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

Search Jd Cluster Complete List Courses (http://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** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201802%20v00)

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.

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

J.D. Course (cross-listed) | 3 credit hours
The law governing access to health care has been in flux and in legal dispute in recent years. This course will examine America's programs for health care access and finance, including employment-based private insurance, Medicare, Medicaid, CHIP, and VA. The course will also examine the enactment, implementation, and litigation of the Affordable Care Act. In addition to these payment systems, the course will also at laws affecting non-comprehensive systems such as emergency rooms, public hospitals, and community health centers. No previous knowledge of health law is required.

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

This is a required course for the U.S. Health Law Certificate.
**Complete List of J.D. Courses**

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

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

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

Discussion will include:

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

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

**LAW 025 v06 Administrative Law** (http://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 non-judicial mechanisms of agency control within the Constitution's separation-of-powers framework.

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

1. Identify the legal framework (statutory, constitutional, doctrinal) that applies to a particular issue of administrative action;
2. Apply the relevant legal framework to a given set of facts; and
3. Evaluate the merits of the legal framework against a variety of normative goals.

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

**Mutually Excluded Courses:** Students may not receive credit for 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** (http://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 1349 v00 Administrative Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201349%20v00)
J.D. Course (cross-listed) | 3 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.

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

LAW 1349 v01 Administrative Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201349%20v01)
J.D. Course | 3 credit hours

There is no more fundamental course in law school than administrative law. This course introduces you to the modern administrative and regulatory state. You will come to understand both the tremendous power exercised by administrative agencies and the significant constraints (legal and political) under which they operate. You will learn to identify the design features that might make an agency constitutionally problematic, the factors that make one type of decision-making framework more appropriate than another, the prerogatives and limits of agencies in interpreting the statutes they are charged with administering, and agencies’ prerogatives and limits in adjudicating facts and exercising policymaking discretion. You will also learn to identify the factors that affect the availability and timing of judicial review of agency action.

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

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

LAW 1611 v00 Administrative Law and Public Administration Seminar (http://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.

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

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 will also have written a paper of publishable quality analyzing and assessing a conflict, crisis, or controversy within the operations of a government institution using the lens of the tools we have studied.

Prerequisite: Administrative Law (1L elective or upper level course) or Legislation and 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 1787 v00 Adoption Law & Policy Seminar (http://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) 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 1528 v00 Advanced Antitrust Seminar: Antitrust and Intellectual Property (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201528%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
The intersection of antitrust and intellectual property underlies many key debates in contemporary competition law and presents topics of recurring importance. This advanced seminar introduces students to the antitrust/intellectual property interface, including the economics of innovation, the debate over the relationship between the two fields, and the impact of the evolution of that relationship on the antitrust analysis of specific practices. Topics include the economics of innovation, the contemporary debate over “Big Tech,” licensing practices, product design and tying, patent settlements, patent pools, standard setting, the acquisition of intellectual property rights, patent assertion entities, the assertion of IP rights, and antitrust counterclaims in U.S. litigation litigation, and select issues Grades will be based on weekly papers written in response to the contemporary debate over “Big Tech.” Grades will be based on bi-weekly papers written in response to assigned readings; class participation can increase, but not decrease, 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201716%20v00)
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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201265%20v00)
J.D. Seminar | 3 credit hours
Few events have had as much impact on 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).

LAW 1648 v00 Advanced Corporate Finance: Quantitative Analysis and Valuation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201648%20v00)
J.D. Course (cross-listed) | 2 credit hours
This two-credit course provides an introduction to basic quantitative analysis 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.
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 the impartiality and independence of elected judges, competency for trial and other issues involving the mental health and intellectual functioning of those accused of crimes, practices and procedures regarding clemency, and perspectives on the experiences with the death penalty since the Supreme Court’s decisions allowing the resumption of capital punishment in 1976.

**Course Goals and Learning Objectives:** Students will develop knowledge and understanding of issues regarding the impartiality of judges, the treatment of people with mental disorders and intellectual disabilities in the criminal courts, the consideration of applications for clemency by people sentenced to death, and the experiences of the courts in adjudicating cases involving the death penalty since 1976. The overwhelming majority of cases — both criminal and civil — are decided in the state courts. In almost all of the states, judges are elected. On occasion, the election of judges presents issues of whether judges are influenced by political considerations. In some cases, there are issues of whether judges 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 practices regarding applications for clemency. Students will also engage with the views of Supreme Court justices, lower court judges, legislators, governors and commentators with regard to issues of fairness and discrimination with regard to the experiences of the state and federal governments in carrying out the death penalty since the Supreme Court allowed its resumption in 1976. 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 9, 2023, through Friday, January 13, 2023, 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 v02 Advanced Criminal Procedure (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20032%20v02)
J.D. Course | 2 credit hours
The stages of the criminal process beginning with the filing of charges through the sentencing stage are analyzed. Legal issues arising at each stage will be examined. How the legal and administrative obligations of the participants in the process – the court, prosecutor and defense counsel – influence decision-making at various stages is explored. The prosecutor's paramount role is to advocate aggressively on behalf of the government. However it cannot be unmindful of its administrative responsibility to process cases expeditiously. Protecting the rights of the accused is a defense attorney's foremost obligation but not without a regard for the attorney's duties as an officer of the court. Arbitrating matters is a core judicial activity in the criminal process; influenced by the court's desire to move cases to conclusion. Burdens of proof to resolve procedural issues are studied in the context of how the allocations of burdens of proof are allocated to achieve philosophical interests to be accommodated by the system.

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

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

Recommended: Evidence.

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

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

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

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

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

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

Recommended: Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Criminal Procedure and Litigation or Serial and Adnan Syed: Special Topics in Criminal Procedure or Criminal Justice II: Criminal Trials.
**LAW 029 v00 Advanced Environmental Law: Climate Change**

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

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

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

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

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

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

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

**LAW 1712 v00 Advanced Evidence**

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**

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

**Prerequisite:** Evidence.

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

**Note:** This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1089 v00 Advanced Evidence: Trial Skills (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201089%20v00)
J.D. Skills | 2 credit hours
This course will bridge the gap between the academic subject of evidence and the practitioner's course of trial practice by teaching students how to use evidence as a functional tool in the courtroom. There will be brief overviews of the law, but the vast majority of this course is dedicated to teaching students through realistic examples how particular rules are used during trial and when and how to make objections. The course is structured and allocates time according to the importance of topics. For example, the evidentiary doctrine of judicial notice will be addressed, but the course will take time to examine evidentiary issues that are used in most trials, such as party admissions or business records. Through practical exercises, students will prepare arguments and defend their arguments through thoughtful researched positions (as is done in real trial work.) These practical exercises will make up the majority of the course work. Students will also learn how to lay the foundation for introducing evidence into a trial as exhibits. Once the item or document is introduced, students will learn how to effectively use the exhibits in the presentation of their case. The course will culminate in a final 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 2073 v00 Advanced International Commercial Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202073%20v00)
LL.M Course (cross-listed) | 3 credit hours
This course will provide an indepth study of specific topics in international commercial arbitration from both a theoretical and practical perspective. Topics to be considered will include:

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

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

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

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

**Note:** Please note, the date for the final class session will be announced at the start of the semester.

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

**Prerequisite:** Corporate Income Tax Law I (or Corporate Taxation); 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 483 v01 Advanced Issues in International Human Rights Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20483%20v01)

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

This course will examine specific issues in international human rights law drawn from the current decisions of international human rights supervisory bodies. The course will be divided into two halves. The first half of the course will consist of lectures and discussions on seven specific issues as illustrated by cases decided by international jurisdictional bodies. For example, we will examine the decisions of the International Court of Justice (Breard, LaGrand) and the Advisory Opinion of the Inter-American Court of Human Rights (OC-16) on an alien’s right to consular assistance, in the context of the creation of international human rights norms and the problems arising from a multiplicity of international jurisdictions. We will examine the two decisions (Section and Grand Chamber) of the European Court of Human Rights on the Refah Partisi case as regards the compatibility of Islam and democracy in the context of the universality of human rights debate. We will examine decisions of the European Commission and Court of Human Rights and the Inter-American Commission in an attempt to trace the changing definition of “torture” in the context of the Guantanamo detainee case. The second half of the course will be dedicated to the oral presentation of research papers and discussion of these paper topics.

Prerequisite: International Law I (or an equivalent course in Public International Law).

Recommended: A survey class in Human Rights Law.

Law 1460 v00 Advanced Legal Practice: Judicial Opinions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201460%20v00)

J.D. Seminar | 2 credit hours

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

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

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

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

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

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

Sixty percent of the final grade will be based on the written opinion, and forty percent will be based on class participation and assignments. Active participation will include written responses to the weekly reading assignments as well as class discussion. A willingness to share and respectfully listen to different points of view is critical to the success of the class.
LAW 301 v03 Advanced Legal Research (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%20301%20v03)
J.D. Course | 2 credit hours
In this advanced course, students will learn the concepts and skills
needed to research complex legal problems. This course will cover a wide
range of legal research topics, including statutes, legislative history, court
and government documents, administrative materials, practitioner tools,
secondary sources, and specialized legal research. Students will also
gain hands-on experience developing, implementing, and documenting
appropriate research strategies, conducting research in an efficient
manner, and citing resources appropriately for a professional-level work
product.

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

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

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

Prerequisite: Legal Practice: Writing and Analysis.

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

LAW 036 v00 Advanced Legal Writing and Practice for Judicial Clerks and
Civil Litigators (http://curriculum.law.georgetown.edu/course-search/?
keyword=LAW%20036%20v00)
J.D. Seminar | 2 credit hours
This seminar will provide students with a platform to build upon the
principles learned in first year Legal Research and Writing and to develop
real-world legal practice skills. The course is designed to provide the
most benefit to students who are pursuing judicial clerkships and
litigation positions for post-graduate employment. The course will
simulate the litigation process, with students playing the roles of both
advocates and decision-makers throughout the semester. Students
should expect to research and write several documents common in civil
litigation, including correspondence, legal research memoranda, motions
and responses, and judicial decisions. At least one assignment will be
a collaborative writing assignment, and the remainder will be individual
assignments.

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

Prerequisite: Legal Practice: Writing and Analysis.

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

Note: Students may not withdraw from this class after the add/drop
period ends without the permission of the professor.
LAW 036 v06 Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20036%20v06)
J.D. Seminar | 2 credit hours
This two-credit seminar is designed to help students develop the legal 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 the Advanced Legal Writing Seminar, Advanced Legal Writing: Practical Skills from Retail Industry Examples, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing for International Business Lawyers, or Writing for Law Practice.

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201541%20v00)
J.D. Seminar | 2 credit hours
Over the past decade, the practice of "National Security Law" as its own discipline in private practice has emerged, partially as a response to market demand for assistance with national security-related agencies, regulations, and issues, and partially as a realignment of several different areas of law into one holistic practice that benefits from cross-sectoral and cross-regulatory experience. (The relevant areas of law include international trade, data privacy and security, telecommunications, and transactional matters involving foreign direct investment.) This class is designed to prepare students to succeed as national security law practitioners by creating opportunities to develop skills relevant to the various stages of relevant matters, including counseling, investigations, administrative advocacy, and litigation. We will simulate the roles of law firm associate, law firm partner, law clerk, and judge through oral presentations and substantial writing projects (which may be used to develop writing samples suitable for applying to clerkships or other roles). Students will also learn to edit their own work and the work of others. Class format will vary week-to-week and include courtroom simulations, guest speakers, and seminar-style discussions.

Each student will complete three primary assignments:

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

Learning Objectives:

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

Prerequisite: Legal Practice: Writing and Analysis.

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

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

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

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

Prerequisite: Legal Practice: Writing and Analysis.

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

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

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

LL.M. STUDENTS: THIS COURSE REQUIRES DEPARTMENTAL PERMISSION TO ENROLL. LL.M. students cannot register or put themselves on the waitlist for this course through MyAccess. Students interested in taking this course should send an e-mail to lawgradprog@georgetown.edu indicating their interest in the course and their previous exposure to U.S. legal writing.
LAW 1798 v00 Advanced Legal Writing in Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201798%20v00)
J.D. Seminar | 3 credit hours
This seminar is designed to reinforce and build upon 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 1623 v00 Advanced Legal Writing: Intellectual Property and Technology Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201623%20v00)
J.D. Seminar | 3 credit hours
This three-credit seminar offers an opportunity for J.D. students interested in transactional practice to hone their legal writing, negotiating, and real-world transactional skills in a small workshop environment.

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

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

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

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

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

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

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
**LAW 036 v05 Advanced Legal Writing: Legal Writing as a Discipline**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20036%20v05)

J.D. Seminar | 2 credit hours
This seminar will focus on legal writing as a discipline. It will impart to students both the foundational and advanced tools to excel in all forms of legal writing and communication, from litigation briefs and judicial opinions to office memoranda and corporate documents. Through this seminar, students will gain a leg up in the marketplace, attaining a rare skill applicable to all types of legal positions.

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

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

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

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

**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL.

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

**LAW 1730 v00 Advanced Legal Writing: Practical Lawyering Skills and Strategies**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201730%20v00)

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

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

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

**Laptop Policy:** You are required to bring a fully powered laptop or tablet to class. We will be using the online text book, TeachingLaw.com, and doing substantial writing during class time.
LAW 1766 v00 Advanced Legal Writing: Practical Lawyering Skills and Strategies
This two-credit seminar offers an opportunity for J.D. students to hone their legal writing skills in a small workshop environment, while learning the skills and strategies of lawyers in practice. Students will represent clients in simulated cases, 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: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Michael Cedrone (mjc27@georgetown.edu) a brief explanation of why you would like to take the class. Students who were not 1Ls at Georgetown Law should include a brief description of work they completed in their 1L legal writing 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 may result in a withdrawal. Laptop Policy: You are required to bring a fully powered laptop or tablet to class.

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

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

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

Prerequisite: Legal Practice: Writing and Analysis.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Advanced Legal Writing Seminar, Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing: Legal Writing as a Discipline, Advanced Legal Writing for International Business Lawyers, or Writing for Law Practice.
LAW 1444 v02 Advanced Legal Writing: Transactional Practice

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

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

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

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

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

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

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

LAW 3151 v00 Advanced National Security Law and the Sea

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:
- 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

LL.M Course | 2 credit hours
Focuses on the skills necessary (including review of transactional documents) for a tax attorney involved in advising on partnership structuring matters. Topics will include drafting the partnership agreement, allocations of tax items, amortization of partnership intangibles, classification/conversions, interplay of partnership rules on debt restructuring application of various gain triggers upon exiting from partnerships, partnership mergers and divisions, partnership equity-based compensation, and the partnership anti-abuse rules.

Prerequisite: Federal Income Taxation (formerly Taxation I); Taxation of Partnerships. Neither prerequisite may be taken concurrently.
LAW 040 v01 Advanced Patent Law Seminar
This advanced seminar presumes knowledge of patent law fundamentals and examines various specific topics, including the Hatch-Waxman Act, patent administration, claim interpretation, the doctrine of equivalents, the experimental use privilege, and comparative and international patent law. Students will write papers on some specific aspect of patent law, not limited to those topics covered in class.

Prerequisite: Patent Law or equivalent experience.

LAW 381 v02 Advanced Studies in Federal Securities Regulation: Policy and Practice
This seminar course offers an opportunity for in depth discussion of key issues in securities regulation including current Securities and Exchange Commission (SEC) and Public Company Accounting Oversight Board (PCAOB) regulatory and enforcement actions, how regulatory decisions are made, the economic and other policy bases for SEC and PCAOB regulation, and the operation and impact of the SEC's regulatory oversight and enforcement programs in the recent financial crisis. Guest speaker participants will include members and senior staff from the SEC and PCAOB and experienced securities practitioners.

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

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

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

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

LAW 1534 v00 Advanced Topics in Corporate Law: Control and Its Implications
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 19, 2023. Failure to drop the course by January 19, 2023 will result in a withdrawal. No student may withdraw from this class without permission from the professors.
LAW 1521 v00 Advanced Topics in Corporate Law: Corporate Transaction Litigation in Delaware (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201521%20v00)
J.D. Course (cross-listed) | 1 credit hour
This course will explore corporate litigation in the Court of Chancery in the context of mergers, acquisitions, and other transactional structures.

The course is divided into three parts. Part I will begin with a discussion of Delaware's place in the world of corporate litigation. This will include the mechanics of initiating a lawsuit to challenge a deal, together with the Court's role in resolving preliminary and logistical issues, before turning to the substantive law governing motions for expedited proceedings and motions for preliminary or permanent injunctive relief. Finally, we will discuss the mechanics of initiating a lawsuit and the mechanics of the substantive law governing motions for expedited proceedings and motions for preliminary or permanent injunctive relief. Failure to attend any class session in its entirety will result in being dropped from the course.

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 corporate entity in a particular case. This will include a discussion of recent changes in corporate litigation following Corwin. Then we will turn to other key issues in shareholder derivative litigation relating to the mechanics of initiating a lawsuit and the mechanics of the substantive law governing motions for expedited proceedings and motions for preliminary or permanent injunctive relief. Failure to attend any class session in its entirety will result in being dropped from the course.

