurring issues of federal law—the role of counsel in that Court is markedly different in many respects than it is in other appellate courts. These differences are most obvious in the certiorari process, by which the Court identifies the cases it will hear on the merits. That process demands that counsel on both sides persuade the Court that the case at hand either does or does not clearly present a legal issue of such moment and controversy as to demand the Court's attention. We will study the certiorari process, consider at some length the features of a case that enhance or detract from its chances for certiorari, and focus specifically on the tasks of drafting certiorari petitions, oppositions to certiorari, and reply briefs.

After the Court grants review of a case and it forward for decision on the merits, the selective nature of the Court's jurisdiction, and its focus on resolving recurring legal issues rather than simply deciding cases, shapes the lawyer's approach to the case in many important respects. These peculiar aspects of advocacy in the Supreme Court will be discussed in several class sessions dealing with the tasks of drafting merits briefs, including briefs of petitioners, respondents and reply briefs. We will also discuss the role of the amicus briefs and the ways in which they can contribute to the Court's decision.

The unique nature of the Supreme Court's decision making role is substantially reflected in the nature of oral advocacy as it is now practiced at the Court. We will deal with the nature and challenges of oral argument in the Supreme Court beginning with the first class, and then again more intensely in a number of class sessions. In addition to reading secondary sources addressing oral argument in the Court from a variety of perspectives, all students will participate as both advocates and judges in several moot courts of cases being decided by the Court this Spring.

We will also observe and discuss moot court arguments by advocates in upcoming cases in the Court. We will be attending three such arguments in sessions lasting two hours, each to be held on a Friday afternoon.

LAW 418 v00 Supreme Court Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 418 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20418%20v00))
J.D. Seminar (cross-listed) | 2 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).

Strongly Recommended: Constitutional Law II: Individual Rights and Liberties.

LAW 1738 v00 Supreme Court Today ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1738 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201738%20v00))
J.D. Seminar | 2 credit hours

This course explores high-profile cases on the Supreme Court's current docket and approaches to advocacy before it. The current term presents an array of significant issues that have the potential to transform myriad areas of law. We will examine the briefing and arguments in selected cases and break down the different tools that sophisticated advocates use to persuade the Court. In addition to learning about the substance of cutting-edge issues, students will learn about and practice oral and written appellate advocacy — skills that translate well to any type of practice. Our analysis of specific cases also provides a springboard to consider broader questions about the Court's role in our system of government and how the Court manages the content and pace of its own docket. To gain additional perspectives on the Court and the appellate bar, we will hear from guests with varied experiences and roles in appellate advocacy. Past guests have included federal appellate judges, government officials, Supreme Court reporters, and experienced practitioners. The course is ideally suited to students interested in clerking after graduation or who seek to deepen their understanding of the Court's role in our legal system.

Recommended: Constitutional Law II: Individual Rights and Liberties or Federal Courts and the Federal System.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1416 v00>)

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: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 6:00 p.m. - 9:20 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 1706 v00 Surveillance and Civil Rights (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1706 v00>) (Fieldwork Practicum)

J.D. Practicum | 6 credit hours

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. Large corporations also build and sell their own datasets to government agencies, along with powerful technologies – like face recognition and automated license plate readers – which operate on that data.

This surveillance infrastructure has been built over the course of the last 30 years, for the most part without any oversight or accountability, let alone transparency to the public. At the same time as we seem to be arriving at a moment of socio-political consensus about the need to fundamentally rethink our most brutal systems of social control, we are also on the verge of the total suffusion of these other invisible systems of coercion in our lives.

In this fieldwork practicum, students will be placed at one of several non-profit organizations working to expose and mitigate the impact of mass surveillance on historically marginalized communities. Potential hosts include national, regional and local organizations that focus on surveillance as an aspect of mass deportation, mass incarceration, social control, and/or conditions of work. Projects may include legal and policy research, litigation support, report writing, legislative drafting and analysis, public records requests, and oral advocacy with state and federal policy makers.

Weekly seminars will alternate between case rounds, where students workshop questions and problems drawn from their field work, and discussions or exercises based on assigned readings. Assigned readings will focus on (1) substantive legal and policy questions related to surveillance and civil rights, and (2) ethical and political questions related to the practice of law in contexts of social injustice.

Through seminar and fieldwork, students can expect to engage deeply with questions such as:

- Where does the authorization for large scale surveillance by federal immigration authorities come from? Do the Immigration and Nationality Act, the Department of Homeland Security authorizing statutes, or other federal and state surveillance statutes and case law, alone or taken together, actually provide legal grounding for the large scale, warrantless surveillance of immigrant communities?
- What are the civil rights implications of DHS's new mandatory DNA collection policy?
- What are the Fourth Amendment protections for geolocation information post-Carpenter?
- How does information sharing across law enforcement agencies of all types nationwide actually happen and what policy interventions can communities impacted by overpolicing advocate for?
- What is the extent of the federal government's dependence on corporate surveillance and what are the political implications of that dependence?
- What are some strategies for forcing corporate surveillance companies to disclose information about their products, practices, and contracts?
- What does it mean to lawyer ethically in a context of radical inequality and political corruption?

And students will develop the following skills:

- Creative techniques for researching surveillance technologies and the opaque procurement practices through which they are adopted;

LAW 3017 v00 Survey of Employee Benefits Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3017 v00](https://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.

Note: Students enrolled in the Employee Benefits Certificate Program may not register for this course.

LAW 2072 v00 Survey of State and Local Taxation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2072 v00](https://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.

Note: Students enrolled in the SALT Certificate program may NOT receive credit for this course.

LAW 3147 v00 Sustainability for Big Law and Big Business ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3147 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203147%20v00))

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

Sustainability issues such as climate change, human rights and racial justice have become the defining challenges of business. International corporations must navigate a complex web of regulatory and policy challenges to assure their long-term viability. In response to statutory, investor and customer pressures, Environmental, Social and Governance (ESG) factors are fundamental to how Boards and Senior Executives are valuing strategic opportunities and their overall risk profile. Lawyers will play an increasingly critical role in advising on trends related to: (i) the greater integration of sustainability within policy and legislation; (ii) the appetite of investors for ESG considerations within their investment portfolios; (iii) the demand for greater transparency and uniform disclosure; (iv) the growth of green and social impact investment products; and (v) the heightened calls for racial equity and social justice. This course will provide a general overview of the statutory and regulatory frameworks required to advise businesses on these ESG challenges and explore how evolving interpretations of “fiduciary duty” and “corporate purpose” may help or hinder the ability of business to make a meaningful impact on climate change and other social issues.

Learning Objectives:

At the conclusion of the class, students should be able to:

- Identify the key legal ESG issues involved in corporate transactions (investments, acquisitions and due diligence);
- Understand how risks can be mitigated related to climate change litigation and other ESG claims; and
- Evaluate the effectiveness of policy initiatives designed to increase the social impact of business.

Mutually Excluded Courses: Students may not receive credit for this course and Corporate Purpose and Environmental, Social and Governance (ESG) Issues Seminar.

LAW 1867 v00 Systemic Racism, Colonialism, and Bankrupt Governments ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1867 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201867%20v00))

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

Are bankruptcy laws racist? Does systemic racism or colonialism lead local governments in the United States to go bankrupt? Or do local governments seek bankruptcy due to fiscal distress caused by macro-economic forces and governance failures in managing those forces? Using locations such as Puerto Rico and Detroit as focal point case studies, this seminar will examine these questions using a variety of primary and secondary sources including budgetary documents, enabling statutes, excerpted law review articles, and select judicial decisions in order to answer the key questions presented in this course. This course substantially advances Georgetown University Law Center Institutional Learning Objective 8 by getting students to think critically about municipal bankruptcy law’s claim to neutrality and its differential effects on subordinated groups, including African-Americans, citizens living in the U.S. territories, and retirees.

Course Goals/Student Learning Outcomes:

1. This course will substantially advance ILO 8 by requiring students to learn how political forces shape seemingly neutral bankruptcy laws so that, in application, such rules subordinate marginalized groups in favor of the powerful as part of the institutional design.
2. Students will develop cross-disciplinary competencies such as finance, government budget planning, macroeconomics, and apply them to legal problems.
3. This course will substantially advance ILO 8 because students will learn to compare and contrast how African American residents living in a large city are subordinated verses how communities living in territories experience subordination.
4. Students will learn about how concepts such as systematic racism and colonialism—both in its legacy forms and how it exists today—and wrestle with the application of those concepts to determine whether they have explanatory value to the questions presented and otherwise serve as useful axis for which to analyze governmental finance problems, as contemplated by ILO 8.

LAW 2097 v00 Takeovers, Mergers, and Acquisitions ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2097 v00](https://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, hostiles, 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 2012 v00 Tax Court Advocacy Workshop ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2012 v00](https://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 consideration of possible appeal to the United States Court of Appeals. 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, pre-trial memoranda 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.**LAW 1276 v01 Tax Law and Public Finance Workshop ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1276 v01](https://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 an introductory component, the workshop shifts to a series of weekly paper presentations by leading public finance economists, tax law scholars, and government experts.

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 a group 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 784 v00](https://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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 736 v00](https://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. Prior or concurrent enrollment in Taxation of Partnerships or equivalent practice experience strongly recommended.

LAW 1940 v00 Tax Policy and Gender Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1940 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201940%20v00))

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

Women in the U.S. made significant progress on numerous measures of gender equality during the second half of the 20th century. However, that progress has stagnated. According to Pew Research (<https://www.pewresearch.org/social-trends/2023/03/01/the-enduring-grip-of-the-gender-pay-gap/>) in 2023, "American women typically earned 82 cents for every dollar earned by men. That was about the same as in 2002, when they earned 80 cents to the dollar." Similarly, after increasing from the 1960s through the early 1990s, labor force participation of women in the United States has been flat since the early 2000s. What role has tax policy played in creating the economic, social and cultural environment in which these trends have occurred? What role can it play in fostering greater gender equity? What can we in the United States learn from the experiences and innovations of other countries? This course aims to take an interdisciplinary and comparative approach to address these questions.

This course is also designed to satisfy GULC's Upperclass Legal Writing Requirement and the graduation requirement relating to Institutional Learning Outcome 8. For those students taking it for three credits ("WR students"), a substantial amount of time will be devoted to developing a paper proposal about an issue at the intersection of tax policy and gender. WR students will do extensive research on their idea and will draft and revise a substantial paper of at least 6,000 words (exclusive of footnotes) that satisfies the Writing Requirement. The last several weeks of the semester will be devoted to giving feedback to and receiving feedback from your colleagues on these original paper ideas.

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 428 v06 Tax Policy Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 428 v06](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20428%20v06))
J.D. Seminar (cross-listed) | 2-3 credit hours

This course provides an introduction to the basic concepts underlying federal tax policy, including principles of fairness, progressivity, neutrality, and administrability. Participants will also examine current issues in taxation, including recently proposed and enacted tax legislation with these concepts in mind. We will also look at the ways in which tax law may influence other areas of law, for example poverty law and election law.

Learning goals:

1. to explore concepts that underly tax policy and be able to use those concepts in evaluating various tax proposals.
2. to evaluate tax proposals based on stated goals and objectives and use tools discussed in class to determine whether policy proposals achieve the stated goals.
3. to employ tools discussed in class to construct tax policies that will achieve desired ends.
4. to understand and explore the ways tax policy is made and implemented through legislation, regulation, and enforcement.

Prerequisite: Prior or concurrent (Fall 2023) enrollment in Federal Income Taxation.

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 856 v00 Tax Practice and Procedure (Administrative Practice) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 856 v00](https://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.

LAW 858 v00 Tax Practice and Procedure (Litigation) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 858 v00](https://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. Considerable attention is given to IRS summons enforcement litigation, privileges, civil collection, levy and distraint, collection due process, criminal tax litigation, 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. This is a comprehensive course covering all aspects of tax litigation.

Prerequisite: Federal Income Taxation.

LAW 809 v04 Tax Research & Writing (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 809 v04>)
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.