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 the 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 27, 2023. Failure to drop the course by January 27, 2023 will result in a withdrawal. No student may withdraw from this class without permission from the professors.

LAW 1535 v00 Advanced Topics in Corporate Law: Management Misconduct (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201535%20v00)
J.D. Course (cross-listed) | 1 credit hour
Through the lens of Delaware law, this course will review the roles of the board of directors, senior officers, and stockholders in overseeing a corporation, monitoring management conduct, and promoting compliance. The course will consider the director's duty of oversight, its origins, and how it has evolved. The course will examine whether senior officers owe a similar duty of oversight, or whether different duties apply. We will delve deeply into the derivative action, which is the primary enforcement mechanism through which stockholders can address management misconduct. As part of this effort, we will explore the various stages of the derivative action and consider its strengths and weaknesses.

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

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

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

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

Prerequisite: Corporations.

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

Add/Drop and Withdrawal Policies
No student will be permitted to drop this course after October 13, 2022. Failure to drop the course by October 13, 2022 will result in a withdrawal. No student may withdraw from this class without permission from the professors.
LAW 1602 v00 Advanced Topics in Torts: Products Liability, Guns, and Drugs (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201602%20v00)
J.D. Course (cross-listed) | 3 credit hours
This upper level course will cover the law of products liability generally and take a close look at the state of products liability litigation and liability in relation to guns and to opioids. The goal is to combine a survey of the complicated field of products liability law with a sophisticated deep dive into two areas of cutting edge products liability litigation. The first part of the course will familiarize students with major topics applicable to all products manufacturers including: a product distributor’s liability for defect-caused harm, allocating responsibility inside and outside the commercial chain of distribution, causation, affirmative defenses, approaches to design defect litigation, and federal preemption of products liability claims. Later in the course, we will examine gun manufacturer liability, currently and prior to the passage of the Protection of Lawful Commerce in Arms Act, which reshaped the landscape of gun litigation. Finally, we will end with a consideration of the growing litigation related to the opioids, litigation inflected by doctrines peculiar to prescription drug manufacturer liability. The final examination will be a self-scheduled 48 hour take home exam. Attendance and participation are crucial to the course, and significant credit will be given to those students who contribute thoughtfully and constructively to class discussion of cases and issues.

LAW 885 v00 Advocacy in International Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20885%20v00)
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 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 885 v01 Advocacy in International Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20885%20v01)
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: International Law I: Introduction to International Law
Note: Students participate in in-class 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 127 v00 Advocacy Tools for Public Interest Lawyers (http://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 (http://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, 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 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201604%20v00)
J.D. Seminar | 3 credit hours
The goal of this seminar is to expose you to the policy, law and practice concerning the provision and preservation of affordable housing and its relationship to personhood, to community, and to society as a whole. Specifically, we will examine the problems caused by the absence of a sufficient number of safe, sanitary, decent, and affordable units for households of low and moderate income. We will look at aspects of federal and local housing policy from both a current and an historical viewpoint. We will place particular emphasis on issues of poverty and race. Your paper can examine any element of affordable housing regardless of whether it is covered in class.

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

**Learning Objectives:**

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

**Note:** This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
This seminar explores, through lecture, discussion, role playing, and problem solving, the range of legal challenges and public policy issues affecting older adults. Subject areas include health care benefits (Medicare, Medicaid); long-term services and supports (nursing homes, home and community-based services, long-term care insurance, state-based programs); income security programs (Social Security, SSI); aging and autonomy, including elder abuse, neglect and exploitation and advance planning related to incapacity (powers of attorney, guardianship and its alternatives, choices regarding life-sustaining medical treatment); housing and consumer issues affecting older adults; and ethical issues in representing older adults. Coursework will address systemic inequities faced by older adults of color, older women, LGBTQ older adults, older adults with disabilities, and older adults who are immigrants or have limited English proficiency. The seminar is both practice- and policy-oriented and integrative with respect to other coursework and related disciplines.

Recommended: Prior or concurrent enrollment in one or more of the following courses: Administrative Law; Family Law I: Marriage and Divorce; Constitutional Law II: Individual Rights and Liberties; Professional Responsibility.

LAW 065 v02 Alternative, Complementary, and Integrative Medicine, The Legal Issues Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20065%20v02)
J.D. Seminar (cross-listed) | 3 credit hours
Alternative, Complementary, and Integrative Medicine ("non-traditional medicine") ("CAM") is the fastest-growing sector of American Health Care and is one of the fastest growing fields in the United States. Presently, at least 50 percent of Americans are using some form of alternative and complementary therapy such as acupuncture, nutritional supplementation, herbs, massage, yoga, chiropractic 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%2015%20v02)
J.D. Course | 3 credit hours
The defining characteristic of American legal history in the twentieth century, wrote the great legal historian James Willard Hurst, was the emergence of unreviewable, "prerogative" power in executive officials. Americans needed a state, but they also needed it to respect individual freedom and a diverse civil society. They wanted not Leviathan but a democratic and liberal state, and they looked to lawyers and the rule of law to create it.

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

LAW 361 v20 American Legal Profession (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v20)
J.D. Course | 3 credit hours
This course combines material covered in the two-hour Professional Responsibility course with a broader examination of the legal profession. In addition to the law of lawyering (including the Model Rules of Professional Conduct), the course includes material on the moral underpinnings of law practice, the structure and regulation of the legal profession, and the distribution of legal services. The course uses problems and case studies to enable students to identify ethics issues as they arise in different practice areas, including private practice, government lawyering, criminal defense and prosecution, and public interest practice.
LAW 1107 v00 Analytical Methods (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201107%20v00)
J.D. Course (cross-listed) | 3 credit hours
Lawyers in every type of practice (corporate, litigation, government, public interest, etc.) routinely deal with problems that require a basic understanding of concepts and methods from economics and statistics. This course provides an introduction to these subjects and their application and relevance to law and legal practice. Topics covered include decision analysis, game theory, probability, and statistics. Grades will be based on a graded problem set and a take-home final examination. No prior background in economics or statistics is required; however, we will regularly use elementary algebra and geometry. Students with strong backgrounds in economics, mathematics, or statistics should consult with the professor before enrolling in the course.

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

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

LAW 1167 v00 Anatomy of a Federal Criminal Trial: The Prosecution and Defense Perspective (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201167%20v00)
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 1743 v00 Animal Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201743%20v00)
J.D. Course | 3 credit hours
An exploration and discussion of the treatment of animals under state, federal, and international law, as well as current policy reform efforts. The course will address the historical status of animals in the law; legislative and regulatory efforts and citizen initiatives to strengthen animal protection laws; the application of federal laws concerning captive animals, wildlife, and farm animals; the role of international conventions concerning trade in animals and in animal products; the limitations on state laws addressing anti-cruelty, hunting, trapping, and animal fighting; and the effect of free speech, religious expression, and other Constitutional principles on animal protection statutes.
LAW 567 v00 Animal Protection Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20567%20v00) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course explores the process of public interest litigation in an effort to better understand the status and treatment of animals in the courts. Students will participate in a two hour/week seminar and also undertake 10 hours/week of fieldwork in the twenty-attorney litigation unit at the Humane Society of the United States.

SEMINAR: The seminar offers a practical survey of litigation and legislative efforts on behalf of animals at the local, state, and national level. The course will address the historical status of animals in the law; the current application of animal protection laws to wild animals, animals confined in factory farms, exhibitions, and laboratories, and companion animals; legislative efforts and citizen initiatives to strengthen animal protection laws; the role of international conventions and other laws concerning trade in animals and animal products; the limitations on implementation and enforcement of animal laws; and the impacts of free speech, religious expression, and other constitutional provisions on animal protection 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 litigation group to find new and creative ways to ensure that all animals receive the legal protections they deserve. As part of the fieldwork, students will work on a wide variety of cases, 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.

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

Recommended: Administrative Law.

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

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

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

LAW 038 v02 Antitrust Economics and Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20038%20v02)

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

This course covers the major federal legislation and doctrine in the field of antitrust law with a primary focus upon governmental efforts to promote competition. Emphasis is placed upon the growing role of economic analysis and trends in judicial interpretation relating to the coordination, monopolies, mergers and joint ventures, as well as evolving legal standards, including the role of decision theory in setting legal standards.

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

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

Mutually Excluded Courses: Students may not receive credit for both this course and Antitrust Law or Antitrust Law: A Survey from the Sherman Act of 1890 to Today's Progressive Movement.
LAW 1530 v00 Antitrust in Action: Evaluating the Deal and Advising the Board of Directors

J.D. Seminar | 1 credit hour

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

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

This course will be highly interactive. Working in teams and individually over three class sessions, the students will perform a “quick and dirty” antitrust analysis of the alternatives, evaluate/negotiate the antitrust risk shifting provisions in the merger agreement, present the analysis to the Board, and present a Day 1 presentation to the antitrust authorities. The students will be allocated tasks throughout the week as they would in a real life/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. Students may not withdraw from this class after the add/drop period ends without the permission of the professor. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students. Note: Students should be prepared to dedicate a significant amount of time to this class over the course of the weekend outside of the scheduled class hours.

LAW 038 v01 Antitrust Law

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.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on July 14.

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

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.


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 [http://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 [http://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”, very large “mega firms,” 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 through 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.

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 [http://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.

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

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

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

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

The instructor, Brian Wolfman, is Director of GULC's Appellate Courts Immersion Clinic, which litigations public-interest appeals of all kinds. He is the former co-director of Stanford's Supreme Court Litigation Clinic and GULC's civil-rights clinic. Before entering clinical teaching, Prof. Wolfman was the 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 (http://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/zr7dftbnib1iocml95d3zy021bjfudc).

For more information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3jvqcuynexij3ytyr61f6j9yyv).

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20504%20v00)
J.D. Clinic | 9 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/sh4wk0ph6jisy9bttmogkh1f08015).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3jvqcuynexij3ytyri61f6j9yyv).

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

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

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

Note: FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class. 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20537%20v00)
J.D. Course | 2 or 4 credit hours
Students study legal writing from both the writer's and reader’s perspectives. Students review documents, analyze scholarship, write criticisms of legal writing, prepare their own texts, and read extensively about the theory of legal composition. Students hold conferences with clients who are currently working on writing projects.

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

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

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

LAW 1797 v00 Approaches to Consumer Protection (http://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 1771 v00 Arguing Free Speech in the 21st Century Seminar (http://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. 

Prerequisite: Constitutional Law II: Individual Rights and Liberties.  

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 indicating if they have fulfilled the prerequisite.

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201740%20v00)  
J.D. Seminar (cross-listed) | 1 credit hour  
This one-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.  

Note: In Spring 2023 this course will meet on the following dates: 3/7, 3/21, 3/28, 4/4, 4/11, 4/18 and 4/25.
**LAW 1788 v00 Asian American Legal Studies Seminar** (http://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:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Munshi (skm67@georgetown.edu) and her assistant Noreen Tareque (nt574@georgetown.edu) by Wednesday, June 8, 2022 with a copy of your CV and a short statement of interest (1 page or less). Please include whether you want to take the course for 2 or 3 credits. After the June 8 application deadline, students will be admitted into open seats on a rolling basis.

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

**LAW 2028 v01 Assisted Reproductive Technologies and the Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202028%20v01)

**LL.M Seminar (cross-listed) | 2-3 credit hours**

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

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

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

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

**LAW 050 v01 Aviation Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20050%20v01)

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

The course, taught by practitioners in the field, covers contemporary and cutting-edge aviation topics such as international commercial aviation, aviation security, and the integration of unmanned aircraft systems (i.e., drones) into the national airspace. The course material will encompass most aspects of aviation law, including the law of international civil aviation, the economic and safety regulation of air transportation, aircraft registration and certification, aircraft accidents, airport law, government immunity from tort liability, and airline liability for the carriage of passengers and cargo domestically and internationally under the Montreal Convention. Students are exposed to a range of materials, including cases, treaties, executive agreements, and regulations, with a view towards imparting practical skills that can be applied to any field of law.
LAW 1316 v00 Bankruptcy Advocacy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201316%20v00) (Project-Based Practicum)
J.D. Practicum | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor. This project-based practicum course will focus on bankruptcy litigation. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

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

PROJECT WORK: In Spring 2023, this practicum will seek to give students an opportunity to assist in the writing of an actual amicus curiae brief to be filed in a pending matter before the U.S. Supreme Court, or one of the Circuit Courts. The topic typically includes a matter of national importance in the area of consumer bankruptcy law.

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

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

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

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

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

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

This is a four-credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be graded. Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause

LAW 002 v02 Bargain, Exchange, and Liability (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20002%20v02)
J.D. Course | 6 credit hours
This course explores the ways in which the law can regulate relationships between individuals. Some of this regulation involves rules that individuals crafted for themselves; that is the core of the field of Contracts. Other aspects of the regulation of individuals’ interactions entails enforcing rules society has established for people’s behavior; this is the central focus of Torts. Rather than approaching Contracts and Torts separately, as the standard law school curriculum does, this course engages them together, emphasizing how they have changed in similar ways over the years as dominant legal ideas have changed. For example, both Contract and Tort must consider whether to regulate inaction as well as action. Both must determine how much law should defer to other relationships among individuals. Both face choices about how, if at all, to take into account the effects of broader societal conditions (such as inadequate employment opportunities or education) when assessing individuals’ legal rights and obligations. And both must decide how much to focus on particular individuals’ capabilities or states of mind and how much to impose generalized, one-size-fits-all rules. The first half of the course focuses on Classical Legal Thought, which rose to prominence after the Civil War and continues to have considerable influence on legal rules. The second half revolves around various ideas broadly grouped as Law and Economics, which began to emerge early in the 20th Century.

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

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

LAW 2086 v00 Basic Accounting for Lawyers (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202086%20v00)
LL.M Course (cross-listed) | 2 credit hours
This is a basic course for students with NO accounting background or experience. A student will learn what an asset and a liability are, what the basic financial statements are, how financial statements are developed from the underlying accounting information of a company, and how the basic transactions of a business affect each line item of each financial statement. Students will learn how to understand the basics as it relates to the balance sheet, income statement, and statement of cash flows. Methods will include reading and text exercises, class lectures, and case exercises. Grading may be based on a final examination.

Mutually Excluded Courses: Students may not receive credit for both this course and Accounting for Lawyers or Introduction to Accounting. Students MAY receive credit for this course and Demystifying Finance: A Short Course for Law Students and Business Basics for Lawyers and Business and Financial Basics for Lawyers.
LAW 104 v02 Behavioral Law and Economics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20104%20v02)
J.D. Course (cross-listed) | 1 credit hour
The economic analysis of law has predominated much of legal analysis for the past few decades. Within this framework, rational choice theory has taken central stage as the key model used in order to predict human behavior. In recent years, however, researchers both in economics and in psychology have demonstrated that people systematically deviate from the predictions set forth by the rational choice model. The goal of this course is to incorporate these findings into legal analysis. In doing so we will first examine traditional economic analysis of law in the areas of property, contracts and torts, and then explore how the conclusions of this analysis are altered when behavioral insights are incorporated into it.

Learning Outcome Goals:

Primary Goals

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

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

Secondary Goals

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

Note: This course will meet in Fall 2021 on the following dates: 8/31, 9/2, 9/7, 9/9, 9/14, 9/16, and 9/21.

Laptop computers are not permitted in class without the permission of the instructor.

LAW 1354 v00 Best Practices for Justice: Prosecutors Working to Improve the Criminal Justice System (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201354%20v00) (Project-Based Practicum)
J.D. Practicum | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of the 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 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 project work may be done outside of business hours. Students may not concurrently enroll in this practicum course and an externship.
LAW 3026 v00 Beyond the IPO: Exempt Securities Offerings (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203026%20v00)
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 611 v17 Big Data, Face Recognition and the Limits of the Legislature: A Bill Negotiation Simulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v17)
J.D. Seminar | 1 credit hour
If you have ever taken advantage of basic government services, your personal information is part of a massive trove of data that local, state and federal agencies share with one another through a variety of overlapping networks, databases and bureaucratic collaboratives. This infrastructure has been built over the course of the last 20 years, for the most part without any oversight or accountability, let alone transparency to the public.

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

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

Learning Objectives:
Through this course, students will have the opportunity to:

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

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

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 30, 2020 at 3:00 p.m. After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.
LAW 1536 v00 Bioethics and Social Justice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201536%20v00)
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

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

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

Learning Objectives:

- Describe the normative theories that inform the development of the field of bioethics and the role that the law has played in this evolution
- Describe practical examples of legal and ethical dilemmas that arise across multi-disciplinary topics in health, medicine, and the biological sciences
- Articulate the ethical arguments on often opposing sides of priority bioethical issues, understanding the varied levels of nuance involved
- Analyze the role of legal institutions and law and in creating a framework to address the ethical, legal, and social issues that arise in the fields of health, medicine, and the biological sciences
LAW 3038 v00 Biosecurity and the Law

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

Note: NOTE: In the Fall 2021 semester, this course will take place online via Zoom.

LAW 1789 v00 Biotechnology and the Law

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.
LAW 1804 v00 Blume Public Interest Scholars Seminar

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 meets for seven sessions in the fall semester. The first class will meet on Friday, September 9, 2022.