LAW 809 v02 Tax Research and Writing (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 809 v02>)
LL.M. Seminar | 2 credit hours

The "tax research" portion of the course will cover the hierarchy of authority and other information sources most relevant to tax lawyers. We will begin with an overview of the federal tax legislative and regulatory processes and their research trails. Next, we will explore the universe of subregulatory guidance, written determinations, and other information produced by the Department of the Treasury and the Internal Revenue Service. Then, we will dive into the world of judicial opinions and examine the three choices of forum available for litigating a federal tax dispute. The final "tax research" class will focus in depth on U.S. international tax research and, in particular, on tax treaties and the role thereof in the U.S. tax system. Students will complete weekly practice-oriented research assignments to develop a working familiarity with where this authority or other information can be found and the relative weight thereof.

The "writing" portion of the course will focus on developing effective legal writing skills. The ability to succinctly—and authoritatively—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 apply their legal research and writing skills in completing a graded analytical writing assignment (e.g., research memorandum, opinion letter), along with a short persuasive writing exercise, on a timely federal tax issue.

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

LAW 846 v00 Tax Treaties (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 846 v00>)
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: Federal Income Taxation and one course in international taxation.

Note: 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.

LAW 897 v00 Tax Treaties (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 897 v00>)

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 and prior or concurrent enrollment in one course in international taxation.

LAW 948 v00 Tax Treatment of Charities and Other Nonprofit Organizations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 948 v00>)

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.

LAW 1842 v00 Taxation of Bankruptcies & Workouts (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1842 v00>)

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

This class will focus on the Internal Revenue Code provisions that deal with taxpayers restructuring either in a bankruptcy proceeding or outside of bankruptcy, and how the Bankruptcy Code deals with existing tax obligations. This class will also examine tax obligations incurred during a bankruptcy case, cancellation of indebtedness, the termination of tax through a bankruptcy court, and related corporate tax issues.

Prerequisite: Federal Income Taxation

Recommended: Corporate Income Tax Law I or Corporate Taxation

LAW 945 v00 Taxation of Energy Markets (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 945 v00>)

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 responses to 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 and alternative energy is highly dependent on specific tax credits designed to encourage their development.

This course will examine these important areas of energy tax policy:

1. taxation of electric utility and natural gas markets (including tax changes flowing from deregulation of these markets),
2. tax subsidies and tax incentives for alternative energy development (including analysis of creative tax-planning structures designed to maximize the value of these incentives), and
3. new tax incentives included in the Inflation Reduction Act of 2022.

The course is designed to help students appreciate the role 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. Class attendance and participation is encouraged.

Prerequisite: Federal Income Taxation.

Recommended: Corporate Tax Law I or Corporate Taxation (formerly Taxation II).

Note: This course is part of the following graduate programs: Environmental and Energy Law LL.M.

LAW 752 v00 Taxation of Financial Institutions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 752 v00>)

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.

LAW 2069 v00 Taxation of Financial Instruments and Transactions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2069 v00>)

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.

Note: JD students may not enroll in this course.

LAW 976 v00 Taxation of Intellectual Property (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 976 v00>)
LL.M. Course | 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: Federal Income Taxation.

Recommended: Corporate Income Tax I and a course on international taxation.

Note: NOTE FOR SUMMER 2024: The professors will teach this course virtually via Zoom.

LAW 1843 v00 Taxation of Mergers & Acquisitions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1843 v00>)

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

This course will focus on the tax issues related to corporate mergers and acquisitions, with a primary focus on taxable acquisition deal structures. Topics covered will include the differences between stock and asset deals, ways to achieve synthetic asset deals, different taxpayer profiles (C-corporations, S- corporations, consolidated groups, and foreign-entities), and tax considerations for buyers vs. sellers. This course will also examine transaction financing, the valuation of tax attributes, tax due diligence, drafting contracts, and tax insurance, as well as a short introduction to achieving control using tax-free acquisition structures.

Prerequisite: Federal Income Tax, Corporate Income Tax I, or Corporate Taxation

LAW 362 v03 Taxation of Partnerships (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 362 v03>)
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 942 v00 Taxation of Partnerships (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 942 v00>)
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.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 942 v01>)
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.

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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 808 v00>)
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.

LAW 1874 v00 Taxes and the Clean Energy Economy – Incentives for Clean Energy and Climate Action (the Inflation Reduction Act of 2022 and Beyond) (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1874 v00>)

J.D. Seminar | 1 credit hour

This seminar employs simulations to develop the skills specific to structuring, negotiating and drafting to address the federal income tax incentives for “clean” energy projects. The course examines multiple variations on “clean” energy tax issues, each with increasing complexity, including:

- Establishing and documenting eligibility for tax incentives for pre-and post-IRA projects;
- Legacy tax attribute monetization structures and post-IRA monetization transactions; and
- Acquisition and disposition transactions.

Students will be presented with different factual scenarios, relevant background materials, and a list of potentially applicable legal authorities. Each scenario will be addressed over two classes, with students in the first class analyzing facts to determine potentially relevant structures, including reviewing draft documents, and analyzing applicable law. Draft agreement mark-ups, memoranda 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: Completion of all first year courses, except Property and Criminal Justice and the first-year elective.

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.

LAW 1496 v00 Tech Law Scholars Seminar I (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1496 v00>)

J.D. Seminar | 0 credit hours

This year-long course introduces Tech Law Scholars in their first year of law school to key concepts that shape technology law and policy through presentations by faculty directors and advisors from the Georgetown Law Institute for Technology Law and Policy. Preparation for this class includes reading the assigned material, preparing reflections on the assigned material, and attending events on a variety of topics in the field of tech law and policy.

Learning Objectives:

Exposure to key concepts 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 and withdrawal are 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1516 v00>)

J.D. Seminar | 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 presentations by practitioners who work at the intersection of technology, law, and policy.

Student preparation for each session will include readings relevant to that week's class, and submission of written reflection papers that draw 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 and withdrawal are 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 1656 v00 Technology and Election Integrity Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1656 v00](https://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.

LAW 3170 v00 Technology and Society Impact Lab ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3170 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203170%20v00)) (Project-Based Practicum)

LL.M. Practicum | 3 credit hours

In this interdisciplinary, inter-school, interdepartmental, inter-campus, innovative course, students from across Georgetown work together in teams on high-impact projects aimed at bending the path of technological progress toward human flourishing, justice, and equality, and away from suffering, injustice, and bias. Students in the course will consult with and serve partners such as nonprofit organizations, government agencies, and individuals, selected to maximize both pedagogical value and societal and individual impact. Possibilities include organizations such as Upturn or the Center on Privacy and Technology; government agencies such as State Attorneys General; and individuals such as criminal defendants. Students in the course will develop, lead, organize, and execute hands-on projects with close guidance from the Professors and fellows.

The beneficiaries of the course will be: (1) the students, who will develop leadership, organization, and cross-disciplinary collaboration skills, subject matter expertise, and a humanistic orientation toward technology and society that will guide them throughout their careers; (2) the partners, who will benefit from the work the class produces; and (3) broader communities who will benefit from the impact we have on technology policy and law debates.

The course is open to students from across Georgetown University. It is open for enrollment by professor permission only. Prospective students interested in learning more or those ready to apply for a seat should email Jon Brescia at jon.brescia@georgetown.edu. Several seats are reserved for students in the CCT Department and in the MLT degree program of the Law Center. Graduate students (Masters or Doctoral) and professional students (JD) are the intended audience. This is intended to be a graduate- and professional-level course and will not ordinarily be open to undergraduate students. In extraordinary circumstances, Seniors and Juniors of the Georgetown University College of Arts & Sciences can apply for enrollment, subject to professor permission. Only undergraduates with direct relevant experience and faculty recommendations will be considered.

This is a three-credit course. Two credits will be awarded for the two-hour-thirty-minute weekly seminar and one credit will be awarded for approximately 5 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be graded.

SEMINAR: Students will meet for two hours, thirty minutes each week in a seminar format to discuss their project work and to develop a broader framework for thinking about issues at the intersection of law, technology, and policy. Because this is not a traditional law school course, not all of the seminar materials will be legal in nature. **PLEASE NOTE THAT THE CLASS WILL MEET ACROSS TOWN ON MAIN CAMPUS! LAW STUDENTS SHOULD FACTOR IN THE COMMUTE ACROSS TOWN WHEN DECIDING TO APPLY FOR THIS COURSE.**

PROJECT WORK: This will be an advanced and intensive course. Students will work closely in teams to conduct the research requested by our project partners, as shaped and elaborated by the professors. All students will produce a work-product portfolio. The portfolio will ask the student teams to reflect upon and write clearly about all of the following: (a) a concise summary of their findings; (b) a description of the history of prior work by others relating to the question explored; (c) a reflection on the impact of the findings for the work of their partner organization; (d) a reflection on the impact of the findings for the field in general; (e) a list of potential future follow-up studies, setting an agenda for future work by these same students or future students in the course.

LAW 1862 v00 Technology Law and Policy Colloquium: Content and Platforms (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1862 v00>)

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

This course is a small, intense colloquium featuring outside speakers presenting scholarly works-in-progress.

The focus of this year's colloquium will be legal and policy issues relating to, and stemming from, the intersection and interaction of laws regulating content (i.e., copyright, trademark, and rights of publicity), and the laws regulating content distribution platforms (like Amazon and Netflix), including social media platforms (like Twitter, Facebook, and Tik-Tok). Topics may include, among other things: competition, content moderation, fake news, artificial intelligence, revenge porn, attention markets, big data, privacy, anonymity and harassment, influencers, dark patterns, deep fakes, bots, memes, and online fandom.

Students are expected to (i) carefully read the speakers' papers; (ii) prepare short (2-3 page) weekly response memoranda that will be provided to the speakers in advance of the colloquium session, and (iii) attend, and actively engage in, weekly, in-person sessions, including the preparation and asking of at least two questions per class meeting.

Recommended: Copyright Law and Trademark and Unfair Competition Law.

Note: NOTE FOR LAWG SECTION: This section is restricted to students enrolled in the Technology Law and Policy LL.M. and the Master of Law and Technology.

LAW 1786 v00 Technology Law and Policy Colloquium: Digital Sovereignty (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1786 v00>)

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

Countries are increasingly building borders in cyberspace. From the European Union's intense regulatory push to control internet companies, to Russia's desire to build a sovereign, alternative internet, to China's crackdown on its internet companies, to efforts across the Global South to change the terms of technological engagement, this seminar will hear from scholars and policy-makers working on contemporary efforts to regulate the global internet.

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 1824 v00 Technology Platform Governance in Global Perspective Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1824 v00>)

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

This course will explore the political economy, governance, and legal regulation of global technology platform giants. After providing an introduction to the structure and operation of technology platforms, it will consider case studies from different parts of the globe that spotlight a range of current legal and policy problems, including, among others: content governance (including both content removal and content provision); privacy and data protection; internet access and digital inclusion; competition, consumer protection, and worker protection issues created by and within platform ecosystems; and platform entanglements with geopolitical and state security concerns.

Note: Enrollment in the LAWG section of the seminar is restricted to students in the Technology Law and Policy LL.M. and the Master of Law and Technology programs.

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 2-credit version of this seminar requires multiple short papers. 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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1625 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201625%20v00))

J.D. Seminar | 2 credit hours

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 while also being exposed to "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, writing testimony, 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. Class will incorporate pre-class preparations and may also include in-class skill building exercises.

Learning Objectives:

Goals:

- Receive substantive knowledge of key policy issues related to technology.
- Develop skills for successful legislative advocacy and policy making with a focus on stakeholder perspectives and tech policy issues.
- 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 Federal Advocacy in Technology Law and Policy.

LAW 1944 v00 Telecommunications Law and Policy Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1944 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201944%20v00))

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

From net neutrality to spectrum policy to digital equity, telecommunications policy debates play a prominent role in American society. But understanding those debates requires familiarity with the industry's technological and economic characteristics as well as the governing law. To that end, this course will examine how federal regulation both responded to and shaped industry developments over the past several decades, as technological innovations have transformed how Americans communicate.

In the final classes, we will broaden our focus beyond the telecommunications industry to include "big tech" and the AI industry. Many of today's proposals for regulating Big Tech have deep—and often overlooked—parallels in the existing regulation of telecommunications providers. We will examine those analogies and discuss what the lessons from telecommunications regulation can teach policymakers as they address the broader tech and emerging AI environment.

Learning Objectives:

Students should come away from the course with a deep understanding of the law, economics, and technology of the telecommunications industry in particular and network industries in general. They will also gain a rigorous and nuanced understanding of key contemporary debates over net neutrality, spectrum policy, digital equity, and tech company market power.

Recommended: Administrative Law.

LAW 2080 v00 The Affordable Care Act: Law and Policy Governing Private Health Insurance (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 2080 v00>)

LL.M. Course (cross-listed) | 3 credit hours

The Patient Protection and Affordable Care Act has significantly impacted the health care system. Through changes to the regulation of private health insurance, federal subsidies for low-income people, individual and employer mandates, and expansion of the Medicaid program, millions of Americans have gained health insurance. Yet, implementation of the law's most significant reforms has been challenging, and its provisions have been subject to extensive litigation and threats of repeal.

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 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 levels, 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1099 v00>)

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

This seminar focuses 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 clients’ interests and possibly 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. For Fall 2024, the seminar will have a substantial advanced administrative law and risk and environmental regulation focus, but with some materials focused more generally on regulatory disputes, methodologies and strategies, and the role of the administrative state. Topic-based classes will likely select from among the following: critiques of assumptions of regulatory overreach and empire building; federalism and preemption as doctrines and terrains shaping regulatory disputes; 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, especially if the Supreme Court in 2024 substantially changes longstanding deference regimes; implications and critiques of the “major questions doctrine” as recently embraced by the Supreme Court; the shift to market-based and experimental “rolling rule” modes of regulation; and “sound science” and “bought science” and the problem of regulatory lying. 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 developments; 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, legislative and regulatory materials, 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, with students critiquing each other’s drafts. 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: 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 1800 v00 The Constitution of Empire: The Insular Cases and the Law of U.S. Territories (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1800 v00>)

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

This seminar explores the rise of the unique legal and constitutional condition of the nearly four million residents of Puerto Rico and other United States territories—approximately 98% of whom are racial or ethnic minorities and none of whom have voting representation in the federal government. The course will introduce students to contemporary legal debates and social movements in U.S. territories as well as the underappreciated ways in which overseas expansionism has shaped U.S. constitutional theory and doctrine over time.

The course begins with today's emergent debate about whether and how to overturn the Insular Cases, a series of early-twentieth-century Supreme Court precedents holding that the Constitution does not fully apply to Puerto Rico and other "unincorporated" possessions on the theory that they were populated by "savages" and persons of "uncivilized race." After more than 120 years in a supposedly "temporary" limbo status, these communities' uncertain relationship to the U.S. Constitution is an issue of surging importance in American law. As the Yale Law Journal recently summarized it: "In the last five years, the Law of the Territories has experienced a resurgence of activity before the Supreme Court not seen since the Insular Cases," particularly as "the people of the territories have pressed with increasing urgency for self-determination and decolonization through both domestic and international processes."

Ultimately, this course will unearth the ways in which the constitutional condition of U.S. territories suggests more than a niche legal issue, but a prism for thinking about broader contestations over borders, race, indigeneity, and citizenship that run throughout American law. Students will be asked to contextualize the contemporary debate over discrimination and disenfranchisement in the territories within larger themes of American constitutionalism's encounter with indigenous peoples, racial justice, and the role of overseas empire in constitutional development. Observing that the law of the territories is a significantly undertheorized and emerging topic in contemporary legal scholarship, this seminar is structured around encouraging students to develop seminar papers that will eventually become publishable academic works.

Recommended: Constitutional Law.

LAW 1854 v00 The Critical Race Theory Tradition: Canonical Texts and New Directions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1854 v00>)

J.D. Seminar | 2 credit hours

This course introduces students to canonical and recent texts from the Critical Race Theory tradition. It begins with the historical tradition of scholarship that Critical Race Theory continues and looks at some of the impact of the historical development of law upon subordinated groups to which Critical Race theory responds. It explores key Critical Race Theory themes, including identity politics, intersectionality, its defense of rights and critique of colorblindness, and examines the relevance of this literature to contemporary issues, such as changing technology infrastructure and platforms, carceral violence, and the changing national conversation about race and U.S. history. Throughout it pairs theoretical work with historical data that allows students to consider law's differential effects alongside its claim to neutrality and how different groups deploy this claim.

Learning Objectives:

- Students will learn to think critically about conventional legal norms, systems, practices, rules, assumptions and approaches, as well as the political, institutional, cultural, historical and economic contexts in which they arose.
- Students will examine the law's role in constructing race and racial practices, or different treatment for different groups, in order to better understand the meaning of the term "structural inequality" and the historical evolution of disparities in wealth, health, education, living conditions, and political influence.
- Students will learn about the histories of different subordinated groups, including those identified by race, gender, indigeneity, and class, how those histories intersect, and how groups have used their collective identity in order to advance their standing under or challenge inequity in law.

LAW 1748 v00 The Death Penalty in America Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1748 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201748))

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 ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3062 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203062))

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 (algorithms) 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1663 v00>)

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.

Recommended: Prior coursework in international law, national security, or the federal courts is not required, but interest in such issues is recommended.

LAW 3083 v00 The First 1000 Days: Global Health Law & Policy from Gestation to Age Two (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3083 v00>)

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 impact a child's ability to grow, learn, and thrive and affect a country's health and prosperity. This course approaches this period with a Reproductive Justice (RJ) lens, emphasizing health disparities resulting from historic and ongoing discrimination and inequality. Throughout the world, factors such as race, language, income, education, immigration status, ability, gender identity, and sexual orientation impact one's ability to carry a healthy pregnancy to term, and the opportunities babies have to grow and thrive. Only by addressing these factors can societies maximize outcomes during the 1,000 days period. As per Georgetown Law's Institutional Learning Outcomes, this class will interrogate how purportedly neutral laws and policies intended to positively impact birth outcomes serve to 1. Stigmatize and criminalize those who cannot meet these requirements due to structural and institutional barriers, 2. Reinforce class-based normative presumptions around pregnancy, childbirth and childrearing that have a harmful impact on marginalized pregnant and parenting people.

Increasingly, law and policy have 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 and beyond. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws, and policies, and allocate resources 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 family well-being. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory, and judicial aspects. They will also consider to what extent these government actions are intended to remedy systemic barriers to maternal and child health, or further entrench inequities by placing explicit or implicit burdens on historically subordinated groups.

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 that impede public health initiatives and widen health disparities, but this is not intended to be a comprehensive RJ class. Topics and themes include preconception care, infertility, assisted reproductive technology, maternal and infant mortality disparities, newborn screening, immunizations, family 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.

Course Goals/Student Learning Outcomes

- Identify key law and policy approaches used across the globe that have been used or have the potential to support healthy growth and development during the first 1,000 days (a woman's pregnancy through her child's second birthday);
- Understand the Reproductive Justice Framework, and its role in advancing maternal and child health;
- Understand how racism, economic inequality, and all forms of discrimination (especially in the US) have resulted in policies that do not advance maternal and child health and lead to racial health disparities;
- Identify laws that work to place blame on poor maternal and child health outcomes on individuals, rather than systemic issues;

LAW 1868 v00 The Four Pillars of Fashion Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1868 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201868%20v00))

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

By introducing you to current issues in the global fashion industry, thereby allowing you to anticipate and address them, this course will prepare you to think and act as a trusted counselor to brands and designers. You will learn aspects of the law that arise throughout the life of a garment, starting with the designer's original idea and continuing all the way to the consumer's closet. During this course, we will analyze and discuss the changing nature of the fashion system and the opportunities it presents, focusing on the four pillars of Fashion Law: (1) intellectual property, (2) business and finance, (3) international trade and government regulation, and (4) consumer culture and civil rights.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 6, 2025, through Thursday, January 09, 2025, 6:00 p.m. - 10:00 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 1517 v00 The GDPR: Background, Development, and Consequences ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1517 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201517%20v00))

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

This course provides an intensive introduction to the General Data Protection Regulation - the EU's influential comprehensive data protection law. The class will review foundational Articles 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 including challenges for implementation and compliance, and examines the relationship to other emerging EU digital laws, including the EU AI Act.

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, including the status of the EU-US Data Protection Framework
- 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
- A close examination of a few leading GDPR judgments
- An introduction to related legal frameworks, including the Council of Europe Convention 108 (The "Privacy Convention"), the OECD Privacy Guidelines, and the EU-US Data Privacy Framework
- A brief introduction to regulatory theory, "ratcheting up," and the "California/Brussels effect"
- An examination of emerging issues including Artificial Intelligence and the EU AI Act
- The ability to identify authoritative sources for GDPR judgments, opinions, and commentary

Recommended: Information Privacy Law.

Note: In Spring 2025, this class will meet on the following seven Thursdays: 1/16, 1/30, 2/6, 2/13, 2/27, 3/6, and 3/20.

LAW 1847 v00 The International Court of Justice: Its Role, Jurisprudence and Future (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1847 v00>)

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

As the principal judicial organ of the United Nations, the International Court of Justice (ICJ) plays a central role in the development of international law and the peaceful settlement of international disputes.

When it was established, it was the only international judicial tribunal in the UN system and (for most purposes) the only international court for the settlement of inter-state disputes. Over time, its authoritative decisions (judgments, advisory opinions, provisional measures orders) have addressed (and established the rules in) many fundamental areas of public international law. The substantive content of the ICJ's jurisprudence is now extensive. Collectively, its decisions form an essential part of the still-evolving structure of international law.

In introductory international law courses, however, most students gain (at best) only a superficial understanding of the Court and its organization, procedures and substantive jurisprudence. Few textbooks or treatises offer more than excerpts or summaries of what their authors consider the ICJ's most important decisions. Moreover, the emergence of other international tribunals (for instance those associated with regional organizations or with specific areas such as human rights or international criminal law, as well as other specialized bodies) has expanded the corpus of authoritative decisional law in the international law field.

Nonetheless, the ICJ remains the pre-eminent judicial actor in the development of key areas of public international law. The Court's decisions (and the principles on which they are based) are frequently invoked in other disputes, in international negotiations, and in academic writing. They continue to play a critical role in helping the international community settle its disputes on the basis of law. States continue to look to the Court to maintain the rule of law in the most critical circumstances. In February 2022, for instance, Ukraine initiated proceedings against the Russian Federation challenging the latter's claims that genocide had occurred in the Luhansk and Donetsk oblasts of Ukraine, seeking to establish that Russia had no lawful basis to take military action against it on the basis of those false claims, and asking the Court to issue "provisional measures" to preserve Ukraine's rights and to compel Russia to halt all military actions in Ukraine.

Learning Outcomes:

1. The goals of the seminar are both substantive and experiential: (i) to acquaint you with the structure, jurisdiction, procedure, and jurisprudence of the International Court of Justice, including its evolving role in the international legal community, (ii) to provide you the opportunity to research and master a specific legal issue of your choosing, and (iii) to give you experience in writing about (and presenting) your chosen topic and conclusions at an advanced level.
2. To provide helpful background and tools to use in dealing with questions of international law as they arise in whatever area you eventually practice in, as well as an appreciation of how to deal with decisions, judgments and conclusions of international judicial tribunals in general, in order to provide you a better understanding of the evolving nature and function of law in the global society.
3. To develop your ability to think critically about a particular problem, to engage in focused, sustained, in-depth research involving a range of domestic, foreign and international legal materials, to engage in complex legal analysis, to advance your knowledge relevant to the paper topic including possible problem-solving alternatives, and to advocate effectively for a particular thesis or solution.
4. To help you sharpen your ability to write clearly, concisely and thoughtfully about complex issues *and* to practice and refine oral advocacy and public speaking skills through in-class presentations on your research topics make an effective oral presentation about the

LAW 3134 v00 The Intersection of Employment and National Security Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3134 v00>)

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.

LAW 3065 v00 The Law and Ethics of Automation, Artificial Intelligence, and Robotics (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3065 v00>)

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.

Mutually Excluded Courses: Students may not receive credit for AI and the Law Seminar: Principles and Problems.

LAW 3002 v00 The Law and Policy of the Energy Transition (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3002 v00>)

LL.M. Seminar (cross-listed) | 1 credit hour

Overview

This course will review the most critical policy, legal, and regulatory issues faced by the energy sector actors (coal, oil, gas, renewable energy sources, and minerals), such as governments, investors, corporations, insurers, and citizens when facing the challenges of the 21st-century energy transition. The discussion and analysis will take place considering the apparently competing perspectives of climate, development, and energy needs.