LAW 1175 v01 Borders and Banishment Seminar

J.D. Seminar (cross-listed) | 2-3 credit hours
This course explores practices of border fortification, incarceration, criminal law enforcement, and immigration policing. Migration and incarceration—borders and banishment—present some of the most pressing legal and moral controversies in contemporary public life. Over the past two decades, criminal-immigration matters have become the most commonly prosecuted federal crimes; populations in prison, jail and immigration detention have dramatically increased; and though major proposed immigration reforms are stymied in Congress, pressures for reform in both the immigration and criminal contexts continue to mount.

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

There are no prerequisites. All students are welcome.

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

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

FIRST AND SECOND CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1552 v00 Business and Capitalism (http://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

LAW 1394 v00 Business and Human Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201394%20v00)
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

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.
LAW 370 v02 Business and Human Rights in the Global Economy
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20370%20v02)
J.D. Seminar (cross-listed) | 2 credit hours
Corporations today have a global scale as well as an impact that matches or sometimes exceeds that of governments. Their activities—from sourcing of raw materials, to processing and production of intermediate or finished goods, to distribution and sale—have major consequences not only for the human rights of their employees but also for the rights of the individuals and communities impacted by their operations. In many countries, government regulation and oversight are either absent or largely ineffective. Companies in turn struggle to define their responsibilities in the face of these “governance gaps”—particularly where requirements under national law fall short of international standards in areas such as hours of work and safety and health.

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

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

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

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

Among the questions the course will examine are:

• Which human rights standards are most relevant to business?
• What are the appropriate linkages between business policies and practices and the promotion of human rights?
• Which business and human rights approaches are emerging as “best practices” and perhaps even as recognized norms?
• What tools to support those are being used by governments and corporations?
• Who are the principal stakeholders and what are their roles and objectives?
• How are various business and human rights challenges playing out in government, business, labor, civil society, and academic communities?

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

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

The course will normally meet for 85 minutes, but five classes will meet the full 2 hours. In Fall 2022, the dates the course will meet the full 2 hours are: 10/18, 10/25, 11/3, 11/15 and 11/29. Spring dates TBD. There will also be four joint class sessions on Fridays, from 9:35 am - 11:00 am. In Fall 2022, the dates of the joint class sessions are: 10/14, 10/21, 11/4 and 11/18. Spring dates TBD.
**LAW 058 v03 Business Planning Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20058%20v03)

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

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

**Prerequisite:** Corporations; Federal Income Taxation.

**Recommended:** Corporate Taxation.

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

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

**LAW 058 v08 Business Planning Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20058%20v08)

**J.D. Seminar** | 3 credit hours

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

**Prerequisite:** Corporations and Federal Income Taxation.

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

**Mutually Excluded Courses:** Students may not receive credit for this seminar and Corporate Transactions: Negotiating the Deal and Drafting the Documents or the LL.M. course International Tax and Business Planning Workshop.

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**LAW 3060 v00 Business, Human Rights and Sustainability** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203060%20v00)

**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 projects.
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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 stakeholders.
LAW 090 v00 Capital Punishment Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20090%20v00)

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20500%20v00)

J.D. Clinic | 10 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/356ee1cla4dv2bw9wg20m8b1d6f05st).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3yvqcuynvipi3ytyrl6nj9pyv6).

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

LAW 1079 v00 Child Welfare Law and Practice in the District of Columbia (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201079%20v00) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This practicum course will focus on the workings of the child welfare system in the District of Columbia. Students will participate in a two hour/week seminar and also undertake 10 hours/week of fieldwork at a child welfare-related organization.

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

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

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

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

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

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

This course is suitable for evening students who can commit to attending class and working 10 hours/week (during business hours) with their field placements. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The fieldwork must be completed during normal business hours. The two credit seminar portion of this practicum will be graded. The two credits of fieldwork are mandatory pass/fail. Students will be allowed to take another course pass/fail in the same semester as the field work. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and fieldwork components. Default attendance rule for all practicum courses (unless the professor indicates otherwise). Regular and punctual attendance is required at all practicum seminars and fieldwork placements. Students in 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: Regular and punctual attendance is required at all practicum courses (unless the professor indicates otherwise).
This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1040 v01 Civ Tech: Digital Tools and Access to Justice (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201040%20v01) (Project-Based Practicum)
J.D. Practicum (cross-listed) | 4 credit hours
In a project-based practicum course, students participate in a weekly
seminar and work on a project under the supervision of their professors.
This project-based practicum course will expose students to the varied
uses of computer technologies in the practice of law, with an emphasis
on technologies that enhance access to justice and make legal services
more affordable for individuals of limited means. Students will participate
in a two hour/week seminar and carry out 10 hours/week of project work
under the direction of the course professors.

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

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

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

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

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

Mutually Excluded Courses: Students may not concurrently
enroll in this practicum course and a clinic. Students who wish to
concurrently enroll in this course and another practicum course
may only do so with the permission of the Assistant Dean of
Experiential Education (l (lawexp@law.georgetown.edu)lawexp
(aawexp@law.georgetown.edu)@law.georgetown.edu
(rst@law.georgetown.edu)), Professor Rostain
(tr238@law.georgetown.edu), and the professor of the second practicum.
Students may concurrently enroll in this practicum course and an
externship.

Note: This 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 (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201533%20v00)
J.D. Seminar | 3 credit hours
Discovery is an essential aspect of civil litigation. It is the primary way
a party may gather evidence for a case. In discovery, a party determines
the merit of their—and equally important, their opponent’s—case. Each
decision made during discovery will determine what evidence you will
have available to you, what evidence you will be forced to provide, and
how much this exploration will cost your client.

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

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

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

Prerequisite: Civil Procedure or Legal Process and Society.

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

Note: 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.
The Law Center offers a one-semester, six-credit clinic focused on civil litigation, principally in federal district court. The clinic focuses on teaching students basic litigation skills: including, among others, interviewing clients, drafting complaints, conducting discovery, taking and defending depositions, drafting motions for summary judgment, and, on occasion, taking appeals. The clinic does not focus on a single area of law. Instead, it takes on meaningful public interest cases that are especially good teaching vehicles, including open government cases, cases involving administrative agencies, and consumer protection cases. The clinic’s clients are public interest, civil rights, environmental and other non-profit organizations, as well as individuals in need of legal services.

Students joining the clinic will be expected to work for at least 21 hours/week, including attending the two-hour weekly seminar. Students are also expected to participate in weekly rounds sessions, supervision team meetings for their case teams, and bi-weekly individual meetings with the faculty director and fellow. Students will be engaged in substantial legal and factual research, drafting pleadings, motions, and substantial briefs, meeting with clients and opposing counsel, and attending court proceedings.

Please see the [Civil Litigation Clinic PDF](https://georgetown.app.box.com/s/y9f8wg3jvqcynevip3tyr6j9pyv6) for more detailed information about the clinic.

For registration-specific supplemental materials, please see the [Clinic Registration Handbook](https://georgetown.box.com/s/vbmbj0o9m6iyxv926uca8501lk4fzcac).

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

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**LAW 1494 v00 Civil Litigation Clinic**

J.D. Clinic | 6 credit hours

This year-long seminar will take the students through the entire course of a civil trial. In the first semester, using a core model case, students will conduct initial interviews of the clients, analyze the facts, and make initial decisions about how to proceed. Then, using the Federal Rules of Civil Procedure, students will prepare discovery plans and conduct discovery (including drafting document requests, interrogatories, and requests for admission, and preparing for and taking depositions of lay and expert witnesses). Each student will be video-recorded taking depositions. Students will also draft and argue motions arising from discovery disputes.

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

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

**Prerequisite:** Prior or concurrent enrollment in Evidence no later than the Fall 2022 semester.

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

**Note:** 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 1216 v01 Civil Litigation Practice: From the Complaint to the Courthouse Steps (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201216%20v01)
J.D. Seminar | 3 credit hours
The vast majority of civil cases that are filed are not actually tried. Civil litigation is typically resolved before trial, either through a dispositive motion or a settlement. This course is intended to provide students with experience in all aspects of civil litigation prior to the trial itself, the work that represents what civil litigators typically do on a day-to-day basis. We will address practical questions—the mechanics of what to do, when to do it, and where to go for help. We also will consider strategic questions successful litigators must consider at each stage of the case as they position a case for all three potential outcomes (settlement, disposition through motions practice, or trial). Finally, we will discuss common ethical questions that arise in the course of civil litigation, particularly with respect to discovery.

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

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

Prerequisite: Civil Procedure (or Legal Process and Society).
Recommended: Prior or concurrent enrollment in Evidence.

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

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

After the Add/Drop period, students may not withdraw from this class without the permission of the professor.
LAW 1684 v00 Civil Rights and Violence Against Women ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201684%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201684%20v00) (Project-Based Practicum))

J.D. Practicum | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This practicum will focus on innovative efforts to reframe the Violence Against Women Act’s civil rights remedy to withstand constitutional scrutiny. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

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

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

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

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

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

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students must submit a resume and one page statement of interest to Professor Victoria Nourse (vfn@georgetown.edu) by 5:00 pm on Wednesday, June 8, 2022. After June 8, 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 who fail to attend regularly will be monitored and may be subject to withdrawal from the practicum course.

LAW 528 v02 Civil Rights Policy Seminar ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20528%20v02](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20528%20v02))

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

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

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

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

This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement. Students registered in the 2 credit section must write a research paper of at least 4,000 words.
LAW 1322 v00 Civil Rights Statutes and the Supreme Court Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201322%20v00)
J.D. Seminar | 2 credit hours
This seminar will examine recent litigation in the Supreme Court involving the modern civil rights statutes: Title VII, Title IX, RFRA, the ADEA, the ADA, the Fair Housing Act, and Sections 2 and 5 of the Voting Rights Act. Toward that end, we will read recent cases decided by the Court interpreting theses statutes, and the cases that form the backdrop for those decisions. We will also examine briefs and oral arguments in some of these cases. Finally, we will examine civil rights cases that are scheduled to be heard in the upcoming term, or that may make their way to the Court in the near future. There will be one writing assignment, a paper of approximately 25 pages in length. Two-thirds of the grade will be based on the paper, and one-third will be based on class participation.


LAW 1725 v00 Co-ops and Sustainable Communities Seminar: Alternatives to Corporate Capitalism
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201725%20v00)
J.D. Seminar | 3 credit hours
Cooperatives are people-centered enterprises democratically owned and operated by their members to realize a common goal. These organizations are democratic and put long standing values before profits. Cooperatives exist in many industries, including finance, housing, agriculture, health care, and retail, and in many forms, including worker, consumer, social, and producer cooperatives. Cooperative members provide expertise, labor, and capital to the operation.

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

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

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

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

Note: This seminar counts for 3 credits. All members of the seminar are required to write a number of short reaction posts on Canvas discussion boards. Students are also required to write a research paper fulfilling the Upper Class Legal Writing Requirement.


LAW 1227 v00 Commercial Law: Payment Systems (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201227%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course examines the law governing promissory notes and checks and the bank-customer relationship. Issues considered include liability for error and unauthorized transactions, misfeasance by employees, rights on a dishonored note or check, and customer and bank obligations on a checking account. Payments law is governed Articles 3 and 4 of the Uniform Commercial Code, and various federal regulations. The problem method is used to teach the material. Students are divided into small groups and responsible for a portion of the problems and cases in the course materials. Student groups present their problems to the rest of the class, and a portion of each student’s grade is based on the efforts made in addressing these problem. If time allows, the course will also look at regulation of electronic payment systems, such as credit and debit cards, stored value cards, and wire transfers.

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

LAW 070 v00 Commercial Law: Secured Transactions and Payment Systems (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20070%20v00)
J.D. Course (cross-listed) | 4 credit hours
This course is designed to introduce students to the methodology of Uniform Commercial Code analysis, with emphasis on the legal policies governing uniform state banking regulation of modern payment systems and secured financing of personal property. Topics include: evolution of the modern payment system; check issuance, collection and presentation; the rights and liabilities of the issuers and holders of checks and notes; the uses of credit and collateral in sales and loans; the establishment of priorities among security interests; and the rules governing default and insolvency. The course will examine the way legal rules structure and sanction the contemporary practices of financial institutions, manufacturers, and the dealers, sellers, and buyers of personal property.

Mutually Excluded Courses: Students may not receive credit for both this course and Commercial Law: Sales Transactions; or Commercial Law: Payment Systems; or Commercial Law: Payment Systems and Financial Transactions.

LAW 3078 v00 Commercial Space Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203078%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course will provide an overview of U.S. domestic legal regimes that govern commercial spaceflight activities, including those managed by the Federal Aviation Administration, Federal Communications Commission, Department of Commerce, U.S. Defense Department and State Department. The course will examine existing regulations and statutes as well as current discussions about changes to policy and law to address the evolving nature of the space industry and U.S. national space priorities. Examples include the 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 (http://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, 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 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)
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20528%20v01)
J.D. Clinic | 12 credit hours
Please see the Communications and Technology Law Clinic (IPR) website (https://www.law.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/u4zs8qrh1x5kywox56mo7xgdakvr0gu).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8w3jvqcuynevip3ytyrl6njf9hyv).

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

LAW 073 v02 Communications Law and Policy
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20073%20v02)
J.D. Course | 3 credit hours
This course is intended to help students understand the policy issues that underlie the regulation of communications industries, become familiar with the fundamental approaches to communications regulation and judicial review of that regulation, and evaluate the successes and failures of recent reforms. The course will address regulation of broadcasting, cable, wireline and wireless telephony, and broadband and Internet communications. Sections begin with a brief history of communications regulation and discuss the fundamental legal and policy decisions that have evolved through the present day. The course seeks to understand in what instances the government should intervene in the marketplace. When intervention occurs, the course seeks to evaluate government's most appropriate role in broadcast regulation, telephone regulation, wireless spectrum issues, cable television regulation and broadband regulation. We will discuss the powers of local, state, and federal regulators and attempt to identify the jurisdictional boundaries among them. The course explores the regulatory theory underlying the Communications Act of 1934 and the Telecommunications Act of 1996 and attempts to predict the regulatory models that should govern the 21st century.

LAW 200 v01 Communications Law: Law and Policy in the Internet Age
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20200%20v01)
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

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

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

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 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 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 091 v10 Comparative Constitutional Law Seminar**

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

How to lose and save a constitutional democracy? How to prevent democratic backsliding? How to design a constitution? Can constitutions exist without constitutionalism? What is an authoritarian constitution? How do constitutions transitions and change occur? What forms of judicial review do courts employ? Is it possible to have an unconstitutional constitutional amendment? How do courts across the world interpret constitutions? Can constitutions be employed abusively?

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

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

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

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

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**LAW 828 v01 Comparative Corporate Governance**

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

Course Objective and Rationale:

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

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

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

**Prerequisite:** Corporations.

**Note:** In the Spring 2022 semester, this course will take place online via Zoom (https://georgetown.box.com/s/s4nyif5n3gq2usmagij9gqg5n2cjp7w7f).

**WEEK ONE COURSE.** This course will meet for one week only on the following days: Monday, January 10, 2022 through Thursday, January 13, 2022, 1:30 p.m. - 4:50 p.m. The course will have a take-home exam that must be completed between January 21 and January 28, 2022. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
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.

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

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.

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

The course seeks to introduce students to debates raging around questions of law, legality, and society in the Middle East. These questions have had a particularly pressing urgency with the resurgence of authoritarianism as a reaction to the large scale democracy movements that had swept the Middle East starting in 2010 (the Arab Spring), a resurgence that brought with it civil and religious conflict, the rise and fall of ISIS, and economic austerity. The Debates cover topics such as the efficacy of “human rights” activism, civil litigation as a strategy to advocate for “civil rights”, the constitutional status of religion, women's inheritance rights, the formalization of property rights, the new nationalist laws in Israel, and the legal status of Syrian refugees.

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

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

LAW 950 v01 Complex Securities Investigations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20950%20v01)
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 080 v00 Computer Crime Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20080%20v00)
J.D. Course (cross-listed) | 3 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, cyberterrorism, the First Amendment and the Internet, and civil liberties online.
Although much of this class involves computer and internet technology, no prior technical background or knowledge is required.
Any technology that needs to be understood will be explained in class, and students should not hesitate to ask for other technical explanations.
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, and criminal procedure.

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: Waitlisted students who enroll in this course after the first class meeting should contact Professor Ohm (ohm@law.georgetown.edu) for instructions on how to access the missed course recordings and the mandatory problem sets due before the second class meeting on Tuesday, January 24. Students admitted off the waitlist who do not complete the problem sets due before the second class session on January 24th will be dropped from the course. No student will be admitted to this course after the end of add/drop on 3 pm on Tuesday, January 24, 2023.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. This course will meet twice each week. There will be 1 one-hour lecture with all enrolled students, with the second hour of weekly course content delivered asynchronously. Later in the week there will be a second class session consisting of one-hour lab sections broken into small groups of 15 students. Students will be

**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students should contact Professor Ohm at (ohm@law.georgetown.edu) by Wednesday, October 5, 2022.