Through the different topics addressed in the course, we will analyze how volatile adherence to the rule of law worldwide, the increasing environmental and social challenges, corruption, and geopolitical challenges affect policymakers, legislators, regulators, and the private sector decision-making process. Energy players face long-term capital investment decisions in ever more rapidly changing environments. Legal counsel in these cases involves a substantial role in evaluating and mitigating risk as well as preventing and resolving disputes. The course will analyze the key legal and extra-legal (policy) factors that lawyers must understand to provide comprehensive advice. Although we will review some financing structures, this course is not a project finance or a specialized finance course. Due to the course structure that Georgetown gently accommodated due to my current professional obligations, this course could be considered an introductory overview of the most pressing issues discussed in energy law (an inherently international and transnational area of law) and how players are facing such challenges.

Format

We will have six discussion sessions or around 2,5 hours each, with one lecture introduction (approx. 30 min), discussion preparation in groups (approx. 30 min), discussion (approx. 1 hour), and debrief (approx. 30 min.):

- Discussion No. 1 - Emissions or fuels problem?
- Discussion No. 2 – Is the renewable energy increase possible?
- Discussion No. 3 – What is the best mechanism to accelerate the energy transition?
- Discussion No. 4 – How do we solve energy poverty? How do we guarantee energy security?
- Discussion No. 5 – Energy transition means economic diversification, right?
- Discussion No. 6 – A new world order? The role of international organizations, policymakers, legislators, and courts in the energy transition.

The discussions will be based on the following premises/problems (evidently, the premises could also be discussed during the course), where we will analyze the relevant policy and legal challenges. Finally, I need to explicitly state that all my expressions, written or verbal, are made in a personal capacity and do not necessarily reflect my employer's position.

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

LAW 1898 v00 The Law Governing the Use of Military Force (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1898 v00>)

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

It is commonly assumed that law imposes virtually no constraints on the President when he or she decides whether and when to use military force overseas. In fact, however, nothing could be further from the truth.

There is an enormously detailed and complex corpus of laws, foreign and domestic, that constrains and guides (and sometimes authorizes) the use of force. Therefore, the legal decision-making process within the Executive branch on such matters is as difficult and challenging as in virtually any other area of federal action. The purpose of this seminar is to introduce students to the most important of the myriad legal questions that confront decisionmakers and their attorneys whenever the Executive branch contemplates a possible use of force. The U.S. domestic laws we will examine include, among other things, the constitutional allocation of “war” and other military-related powers between Congress and the President; statutory authorizations and limitations; presidentially-imposed constraints; and covert action authorities and limitations. We will then examine the principal international-law limits on the use of force, with particular attention to the *jus ad bellum* (the prerequisites for the decision to use force in the first instance, particularly as prescribed by the United Nations Charter), and the *jus in bello* (a/k/a the “laws of war,” or international humanitarian law) that governs the *conduct* of fighting—that is, *how* force may be used. In light of the recent conflicts in Ukraine and in Israel and Gaza, we will almost certainly discuss the most pressing and vexing legal questions associated with those ongoing actions. We will also study “test” cases, such as the Cuban Missile Crisis, the 2000 NATO campaign in Kosovo, strikes by the United States in Syria in recent years, and the 2011 Libya campaign, to illustrate the complexity of the issues.

Learning Objectives:

Students should become familiar with the vast array of domestic- and international-law questions involving the use of force. They should also develop a rich understanding of the legal issues that government decision-makers and legal advisors must consider in the course of deciding whether and how the United States (and other nations) can and should use force abroad (and in the United States). Students will be expected to learn how to assess the reading materials critically, to identify unresolved questions, and to constructively respond to and critique views of their colleagues. Students who enroll for three credits will demonstrate an ability to produce an original research paper of high quality.

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 1526 v00 The Law of Autonomous Vehicles (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1526 v00>)

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

Autonomous vehicles are roiling industries as diverse as retail, food delivery, trucking, and personal transportation. Although there is a rising consensus that autonomous, networked cars could save tens of thousands of lives, there is a similar consensus that they also will create tens of thousands of accidents that human drivers would not. Although the technology for autonomous vehicles is already on the roads, the law, ethics, and policy governing these machines is late evolving. This course will examine alternatives for regulating autonomous vehicles, including topics such as which parties should bear responsibility for the actions of autonomous vehicles, how theories of responsibility will change over time, as well as the appropriate modes and agencies of regulation. Paper required.

Recommended: Property (or Property in Time), Torts (or Bargain, Exchange and Liability), and Criminal Law.

LAW 1330 v00 The Law of Money Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1330 v00>)

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 1875 v00 The Law of Open Source Software ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1875 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201875%20v00))

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

In this course, students will explore the relationship between open source software (OSS) and the law. OSS refers to a type of software whose source code is made publicly available, allowing anyone to view, use, modify, and distribute the software freely. Open source software makes up our digital infrastructure that we all use today across various industries, from web development and operating systems to AI and machine learning. Open source software is increasingly used to develop popular AI applications like ChatGPT, Stable Diffusion and Midjourney.

This accessibility and openness encourage collaboration, innovation, and transparency, but also bring to the fore different harms that interact with the law. Indeed, many scholars, regulators, and entrepreneurs are concerned about how the open source nature and rapid adoption of such collaborative models interacts with harms such as discrimination, misinformation, bias and more. As the legal profession grapples with the increased role of OSS, students should be familiar with questions of legal compliance, intellectual property, contract and liability issues, data privacy and security, and ethical considerations as they relate to OSS.

This is a student-initiated seminar, which is student-led and supervised by a faculty member. This seminar is organized by Esther Tetrushvily and Ashwin Ramaswami and supervised by Professor Paul Ohm.

Note: This is a student-initiated seminar and is run by students under the supervision of the professor. This seminar is mandatory pass/fail.

LAW 1019 v00 The Law of Public Utilities: Bringing Competition to Historically Monopolistic Industries ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1019 v00](https://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, law school admissions, farms seeds and insecticide, Youtube, private space travel, rare minerals used in solar and wind facilities, Facebook, 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 1904 v00 The Magic of Corporate Separateness Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1904 v00>)

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

The corporate form embodies multiple characteristics that permit those who own and manage an entity to achieve a host of beneficial results that simply would not be possible if they engaged in the same activities as individuals. These include limited liability, immortality, anonymity, autonomy, hierarchal control, and “lock-in” of investors’ money. The result has been a tremendous efficiency that has made corporations the most powerful actors in modern society. It also results in recurring externalities, sometimes imposing costs on those “outside” of the corporation.

Corporate law has been critical to this evolution. State legislatures have provided these advantages for the corporate form, added one by one over two centuries. Statutes have put the keys to unlocking these goodies into the hands of any self-appointed actors who desires to form a corporation. Even more importantly (but considerably less visible) these same insiders get to decide how many assets get put into the entity and how many liabilities. Together, these choices determine how much risk will be borne by the insiders to the entity and how much will be carried by outsiders (i.e. creditors, neighbors, the public and others).

A critical question for corporate law is whether government, which made this separateness possible through incorporation, should place limits on the separateness that results from this private ordering with sometimes deleterious externalizing effects.

This course will focus on: (a) understanding the benefits of separateness, how they come about, and the externalities separateness can create; and (b) framing the role of economics, private ordering, history, and concepts of corporate personality in determining when corporate law should intervene in insiders’ decision to operate as a separate entity. Learning objectives include: to develop effective research skills in a law setting, including topic development, outline, revision and effective use of sources.

Prerequisite: Corporations.

Note: All J.D. and LL.M. students will be required to complete a substantial paper that satisfies each element of the writing requirement for J.D. students as outlined in the Student Handbook.

LL.M. students must seek departmental permission to enroll in this seminar. Please contact the Office of Academic Affairs at lawacademicaffairs@georgetown.edu to request permission.

LAW 496 v01 The Mind and the Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 496 v01>)

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 3085 v00 The Nuremberg Trials, the Doctors Trials (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3085 v00>)

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 WW II.

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 1838 v00 The Prison Reform Project: Making an Exoneree (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1838 v00>) (Project-Based Practicum)

J.D. Practicum | 5 credit hours

Making an Exoneree is a project-based practicum that will involve students in wrongful conviction cases and provide them with experience, knowledge and analytical skills in working with wrongfully-convicted individuals and exploring avenues towards exoneration. The percentage of wrongfully convicted persons is currently estimated to be between 2 and 5%, meaning somewhere between 46,000 and 230,000 innocent persons are currently incarcerated. This practicum will explore the causes behind wrongful convictions and involve law students directly in the complex legal process of building a case in support of, and advocating for, an exoneration (most often, long after the original underlying conviction) on behalf of several wrongfully convicted individuals.

Making and Exoneree was created by Marc Howard and Marty Tankleff, who share a unique connection and history: childhood friends since the age of three, they know about wrongful convictions through personal experience – Tankleff spent over 17 years in prison for a crime he did not commit, and Howard played a role in securing his exoneration. Every spring semester since 2018, under the guidance of Howard and Tankleff, fifteen highly motivated Georgetown University undergraduate students reinvestigate five probable wrongful conviction cases, produce short documentaries, and create social media campaigns, websites, and petitions advocating for exoneration.

Law students will play an instrumental role in reviewing, analyzing and synthesizing their assigned individual's legal case materials. They will document the procedural history of the case, perform legal research, synthesize complex case materials and legal precedent and otherwise participate in developing, assessing and advocating for different legal and related strategies that might lead to exoneration. They will contribute to identifying areas for reinvestigation, managing teams of undergraduate students doing reinvestigation, and preparing and presenting (orally and in writing) an in-depth, critical legal evaluation of their assigned case. In some cases, law students will assist legal counsel. In others, they will contribute to developing visual media, presentations and social media campaigns demonstrating the merits of a case in an effort to obtain legal representation for the person whose case they have been assigned. **In 2023 and 2024, wrongfully convicted individuals walked out of prison (in 2023, after 42 years, and in 2024, after 18 years) in large part, because of the zealous work of the Georgetown Law students assigned to the cases.**

Prerequisite: J.D. students must complete the required first-year program, including Criminal Justice, prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Property, or their first-year elective). Students may not concurrently enroll in this practicum course and a clinic or another practicum course.

Mutually Excluded Courses: Students may not receive credit for this course and Wrongful Convictions.

Note:

This course is open to JD students only.

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. Students will receive one letter grade for the seminar and the project work.

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

LAW 1495 v01 The Role of the State Attorney General (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1495 v01>)

J.D. Course | 3 credit hours

The office and work of state attorneys general both sit at the intersection of law, politics, and policy. No other legal actor has the same power and responsibility to identify and act in the public interest. 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 examines 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. In service to the people of their respective states, today's state AGs are leading the way on issues from federalism to civil rights to workers and consumers rights to environmental protection to gun violence and more. The state attorneys general work within their respective states, across states in multistate coalitions, and both in cooperation and conflict with the federal government.

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 prominent substantive 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.

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 in-class exam (65%). The exam will be closed book. 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 course and the seminar by the same name.

LAW 869 v00 The Role of WHO in Global Health Law and Governance
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 869 v00>)

LL.M Course (cross-listed) | 1 credit hour

WHO is the sole global health organization and, as such, has been traditionally considered the lead actor in this domain at the center and the forefront of technical, policy and normative developments in global health governance. Its Constitution and institutional structure represent both the embodiment of a new way of thinking about global health and its governance at the time of creation of the UN system as well as the outcome of political compromises that have affected the life of the organization and its positioning in the global health landscape.

The historical development of WHO's functions and activities are also an emblematic reflection of the changing role of health in the global economic, political and development agendas and, as such, can shed light on broader issue of international law and relations. WHO's role and significance as the central actor in global health governance has been the object of contestation and much critical reflection starting in the 1990s and culminating with the organization's role in responding to recent health emergencies such as the 2014-2015 Ebola outbreak in West Africa and most importantly the COVID-19 pandemic. At the same time, global health governance has become more complex, fragmented and politicized and the future role of WHO has to be seen in the context of those developments and the search for a coherent global health architecture.

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, with particular focus on the International Health Regulations, 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

Recommended: International law, International organizations, Global Health Law

Note: This course is part of the following graduate programs:
International Legal Studies LL.M.

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

LAW 1893 v00 The Supreme Court and Constitutional Interpretation Today Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1893 v00>)

J.D. Seminar | 2-3 credit hours

Constitutional law has changed quite abruptly in the past three years. This course should be of interest to those trying to understand how the Justices justify these changes. This seminar will use current Supreme Court cases to consider questions about constitutional interpretation.

Students will learn about the kinds of tools used in constitutional interpretation: "originalism" in practice. We will see the focus on text and history, and consider what is left out by those modes of interpretation once thought quite legitimate legal reasoning. This is a course in reading Supreme Court opinions, although we will also learn "critical" skills to assess the strengths and weaknesses of originalist tools of analysis.

Some of these opinions are quite long, but that is a lawyer's job. The professor will not provide edited versions, except in rare cases.

In the first 5 weeks of the semester, students will be taught a background in constitutional interpretation and the modern evolution of originalism, using some law review articles, but primarily Supreme Court cases. For the next 8 classes, students will debate cases now pending in the courts that involve questions of constitutional interpretation. The professor will introduce the background law in the first class, raise critical questions about method, and the students will debate in the second class. The three-credit writing requirement section is limited to 5 students and students must have their topic approved by the Professor in the first week of class.

Learning Objectives: Advanced knowledge in constitutional interpretation not taught in the average constitutional law course, but keenly important today.

Prerequisite: Constitutional Law I: The Federal System and 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 1943 v00 The Supreme Court's Docket (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1943 v00>)

J.D. Seminar | 2-3 credit hours

For all of the attention that we pay to the Supreme Court in law school classes, we spend very little time talking about the Court's **docket**—about the specific types of cases that the justices have the power to decide; the cases that they choose to decide; their ability to resolve only specific issues **within** those cases; the full Court's (and individual justices') power to issue "emergency" and "extraordinary" relief; and Congress's historical and contemporary role in shaping all of those categories. The goal of this seminar is to fill out this important but neglected topic through both a historical and contemporary study of the Court's constitutional and statutory powers—and the behind-the-scenes details of how those powers are carried into execution. In our study, we will develop a better understanding not only of how the Court's powers (and discretion) informs its ability to resolve different types of disputes, but how they shape the Court's role in our constitutional system—defining, enabling, and sometimes constraining the Court's relationship with each of the other institutions of American government.

Prerequisite: Civil Procedure and Constitutional Law I: The Federal System.

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 1768 v00 The Temporal Dimensions of Governmental Powers Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1768 v00>)

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

This course will study the respective temporal reaches of, and restrictions on, the legislative, judicial, and executive powers of American governments.

It is almost universally now thought that "retrospective laws are . . . generally unjust . . . and . . . neither accord with sound legislation nor with the fundamental principles of the social compact." Joseph Story, *Commentaries on the Constitution*, §1398 (3d ed. 1858). But legislatures nonetheless do sometimes enact retroactive laws, and sometimes for quite benign and legitimate reasons. Furthermore, judicial and executive adjudicatory actions have retroactive effects; and, as with retroactive legislation, some of those adjudicatory actions may establish the legal basis for retroactive restrictions on conduct about which the regulated persons did not have prior notice – such as when the adjudicators construct manifestly new, yet binding, interpretations of ambiguous laws (i.e., when they "make" or "declare" law that will serve as "precedent"). Concomitantly, although often thought of as necessarily being retroactive, judicial and executive adjudicatory powers are sometimes exercised with only future effects – such as when courts or agencies have declined to apply their new interpretations of law retroactively, or have awarded relief that has only prospective effects (e.g., an injunction, a writ of mandamus, a declaratory judgment).

This course will explore these temporal issues. We will examine what legally differentiates "prospective" from "retroactive" governmental actions. We will study the presumption that legislation looks forward, not backward, as well as several of the constitutional constraints on retroactive legislative actions. From there, we will explore both the content of and rationale for the contrasting presumption that judicial action is retroactive in perspective and effect; and we will study the controversy about whether and when a judicial decision announcing a new principle of law – such as a judicial decision overruling an interpretation of law announced in a prior decision – may properly be applied only to conduct or events occurring after the date of that judicial decision. Finally, we will examine whether and how temporal limitations apply in the context of the exercise of executive powers (state and federal) and, concomitantly, how the discretion of the executive and its agents is often temporally insulated – through limits on the writ powers, the doctrine of qualified immunity, etc. – when there is not yet "clearly established" law on an issue.

Our goal is to better understand how the temporal reaches of, and limitations on, the separate powers of government inform the Rule of Law and American constitutional democracy. Such an understanding is relevant and important not only to those who want to study the operation of government and the constitutional limitations on government, but also to those who on behalf of clients – private, public interest, or governmental – seek to influence the temporal application or imposition of new legal restraints.

Prerequisite: Constitutional Law I: The Federal System and Administrative 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 1741 v00 The United States and Human Rights Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1741 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201741%20v00))

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

This seminar examines the role of the United States in shaping international human rights law and advancing the realization of these rights both at home and abroad. The US role since World War II is significant but also complicated, marked by leadership but also ambivalence. The US stance toward international human rights has always been deeply shaped by human rights struggles at home – over racial injustice, gender discrimination, and economic inequality – and by US ambivalence about participating in various multilateral treaties and institutions. Increasingly, advancing human rights at home and abroad are profoundly interconnected, especially as the United States and the world confront urgent problems of climate change, Covid 19, economic inequality and other threats to human dignity that cross borders and affect us all.

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.

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 1782 v00 Theories of Statutory Interpretation Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1782 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201782%20v00))

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

This seminar will introduce students to the deeper theoretical questions and debates surrounding statutory interpretation: How should courts analyze statutory text? What interpretive tools should judges use to determine statutory meaning? Should those tools change when the text is vague or ambiguous? What role, if any, should legislative process materials or realities play in the interpretation of statutes? What is textualism and how has it changed over time? What are the most salient interpretive trends on the modern Supreme Court?

Students taking the two-unit version of the class will be graded on seven short reaction papers. Students taking the three-credit version must provide three reaction papers and satisfy the Law Center's writing requirement. Given the theoretical nature of the topic, law review students are especially encouraged.

Learning Objectives: By the end of the semester, students in the course should understand and be able to evaluate the advantages and disadvantages of different interpretive methodologies and tools, such as corpus linguistics, legislative history, semantic canons, etc. They should also be able to describe and critique the U.S. Supreme Court's current interpretive methodology. Last, students should have a strong understanding of how to use the different interpretive tools and canons to argue in favor of or against a particular statutory reading.

Strongly Recommended: A basic introductory course in Legislation is highly recommended, 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 1338 v00 Think Like a Lawyer: Elements for American Legal Analysis Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1338 v00>)

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 1899 v00 Thirteenth Amendment (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1899 v00>)

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

This course focuses on the Reconstruction Amendments, directing the core of its readings and class engagement to the Thirteenth Amendment. Students will study the amendment, the legislative history and debates leading to it, including early Colonial and American laws. Students will read cases as well as the writings of scholars, abolitionists, and persons most affected by American slavery, including people who were enslaved as well as those who enslaved. As well, we will examine the social climate during the Antebellum period, reading passages from diaries, news articles, and advertisements central to slavery and ultimately the ratification of the Thirteenth Amendment. The course will conclude with an examination of post-Thirteenth Amendment lawmaking in the United States.

Institutional Learning Outcomes and Goals:

Georgetown University Law Center is committed to providing all students an intellectually rich education that combines theory and practice, and embraces the values of cultural competence, social justice, serving the public good, and educating the whole person. This course provides knowledge of substantive and procedural law, including the influence of the administrative state, political institutions, and other academic discipline in the building of constitutional law and principles. A key value of the ILO is preparing students for an evolving legal landscape. As such, this course seeks to build upon those principles and establishes the following goals:

The goals of this course:

- *Introduce students to the Reconstruction and Amendments, name the Thirteenth Amendment.*
- *Introduce students to the study of the constitution and courts.*
- *Familiarize students with the social and legal literature on the Reconstruction.*
- *Engage students with practical as well as theoretical ideas in Thirteenth Amendment jurisprudence and history.*
- *Stimulate intellectual curiosity about the subject matter.*
- *Inspire thoughtful analysis.*
- *Encourage and facilitate discussions.*

Outcomes:

- *Students will gain the ability to engage in legal analysis, including the analysis of case law, constitutions, statutes and regulations, legal instruments, and other academic disciplines.*
- *Ability to engage in critical and strategic thinking.*
- *Ability to think critically about the law's claim to neutrality and its differential effects on subordinated groups, including those identified by race, gender, indigeneity, and class.*
- *Ability to use problem-solving and collaborative techniques in the legal context.*
- *Ability to communicate effectively in the legal context, orally and in writing.*

Mutually Excluded Courses: Students may not receive credit for this seminar and Reconstruction and Civil Rights Seminar.

LAW 1454 v00 Topics in LGBT Civil Rights Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1454 v00](https://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.

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 008 v01 Torts ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 008 v01](https://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 1600 v00 Toxic Chemical Law and Advocacy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1600 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201600%20v00)) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

In a fieldwork practicum course, students participate in a weekly seminar and conduct related fieldwork at an outside organization focused on toxic chemical law. For example, have you ever wondered what is in the food and drink we consume besides the raw agricultural products such as coffee beans or milk? In this course, students will explore the how the Food and Drug Administration (FDA) under the Food, Drug, and Cosmetic Act, by the Environmental Protection Agency (EPA) under the Toxic Substances Control Act and other statutes, and the the Consumer Product Safety Commission (CPSC) under the Consumer Product Safety Act work together (or don't) to regulate toxic chemical products in consumer products that are consumed or used in the U.S. every day such as coffee, soft drinks and yogurt. Students will develop real-world lawyering skills such as fact gathering, legal research, drafting, developing guidance or advice, crafting advocacy strategy and more. Students will participate in a two hour/week seminar and also undertake 10 hours/week of fieldwork at the Environmental Working Group (EWG), a public-interest nonprofit that advocates on behalf of consumers, and other non-governmental organizations.

SEMINAR: The authority of the FDA, EPA and CPSC to regulate the safety of toxic chemicals in consumer products has evolved as the manufacturing of everyday products has become increasingly industrialized and affected by an array of new technologies that cause the food and drink we regularly consume to contain potentially harmful chemicals. This seminar will utilize legislative and administrative materials as well as case law to enable students to critically evaluate the processes by which the federal government regulates toxic chemicals in consumer products and compare and contrast regulatory schemes for different consumer products. The course will also touch on related topics such as the role of the Federal Trade Commission in the regulation of marketing trade practices related to chemicals in consumer products.

FIELDWORK: In the fieldwork component of this course, students will be assigned to projects at the Environmental Working Group or a similar non-governmental organization. They will have an opportunity to learn how such institutions play a role in representing consumer interests in product safety issues being debated in both the administrative and legislative processes, and in matters subject to litigation.

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](#), as well as food and drug [law, and environmental](#) law-related courses, are recommended but not required.

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

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) on site at 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 fieldwork. Students who enroll in this course will be automatically

LAW 1218 v00 Trade, Money, and Trust: The Law and Policy of Globalization Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1218 v00>)

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 law help to build trust in the globalization of markets?

LAW 433 v00 Trademark and Unfair Competition Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 433 v00>)

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 the long-term trend toward its “propertization.” The course also will include material on the trademark treatment of Internet domain names, metatags, and links.

Learning Objectives:

Critical mastery of the existing statutory, doctrinal, and policy landscapes; critical mastery of strategic considerations in trademark and brand licensing and litigation, in technology ventures that implicate trademarks, and in trademark and unfair competition policymaking.

LAW 433 v01 Trademark and Unfair Competition Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 433 v01](https://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. In addition to the final take-home exam, students will be required to write a mid-semester paper that will account for 20% of their final grade.

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;
- [Navigate key online resources from the USPTO, including the USPTO trademark search system;](#)
- [Write an Office Action response addressing a USPTO trademark application refusal;](#)
- 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");
- Articulate the interplay and conflicts between trademark law and the First Amendment; and
- Navigate issues of false advertising and right of publicity.

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. on Thursday, November 7, 2024.

LAW 433 v03 Trademark and Unfair Competition Law ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 433 v03](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20433%20v03))

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

Welcome! This course will cover U.S. federal law (with a nod to state and common law regulations, where applicable) relating to trademark; specifically: words, phrases, slogans, logos, trade dress, product packaging, and other identifiers that both identify a source of a good or service to the public, and create an identity for the producer that—at least in theory—encourages the protection of goods and services of consistent and predictable quality. We will discuss the value of competition, the importance of consumer protection, and the unique status of brands and branding as a form of intellectual property. Topics covered include acquisition & maintenance of trademark protection, trade dress and distinctiveness, the geographic scope of trademarks, trademark infringement and dilution, trademark rights online, First Amendment limits on trademark enforcement, defenses and remedies, false advertising, and rights of publicity.