**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, December 5, 2022 and only by notifying Professor Ohm in writing.
LAW 363 v01 Conflict Management Systems Design Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20363%20v01)
J.D. Seminar | 3 credit hours
This seminar is an interactive workshop designed to introduce students to the theory, principles and practice of conflict management systems design with the goal of training students to assume this new and creative professional role. Lawyers are increasingly being called upon to act not simply as litigators or deal-makers, but also as "process architects" for institutions, organizations and governments. In addition, they are being asked to design, tailor and manage systems to handle "streams" of disputes in an effective and efficient manner, such as those arising from commercial transactions, mass torts, natural disasters, government programs and restorative justice initiatives.

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

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

Prerequisite: A 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.

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

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

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

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 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 309 v02 Congressional Investigations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20309%20v02)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar deals with Congress’ powers to conduct oversight and investigations of the Executive branch. This seminar will cover the scope of Congressional inquiries and investigations, Congress’ subpoena powers, grant of immunity powers as well as hearing and rulemaking powers, the use of select committees, the GAO, and other special investigative techniques. The course will examine the use of prehearing depositions, rights of witnesses, preparation of witnesses, the role of the press and the interaction between Congress and prosecutorial functions including investigations conducted by special and independent counsel statute. In addition to the traditional use of lectures, class discussions and outside speakers, the course will be built around mastering the subject matter and surfacing ethical issues by working on complex problems. Students will be expected to work in small groups on contemporary issues to simulate the work of Committee members, Committee Staff, White House Counsel Staff and members of the news media.

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

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

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

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

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

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

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

LAW 103 v00 Conservatism in Law in America Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20103%20v00)
J.D. Seminar | 3 credit hours
This writing seminar explores various themes running through American legal conservatism, it touches on certain basic questions about the nature and purpose of law both generally and in the United States in particular, as well as assumptions and beliefs about how human beings behave and how they learn to order their dealings with one another. It focuses on the split between libertarians and traditionalists within the conservative interpretive approaches to the law. The course will introduce students to the writings of the main American legal conservatives, it touches on certain basic questions about the nature and purpose of law both generally and in the United States in particular, as well as assumptions and beliefs about how human beings behave and how they learn to order their dealings with one another. It focuses on the split between libertarians and traditionalists within the conservative interpretive approaches to the law.

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

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

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

The course will be divided into three sections: The first section of the course will address the question: Who is a conservative? The second: Who is a legal conservative? And the third: What is a conservative method of legal interpretation?
**LAW 822 v00 Consolidated Returns** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20822%20v00)

LL.M Course | 2 credit hours

This course studies the law and regulations governing the taxation of corporations filing consolidated federal income tax returns. This course is highly recommended for students who intend to practice corporate tax law because it will focus on consolidated return principles that affect corporate tax planning, mergers and acquisitions. The course will cover the following subjects: eligibility to file consolidated returns; treatment of business transactions within the group; treatment of dividends and other distributions within the group; adjustments to the basis of stock of members of the group; treatment of acquisitions of another consolidated group; treatment of dispositions of subsidiaries of a group; consolidated return treatment of the group’s favorable tax attributes; use of disregarded entities by a consolidated group; and treatment of earnings and profits accounts. The consequences of filing consolidated returns in specific situations are considered as each topic is covered.

**Prerequisite:** Federal Income Taxation (formerly Taxation I); Corporate Income Tax Law I.

**LAW 1609 v00 Constitutional and Statutory Interpretation Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201609%20v00)

J.D. Seminar | 2-3 credit hours

Analyzing text is a deeply important part of legal practice in public law, whether statutory or constitutional law. It cuts across a wide variety of subject matter areas, from very basic aspects of the Constitution to any statutory topic imaginable. Whatever the subject matter, whether health care law, presidential emoluments, or internet privacy, certain problems of legal analysis recur. How should courts analyze legal texts? Where should judges go to look for meaning when the text is vague or ambiguous? Should texts be updated to reflect current norms? What does it mean to look for the drafter’s intent? Should approaches toward statutory and constitutional text be symmetrical or not? This seminar will introduce students to these problems and provide essential skills for reading both constitutional and statutory text. 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.*

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

**LAW 089 v00 Constitutional Aspects of Foreign Affairs Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20089%20v00)

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

This seminar deals with the distribution of powers between the president and Congress in the areas of war, diplomacy, international organizations, foreign assistance, commerce, money, etc. as well as the distribution of powers between the national and state governments. Such related matters as the impact on individual rights and the political question doctrine in this context are also discussed.

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

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

**Note:** FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class.

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 1601 v00 Constitutional Impact Litigation Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201601%20v00) (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 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 to the public, in forms such as short op-eds, the crux of key legal challenges and the stakes associated with them.

PROJECT WORK: Students will work an average of 15 hours per week on constitutional litigation and related projects handled by ICAP. Work flow will depend on litigation deadlines and demands. Students should not expect the 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; mooting 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 extremsts 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; and 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. 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 expected to work both independently and in teams, just as they would on an impact litigation team.

Prerequisite: Constitutional Law I and Constitutional Law II (or concurrent

LAW 1359 v00 Constitutional Interpretation Seminar: Originalism and its Rivals (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201359%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar will critically evaluate the "originalist" position that courts should be bound by the "original understanding" or by the "original public meaning" of the constitutional text, or by the "original Framers" intent. The seminar will then review a variety of alternative approaches, including ones that treat the constitutional text as having evolving meaning, and others that emphasize tradition, democracy, precedent, moral obligation, or other bases for constitutional interpretation, including alternatives that contest the idea that the Constitution should be considered binding or that the judiciary should have ultimate authority for constitutional interpretation. The positions will be identified and evaluated through a focus on Supreme Court decisions and on scholarly commentary. Participants will be expected to write short response papers and to attend the seminar meetings. No paper will be required.

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

LAW 004 v01 Constitutional Law I: The Federal System (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20004%20v01)
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.
LAW 215 v00 Constitutional Law II: Individual Rights and Liberties
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%20215%20v00)
J.D. Course (cross-listed) | 4 credit hours
This course focuses primarily on the First, Fifth, and Fourteenth Amendments (free speech, due process, and equal protection) and the role of the Supreme Court as ultimate interpreter and guardian of the Bill of Rights.

Note for Professor Barnett's Fall section: 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. 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.

LAW 1538 v00 Constitutional Law: The First and Second Amendments
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%201538%20v00)
J.D. Course | 1 credit hour
This course will provide students the opportunity for intense and detailed study of cutting-edge issues arising under the Free Speech Clause of the First Amendment and the right to keep and bear arms under the Second Amendment. Students will be required to read 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 9, 2023, through Thursday, January 12, 2023, 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 20th through Friday, January 27th, 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.
LAW 1512 v00 Constitutional Litigation and the Executive Branch
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201512%20v00)
J.D. Seminar | 2 credit hours
This seminar will explore the practice and strategy of constitutional litigation through a close study of recent constitutional challenges to Executive Branch action.

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

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

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

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

Prerequisite: Civil Procedure or Legal Process and Society; Constitutional Law I: The Federal System or Democracy and Coercion.

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

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

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

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

LAW 1452 v00 Consumer Protection Law Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201452%20v00)
J.D. Seminar (cross-listed) | 2-3 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 1355 v00 Contemporary Bias and Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201355%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
In this course, we will draw from social and behavioral science to analyze how contemporary bias (structural, implicit, explicit) shapes outcomes for marginalized groups and the role of law in protecting individuals from such bias. We will critically analyze the effect of various legal and policy reforms, examining whether the reforms are likely to reduce or exacerbate existing inequalities. We will discuss inequality in several domains (e.g. policing, voting rights, housing, education, and employment) with a focus on intersectional identities (e.g. race, gender, class, citizenship, sexuality). The final project will give students the opportunity to build on what they've learned to propose their own legal, policy, or organizational reform, along with an activism strategy designed to persuade key decision makers to take action.

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

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

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

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

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

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

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

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

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

Learning Objectives:

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

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

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-).
LAW 002 v01 Contracts

J.D. Course | 4 credit hours
Introduces students to the law of contracts, the branch of law primarily concerned with private exchange. The course considers how individuals and businesses make binding agreements and the consequences of doing so. The major topic areas are the bases for enforcing contracts; the agreement process; contract interpretation; remedies for breach of contract; arbitration clauses; good faith and best efforts; and the problems of substantive and procedural unfairness and unconscionability. Special attention will be paid to the connection between the cases studied and the drafting and negotiation of contracts. Reading materials include judicial opinions, the Uniform Commercial Code, and excerpts from legal and professional journals. The course provides a foundation for subsequent studies in commercial law.

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

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

LAW 110 v03 Copyright Law

J.D. Course (cross-listed) | 3 credit hours
This course examines the law of copyright and its role within the overall framework of intellectual property law. Topics covered include the subject matter requirements for copyrightability; the rules that govern determination of authorship, the rights that copyright law confers on authors; 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.

LAW 110 v07 Copyright Law

J.D. Course (cross-listed) | 3 credit hours
This course examines copyright law, providing a basic understanding of its objectives and principles. Topics covered include subject matter requirements for copyrightability; rules that govern determination of authorship; rights 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 611 v16 Corporate Compliance in the Financial Sector: Anti-Money Laundering and Counter-Terrorism Financing

J.D. Seminar | 1 credit hour
This course will introduce students to the law and practice of corporate compliance, with particular reference to the financial sector and a critical compliance area for that sector: anti-money laundering and counter-terrorism financing (AML/CFT). Through mini-lectures, simulation exercises (e.g., drafting of corporate compliance policies, in-house client counseling on compliance issues, briefings of senior executives on key compliance issues, identification of compliance failures, and reporting of potential wrongdoing to law enforcement and regulators), and oral and written feedback, students gain exposure to the key skills 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: 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. 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 114 v05 Corporate Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20114%20v05)
J.D. Course (cross-listed) | 4 credit hours
This course will provide students with a foundation in the financial and legal aspects of a business’ capital structure. It is designed to put students in a position to collaborate on and communicate regarding corporate finance matters with clients and other stakeholders such as bankers, investors and regulators. The course covers many of the subjects included in a business school finance class (e.g. discounted present value, valuation of risk, financial statement analysis, the capital asset pricing model and, most importantly, business valuation), while emphasizing the legal aspects of the capital structure, including the contractual and statutory regimes governing 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: Corporations.

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

LAW 113 v06 Corporate Governance Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20113%20v06)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar will focus on current issues in corporate governance in the context of seminar requiring a substantial written paper. We will consider how these developments relate to current theories of corporate governance and to the development of corporate governance laws and best practices in the United States and several other jurisdictions. The seminar will meet weekly to discuss assigned readings; students will be expected to produce topic outlines and a draft of their final papers during the term as well.

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

Prerequisite: Corporations.

Recommended: Securities Regulation and/or Corporate Finance.
LAW 1742 v00 Corporate Governance, Risk Management, and Compliance Seminar

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

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. course, Corporate Taxation (formerly Taxation II).

Note: Required for Taxation LL.M. and Executive Tax LL.M. degree.

LAW 850 v00 Corporate Income Tax Law II

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.

Note: This course is part of the following graduate programs: Executive LL.M. in Taxation MSL in Taxation Taxation LL.M.
LAW 1267 v00 Corporate Legal Department 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

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 include sections focusing on: (1) privatization and insourcing/outsourcing issues for the U.S. government in the national security arena; (2) government contracts issues in the national security sphere; (3) export controls and sanctions; (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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201747%20v00)

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

In a seminal 1970 essay, economist Milton Friedman famously wrote that a corporate executive's responsibilities are solely to the company's stockholders and that the stockholders' desires are for the corporation "to make as much money as possible." Many credit this essay with inspiring a widely held notion that a corporation's purpose is to make money for its stockholders without considering the interests of the greater society. Others, including some investors, have argued that corporations should be evaluated on issues beyond their financial performance, and in recent years many of these issues have been grouped under the acronym "ESG," standing for a corporation's environmental, social and governance practices. 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.

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

LAW 1540 v00 Corporate Tax Planning in Practice: Structuring and Negotiating the Deal (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201540%20v00)

J.D. Seminar | 1 credit hour

This seminar employs simulations to develop the skills specific to planning, negotiating and drafting to address the federal income tax aspects of corporate transactions. The course examines multiple variations on common transaction scenarios, each with increasing complexity, including:

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

This seminar will be taught across six class sessions. Students will be presented with three different factual scenarios, relevant background materials, and a list of potentially applicable legal authorities. Each scenario will be addressed over two classes, with students analyzing facts in the first class to determine potentially relevant structures, including reviewing draft documents, and analyzing applicable law. Draft agreement mark-ups, 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20422%20v00)
J.D. Course (cross-listed) | 4 credit hours
This course focuses on the federal tax treatment of transactions between a corporation and its shareholders, as well as the tax treatment of mergers, acquisitions, and other corporate reorganizations. Corporate tax rules play a major role in the structuring of most major corporate transactions, as well as the everyday practice of corporations, and so an understanding of these (often quite complex) rules are essential not just to tax practice but to corporate practice generally. Students in this class are exposed to these rules, as well as some of the many creative ways corporations (and their lawyers) have structured their affairs to get the most beneficial tax treatment available. While the focus is on the traditional corporate form, it is contrasted with alternate forms of business operation, especially partnerships and subchapter S corporations. NOTE: Students who plan to take the Business Planning Seminar or the course in Venture Capital, Private Equity, and Entrepreneurial Transactions should take Corporate Taxation, a prerequisite for that seminar and course, as early as possible in their upperclass years.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for both this course and the graduate courses, Corporate Income Tax Law I or Corporate Income Tax Law II.

LAW 121 v01 Corporations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20121%20v01)
J.D. Course (cross-listed) | 4 credit hours
Students should note that Corporations is a prerequisite for Corporate Finance, Securities Regulation, Business Planning Seminar, and many corporate law seminars.

This is a basic course in business corporations. Brief coverage is given to factors bearing on choice of organization, including partnership attributes, process of corporate formation, corporate privileges and powers, corporate capital structure, and limited liability. Close examination is given to the governance structure of the corporation and the fiduciary obligations of directors and officers. The particular nature of the public corporation is explored. Topics studied may include stock trading by corporate insiders, transactions in corporation control, and the procedural problems in stockholder derivative suits. Along with a focus on such policy questions as federal-state jurisdiction, the nature of the corporate governance system, and the role of the corporation in modern society, the course deals with the role of the lawyer in corporate matters.

Note: This course will not cover alternative entities or federal securities law.

LAW 121 v05 Corporations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20121%20v05)
J.D. Course (cross-listed) | 3 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: For students enrolled in Professor Sale’s Corporations course: Students should keep their schedules open for the full Monday and Wednesday, 9:00 am - 11:00 am block to accommodate one or more rescheduled classes that the professor anticipates needing to schedule.

LAW 121 v06 Corporations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20121%20v06)
J.D. Course (cross-listed) | 4 credit hours
Students should note that Corporations is a basic course that is a prerequisite for Corporate Finance, Securities Regulation, Business Planning Seminar, and other advanced business law courses.

This course covers the practical aspects of organizing and operating various types of business entity, as well as the policy considerations relating to their governance and to the roles of large businesses in society. It covers choice of entity, including the attributes of partnerships, limited liability companies, and corporations; the process of forming different types of entity; and the nature and limitations of limited liability associated with corporations and limited liability companies. It considers planning and structuring different types of entity, including capital structure and governance mechanisms. The course pays particular attention to the practical and policy considerations of governance in the large, public company as well as the fiduciary obligations of officers and directors. In order to provide a basis for understanding cases related to liability for breach of fiduciary duty, students will be exposed to the procedural aspects of derivative suit litigation. In connection with the major policy issues in corporation law, students will discuss the role of the lawyer in advising business clients. Other topics studied may include insider trading and transactions in corporation control.
LAW 118 v00 Counseling the Corporation in Crisis [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20118%20v00]
J.D. Course | 2 credit hours
This course will explore the multifaceted problems facing corporate lawyers, both inside counsel and law firms, in advising a public company and especially the board of directors in times of extreme stress. It will be taught through a series of classes which first review the basic legal principles (corporate law, fiduciary duty and professional ethics) and then require the students to apply them in a series of ‘moot board of directors’ meetings.” Students will be given a corporate crisis and asked to make a written and oral presentation to a board of directors. The board will be composed of the professor, other practicing lawyers or business people and other students. Grading will be based 80% on the final oral presentation and final 15-page memorandum to the Board of Directors and 20% on class participation throughout the semester. Guest speakers will include general counsels of several large public companies.

Recommended: Corporations, Evidence, and Federal White Collar Crime are strongly recommended.

LAW 1805 v00 Courts and Congress [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201805%20v00]
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 [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20512%20v01]
J.D. Clinic | 14 credit hours
Please see the Criminal Defense & Prisoner Advocacy Clinic website [https://www.law.georgetown.edu/experiential-learning/clinics/criminal-defense-prisoner-advocacy-clinic] for more detailed information about the program.

For registration-specific supplemental materials, please see the Criminal Defense and Prisoner Advocacy Clinic PDF [https://georgetown.app.box.com/s/sn7fmbaj0aw7fidb679d9iusz4ivbb].

For information about clinic registration generally, please see the Clinic Registration Handbook [https://georgetown.box.com/s/y9fbwgjvyqcuynevip3ytyrl6nj9pyy6].

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

LAW 003 v00 Criminal Justice [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20003%20v00]
J.D. Course | 4 credit hours
Introduces the administration of the criminal justice system and serves as a foundation for the advanced courses offered in upperclass years. The course explores the development and operation of the constitutional provisions regulating the federal and state governments in the enforcement of their penal laws and analyzes in depth each step in the criminal process, including some or all of the following issues: search and seizure, arrest, interrogation, the right to counsel, plea bargaining, right to jury trial, and sentencing.

Mutually Excluded Courses: Students may not 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. The course will enroll via waitlist

LAW 003 v01 Criminal Justice [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20003%20v01]
J.D. Course | 4 credit hours
Introduces the administration of the criminal justice system and serves as a foundation for the advanced courses offered in upperclass years. The course explores the development and operation of the constitutional provisions regulating the federal and state governments in the enforcement of their penal laws and analyzes in depth each step in the criminal process up to the decision to charge, including some or all of the following issues: search and seizure, arrest, interrogation, the right to counsel, plea bargaining, right to jury trial, and sentencing.

Note: The Summer section of this course will enroll via waitlist and is restricted to evening students and transfer students from other law schools.
Mutually Excluded Courses:
taken Evidence before or is taking it contemporaneously.

Recommended:
not usually covered in Advanced Criminal Procedure.
der deeper on the most interesting issues and includes post-trial procedures
in the Advanced Criminal Procedure course, but uses the extra credit hour to dig
procedure. This course includes all the topics covered in the two-credit
decisions, but also visits where appropriate the rules of criminal
habeas corpus). The course focuses principally on Supreme Court
and post-trial processes to correct erroneous judgments (appeal and
bargaining and guilty pleas; jury selection; sentencing; double jeopardy;
trial; privilege against self-incrimination and grants of immunity; plea
hearing; joinder and severance; gag orders; discovery; right to speedy
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 1652 v00 Criminal Justice Clinic (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201652%20v00)
J.D. Clinic | 14 credit hours
Please see the Criminal Justice Clinic website (https://
www.law.georgetown.edu/experiential-learning/clinics/criminal-justice-
clinic) 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/
n01smi05y5fxibe86tevqjzgqj66jkj2).

For information about clinic registration generally, please see the
Clinic Registration Handbook (https://georgetown.box.com/s/
y9fbwg3jvqcyuenip3yt6mj6nj9pyv6).

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

LAW 1652 v00 Criminal Justice II: Criminal Trials (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201652%20v00)
J.D. Course | 3 credit hours
This course traces the litigation of criminal cases from the time the police
hand the case off to the prosecutor through final judgment, sentencing,
and post-trial relief. Among the topics covered: pretrial release and
bail; prosecutorial discretion in charging; venue; defendant’s right to
counsel and the role of defense counsel; grand jury and preliminary
hearing; joinder and severance; gag orders; discovery; right to speedy
trial; privilege against self-incrimination and grants of immunity; plea
bargaining and guilty pleas; jury selection; sentencing; double jeopardy;
and post-trial processes to correct erroneous judgments (appeal and
habeas corpus). The course focuses principally on Supreme Court
decisions, but also visits where appropriate the rules of criminal
procedure. This course includes all the topics covered in the two-credit
Advanced Criminal Procedure course, but uses the extra credit hour to dig
deeper on the most interesting issues and includes post-trial procedures
not usually covered in Advanced Criminal Procedure.

Recommended: It is desirable but not essential that the student have
taken Evidence before or is taking it contemporaneously.

Mutually Excluded Courses: Students may not receive credit for this
course and Advanced Criminal Procedure.

LAW 1655 v00 Criminal Justice Reform Seminar (http://
curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201655%20v00)
J.D. Seminar | 2-3 credit hours
This course will familiarize students with the history, law, policy, and
advocacy for criminal justice reform in the United States. The course
will examine criminal justice reform from both policy and advocacy
perspectives. The course will examine: 1) the problems with the American
criminal justice system; 2) the institutional actors involved in the effort to
create criminal justice reform; 3) the strategies that reform advocates use
in pressing for criminal justice reform through both policy change and
litigation; and 4) the successes advocates have made in reforming the
American justice system.

The course is available as 2 or 3 credits.

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

LAW 126 v00 Criminal Law (http://curriculum.law.georgetown.edu/
course-search/?keyword=LAW%20126%20v00)
J.D. Course | 3 credit hours
This course examines the body of public law that is designed to punish
blameworthy or antisocial behavior. The course begins by introducing the
general principles governing all criminal offenses–the general part of the
criminal law–and then examines how these principles apply to a variety
of specific offenses as well as the exculpatory defenses. Attention is paid
to the basic theories of punishment which provide the students with the
theoretical tools they need to construct cogent arguments for how far the
criminal law should be extended to suppressed the undesirable behavior.
LAW 790 v09 Criminal Law Across Borders (http://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, 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.

Mutually Excluded Courses: Students may not receive credit for both this course and the graduate course, International Criminal Law or International Criminal Law Seminar: Tribunals and Crimes or International Humanitarian Law and International Criminal Courts.

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

LAW 1756 v00 Criminal Law Theory in Context (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201756%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will introduce students to contemporary theoretical thinking about substantive criminal law. We will explore some of the most pressing problems in criminal jurisprudence, as well as some perennial ones, through the lens of the tension between morality and context.

Philosophers of the criminal law have traditionally turned to moral reasoning when trying to justify or critique penal laws. Morality purports to dictate how individuals ought to act toward one another as a matter of universal truth, and therefore views social context as detrimental to analytical clarity. Sociolegal and critical scholars, on the other hand, highlight the relevance of contingent factors, such as material conditions, historical narratives, and political power relations, for proper understanding of the criminal law. However, they generally stop short of offering compelling normative theories to guide our way forward. The seminar will examine the prospects and perils of both views, explore whether they can be reconciled, and consider prominent alternative frameworks that are gaining traction in recent scholarship.

Students will become familiar with the central philosophical puzzles underlying the criminal law as well as with cutting edge theoretical approaches for tackling them. We will pay attention to both general issues, like criminalization (what to impose liability for), defenses (when to relieve of liability), and punishment (what form liability ought to take), and pertinent issues at this historical moment, like hate crimes, gun violence, and prison abolition.

There are no prerequisites. For JD students, prior or concurrent enrollment in Criminal Law is recommended, though not required.

Recommended: For JD students, prior or concurrent enrollment in Criminal Law is recommended, though not required.

Note: The 3 credit section of this seminar (LAWJ-1756-09) is restricted to J.D. students only.

This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
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 1610 v00 Criminal Practice Seminar: White-Collar Crimes in a Transnational Context

This seminar explores white-collar criminal practice in the transnational context. “Transnational” cases generally involve the potential application of one or more country’s laws to alleged criminal activity that crosses borders. We begin by introducing students to the general differences in the legal structures, concepts of criminal law, and varied standards for corporate and individual liability, that apply in civil and common law systems. We will study the substantive U.S. law that is implicated in many transnational prosecutions and learn when U.S. law applies extraterritorially. The substantive provisions we study may include proscriptions on corruption, fraud, money laundering, tax evasion, data breaches/hacking, or violations of economic sanctions. We will explore the tools available for obtaining evidence abroad, as well as some of the national laws and regulations that impact transnational investigations. Some of the challenges we will explore are regulations regarding data privacy, employment laws, national security/state secret laws, and blocking or economic protection statutes. At the conclusion of the class, we will consider a number of case studies that illustrate issues companies face in attempting to forge a global resolution among regulators and prosecutors from different countries. These include managing competition between sovereigns, joint and parallel national investigations, and the division of penalties.

Learning Objectives:

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

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 20-25 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 (http://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 (formerly Taxation I)

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

LAW 599 v00 Critical Legal Theory Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20599%20v00)
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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201795%20v00)
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; Property; Legislation, and Tax. 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 research and writing skills.
6. 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20807%20v00)
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 1633 v00 Current Developments in International Taxation Seminar

In 2017 the United States enacted a historic tax reform package that represents the most significant change to the U.S. international tax regime since 1986. Four years later, significant changes to that new system are being proposed. Meanwhile, at the multilateral level, the Organisation for Economic Cooperation and Development (OECD) has proposed major changes to the mechanisms for coordinating different countries’ assertion of tax jurisdiction over income earned cross-border, in order to shift some taxing rights to market countries and impose a globally agreed minimum tax on corporate income. The minimum tax proposals interact significantly with the existing U.S. international tax regime, as well as with the more recent U.S. proposals.

This course will study current developments in US international tax policy through a close reading of selected tax regulatory packages associated with the 2017 tax reform. In addition, we will consider the major international tax policy documents published by the OECD and the relationship between the negotiations at the OECD and U.S. international tax policy developments. We will study these documents and the underlying policy considerations, and discuss the impact on U.S. multinational tax planning. We will also speak with government representatives involved in crafting the regulations and negotiating multilaterally.

Students will write short papers with respect to the regulatory packages we examine, and write a final paper reflecting on the strengths and weaknesses (or lack thereof) of the new international tax regime, or particular statutory and regulatory provisions therein of students’ choosing.


LAW 2038 v00 Current Issues in Tax Policy

This colloquium will offer students an opportunity to examine current tax policy issues in depth and at an advanced level, with discussions led by policymakers, economists, and other tax experts. The course will discuss various current and recent legislative proposals at a detailed level and examine the economic, tax policy, and political considerations underlying the decisions that have been made in each proposal. This will include infrastructure, wealth tax, cross-border tax, consumption taxes and other politically salient tax policy topics. It will explore the economic and policy literature surrounding the issues of economic welfare and competitiveness. The course will also examine issues such as tax expenditures, debt vs. equity, cost recovery, and various tax incentives. Reading materials generally will be supplied and will include economic and tax policy papers, legislative proposals, and technical explanations. The course is intended to be highly interactive with students discussing design and policy issues with leading experts in the field. The grade for this course will be based primarily on papers that students submit addressing policy topics discussed by the guest speakers. Useful class participation will be taken into account as a plus in determining the final grade. There will be no final exam.

Prerequisite: Federal Income Taxation (formerly Taxation I).
**Complete List of J.D. Courses**

**LAW 014 v01 Current Issues in Transnational (Private International) Law Seminar**

[Course link](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20014%20v01)

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

This seminar provides an introduction to the increasingly important field of private international law as well as an opportunity to explore in depth specific issues now under active consideration in the various international and regional organizations working on the development, codification and harmonization of private international law. Beyond the "classic" 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.

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**LAW 1127 v00 Cyber and National Security: Current Issues Seminar**

[Course link](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201127%20v00)

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

This seminar will examine legal and policy issues related to cybersecurity – that is, hacking and other intrusions on global computer and communications networks. The primary focus will be the national security implications of cybersecurity and the current challenges that senior lawyers, policymakers, and the private sector face in addressing those issues. The course will look at international and U.S. domestic law and will examine cyber issues both from the perspective of (1) the U.S. government entities that seek to use cyber tools to further military and other national security aims, and (2) the many government and private sector actors who must defend against the use of these tools used 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 1545 v00 Cyber Threats, Information Security and Technology in the Practice of Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201545%20v00)

J.D. Seminar (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 2052 v00 Cybersecurity Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202052%20v00)

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

This interactive lecture course will explore various legal and policy issues related to enabling a safe and secure Internet and protecting government and private sector networks. The topics to be discussed include relevant U.S. legal authorities, cybersecurity roles and responsibilities of government agencies, private sector cybersecurity risk management, information sharing, Internet governance, and the application of international law to nation state activity in cyberspace. Lectures by the professor and occasional guests with relevant expertise will be used to stimulate class discussion. Students will be assigned a reflection assignment following each of a number of in-class table top exercises. There will be a four-hour take-home exam that must be completed during the first week of the exam period.

LAW 3066 v00 Cybersecurity Law & Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203066%20v00)

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

This seminar will serve as an advanced LL.M. seminar covering topics in cybersecurity law and policy, with a focus on national and homeland security, military, intelligence law and international aspects. The seminar format is a combination of lecture and class discussion. This seminar is intended to serve as a complement to Cybersecurity Law, and students are welcome to take both courses. Grading will be based on a combination of short and/or medium length papers, active class participation and a final class presentation.

Recommended: Prior coursework in national security law highly recommended.

Note: This course is part of the following graduate programs: Master of Law and Technology National Security Law LL.M. Technology Law & Policy LL.M.

LAW 459 v01 Deals: The Economics of Structuring Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20459%20v01)

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

This course examines how attorneys and other professionals create value through transaction engineering. The course is organized in two parts. The first part of the course studies various barriers to transacting, including collective action problems, information problems, risk and uncertainty, and contracting over time, and a range of responses grounded in game theory, contract theory, and decision theory. The second part studies a series of real transactions. Students will be divided into work groups, each of which will be responsible for selecting and presenting a transaction to the class. Grades will be based on an individual problem set, the group presentation, and a take-home final examination.

Course Objective and Learning Outcomes: The objective of the course is to understand the proper role of deal lawyers. It forwards the idea of deal lawyers as transaction cost engineers who seek to increase the value of transactions by devising mechanisms to mitigate common barriers to efficient bargains. We study four types of barriers—collective action problems, information problems, risk and uncertainty, and contracting over time—and a number of responses (contractual and other mechanisms) grounded in game theory, contract theory, and decision theory. By the end of the course, I expect students to (i) have a good understanding of these barriers and the responses that deal lawyers have devised to overcome them and (ii) demonstrate the ability to recognize these barriers in different transaction contexts and to fashion solutions to them.

Prerequisite: Corporations.

Recommended: Prior or concurrent enrollment in Securities Regulation.
LAW 1708 v00 Death Penalty Litigation Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201708%20v00) (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.

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 from the practicum.

LAW 1551 v00 Decarbonizing the Energy Sphere: A Federal Regulatory Approach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201551%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Burging 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. This course 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, the federal role regarding the use of carbon pricing, and federal jurisdiction to demand response, among other controversies. The operation and continuing relevance of the Public Utility Regulatory Policy Act in competitive wholesale markets with also be examined. The course will further address how seemingly local concerns, such as rooftop solar, inextricably 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 liquified 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 energy needs, 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. Finally, prospective plans, based in part on anticipated technologies, will be surveyed to preview potential regulatory developments. 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 or judging. By creating an outline in support of scenario-based legal positions and arguing for them in a supportive environment, or reaching a determination on the merits 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

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

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 professors.

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: LL.M. students require permission from the professor to enroll.

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 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,
LAW 003 v02 Democracy and Coercion
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20003%20v02)
J.D. Course | 5 credit hours
What is democracy? What would be required to realize aspirations to democracy in a country like the United States, with a history of enslavement, dispossession of Native peoples, highly unequal application of the criminal law, and more broadly persistent inequality? How has constitutional law shaped controversies over the terms of democratic life in the United States? What role should criminal law enforcement play in a democratic society and how, if at all, should constitutional law inform the criminal process? This course will explore these questions regarding democracy, coercion and constitutionalism, in both historical and contemporary perspectives, with particular attention to U.S. constitutional law and constitutional criminal procedure.

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

LAW 611 v15 Designing Financial Regulation Post Crisis
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v15)
J.D. Seminar | 1 credit hour
This Week One, project-based simulation course is designed to introduce students to the policymaking process within the realm of financial regulation. Many people can list numerous contributing factors of the 2008 global financial crisis, and most have heard of the Dodd-Frank Wall Street Reform and Consumer Protection Act. But what did the Dodd-Frank Act actually set out to accomplish? What regulations have U.S. financial regulators implemented to improve financial stability since its passage in 2010? In light of the economic crisis caused by the COVID-19 pandemic, did those regulations achieve their objectives? The goal of this course is to explore these questions by having students simulate financial regulatory policymaking through in-class debates and group presentations.

Over the four days of this course, students will get up to speed on key financial regulatory measures implemented in the United States over the past decade. Then, acting as financial regulators, they will analyze the strengths and weaknesses of the regulatory framework. Students will focus on the main macroprudential aspects of bank capital regulations, including the quantification of their costs and benefits.

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

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 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 847 v00 Developing & Financing Infrastructure Projects
(http://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. Classes 11/12 will be a Special Negotiation Workshop, for which the class will be divided into groups to negotiate a financing term sheet for a model transaction. Depending on pandemic conditions, this may take place during regular classes, or may be done in person on a specified Saturday from 8am-1pm.

The required course textbook is:

Additional case studies, such as Henry A. Davis, ed., Project Finance: Practical Case Studies, Second Edition (two volume set: Volume I – Water and Power, and Volume II – Resources and Infrastructure), and other materials not in the above publication will be provided.

Learning objectives:

The course is based on four major themes and aims to teach students to analyze issues in light of each theme: (i) allocation of risk, (ii) non-recourse or limited recourse arrangements, (iii) effective contract structures, and (iv) financeability. The class will focus on both theory (risk analysis and mitigation) and practice (critiquing and drafting agreements). Both the written assignment and the workshop will focus on practical matters relating to practice issues.

Mutually Excluded Courses: Students may not receive credit for both this course and Domestic and International Project Finance & Development: Case Studies; or the J.D. course, International Project Finance; or International Project Finance and Investment and Project Development and Finance.

Note: 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.
Section 10 will have in-class negotiation exercises and drafting exercises with the assumption they represent designated parties to a transaction.