LAW 883 v00 Transfer Pricing ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 883 v00](https://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.

Prerequisite: Federal Income Taxation.

Recommended: Prior or concurrent enrollment in a course in international taxation.

LAW 1833 v00 Transitional Justice in the 21st Century ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1833 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201833%20v00))

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

This course examines how societies address widespread atrocities and serious crimes, e.g., crimes against humanity, genocide, human rights violations, and other abuses, through transitional justice mechanisms.

These violations often occur in conflict situations, but also can arise through repression, particularly of marginalized groups. Broadly defined, transitional justice mechanisms are processes that provide acknowledgment, recompense and solace to victims through various accountability measures, with a long-term goal of reconciliation and/or an acknowledgement of the abuses and the adoption of measures to address the victims and steps to prevent the recurrence of the abuses/violations. The mechanisms are labeled “transitional” because they are typically implemented during or following atrocities and widespread abuses. In this regard, the crimes committed are of a scale that the judicial system, by itself, is unable to address. The abuses require a broader and different approach. The focus in transitional justice processes is both on victims and on accountability measures that address the society as a whole. Transitional justice mechanisms can include the criminal justice system (e.g., international, national, local), as well as other non-legal approaches to justice and accountability, including truth-telling processes, reparations, reforms, memorialization. In particular, we will examine approaches to abuses and atrocities through a gender lens as well as a specific consideration of children and marginalized groups (e.g., racial, indigenous groups). In some cases, amnesties have been utilized (controversially in, e.g., South Africa). We will critically examine the underlying issues of how peace processes and transitional justice interact and support each other – and in some cases are not productive or fail.

Learning Objectives: The course has multiple objectives; these include:

- Understanding how transitional justice mechanisms work in practice and how they may support victims and also lead to reforms that target human rights abuses on a societal scale. Examining some of the 40+ transitional justice processes that have occurred and the methods that have been employed. We will evaluate the efficacy of these processes. Ultimately, do these processes move the society to adopt and ensure human rights standards are protected/enforced?
- Understanding consultation processes that are engaged for societal input, particularly among marginalized groups, as a means of determining what process and/or mechanisms, e.g., truth commissions, prosecutions, reparations, reforms, memorialization, will be adopted and adapted to the country. There will be, in some cases, proposals of the use of amnesties (e.g., South Africa) or innovative approaches, e.g., the Colombian Special Jurisdiction for Peace.
- Examining implementation problems and roadblocks/difficulties/challenges regarding the role of truth commissions or truth-seeking processes, the adoption of reparations, reforms and various criminal justice approaches (see below).
- Assessing strategies for working with victims and affected communities to address the violations that they have suffered. In this regard, memorials that recognize abuses, discrimination or the struggle for justice for victims and recall the violations, which may support memory and stand as markers to prior violations – how important are these efforts?
- Finally, assessing the role of transitional justice in the United States, given the deep fissures in American society, what relevance do these experiences, both in a range of countries, but also in the United States, e.g., the Truth Commission in Greensboro, North Carolina.

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

LAW 1866 v00 Transnational Law and Practice ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1866 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201866%20v00))

J.D. Course | 3 credit hours

This course focuses on transnational legal problems. Transnational legal problems are problems that involve citizens of more than one country or involve activities that take place or have effects in more than one country.

Transnational legal problem-solving skills are important not only for lawyers working in the fields of human rights, international business, international dispute resolution and other distinctly “international” areas of practice. They also are important for lawyers that do not have an international focus, because transnational legal problems frequently arise in diverse areas of law thought to be “domestic”—such as family law, environmental law, product liability litigation, civil rights litigation, criminal law, corporate law, and others.

Course Goals

The primary goal of this course is to give you an opportunity to learn how to analyze and advise clients on three fundamental issues that surround virtually any transnational legal problem:

- What is the applicable law? National law? If so, U.S. law or foreign law? International law? Private rules?
- What transnational dispute resolution methods are available and most appropriate? Litigation in a national court? If so, a U.S. court or a foreign court? An international court? Through alternative dispute resolution methods, like arbitration?
- How can the outcome of a transnational dispute resolution process be enforced?

Another goal of the course is to provide a foundation for students wishing to pursue advanced study of international, transnational law or comparative law, including international litigation, international arbitration, international trade, international investment, human rights, or international business transactions.

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

LAW 1539 v00 Transnational Law Practice Field Study ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1539 v00](https://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. To apply, students must propose a paper topic and confirm qualifying summer employment by completing the application form at https://georgetownuniversity-kmzbf.formstack.com/forms/transnational_law_practice_field_study_summer_2024 (https://georgetownuniversity-kmzbf.formstack.com/forms/transnational_law_practice_field_study_summer_2024/). This form should be completed as soon as possible, but no later than **May 23, 2024**. Students may be asked to revise their proposal and/or meet with their assigned professor 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 1937 v00 Trauma-Informed Lawyering ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1937 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201937%20v00))

J.D. Seminar | 1 credit hour

This simulation course is intended as a primer on trauma-informed lawyering, and a starting point for practical skills that can be applied across the full spectrum of the legal profession and system, regardless of the type of law one practices. This course offers an introduction to trauma and the growing, evolving field of trauma-informed care, which has critical applications in the field of law, behavioral health, law enforcement, and other direct service areas.

A growing body of research over the past 25 years has demonstrated that trauma exposure is common in the United States and every attorney is likely to have clients whose lives and legal matters are greatly impacted by trauma. In this course we will discuss the many intersections of trauma and law, including where client experiences of trauma are often denied, ignored, covered up, or avoided. Our focus is on trauma as it impacts and applies to lawyers and clients in practice, courts and judges, and the legal system and profession as a whole. Because the legal system is so fundamental to society, we will necessarily touch on diverse perspectives and areas of knowledge, including the biology of trauma, neuroscience, psychology, sociology, trauma studies, critical race theory, systems thinking, history, and social sciences. When we work with clients from a trauma-informed perspective, we engage our awareness of trauma's impact to assist the client (and ourselves) with navigating the uncomfortable and inconvenient issues that can become obstacles to the pursuit of justice. We might only know that trauma is impacting a situation from the client's response (or even our own response) to trauma: fear, grief, or anger or dysregulation like physical discomfort, mental or emotional suffering, or strained relationships.

While some lawyers receive training in working from a client-centered perspective, we rarely learn how to deal with trauma and its impact. We've usually been taught to exclude trauma, or at least not talk about it. Without trauma-informed lawyering, clients impacted by trauma risk being inadvertently deprived of justice by the very injuries that injustice such as violence, racism, poverty, discrimination, and other disasters (visible or seemingly invisible) caused in the first place. Turning away from trauma risks diminishing the quality of legal services, undermining a client's experience with the legal system or even eroding our own well-being as lawyers. In this course we propose to turn toward trauma in clients, in systems, and in ourselves with the same humanity you would offer a fellow human who has experienced a visible injury.

Note: UPPERCLASS WEEK ONE COURSE. This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025. This course is mandatory pass/fail, and does NOT count against 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 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 the Assistant Dean for Experiential Education. Withdrawals are permitted up until the last class for this specific course.

LAW 1938 v00 Trauma-Informed Lawyering (Week One Teaching Fellows) (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1938 v00>)

J.D. Seminar | 1 credit hour

Week One Teaching Fellows work with faculty to facilitate the first-year Week One simulation courses offered in January. Fellows will work in teams of two to six fellows for their specific Week One class. The description of the course is available on the Curriculum Guide here ([https://curriculum.law.georgetown.edu/course-search/?keyword=law %201937%20v00](https://curriculum.law.georgetown.edu/course-search/?keyword=law%201937%20v00)). Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

Teaching Fellows should expect to meet with their faculty for two full-day training sessions, one before the exam period in December, and the second on Saturday, January 4, 2025, to review course topics, goals, simulation structure, and receive training on their role throughout the course. Readings will be assigned.

Fellows then attend all of the class sessions during Week One and assist in facilitating discussion and small-group work amongst the students enrolled in the course. For example, fellows may moot students as they prepare for a mock oral argument or client presentation, or play the witness in a key witness interview. Fellows also meet and consult regularly with faculty during the course to discuss student progress and course logistics. They should expect to participate in a daily debriefing for approximately 15-30 minutes after each class.

At the conclusion of Week One, all fellows must complete a 6-8 page reaction paper assessing how the course worked, overall student experience, and how the course could be improved (e.g., legal issues, factual issues, structure of exercise).

Mutually Excluded Courses: Students who are enrolled in a Spring semester clinic should determine when any clinical meetings will take place during Week One to ensure there will be no conflict with their responsibilities as a fellow. In addition, because of the significant responsibilities each course requires during Week One, students enrolled in the Human Rights Advocacy in Action project-based practicum course may not concurrently enroll in a Teaching Fellow course.

Note:

THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students must complete the online Week One Teaching Fellows Application Form. A resume and a 1-page statement of interest must be provided, as well. The Application Form will be made available to students no later than September 2024. If you have any difficulty accessing the application or have questions about the application process, email lawexp@georgetown.edu.

This course is open to upperclass J.D., LL.M., and S.J.D. students. J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu.

WEEK ONE COURSE. This course will meet on the following days: Monday, January 6, 2025 through Thursday, January 09, 2025 during the classroom meeting times for the course to which the fellow has been assigned. Additionally, teaching fellows will meet with their professors on two dates to be announced. Professors may schedule alternative and/or additional trainings as needed. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

This course does **not** count toward the Experiential course requirement.

ATTENDANCE AT ALL CLASS SESSIONS AND FELLOW TRAININGS IS MANDATORY. After accepting an offer, the student may drop the course ONLY with the permission of the professor. Permission is granted only

LAW 1759 v00 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1759 v00>)

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).

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

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

Attendance Is Mandatory At All Class Sessions. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety 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 351 v01 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v01>)

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 Last and Howard:

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 and Morgan:

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 Williams, Glick, and McCarrick:

Students will develop an understanding of the trial process, from its foundational principles and processes through the mechanics of jury selection, opening statements, witness examinations, and closing arguments.

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 Advanced Evidence: Trial Skills; Civil Litigation Practice; Patent Trial Practice; and Trial Practice and Applied Evidence.

Note: The course is only open to J.D. students.

Note for Professors Williams, Glick, and McCarrick's course: 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 waitlist from filling a course opening, students may not withdraw from this class after the add/drop period ends without the permission of the professor. Note for Professors Durham and Poteat's course: 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

LAW 351 v06 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v06>)

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:

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 Advanced Evidence: Trial Skills; Civil Litigation Practice; Patent Trial Practice; and Trial Practice and Applied Evidence.

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

LAW 351 v07 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v07>)

J.D. Seminar | 2 credit hours

This course is taught by two adjunct professors, one of whom is a sitting trial judge. Both professors have extensive litigation and trial experience and currently instruct law students and lawyers through the National Institute of Trial Advocacy (NITA) to be effective trial advocates. The classroom is just a few blocks from the Law Center campus. Students will be learning "on their feet" in a DC SUPERIOR COURT courtroom, which provides a unique opportunity to practice the art of trial advocacy. This course blends practical and rigorous exercises culminating in a mock trial, with regular 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. Instructors in this course emphasize many different trial aspects, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. Guest lecturers present demonstrations in the use of technology in a trial courtroom. The course is designed especially for students who wish to obtain some trial experience but lack the time and interest to enroll in a litigation clinic. Note: Some sections of this course may require an extended class or extra meetings outside of class to accommodate the mock trial as a final exam. Come join us!

Prerequisite: Evidence.**Mutually Excluded Courses:** Students may not receive credit for both this course and Advanced Evidence: Trial Skills; Civil Litigation Practice; Patent Trial Practice; and Trial Practice and Applied Evidence.**Note:** This course is only open to J.D. students.

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

LAW 351 v08 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v08>)

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:** Concurrent enrollment in a professional responsibility course.**Strongly Recommended:** Prior 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:** This course is only open to J.D. students.

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. on Thursday, November 7, 2024.

LAW 351 v12 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v12>)

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.

LAW 351 v13 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v13>)

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.

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

LAW 351 v14 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v14>)

J.D. Seminar | 2 credit hours

This course is taught by two adjunct professors who have extensive trial and litigation experience and years of instructing law students and lawyers to be effective trial advocates, both having served as former Assistant United States Attorneys, and with Prof. Sharpe having served as the Presidentially appointed U.S. Attorney for the District of the Virgin Islands. This course blends class discussions of trial techniques, strategy, and ethics with rigorous on-your-feet exercises culminating in a mock trial. Students will implement their skills by participating in a series of mock trials, where they will act as witnesses and attorneys. Various trial challenges will be addressed in this course, including those involved in 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 trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require an 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 Advanced Evidence: Trial Skills; Civil Litigation Practice; Patent Trial Practice; and Trial Practice and Applied Evidence.

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

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. on Thursday, July 11, 2024.

LAW 1245 v00 Trial Practice and Applied Evidence ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1245 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201245%20v00))

J.D. Skills | 3 credit hours

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 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.

LAW 1245 v01 Trial Practice and Applied Evidence ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1245 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201245%20v01))

J.D. Skills | 3 credit hours

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 Trial Practice or Civil Litigation 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. 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. on Thursday, November 7, 2024.

LAW 3050 v00 U.S. Employment Taxes ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3050 v00](https://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.

Strongly Recommended: Federal Income Taxation (strongly recommended)

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 6, 2025, through Friday, January 10, 2025, 1:30 p.m. - 4:05 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 962 v00 U.S. Export Controls and Economic Sanctions ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 962 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20962%20v00))

LL.M Course | 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.

The course is designed to impart the practical skill sets and strategies you will need to use and understand the complex regulatory regimes underpinning U.S. export controls and sanctions, and to communicate effectively with the relevant government actors. The applicable laws include statutes such as the International Emergency Economic Powers Act, Trading with the Enemy Act, the Export Control Reform Act, and regulations issued by federal agencies such as the U.S. Departments of Commerce and Treasury. Our study of these rules will include review of case law, agency guidance and prior government enforcement actions.

The course will also focus on the enforcement environment, including the trend of ever-increasing fines. We will discuss defense strategies and the potential for global settlements with the Departments of Justice, Treasury, and Commerce.

Finally, the course will emphasize developing the working knowledge necessary for hands-on practice and problem-solving in this field.

Recommended: Administrative Law; International Law I: Introduction to International Law.

LAW 962 v03 U.S. Export Controls and Economic Sanctions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 962 v03>)

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

Understanding and dealing with U.S. export control and sanction laws and regulations 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 provides an in-depth survey of 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, restrictions on dealings with or in sanctioned countries, prohibitions against dealing with blacklisted parties, and other sanctions.

The course is designed to impart the hands-on, practical skill sets needed by those who wish to practice in the increasingly in-demand area of export controls and sanctions compliance, including the skills needed to use and understand the various complex laws and regulations systems that implement U.S. export controls and sanctions, such as the International Emergency Economic Powers Act, the Trading with the Enemy Act, the Arms Export Control Act, and the Export Control Reform Act, as well as regulations issued by various federal agencies, including the U.S. Departments of Commerce, Treasury, and State.

This course also will provide the skill sets necessary to communicate effectively with licensing agencies, how to approach foundational determinations 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 civil and criminal enforcement environment, including the trends of ever-increasing fines and global settlements with the Departments of Justice, State, Treasury, and Commerce.

Recommended: Administrative Law; International Law I.

Note: This course is recommended for those students who have a strong desire to practice in the area of export controls and sanctions compliance, whether with law firms, government agencies, or companies.

Although national security and foreign policy considerations will be touched on in the context of understanding, interpreting, and using the laws and regulations that will be the focus of this course, these policy considerations will not be a primary focus of the course.

LAW 986 v01 U.S. International Inbound Tax (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 986 v01>)

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 and either prior or concurrent enrollment in Corporate Taxation 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 756 v01>)

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 GILTI rules, the foreign tax credit provisions, Subpart F, repatriation, 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 and either prior or concurrent enrollment in Corporate Taxation 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 1801 v00 Understanding and Combatting Corruption Seminar
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1801 v00>)

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

Objectives and Overview

Addressing corruption has become a global priority. The growing number of high profile cases involving the abuse of public power for private gain has generated moral outrage, particularly at a time of rising inequality.

Moreover, there is an emerging consensus that systemic corruption not only undermines a country's economic performance but can also lead to political instability and armed conflict. The Course will examine the societal impact of public sector corruption and the efficacy of the criminal, regulatory and administrative steps that are being taken to address it, both at the national level and international levels. The Course will be interdisciplinary, focusing on the legal, political, economic and institutional dimensions of this highly complex problem.

Finding a universally accepted understanding of what we mean by "corruption" can prove elusive, and the course will begin by examining 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 Combatting 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

LAW 3157 v00 US Health Law and Diplomacy in a Global Context (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3157 v00>)

LL.M. Seminar (cross-listed) | 2-3 credit hours

US Health Law and Diplomacy in a Global Context aims to introduce US health law and policy through comparative and international lenses. The course will provide interested students with a broad introduction to key areas of domestic health law (health coverage, public health, product regulation, social determinants outside the health sector), including divisions of responsibility at the federal, state, and local levels in the unique health policy environment of the US. The course will also provide a basic comparative framework for understanding the US health law and policy systems within the broader experience of high-income countries and other health systems. Moreover, this course will explore the role that the US plays in shaping and engaging in global health law through international law, federal assistance programs, and participation in international organizations. This element of the course will focus on the Constitutional and legal context for US foreign policy relating to health, including critical issues relating to the US role in the World Health Organization. Throughout the course, special attention will be paid to way in which law impacts health, more broadly the notion of "legal determinants of health" as articulated in the final report Lancet-Georgetown Commission on Global Health and Law.

LAW 3176 v00 Victim-Centered Justice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 3176 v00>)

LL.M. Seminar (cross-listed) | 1 credit hour

Mass atrocities and conflicts have an enormous impact on victims. Since Nuremberg, policymakers and lawyers have led the way in developing new legal frameworks, definitions, and legal processes to break the cycle of impunity. While painstaking and important progress has been made, particularly focusing on criminal prosecution and documentation, the voices of those most affected by atrocities - victims, survivors, and their communities - tend not to be solicited or given sufficient weight when policymakers design responses to atrocities. The disproportionate political and financial focus on holding perpetrators accountable risks neglecting other measures survivors prioritize, like reparations, truth-telling, memorialization, and searching for missing persons, let alone informal justice and healing processes. This 1-credit seminar will provide Georgetown law students the opportunity to consider how decision-makers can set justice priorities so that victims caught amidst conflict and mass atrocities are not an afterthought, but are placed at the center. We will explore 1-2 specific case studies.

Course Goals/Student Learning Outcomes:

Understand the arc and architecture of the international justice movement, the current gaps and critiques of the field, and where the field seems to be going.

Understand the complex landscape of actors, organizations, and institutions, as well as their roles, influence, and interests

Develop sensitivity to and awareness of how to prioritize the experiences of affected communities and their perspectives on justice as part of a holistic effort to seek accountability

Gain a detailed understanding of the multiple strategies and activities necessary for meaningful and holistic justice for atrocities, beyond criminal accountability

Learn about the strengths and limitations of different types of mechanisms designed to facilitate transitional justice and victim-centered justice processes that enable communities affected by atrocities and conflict to move toward more stable political and social arrangements

Understand the legal, political, social, jurisprudential, and ethical dimensions of efforts to seek justice for atrocities

Mutually Excluded Courses: Students may not receive credit for this course and LAW 1900 v00: Victim-Centered Justice and Security Practicum (Project-Based Practicum) (4 credit-hour version).

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 1900 v00 Victim-Centered Justice and Security Practicum (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1900 v00>) (Project-Based Practicum)

J.D. Practicum | 4 credit hours

Mass atrocities and conflicts have an enormous impact on victims and civilians. The voices and concerns of such people, however, tend not to be solicited or given sufficient weight and attention in fashioning responses to atrocities, and in the law of war (or international humanitarian law (IHL)). Responses to atrocities often prioritize criminal prosecution, which is not always informed by victims' perspectives and priorities for meaningful justice and accountability. The disproportionate focus on criminal prosecution omits other measures—like reparations, truth-telling, memorialization, and searching for missing persons—that may also accord with victims' views of justice and help them and the larger society come to terms with horrific events. Furthermore, IHL balances the principles of military necessity and humanity in ways that systematically give greater weight to military necessity, which results in lawful uses of force that cause a large number of civilian casualties. Decisions about responding to atrocities therefore can fail to provide meaningful justice for victims, while decisions during wartime based on national security concerns can leave the civilian population at serious risk of ongoing substantial harm.

This course will provide students the opportunity to participate in two projects conducted by Georgetown's Center on National Security (CNS) whose common goal is to help redress these imbalances. Our fundamental aim is to recalibrate how decision-makers set justice and security priorities so that innocent people caught amidst conflict and mass atrocities are not an afterthought, but are placed at the center. The projects share a common focus on: (1) mitigating, preventing, and redressing the impact of armed conflict and atrocities on civilians and victims; and (2) enhancing the likelihood that decision-makers will hear victim's voices as they make decisions about justice and security.

The Innovation Council for International Justice (ICIJ) is an initiative that brings together experts from multiple disciplines and experiences across the world to analyze and strategize efforts to redress and respond to war crimes and other atrocities for victims and civilians in order to draw lessons for innovative future approaches to this challenge. The project will survey the rich empirical literature on the achievements, limitations, and potential counterproductive effects of different types of approaches to this issue, and will engage with many of the scholars who have conducted these studies. It will complement this by consulting leaders and organizations in areas that have suffered atrocities and violent conflict to draw lessons based on their practical experiences. The goals will be to: (1) formulate best practices that are rooted in these experiences but informed by insights that permit some generalization and (2) develop a protocol that provides a blueprint for how to engage in consultation with victims and civilians to understand their perspectives so that they are taken into account in decisions regarding justice and security.

The Cumulative Civilian Harm (CCH) project aims to illuminate and rectify a critical blindspot in international law: the law of war focuses on whether civilian harms are excessive in each individual attack, but fails to adequately account for cumulative civilian harm over the course of a conflict. This project involves: (1) research on the law of war; states' policies and procedures regarding the use of force; state armed forces manuals on the use of force and formulation of rules of engagement; and international best practices on civilian protection; (2) interviews with high-level civilian and military officials involved in the decision-making process regarding the use of force in the United States, the United Kingdom, and Israel; and (3) interviews with populations in Gaza, Israel, and Iraq to understand their experience of harm during conflicts and their perceptions of what constitutes a just decision-making process regarding civilian harm. The project will culminate in recommendations

LAW 1477 v00 Video Games in the 21st Century: Creativity and Innovation in Action (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1477 v00>)

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 nearly \$50 billion in revenue in the United States, and over \$180 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, consumer protection, privacy, and competition in the online marketplace will be discussed. A wide range of novel issues associated with new developments in media and technology, (i.e. esports, gametech, 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.

Prerequisite: Prior or concurrent enrollment in Copyright Law

Recommended: Courses that cover Communications Law, Entertainment Law, and Antitrust.

Strongly Recommended: Constitutional Law II: Individual Rights and Liberties.

Note: Gamers wanted!

LAW 1647 v00 Warren Court Legal History Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1647 v00>)

J.D. Seminar | 3 credit hours

More than fifty years since Chief Justice Earl Warren's retirement, the Warren Court continues to dominate our legal and historical discourse. Liberals, especially ones who came of age during the 1960s, idealize it. Conservatives elected presidents who ran against it and who made a more conservative Supreme Court their number one priority. For years, lawyers and historians have debated whether the Warren Court went too far or whether it did not go far enough. Historians have identified three different Warren Courts: 1954–1962, 1963–1965, and 1966–1969. The Court featured dynamic justices: Hugo Black, William Brennan, William O. Douglas, Felix Frankfurter, Robert H. Jackson, John Marshall Harlan II, Thurgood Marshall, and Earl Warren. It decided landmark cases: *Brown v. Board of Education* (1954), *Cooper v. Aaron* (1958), *Mapp v. Ohio* (1961), *Baker v. Carr* (1962), *Gideon v. Wainwright* (1963), *New York Times v. Sullivan* (1964), *Reynolds v. Sims* (1964), *Griswold v. Connecticut* (1965), *Miranda v. Arizona* (1966), and *Loving v. Virginia* (1967). People have responded to the Warren Court's legacy in different ways. Some have defended it as the embodiment of the political philosophy heralded by footnote four of *Carolene Products* (1938) and a living Constitution. Devotees of legal process and originalism have attacked it. Its real legacy may be legal liberalism – the idea of the Supreme Court as an engine for social and political change. This class explores the Warren Court's jurisprudential triumphs and failings to understand its contributions to our current discourse and to the future direction of the Supreme Court.