Mutually Excluded Courses: Students may not receive credit for both this course and Domestic and International Project Finance & Development: Case Studies; or the J.D. course, International Project Finance; or International Project Finance and Investment and Project Development and Finance.

LAW 1615 v00 Digital Assets and the Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201615%20v00)
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.

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 1704 v00 Digital Taxation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201704%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will introduce students to the debates surrounding the taxation of the so-called digital economy. Over the past few years, several countries have introduced new taxes that are intended to target "digital companies," including Google, Apple, Facebook, and Amazon (or "the GAFAs," as they are known in Europe). In response to at least one such tax, President Trump and the U.S. Trade Representative have threatened to impose tariffs. This seminar will set out the background to these debates and provide a greater context to these taxes, introducing students to debates within the United States about sales taxes and debates both inside and outside the United States about the future of the international tax system. Readings will focus on the general question of whether the digital economy can be separated from the rest of the economy as well as specific proposals to tax the digital economy from individual countries, the European Union, and the OECD. Students in the two-credit section will be required to submit eight response papers of 3-5 pages, and a maximum of six students will be permitted to take this as a three-credit class in which they will also write a writing requirement paper.

Prerequisite: Federal Income Taxation.

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

LAW 131 v02 Disability Discrimination Law (http://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 3082 v00 Dispute Settlement in International Trade: A Comparative Examination of WTO, Regional & Bilateral Systems (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203082%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course involves an in-depth look, in a seminar-type setting, at different state-to-state dispute settlement systems in the international trade area. Although the principal focus will be WTO dispute settlement, the course will also examine the new or re-invigorated mechanisms in regional agreements (e.g., RCEP, CPTPP) and bilateral trade and investment agreements of the United States (USMCA, CAFTA) and the EU (Korea FTA, CAI with China). 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 and short paper.

LAW 1518 v00 Doing Justice: Trial Judges Explain How Tough Decisions Are Made (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201518%20v00)
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** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20518%20v00)

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/28audmod35d2q1swtsroav5rwb2z2l7b).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3jyqcuynep3ytiry6nj9pyv6).

**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** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201794%20v00)

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

This course will address domestic violent extremism (DVE), an increasingly urgent matter of public concern that raises complex legal and policy issues. The violence at the U.S. Capitol on January 6, 2021, was an unprecedented event. It was, however, the culmination of several years during which domestic violent extremists increasingly 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. In March 2021 the Office of the Director of National Intelligence reported that the intelligence community assesses that domestic violent extremists (DVEs) who are motivated by a range of ideologies and galvanized by recent political and societal events in the United States pose an elevated threat to the Homeland in 2021. Enduring DVE motivations pertaining to biases against minority populations and perceived government overreach will almost certainly continue to drive DVE radicalization and mobilization to violence.

In June 2021 the White House issued its Strategy for Countering Domestic Terrorism, recognizing the significance of the threat and the need for a comprehensive approach focused on information sharing, prevention, disruption and deterrence, and resilience. In January 2022 the head of the Justice Department's National Security Division declared that "attacks in recent years underscore the threat that domestic terrorism continues to pose to our citizens, to law enforcement officers and elected officials, and to our democratic institutions," and announced the creation of a domestic terrorism unit at the Department.

Addressing domestic violent extremism raises a host of complex questions relating to law enforcement, national security, freedom of speech, freedom of assembly, the right to petition regarding grievances, the right to bear arms, voting 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 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.

Assessment will be based on a paper of 3,000 words analyzing a legal or policy issue related to domestic violent extremism and proposing options for addressing it.

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;

(2) Understand and be able to analyze the wide range of constitutional issues that policymakers and lawyers must assess in attempting to address such extremism;

(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 on the federal, state, and local level that appropriately weigh competing considerations based on rigorous analysis of the issues described above.

**Note:** This course will meet on the following Mondays, 3:30 pm - 5:30 pm: 1/23, 1/30, 2/6, 2/13, 2/23 (Monday classes meet), 2/27 and 3/6.
LAW 160 v01 Drafting and Negotiating Commercial Real Estate Documents: Contracts, Loan Documents, and Leases Seminar (http://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 919 v00 Drafting Partnership & LLC Agreements (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20919%20v00)
LL.M Course (cross-listed) | 1 credit hour
This course applies practical approaches to assist students in understanding the tax and business arrangements of joint ventures, limited partnerships, and limited liability companies, ranging from the common to the complex. The course also presents and analyzes the drafting techniques necessary to actually implement such arrangements by concentrating on the tax and business provisions in term sheets and limited partnership/limited liability company agreements.

Prerequisite: Federal Income Taxation (formerly Taxation I), prior or concurrent enrollment in Taxation of Partnerships (recommended prior enrollment in Taxation of Partnerships).

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. While the first two days of this course meet during the Fall add/drop period, a student may only drop this course without a transcript notation prior to the start of the second class session by submitting a written request to the Office of the Registrar. After the start of the second class session, a student must seek permission from an advisor to withdraw.

LAW 1690 v01 Economic Analysis of Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201690%20v01)
J.D. Course | 1 credit hour
The purpose of this course is to introduce students to the basic tools of the economic analysis of law in order to understand the effects of legal doctrines on behavior and for designing optimal legal rules. The course will focus on the economic analysis of central issues in different legal fields, including property law (the Coase Theorem), tort law (alternative liability rules), criminal law (economic model of crime, inspection games) contract law, and legal procedures (litigation and settlements).

Course Objective and Learning Outcomes
The objective of the course is to enhance your ability to give sound legal advice and make effective legal arguments by introducing you to selected concepts and methods from economics and game theory that are relevant to numerous areas of law and legal practice.

These concepts and methods include: decision trees, expected value, risk aversion, Nash equilibrium, game trees, backward induction, subgame perfection, moral hazard, adverse selection; Bayes’ rule.

By the end of the course, I expect you to have a good understanding of these concepts and methods and to be able demonstrate a basic proficiency in applying them to:

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.

Recommended: No prior background in economics or game theory is required; however, we will regularly use elementary algebra and a little bit of calculus. If you are completely averse to numbers don’t take this course.
LAW 1673 v00 Effective Human Rights Advocacy in Polarized Environments Seminar (http://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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201182%20v00) (Project-Based Practicum)
J.D. Practicum | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This project-based practicum course will focus on 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 papers and/or briefs in 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.
LAW 195 v05 Election Law: Voting, Campaigning and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20195%20v05)
J.D. Course | 3 credit hours
This course examines federal and state law regulating the conduct of elections and the financing of campaigns. Included are aspects of federal and state constitutional law on speech, association, and equal protection; and particularly problems of apportionment, gerrymandering, race-conscious districting under the Voting Rights Act, and barriers to voting. With respect to campaign finance, we consider how much and what kinds of legal regulation are constitutionally appropriate regarding parties, candidates, independents, political action committees, corporations, unions, and individuals.

LAW 1703 v00 Elements of Clinical Pedagogy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201703%20v00)
LL.M Seminar | 2 credit hours
Required for completing the LL.M in Advocacy, the Elements of Clinical Pedagogy seminar is a year-long program for clinical fellows that is taught by the fellowship program's Co-Directors as well as members of the law school's clinical faculty. During the two-day orientation and monthly seminar meetings, fellows are introduced to the theoretical and practical foundations of experiential pedagogy, supervision, and scholarship.

Note: This course is only open to clinical fellows and is not open to enrollment or audit by other JD, LLM, or SJD students. Clinical fellows or others with questions should contact Patrick Griffith, Assistant Dean for Clinical Programs (patrick.griffith@georgetown.edu).

LAW 219 v00 Emerging Growth Companies and Venture Capital Financings (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20219%20v00)
J.D. Course | 2 credit hours
This course covers the legal and business issues that arise in the context of representing emerging growth companies and the venture capital investors who provide an important source of capital to such companies. In particular, the course will focus on the legal issues typically encountered by private companies at formation, financing, operation and key corporate events, including acquisition transactions and public offerings. Topics covered include corporate formation and governance, venture capital financing, employment and equity compensation matters, protection of intellectual property, securities laws compliance and exit strategies through merger, acquisition or initial public offering. The course will offer an introduction to these topics through the eyes of attorneys who practice in a Silicon Valley-based law firm active in the East Coast technology and life sciences market and will also include guest presentations by industry participants, such as venture capitalists, angel investors and entrepreneurs. The course will include a practical exercise designed to introduce students, working in practice teams, to the process of structuring and executing venture capital transactions.

Prerequisite: Corporations.

LAW 769 v00 Emerging Issues in U.S. Financial Services Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20769%20v00)
LL.M Seminar (cross-listed) | 2-3 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 example, 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 assign a question to each student ahead of each class to help focus discussion. Students will also work with the professors to choose a practical assignment that implements the concepts explored in class (such as making a slide presentation or writing a 1-2 page comment letter in response to a proposed regulation).

Strongly Recommended: Securities Regulation, which may be taken prior to this class or concurrently.

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 choose practical assignments that provide an opportunity to reflect on and engage with the course material in a meaningful way.
LAW 3003 v00 Employee Benefits: Health & Welfare Plans (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203003%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course focuses on the tax and ERISA aspects of employer-sponsored health and welfare benefit plans. The tax discussion will concentrate on the conditions for favorable tax treatment of health and welfare benefits (and other statutory fringe benefits), the cafeteria plan rules, the applicable nondiscrimination requirements, and the special rules applicable to funded welfare benefits. The ERISA discussion will focus on plan design, reporting and disclosure, claims procedures, and fiduciary duty rules. The course will integrate the tax, labor and public policy aspects of the Affordable Care Act and other health care reforms.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for this course and Health and Welfare Benefit Plans: Tax & ERISA Aspects.

Note: This course is 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203005%20v00)
LL.M Course (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 (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for this course and Taxation of Nonqualified Deferred Compensation.

Note: This course is required for the Employee Benefits Certificate.
LAW 150 v04 Employment Discrimination (http://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 (http://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 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, and related state analogues. The course examines the doctrinal and theoretical aspects of employment discrimination law through a rigorous analysis of court decisions, statutes and regulations. 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 (http://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 1472 v00 Energy Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201472%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course will present the framework for the governance of energy production, distribution and use in the United States, and provide a foundation for future coursework on these subjects. While the course will focus primarily on U.S. law, it will address some international subjects and examples. Topics will include the evolving U.S. fuel mix and market dynamics, utility restructuring and grid modernization, roles of state and federal governments, the role of different policymakers and regulatory bodies in overseeing U.S. energy systems, relevant environmental laws, and emerging policy issues. There are no prerequisites, although experience with administrative law or environmental law would be beneficial.

Learning Objectives:

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

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

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

Recommended: Administrative Law, Environmental Law.
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.

Energy markets are dynamic and growing rapidly, creating new business opportunities and legal challenges not only for traditional energy companies such as utilities, pipelines, natural gas producers and independent power producers, but also for newer market entrants including investment banks, demand response providers, smart grid and renewable energy companies, storage providers, hedge funds, and large industrial and commercial consumers of natural gas and electricity. The course will focus on the economic regulation of physical energy markets by the Federal Energy Regulatory Commission (FERC), primarily the regulation of transmission, price and competition in the electric and natural gas markets. We will examine six main areas: (i) restructuring and deregulation under the Federal Power Act and Natural Gas Act; (ii) the current model of energy market enforcement and compliance derived, in large part, from securities market regulation; (iii) the legal, regulatory and market responses to ongoing challenges, including market based pricing, market structure and the prevention of market manipulation and market power abuse; (iv) foundational laws and policies governing energy markets and non-discriminatory transmission by wire and pipeline of the electricity and natural gas commodities; (v) “hot topics” such as carbon pricing in organized wholesale electricity markets, the shale gas revolution, the impact of subsidies for certain resources, pipeline and electric transmission infrastructure development and cost allocation, and integrating demand resources and renewables; and (vi) the constant interplay among Congress, federal and state energy regulatory agencies and market participants. Students will gain an appreciation for the legal and market challenges confronted by market participants. Some sessions will feature guest lecturers. There will be no 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, two quizzes during the semester, and class participation.

This seminar emphasizes the development of the common law during the 18th Century—the age of Blackstone and his Commentaries. This was an era of rapid growth in the law, and English procedures and precedents were the foundation upon which much of the law of the early American republic was built. A central focus is on the role of Lord Mansfield as Chief Justice of the Court of King’s Bench in creating a modern approach to doctrine and practice. Mansfield was a strong influence on leading American jurists and scholars of the 19th and 20th centuries, such as Joseph Story and Karl Llewellyn. Also studied is the role of the jury in 18th-century English courts—a role that continues to govern the scope of the right to jury trial in the United States under the Seventh Amendment. Special juries will be discussed, including the jury de mediatate linguæ ("of the half tongue") and the jury of matrons. Attention is given to the problem of crime in the 18th century, to the conduct of the criminal trial, and to the early history of the law of evidence. Students examine and discuss original documentary evidence discovered by recent research. A substantial paper is expected.

This course examines the types of disputes that generally arise in the entertainment industry and the various methods by which such disputes are resolved such as litigation, arbitration, or other forms of alternative dispute resolution (ADR). The course will incorporate a mix of "hands-on" assignments, written and oral, that will endeavor to provide actual advocacy, negotiation, and courtroom/arbitration/mediation experience. Finally, we will be joined in a few classes by special guest lecturers with expertise on these issues.

Prerequisite: Prior or concurrent enrollment in Copyright Law or Entertainment Law or prior enrollment in Introduction to Alternative Dispute Resolution.

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

This course is only open to J.D. students.
LAW 137 v03 **Entrepreneurship Law**

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**

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**

J.D. Course | 3 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201702%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
In a warming world, environmental advocacy is more important than ever. This course explores the characteristics of environmental disputes and, through simulations, sharpens students’ skills in client communication, persuasive writing, oral advocacy, as well as negotiation and litigation strategy. The Seminar centers around simulations based on a complex civil environmental law dispute that initiates as a negotiation, proceeds to litigation, and culminates in a court-ordered mediation with a third-party neutral. The course examines the roles lawyers play in each approach, as students assume the role of attorneys from a governmental agency, public interest organization, and outside counsel for a corporate defendant. Through these practical applications, students evaluate the utility and limitations of various approaches to resolution. The Seminar further develops each student’s understanding of the key strategic decisions an attorney must make during various phases of dispute progression and resolution, including pre-enforcement determinations regarding compliance counseling. Students will ultimately write a major motion that will fulfill the Upperclass Legal Writing Requirement, submitting a draft for review and comment before the final product. Environmental Law is a prerequisite for this course.

Prerequisite: Environmental Law.

Strongly Recommended: Prior or concurrent enrollment in Administrative Law.

LAW 1277 v00 Environmental Dispute Resolution Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201277%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
The Environmental Dispute Resolution Seminar is an advanced practice course for students considering a career in any facet of environmental law or related regulatory fields. It explores the characteristics of environmental disputes and, through simulations, sharpens students’ skills in client communication, persuasive writing, oral advocacy, as well as negotiation and litigation strategy. The Seminar centers around simulations based on a complex civil environmental law dispute that initiates as a negotiation, proceeds to litigation, and culminates in a court-ordered mediation with a third-party neutral. The course examines the roles lawyers play in each approach, as students assume the role of attorneys from a governmental agency, public interest organization, and outside counsel for a corporate defendant. Through these practical applications, students evaluate the utility and limitations of various approaches to resolution. The Seminar further develops each student’s understanding of the key strategic decisions an attorney must make during various phases of dispute progression and resolution, including pre-enforcement determinations regarding compliance counseling. Students will ultimately write a major motion that will fulfill the Upperclass Legal Writing Requirement, submitting a draft for review and comment before the final product. Environmental Law is a prerequisite for this course.

Prerequisite: Environmental Law.

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

LAW 1274 v02 Environmental Justice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201274%20v02)
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 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20146%20v01)
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.

Recommended: Prior or concurrent enrollment in Administrative Law.
**LAW 146 v08 Environmental Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20146%20v08)
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** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20146%20v10)
J.D. Course (cross-listed) | 3 credit hours
Between New Year’s Day in 1970 and December of 1980, Congress enacted virtually all of our major federal environmental statutes. To this day, these laws 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** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20528%20v03)
J.D. Clinic | 12 credit hours
Please see the Environmental Law and Justice Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/ourclinics/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/1u7bh1ny76z1p7yu2ouh44ccdg3118uj).

For information about clinic registration, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3jvcuynepip3ytr6nj9pyv6).

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

**LAW 156 v01 Environmental Research Workshop** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20156%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
Students in this class will have an opportunity to 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 754 v01 Epidemiology for Lawyers** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20754v01)

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

Increasingly, lawyers and policymakers are confronted with the need to evaluate scientific research about causes of good or ill health. Should the family of a person who was exposed to asbestos and later died of lung cancer sue? At what level should mercury in tuna violate regulatory standards? What measures can be employed to control the spread of an Ebola outbreak or to prevent obesity? Will mandatory quarantines save lives if a bioterrorist releases anthrax in a major city?

This class will provide students with a basic toolset in public health's empirical methods. Disciplines such as epidemiology, risk assessment, and biostatistics provide ways to systematically evaluate proposed policy and search for answers in the quest for better health. To illustrate how these methods are deployed in practice, we will discuss case studies from the Ebola epidemic in West Africa, Zika virus, Middle East Respiratory Syndrome (MERS), and novel avian influenza, among others. We will also examine US domestic health issues that engage questions of law, policy, and democracy.