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-Gossett 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

LAW 1837 v00 Washington DC: Law and Policy for the Capital City
(<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1837 v00>)

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

The District of Columbia has a unique position as the seat of the United States government. Because it is not a state, it does not have a voting representative in the U.S. Congress. It has limited powers of home rule, and did not even receive its current form of home rule until a 1973 Act of Congress. Its power remains limited even as to matters affecting entirely local interests. Indeed, Article I, Section 8 of the U.S. Constitution vests Congress with the power to exercise exclusive legislation in all cases over the District, and it has done so for matters ranging from budget control to marijuana sales. DC has non-voting representatives in each Chamber of Congress who did not have a staff, offices on Capitol Hill, or budgets, and a Delegate to the House of Representative who can participate in hearings, but does not have a vote. In some respects, DC is like a U.S. territory, and yet, unlike territories, it does not have a clearly designated path to statehood. For many reasons, the residents of the District of Columbia have repeatedly sought statehood primarily in order to have representation and to have autonomy over its own laws, budget, and constituency, and each time the effort has failed.

At the same time, within the narrow ambit of its home rule power, DC is a vibrant, thriving city. It has overall high income levels, with DC taxes paying the highest per capita income taxes in the nation. It has a population of over 700,000 residents, most of them full-time, larger than the population of two American states, and larger than the population of at least one state when it was admitted to the Union. That DC is a “transient city” is a myth. In fact, until recently, DC had a majority-Black population, and has for over a hundred years been a center of culture and education for Black residents, nurturing institutions like Howard University and the U Street corridor.

DC has a unitary school district, its own metropolitan transit system, and its own Mayor, an elected Attorney General, a city Council, and its own court system. The DC Council is the legislative body in DC made up of 13 members – 8 Councilmembers each of whom represent one of the eight wards in the District, 4 of whom represent the city “at large”, and one Chairman. It has a unique system of sublocal governance through its Advisory Neighborhood Commissions (ANCs). It has a police department, and a National Guard, but, as we saw on January 6, the Mayor cannot call up the Guard in the same way other Governors can on their own accord. We have also seen how the police powers of DC are constrained by the relationship with federal property and federal law enforcement agencies in the district.

DC also faces challenges in developing housing and infrastructure. Because of deep disparities in income, it has been subject, in some areas, to rapid gentrification. At the same time, through its Master Plan, and by dint of the efforts of Councilmembers, the construction of affordable housing and limiting the exodus of longtime residents is a policy priority. DC has also distinguished itself as a best practice model in two areas: its pursuit of local climate policy, including a commitment to net-zero carbon use; and its efforts to distinguish itself as a world-class city, with subnational diplomacy and networks with mayors both in the US and globally.

In this class, we will look at the unique structure of DC government within the contexts of our federalist system its governance structure and institutions, and some of the policy challenges it faces. We will discuss the movement for DC statehood, including its historical and justice-related underpinnings. The class is taught by Professor Chertoff, who studies state and local government. Several guest speakers are expected.

The assessment for the class will be a final paper; it will be based either on an in-class exercise we will participate in, based on a current issue in D.C. policy of D.C federal relations, or a topic approved by the professor.

Recommended: Constitutional Law, Property Law and Administrative Law

LAW 1883 v00 Water Law in an Era of Climate Change (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1883 v00>)

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

This course will introduce the legal principles governing the acquisition, use, and conservation of water resources, with an emphasis on the historic development of water allocation systems and the challenges posed by climate change. After a brief survey of water usage from antiquity through the present, the course will explore how states have developed competing allocation schemes – riparianism, prior appropriation, and hybrid systems – in response to local conditions and inquire how those systems can respond to changing climatic conditions. The course will next examine the federal government’s role in water allocation through its various and competing interests, including, navigation, flood control, reclamation, conservation, and protection of Native American water rights. The course will also survey mechanisms for resolving water disputes between states, through interstate compacts and Supreme Court original actions, and among nations, through treaties and arbitration. The course materials will include case law, legislation, and academic commentary. Throughout the course, traditional water law principles will be examined in the context of current concerns over climate change.

Learning Objectives: Students will gain familiarity with the general principles of water law at the state, federal, and international level. They will acquire an appreciation of how the governing legal principles have evolved over time in response to local conditions and interests. They will develop skills in critically evaluating whether those principles are adequate or adaptable in addressing current environmental challenges and what are avenues for future reform.

Prerequisite: Property Law and Constitutional Law I: The Federal System.

Recommended: Courses in environmental and natural resources law would be helpful.

LAW 1515 v01 Water Law Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1515 v01](https://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 610 v00 Week One Teaching Fellows ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 610 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20610%20v00))
J.D. Seminar | 1 credit hour

Week One Teaching Fellows work with faculty to facilitate the first-year Week One simulation courses offered in January. Fellows usually work in teams of two to six fellows for their specific Week One class. More information, including course descriptions, will be available on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

Teaching Fellows should expect to meet with their faculty for two full-day training sessions, one before the exam period in December, and the second on Saturday, January 4, 2025, to review course topics, goals, simulation structure, and receive training on their role throughout the course. Readings will be assigned.

Fellows then attend all of the class sessions during Week One and assist in facilitating discussion and small-group work amongst the students enrolled in the course. For example, fellows may moot students as they prepare for a mock oral argument or client presentation, or play the witness in a key witness interview. Fellows also meet and consult regularly with faculty during the course to discuss student progress and course logistics. They should expect to participate in a daily debriefing for approximately 15-30 minutes after each class.

At the conclusion of Week One, all fellows must complete a 6-8 page reaction paper assessing how the course worked, overall student experience, and how the course could be improved (e.g., legal issues, factual issues, structure of exercise).

Mutually Excluded Courses: Students who are enrolled in a Spring semester clinic should determine when any clinical meetings will take place during Week One to ensure there will be no conflict with their responsibilities as a fellow. In addition, because of the significant responsibilities each course requires during Week One, students enrolled in the Human Rights Advocacy in Action project-based practicum course may not concurrently enroll in a Teaching Fellow course.

Note:

THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students must complete the online Week One Teaching Fellows Application Form. A resume and a 1-page statement of interest must be provided, as well. The Application Form will be made available to students no later than September 2024. If you have any difficulty accessing the application or have questions about the application process, email lawexp@georgetown.edu.

This course is open to upperclass J.D., LL.M., and S.J.D. students. J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu.

WEEK ONE COURSE. This course will meet on the following days: Monday, January 6, 2025 through Thursday, January 09, 2025 during the classroom meeting times for the course to which the fellow has been assigned. Additionally, teaching fellows will meet with their professors on two dates to be announced. Professors may schedule alternative and/or additional trainings as needed. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

This course does **not** count toward the Experiential course requirement.

ATTENDANCE AT ALL CLASS SESSIONS AND FELLOW TRAININGS IS MANDATORY. After accepting an offer, the student may drop the course ONLY with the permission of the professor. Permission is granted only where remaining enrolled in the course would cause significant hardship

LAW 1686 v00 White Collar Criminal Practice: International Scandal Investigations (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1686 v00>)

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 6, 2025 through Thursday, January 9, 2025. 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 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 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 the Assistant Dean for Experiential Education. 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 1687 v00 White Collar Criminal Practice: International Scandal Investigations (Week One Teaching Fellows) (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1687 v00>)

J.D. Seminar | 1 credit hour

Week One Teaching Fellows work with faculty to facilitate the first-year Week One simulation courses offered in January. Fellows will work in teams of two to six fellows for their specific Week One class. The description of the course is available on the Curriculum Guide here (<https://curriculum.law.georgetown.edu/course-search/?keyword=law%201686%20v00>). Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

Teaching Fellows should expect to meet with their faculty for two full-day training sessions, one before the exam period in December, and the second on Saturday, January 4, 2025, to review course topics, goals, simulation structure, and receive training on their role throughout the course. Readings will be assigned.

Fellows then attend all of the class sessions during Week One and assist in facilitating discussion and small-group work amongst the students enrolled in the course. For example, fellows may moot students as they prepare for a mock oral argument or client presentation, or play the witness in a key witness interview. Fellows also meet and consult regularly with faculty during the course to discuss student progress and course logistics. They should expect to participate in a daily debriefing for approximately 15-30 minutes after each class.

At the conclusion of Week One, fellows must complete a 6-8 page reaction paper assessing how the course worked, overall student experience, and how the course could be improved (e.g., legal issues, factual issues, structure of exercise).

Mutually Excluded Courses: Students who are enrolled in a Spring semester clinic should determine when any clinical meetings will take place during Week One to ensure there will be no conflict with their responsibilities as a fellow. In addition, because of the significant responsibilities each course requires during Week One, students who are enrolled in the Human Rights Advocacy in Action project-based practicum course may not concurrently enroll in a Teaching Fellow course.

Note:

THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students must complete the online Week One Teaching Fellows Application Form. A resume and a 1-page statement of interest must be provided, as well. The Application Form will be made available to students no later than September 2024. If you have any difficulty accessing the application or have questions about the application process, email lawexp@georgetown.edu.

This course is open to upperclass J.D., LL.M., and S.J.D. students. J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu.

WEEK ONE COURSE. This course will meet on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025 during the class meeting times for the course. Additionally, teaching fellows will meet with their professors on two dates to be announced. Professors may schedule alternative and/or additional trainings as needed. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

This course does **not** count toward the Experiential course requirement.

ATTENDANCE AT ALL CLASS SESSIONS AND FELLOW TRAININGS IS

LAW 1827 v00 Wildlife and Ecosystems Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1827 v00>)

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

This course will involve an in-depth study of the complex body of laws by which we protect or regulate wildlife, including laws that protect ecosystems and the habitats in which wild animals live. The course will provide an overview of the wildlife common law history that stretches across several centuries and will address wildlife-specific federal laws and their accompanying regulations, including the Endangered Species Act, Migratory Bird Treaty Act, Marine Mammal Protection Act, and Magnuson-Stevens Fishery Conservation and Management Act. The course will also cover civil and criminal enforcement, constitutional and Tribal issues that arise in wildlife cases, as well as international law, including the Convention on International Trade in Endangered Species.

LAW 1465 v00 Women and Leadership Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1465 v00>)

J.D. Seminar | 3 credit hours

This course focuses on women and leadership. The class is not about organizational or systemic change, but is solely focused on individual skill building. The class is peer-driven and students will work in teams and receive feedback from peers on papers and oral exercises. Students will also reflect both individually and with the group on what you expect from your career and develop strategies for achieving those goals. Topics include: self-advocacy, career pathing, navigating organizational politics, and networking. There will be distinguished guest speakers, who will share their experiences, perspectives, and advice. 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.

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:

Laptops may not be used during class sessions. **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. Add/Drop and Withdrawal Policies:** 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 we 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 WEDNESDAY, AUGUST 28, 2024 and only by notifying Professor Sale (has75@georgetown.edu) in writing. After August 28 at 5:00 p.m., any drop will be recorded as a "W" (for withdrawal) on the student's transcript.**

Students are not allowed to drop this course 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 191 v02 Workers Rights & Globalization Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 191 v02>)
J.D. Seminar (cross-listed) | 2-3 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.

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 355 v00 Working with Expert Witnesses (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 355 v00>)
J.D. Skills | 2 credit hours

This course is designed to familiarize students with the role of experts in litigation and trials. 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 and economic 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.

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

LAW 611 v04 World Health Assembly Simulation: Negotiation Regarding Climate Change Impacts on Health (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v04>)

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: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 6, 2025, through Thursday, January 09, 2025.

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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). 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, 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 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors 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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 872 v00>)

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 v01 Writing for Law Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1104 v01>)

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 1622 v00 Wrongful Convictions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1622 v00>)

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.