Students who successfully complete this class will not be trained to be professional scientists. However, students will be able to:

1. Understand fundamental epidemiological concepts;
2. Interpret health data and research;
3. Critically evaluate empirical claims;
4. Identify when assistance from health experts is required; and
5. Apply learnings to the development of policy and laws.

Lawyers with training in epidemiology will be able to more effectively respond to emerging and persistent issues in our complex society, whether they practice in health law, torts, environmental regulation, law enforcement, or human rights.

**Note:**

- In the Spring 2022 semester, this course will take place online via Zoom (https://georgetown.box.com/s/s4ynyf5n3g92usmagij9guq5n2cjow7f).
- Not intended for MPH students. No prior knowledge of Epidemiology is assumed. WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 10, 2022 through Thursday, January 13, 2022, 1:30 p.m. - 4:50 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

**LAW 2042 v01 Ethics in Tax Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202042v01)

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 2022: 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.
Complete List of J.D. Courses

LAW 462 v00 EU Law: Selected Topics in ECJ Jurisprudence (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20462%20v00)
J.D. Course (cross-listed) | 1 credit hour
The course examines the role the European Court of Justice plays in the shaping of European private law as it relates to the functioning of the EU Single Market. It focuses on the way in which the court has interpreted the EU Treaty in order to ensure effectiveness of EU law, and analyzes some of the landmark cases in that area. The course also shows how the court has dealt with the interpretation of directives, particularly in the field of consumer protection, and what impact this case law has on national law making.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 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.

LAW 487 v02 EU Tax Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20487%20v02)
LL.M Course (cross-listed) | 1 credit hour
Tax harmonization within the European Union is very difficult to achieve. Most legislative measures of the European Union in this area require the consensus of all 27 member states. The only real engine of harmonization seems to be the European Court of Justice (ECJ). The ECJ itself cannot harmonize the tax systems, however, the Court can force the member states to open their tax systems for tax competition within Europe. The judgments delivered by the ECJ are most of the time very surprising, even to experts.

The course focuses on very recent judgments of the Court of Justice. By analyzing some selected judgments, students should learn about the guiding principles of European tax law, as they have been developed by the ECJ on a case to case basis, and about the approach of the Court and the role the Court plays. Students should get an impression about possible future developments of European tax law.

Prerequisite: Federal Income Taxation.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 9, 2022 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 during the week of January 21 and January 28, 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.
LAW 1665 v00 European Patent Law & Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201665%20v00)

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

Many of the high profile patent cases conducted in Germany concerned European Patents held by US companies (e.g. Qualcomm vs. Apple, Microsoft vs. Google/Motorola, InterDigital vs. Xiaomi). It is standard procedure for US companies to litigate their European Patents in Germany as the most important venue for patent infringement lawsuits in Europe.

This course is designed to help students advise US clients when they consider filing patent infringement lawsuits in Europe or when they have to defend against allegations of patent infringement on German territory. At the end of the course, students will have acquired a basic understanding of patent litigation in Europe and of international patent law in general. This course provides an opportunity for students to understand all phases of a patent trial in Germany and before the prospective Unified Patent Court (UPC). It combines elements of lecture and case studies, whereby the focus is laid on case studies.

Initially the course will provide an introduction to the principles of European patent law. A focus will be placed on patent infringement and nulity proceedings regarding European Patents in Germany. Especially the implications of the German bifurcation principle will be explored.

In the second part, the course will conduct an in-depth case study of a recent patent infringement case which has been tried in Germany. The strategies both in the first instance and on appeal level will be explored. The case study will focus on the strategies of attorneys acting on behalf of patent holders and/or patent infringers. Issues of material law (literal patent infringement, infringement under the doctrine of equivalence) as well as procedural law (venue, enforcement) will be covered.

In the following, the law relating to the enforcement of standard-essential patents (SEP) in Europe as established by the Court of Justice of the European Union and as applied by the national courts will be explained. Also the hotly debated anti-suit injunctions directed against litigation in Europe will be considered.

Given the range of competencies covered and type of work assigned, this course is recommended for students who intend to practice patent law.

Prerequisite: Patent Law.

Note: NOTE: In the Spring 2022 semester, this course will take place online via Zoom (https://georgetown.box.com/s/s4nyif5n392usmagij9guq5n2cjpw7f).

WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 10, 2022, through Friday, January 14, 2022, 2:55 p.m. - 5:30 p.m. The course will have a take-home exam that must be completed between January 21 and January 28, 2022. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 816 v08 European Union Law: Foundations and International Reach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20816%20v08)

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

How is the European Union rewriting the global rulebook for the digital economy, in areas ranging from data protection law to platform services? Why does it control data flows from Europe and challenge government surveillance laws in the United States and elsewhere? How is the EU adapting to change in the global trade and investment system, including the retreat from investor-state dispute settlement? What legal tools can "Brussels" deploy to rein in illiberal EU member states and respond to foreign policy challenges from outside its borders? Does the United Kingdom, following Brexit, remain substantially tied to the EU legal system?

This two-credit survey tackles such questions in the course of providing a comprehensive introduction to the scope and operation of the law of the European Union. The course begins by focusing on the key legal and political dimensions of European integration and the main features of the succession of treaties that have led to today’s Union. Next the course examines 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 unique economic accomplishment, the Single Market. The second half of the course explores several dimensions of the EU’s growing 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, including the complex legal relationship with the United Kingdom following Brexit. The final three classes take up the EU’s growing body of legislation on the digital economy, most notably its legislation and jurisprudence on data privacy as it affects international commerce as well as international law enforcement and security cooperation.

The course is led by instructors with long experience counseling the U.S. government and private sector in Washington and in Brussels on how to engage with and understand the EU and its governing institutions. (Views expressed by the instructors are their own, not attributable to their employers.) Ranging across EU constitutional, administrative, human rights, economic, security and foreign relations law, the course includes comparisons to U.S. legal concepts and cases as appropriate. Students also will gain a political appreciation for how EU bodies interact with each other and with member states and third countries. A research memorandum on a current EU law topic is the principal form of assessment.

The course has no prerequisites. International Law or related courses may be useful at the margins. Students who have taken European Law and Policy in Times of Crisis are not eligible to enroll.

Learning Objectives:

• 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.
LAW 1749 v00 Evenings with Outlaws Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201749%20v00)
J.D. Seminar | 3 credit hours
The goal of this (constitutional law and lit) seminar is to see what we can learn from those who, by choice or otherwise, find themselves placed outside the law—literally in some cases, metaphorically in all. These are not figures who are merely challenging the constitutionality of a law or laws; rather, they are demanding a radical overhaul of our very idea of law. For them, law as it exists has been a means to injustice. In each unit below (other than the Conclusion), I have paired background “lit” readings with constitutional readings. The units are: 1) A Covenant with Death?: Our Founding Documents and Original Meaning (paired with Dred Scott); 2) Slavery by Another Name: Prison Lit, Race, and Law (paired with case law interpreting the Thirteenth Amendment); 3) Fighting Faiths: Archetypes of the Religious Outlaw (paired with case law interpreting the Free Exercise Clause); and 4) Outlaw Pedagogy (paired with case law on parental rights). We’ll conclude the semester by looking at two very different presentations of the trial as a forum for justice: “The Trial of Socrates” (Plato) and “The Trial of the Chicago 7.” The first is a tribute to law even when the law is manifestly unjust; the second is a bold (and often hilarious) mockery of the entire process.

For their seminar papers, students will write about one figure or one work not covered in class. For example, a student could write on Camus’ The Stranger as a portrait of the existential outlaw and provide an existentialist critique of a classically liberal constitutionalism. Or, a student might focus on an author/work to consider whether the Constitution’s notion of equal protection can accommodate a genderqueer assault on the “naturalness” of binary gender categories. Obviously, there are many, many worthwhile candidates. Student work will meet all the upper-level writing requirements.

Cautionary note: This course deals with sensitive, even volatile, subject matter. Some subjects will be difficult, perhaps even painful, to discuss. Some texts contain offensive language. I expect all discussion to be conducted with courtesy, respect, sensitivity, and compassion. Like all seminars, this one ought to be a forum for hard-earned learning: a place where we can consider new ideas and reconsider old ones. I make no claim to expertise in our “lit” subjects. I will be learning along with you. I hope that students will be full participants in suggesting additions to our reading list, in proposing new topical units for consideration, and in thinking boldly about how this seminar may evolve.

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 2021 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 165 v01 Evidence
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20165%20v01)
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
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20165%20v04)
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.

Recommended: Criminal Justice and/or Criminal Law. Students who have a question about whether their prior course in these topics will provide sufficient background may contact Prof. Rostain at tr238@georgetown.edu.

Note: Laptop use is not permitted.

In Spring 2023, class will meet for three hours each week, with fourth hour of weekly course content delivered asynchronously.
LAW 165 v07 Evidence
J.D. Course | 3 credit hours
This course is devoted to creating in the students a thorough understanding of the Federal Rules of Evidence. While cases interpreting the rules will be studied, emphasis will be placed on creating in the students such a familiarity with these Rules that the students will be able to invoke them instinctively in the mere seconds a lawyer has to object to evidence. Understanding of each rule will be developed by the students applying each Rule to realistic problems. The professor, who was a judge, will attempt to create a courtroom in the class room and to teach the knowledge that a lawyer must have to try a case competently and in accordance with the Federal Rules of Evidence.

Learning Objectives:
The learning objectives of this course are: (1) to understand the meaning and application of each of the Federal Rules of Evidence; (2) to appreciate how the courts have interpreted these Rules and what questions of their interpretation remain open and debatable; (3) to understand the restraints imposed upon the receipt of evidence by the constitutional rights to present a defense and to confront the witnesses against one self; (4) to have such a comprehensive understanding of the Rules and their application that the student will be able to object or respond to an objection to the receipt of evidence in the limited time permitted by the reality of trying a case to a jury; (5) to be able to try a case in a federal court competently because of one’s knowledge of the Federal Rules of Evidence; (6) to appreciate the ethical requirement of being a competent trial lawyer and (7) to develop the knowledge necessary to be a competent lawyer in any proceeding where evidence is received.

Recommended: Civil Procedure (or the equivalent Legal Process and Society) or Criminal Procedure or Criminal Law.

LAW 165 v09 Evidence
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: Note for 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 a later date (Date TBA).

LAW 165 v10 Evidence
J.D. Course | 4 credit hours
This course studies the Federal Rules of Evidence and the application of those rules in litigation. Included are the subjects of relevance, the hearsay rule and its exceptions, examination of witnesses, privileges, expert testimony, presumptions and scientific evidence, among other subjects relating to the regulation of proof at trials.

Learning Objectives:
Provide students with a working knowledge of how the rules of evidence are applied in court so that they can use that knowledge to be better trial attorneys and to better prepare for the bar exam.

Recommended: Prior or concurrent enrollment in Civil Procedure (or Legal Process and Society) or Criminal Justice (or Democracy and Coercion) or Criminal Procedure or Criminal Law.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on July 14.
LAW 1491 v00 Externship I Seminar (J.D. Externship Program) (http://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 that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-j-d-students) for detailed program information.

Identifying a Placement:
Students are responsible for finding their own judicial, governmental, or nonprofit field placements. The Office of Public Interest and Community Service (OPICS) is available, by appointment, to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help students identify an externship placement.

Fieldwork:
Students work for 18.5 or 27.5 hours per week for at least 6 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student's legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 18.5 hours of fieldwork/week for at least 6 weeks or 3 pass/fail credits for 27.5 hours of fieldwork/week for at least 6 weeks. During the summer session, students are permitted to exempt 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: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last day of summer registration or they will be dropped from the Summer 2022 J.D. Externship Program and companion seminar.

Note: For the 2022 Summer Session, students are permitted to conduct their fieldwork remotely in the J.D. Externship Program.

Seminar:
In addition to their field work, students participate in an interactive, one credit, letter-graded seminar, incorporating multiple opportunities for students' performance of various professional lawyering skills and development of professional competencies that are universal to numerous legal settings. The seminar meets weekly (six times total) during the summer session. Attendance is mandatory at all six class sessions. Students must attend, participate in, and timely complete all assignments for the six externship seminar classes. Weekly time sheets; and

LAW 1491 v01 Externship I Seminar (J.D. Externship Program) (http://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 that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-j-d-students) for detailed program information.

Identifying a Placement:
Students are responsible for securing their own judicial, governmental, or nonprofit field 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 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 be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student's legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 11 hours of fieldwork/week or 3 pass/fail credits for 16.5 hours of fieldwork/week for at least 10 weeks during the semester.

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: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last business day before the Add/Drop deadline or they will be dropped from the J.D. Externship Program and 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 1491 v02 Externship I Seminar (J.D. Externship Program) (http://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 that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-jd-students) for detailed program information.

Identifying a Placement:

Students are responsible for securing their own judicial, governmental, or nonprofit field placements. The Office of Public Interest and Community Service (OPICS) is available, by appointment (https://www.law.georgetown.edu/your-life-career/career-exploration-professional-development/for-jd-students/make-an-appointment), to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help students identify an externship placement.

FIELDWORK: Students work for 10 or 15 hours per week for at least 11 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student’s legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 10 hours of fieldwork/week or 3 pass/fail credits for 15 hours of fieldwork/week.

Note: Students can begin working toward the hours/week requirement (110 or 165 hours total) from the first day of regular, semester-long classes. Students must complete the total hours requirement by the last business day of classes.

Note: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last business day before the Add/Drop deadline or they will be dropped from the J.D. Externship Program and 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.

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LAW 1492 v00 Externship II Seminar (J.D. Externship Program) (http://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 that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-jd-students) for detailed program information.

Identifying a Placement:

Students are responsible for finding their own judicial, governmental, or nonprofit field placements. The Office of Public Interest and Community Service (OPICS) is available, by appointment, to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help students identify an externship placement.

Fieldwork:

Students work for 18.5 or 27.5 hours per week for at least 6 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student’s legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 18.5 hours of fieldwork/week for at least 6 weeks or 3 pass/fail credits for 27.5 hours of fieldwork/week for at least 6 weeks. During the summer session, students are permitted to extend at judicial, government, or nonprofit entities anywhere in the United States.

Note: Students 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: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last day of summer registration or they will be dropped from the Summer 2022 J.D. Externship Program and companion seminar.

Note: For the 2022 Summer Session, students are permitted to conduct their fieldwork remotely in the J.D. Externship Program.

Seminar:

In addition to their fieldwork, students participate in an interactive one credit, letter-graded seminar, incorporating multiple opportunities for student performance of various professional lawyering skills and development of professional competencies that are universal to numerous legal settings. The seminar meets weekly (six times total) during the summer session. Attendance is mandatory at all six class sessions.
LAW 1492 v01 Externship II Seminar (J.D. Externship Program)
(http://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 that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-j-d-students) for detailed program information.

Identifying a Placement:

Students are responsible for securing their own judicial, governmental, or nonprofit field placement. The Office of Public Interest and Community Service (OPICS) is available, by appointment (https://www.law.georgetown.edu/your-life-career/career-exploration-professional-development/for-jd-students/make-an-appointment), to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help you identify an externship placement. FIELDWORK: Students work for 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 be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student's legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 11 hours of fieldwork/week or 3 pass/fail credits for 16.5 hours of fieldwork/week for at least 10 weeks during the semester.

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: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last business day before the Add/Drop deadline or they will be dropped from the J.D. Externship Program and 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)
(http://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 that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks outside of the law school. Working in collaboration with their field supervisors, students establish individualized learning goals for their experience and receive ongoing feedback in a real world practice setting. At the Law Center, students participate in a companion seminar to reinforce their field placement experiences. Through the seminar, students consider essential topics involving professionalism, ethics, professional identity, legal problem-solving, work-life balance, and the role of a lawyer. Through regular classroom engagement, students enhance their learning at the field placement and develop critical reflective practices that they will use throughout their careers.

Please refer to the J.D. Externship Program website (https://www.law.georgetown.edu/experiential-learning/externships/for-j-d-students) for detailed program information.

Identifying a Placement:

Students are responsible for securing their own judicial, governmental, or nonprofit field placements. The Office of Public Interest and Community Service (OPICS) is available, by appointment (https://www.law.georgetown.edu/your-life-career/career-exploration-professional-development/for-jd-students/make-an-appointment), to discuss potential externship opportunities. In addition, the J.D. Externship Program has resources to help students identify an externship placement. FIELDWORK: Students work for 10 or 15 hours per week for at least 11 weeks (110 or 165 hours total) in a judicial, governmental, or nonprofit field placement. Students must be supervised by a licensed attorney or an individual otherwise qualified to supervise a legal extern at the field placement. Georgetown Law defines "an individual otherwise qualified to supervise" as someone qualified to assign, review, and give substantive feedback on a student's legal or policy work. Students are responsible for finding their own placements. Students may not be compensated for the work at their placement, nor may students work on pro bono matters at a for-profit entity. Students earn 2 pass/fail credits for 10 hours of fieldwork/week or 3 pass/fail credits for 15 hours of fieldwork/week.

Note: Students can begin working toward the hours/week requirement (110 or 165 hours total) from the first day of regular, semester-long classes. Students must complete the total hours requirement by the last business day of classes.

Note: Students must be fully eligible to start work at their field placement (i.e., security clearances and/or background checks complete) by the last business day before the Add/Drop deadline or they will be dropped from the J.D. Externship Program and 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v01)
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: NOTE: In the Spring 2022 semester, this course will take place online via Zoom (https://georgetown.box.com/s/s4nyif5n3g92usmagig9guq5n2cjpw7f).

FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 10, 2022, through Thursday, January 13, 2022. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 29, 2021 at 3:00 p.m. After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 173 v03 Family Law I: Marriage and Divorce (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20173%20v03)
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.

LAW 173 v05 Family Law I: Marriage and Divorce (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20173%20v05)
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 3144 v00 Federal Advocacy in Technology Law and Policy
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203144%20v00)
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.

LAW 193 v03 Federal Banking Regulation: Modern Financial Institutions and Change
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20193%20v03)
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 precipitation 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 178 v03 Federal Courts and the Federal System (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20178%20v03)
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 193 v05 Federal Banking Regulation: Modern Financial Institutions and Change (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20193%20v05)
J.D. Course (cross-listed) | 4 credit hours
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 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 in the United States, Europe, and the rest of the world? Where it did not, why not?

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 v03 Federal Courts and the Federal System (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20178%20v03)
J.D. Course (cross-listed) | 3 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.

LAW 722 v02 Federal Limitations on State and Local Taxation (http://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 (formerly Taxation I).

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201166%20v00)
J.D. Seminar | 3 credit hours
The majority of civil cases involving the federal government arise from challenges to agency decisions ranging from contractor selection by government procurement officials to project approvals by both civilian and military agencies under various regulatory schemes implementing the nation’s 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 arguing a motion for summary judgment on the administrative record.

Over the course of this class, students, in teams or individually, will present three oral arguments to the professors, who will role-play as judges, based on a briefing from real district court cases. The arguments will take place in a federal courtroom and will simulate as closely as possible real-world federal court hearings. Some arguments will be filmed so that students may review their oral argument performance. The professors will provide students with critique and feedback after each oral argument, with the goal of improvement over time.

This class is designed for students 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 analysis 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: 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
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
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 386 v01 Federal Prosecution
J.D. Seminar | 2 credit hours
We examine decision-making by federal prosecutors over the life of a federal case, from investigation through prosecution, through class discussion of articles and cases, and through guest speakers. We focus not just on legal, but also on organizational, cultural, and ethical factors that influence and constrain prosecution decisions.

Learning Objectives:
Students are expected to acquire a working familiarity with:
- The organizational environments within which federal prosecution takes place;
- The statutes governing violent crime and racketeering;
- The investigative tools used by law enforcement agencies and prosecutors;
- The practical significance of modern discovery obligations; and
- The range of federal criminal legal practice.

This is not a course in federal criminal trial advocacy; it is instead a survey of the entire process of federal prosecution, with an emphasis on the decisions that prosecutors have to make.

Prerequisite: Prior or concurrent enrollment in Criminal Law.
Recommended: Evidence.
Mutually Excluded Courses: Students may not receive credit for this course and Anatomy of a Federal Criminal Trial: The Prosecution and Defense Perspective.

LAW 455 v00 Federal White Collar Crime
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 sites 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 v02 Federal White Collar Crime (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20455%20v02)
J.D. Course (cross-listed) | 3 credit hours
This is an advanced course for the serious student interested in this area of law. It will cover procedural, substantive and practitioner oriented “tactical” considerations of “white-collar” criminal law. A student should have prior demonstrated interest in the subject area by having taken courses such as Evidence; Criminal Procedure; Constitutional Law or participated in one of the many GULC litigation clinics. The class will cover the principal federal “white collar” statutes, e.g., mail fraud, conspiracy, securities law, false statements, obstruction of justice and money laundering. Corporate criminal liability will be a course focus, covering necessarily related subjects, e.g., attorney-client privilege issues; “internal” investigations; government sponsored “Voluntary Disclosure” programs; litigation under the False Claims Act (Qui Tam); grand jury practice, document production, immunity, plea bargaining, co-operation agreements, discovery, and the interplay between civil and criminal proceedings, i.e., “parallel proceedings”. The class size is limited to maintain active class participation of interested students.

The class will conclude with a take home examination.

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

Recommended: Criminal Law and Evidence.

Mutually Excluded Courses: Students may not receive credit for this course and White Collar Crime and Securities Fraud.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on November 10.

LAW 455 v07 Federal White Collar Crime (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20455%20v07)
J.D. Course (cross-listed) | 3 credit hours
This advanced criminal law course covers selected substantive and procedural areas of importance in “white-collar” criminal practice. A portion of the class will be devoted to the study of certain statutes and their applications, including examinations of mail and wire fraud, conspiracy, false statements and money laundering prosecutions. We will also study the United States Sentencing Guidelines and will explore the principles governing entity liability. The balance of the class will be devoted to an examination of subjects of particular concern to prosecutors and defense counsel in “white-collar” or business crime cases, including investigative and grand jury practices, privileges applicable in a corporate setting, immunity, plea bargaining, cooperation agreements, and the interplay between civil and criminal proceedings.

Students will be required to complete a number of short written assignments relating to the application of the Sentencing Guidelines, and the class will conclude with an examination.

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

Recommended: Criminal Law.

Note: Students may take this course and Advanced Criminal Procedure, but it is not recommended.

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 a later date (Date TBA).
LAW 1514 v00 Federalism in Practice: The Role of Governors and State Executives in Advancing Public Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201514v00) (Fieldwork Practicum)  
J.D. Practicum | 5 credit hours  
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course explores the legal and practical dimensions of policy making at the state level, with a focus on the role of governors and other state executives (e.g., attorneys general, legislators, secretaries of state). Students will participate in a two-hour/week seminar and also undertake 15 hours/week of fieldwork with the National Governors Association, National Association of Attorneys General, National Conference of State Legislatures, or other state and local stakeholder group.  
SEMINAR: This seminar will provide an overview of the constitutional underpinnings of federalism and the legal frameworks applicable to policy development and implementation (e.g., in healthcare, homeland security, emergency response, infrastructure and transportation); case studies on the challenges and opportunities of federal, state, and local cooperation; and practical guidance on the operation of governors’ offices and state agencies. It will also examine the role of the “Big Seven” associations in driving state and local interests at the federal level, and in facilitating the adoption of best practices across government. Students will be trained in written and oral communication for an audience of policymakers, and become skilled at distilling complex legal issues into actionable recommendations for executives. During the semester, students will hear from guest speakers who serve or have served in governors’ offices and state agencies, or who otherwise offer unique insight and expertise in topical issues. By the end of the course, students will understand how “good” public policy (ethical and effective) happens in the real world and the practical ways in which research/science, politics, ideology, tradition, and the law help to shape it.  
FIELDWORK: Depending on students’ interests and the organization’s needs, students may be placed in NGA’s Center for Best Practices (Homeland Security & Public Safety Division) or one of the other “Big Seven” state/local associations, such as the National Conference of State Legislatures, National Association of Attorneys General, National District Attorneys Association, or Council of State Governments. Students will work with the organization’s staff and state officials to resolve legal questions and develop recommendations for state policymakers, such as: (1) writing a model cyber vulnerability disclosure policy for state agencies; (2) providing guidance on the legal implications of health reform; (3) constructing a model framework for addressing citizen privacy in homeland security policy; (4) updating legal and procedural guidance for governors’ legal counsel; and (5) developing advocacy strategies for federal legislation that affects state interests.  
Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).  
Recommended: No other courses are required, but background coursework in constitutional law, administrative law, and statutory interpretation may be helpful.  
Mutually Excluded Courses: Students may not concurrently enroll in this practicum and an externship or a clinic or another practicum course.  
Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.  
This course is suitable for evening students who can attend the weekly seminar and conduct 15 hours of fieldwork/week during normal business hours. This is a five-credit course. Two credits will be awarded for the first semester and three credits for the second semester.  

LAW 175 v00 Federalism Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20175v00)  
J.D. Seminar | 3 credit hours  
The so-called “federalism revolution” of the past 30 years, reflected in a series of controversial Supreme Court decisions, has engendered reams of commentary and provoked widespread litigation challenging a range of federal statutes under constitutional provisions including the Commerce Clause, the Spending Clause, and the Tenth and Eleventh Amendments. Rarely has so complex a body of interrelated law developed so quickly. The seminar will trace the development of the Court’s recent federalism jurisprudence both from a doctrinal perspective and as a study in the dynamics of judicial decision-making. A critical aim of the course will be to understand the values underlying the federalism debate, and to observe judges and justices of all persuasions seeking to reconcile those values with other priorities and with the institutional limitations of the courts. We also will consider the extent to which the Court’s recent jurisprudence actually has altered the dynamics of federal-state relations and whether future decisions are likely to do so.  
We will use the developing nature of the federalism jurisprudence as an opportunity to develop advocacy skills. Students will satisfy the writing requirement by writing a 25-page appellate brief in one of the cutting-edge cases designated on the syllabus or comparable academic paper. We will work closely with each student in developing the structure and argument of the brief or paper, and in moving from draft to final product. To develop oral advocacy skills and liven our discussions, the seminar will include a number of informal moot courts and debates.
LAW 189 v06 Feminist Legal Theory Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20189%20v06)
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 271 v01 Finance of Real and Personal Property (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20271%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course introduces the basics of secured commercial debt financing transactions through which businesses borrow funds to finance the acquisition of real and personal property. We will first cover the basic lending transaction, followed by an examination of the laws governing secured transactions by considering, in parallel, real property mortgages and personal property security interests under Article 9 of the Uniform Commercial Code. In doing so, we will consider the creation and perfection of liens, maintaining their perfection, lien priority and the exercise of remedies following a borrower’s default. We will also consider other property financing techniques and issues including leasing, mezzanine and subordinated debt, personal property security interests outside the UCC, 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 financing real and personal property 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 lending 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 borrow capital to finance the acquisition of real and personal property 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 secured loans.
- Working knowledge of the principal substantive legal aspects of secured lending 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 lenders and borrowers in secured lending transactions, and the ability to utilize such terminology in drafting, negotiating and interpreting secured lending agreements and instruments and otherwise approaching legal assignments.

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

Mutually Excluded Courses: Students may not receive credit for both this course and Introduction to the Capital Markets and Financing of Income-Producing Property.
This course examines the ever-evolving regulation of financial markets, institutions, and innovative financial products. We will evaluate the emerging regulatory issues and reform of over-the-counter derivatives markets, analyzes changes to federal banking laws (including systemic risk regulations, new capital and margin requirements, resolution authorities and the Volcker Rule), and explores enhanced consumer protection rules. The course will also explore advances in financial technology (commonly referred to as ‘FinTech’), specifically virtual currency. We will examine how virtual currencies are used by financial market participants and evaluate major developments in the regulation of virtual currencies, such as Bitcoin, Ether, Ripple, Litecoin, and others.

This course also provides a comprehensive overview of the Wall Street Reform and Consumer Protection Act of 2010 ("Dodd-Frank Act") and its ongoing implementation efforts by Federal financial regulators. The Dodd-Frank Act is the most consequential reform of the financial services industry since the Great Depression. We will analyze financial market reform efforts emerging regulatory issues that are intended to increase transparency in financial markets, reduce systemic risks, increase the safety and soundness of the financial system, and enhance protections for consumers.

Learning objectives:
By the end of this course, I hope you will have a comprehensive overview of the implementation of the Dodd-Frank Act. You will gain a sense of the genesis and policy developments underpinning the Dodd-Frank legislation, an overview of fundamental aspects of financial reform in Dodd-Frank, its basic requirements, its overarching goals, and its upsides and downsides. You will not learn every detail of financial services regulation or every part of Dodd-Frank, but you should grasp the nature and structure of the central tenants of federal oversight of the financial services industry and its market participants.

Another aim of the course is skills-oriented. By participating in class discussions and preparing and presenting the Comment Letter Group Project, I hope you will hone your skills in speaking fluently and comfortably about legal issues. The Comment Letter Group Project is designed to give you real-world experience/exposure to what regulatory lawyers actually do in private and government practice in the financial services space. I want students to be able to identify an issue, think critically about how to solve it, employ legal reasoning to defend their approach, and practice legal writing. My specific expectations for the comment letter project are set out in the “Comment Letter Group Project” section of syllabus.

We will then focus on the 2008 financial crisis. We will examine the forces that produced the complex financial system of the early 21st century, including the rise of the shadow banking industry and the growth of derivatives. We will examine the response to the crisis, which included drawing on emergency powers that were first created by Congress in response to earlier financial crises, as well as new authorities created in response to the events of 2008. We will look at some of the difficult choices faced by government officials in responding to the crisis, as well as the role of individual accountability for behavior that contributed to the crisis. We will also examine the reforms implemented as a result of the crisis.

We will then turn to the pandemic, and look at its economic and financial consequences. Why did the 2008 crisis happen? Why, throughout our history, have we periodically experienced financial crises? What does this history teach us about the adequacy of financial regulation, and whether regulatory failures contribute to financial crises?

Finally, having started the course with a look at the beginnings of the American financial system, we will end with what many predict is the future: cryptocurrencies and central bank digital currencies, the development of which has been accelerated by both the 2008 crisis and the pandemic. Will central bank digital currencies replace cash? If so, will they make our financial system more or less stable? Can they make it more inclusive?

The course will include sessions with guest speakers who have been responsible for some of the critical policy decisions that we will discuss.

Strongly Recommended: Corporations.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. courses, Federal Banking Regulation: Modern Financial Institutions and Change or Financial Services: Regulation in the Age of Disruption.
LAW 804 v04 Financial Reporting and Accounting (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20804%20v04)

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 193 v01 Financial Services: Regulation in the Age of Disruption (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20193%20v01)

J.D. Course (cross-listed) | 2 credit hours
This two-hour lecture and discussion course covers regulation of financial services providers, from traditional banks to 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 545 v01 Financial Restructuring and Bankruptcy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20545%20v01)

J.D. Course (cross-listed) | 4 credit hours
This course is a general introduction to business bankruptcy law. Bankruptcy provides a background term for nearly all business transactions. The possibility that a counterparty may not be able to fulfill its obligations is a critical factor in shaping deals. This course reviews the fundamentals of debt contracting, including the role of events of default, covenants, representations and warranties, debt priority, and security interests. It covers private and public orderings of debt restructuring: private workouts and bankruptcy reorganizations and liquidations. Topics to be covered include the distressed debt market, exchange offers, property of the estate, the automatic stay, the avoidance of prebankruptcy transactions, the treatment of executory contracts, the debtor’s governance structure during bankruptcy, asset sales, the financing of operations of bankrupt companies, the distressed debt market, the process of negotiating, voting, and confirming a plan of reorganization, and transnational and sovereign issues in bankruptcies.

Mutually Excluded Courses: Students may not receive credit for this course and Bankruptcy or Bankruptcy and Creditors’ Rights.
LAW 2088 v00 Financial Statement Accounting for Tax Consequences
(http://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 9, 2023 through Thursday, January 12, 2023, 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 21 and January 28, 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

LAW 1744 v00 FinTech and Financial Democratization Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201744%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
“FinTech” often refers to the use of modern technologies and novel methods in offering financial services. This bourgeoning sector has significantly disrupted the financial marketplace, challenging the conventional roles of banks, other financial institutions, regulators, and policymakers. Legal scholars often evaluate how the novelties of Fintech fit or do not fit within existing legal regimes, and how such regimes should be modernized in response. Fewer scholars examine what might be the most transformative promise of Fintech – whether it does or can democratize the financial marketplace and how the law might facilitate (or frustrate) that aim. This seminar examines just this.

Seminar readings will illuminate the relationship between the financial marketplace and oft-marginalized communities and allow students to assess whether effective solutions to certain inequities lie in Fintech, fundamental policy reforms, or both. This course covers topics such as payment systems, credit markets, financial advising, savings, and security investing. It focuses on the U.S. marketplace, but will occasionally reference trends in international markets for comparative analysis. Readings are primarily drawn from legal, economic and sociological research, regulatory and legislative reports, cases, and popular news media.

The goal of this seminar is for students to develop views on the purpose and role of Fintech, the objectivity of financial markets and regulation, and whether financial democratization is a necessary or achievable aim for market providers. Students will further hone their critical analysis, research and writing, and public speaking skills.

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

This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
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 faced 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.
This course focuses on the evolution of U.S. foreign intelligence collection, taking into account the history and evolution of the law as well as the pressing and difficult questions posed by technology. Discussion will draw on Georgetown Law Library's Foreign Intelligence Collection, which houses nearly 100 declassified FISC/FISCR opinions and 300 orders in the public domain, as well as the more than 130 FISA-related cases in ordinary Article III courts. The course emphasizes the NSA, FBI, CIA, and NCTC targeting, querying, and minimization procedures and the required annual reporting, as well as special reports detailing prominent use of FISA authorities in investigations during the 2016 Presidential election. The class will examine other intelligence collection conducted under Executive Order 12333, National Security Letters, SIGINT and DoD Directives, Attorney General Guidelines, and other associated documents, providing students with a comprehensive understanding of foreign intelligence law. It will pair a deep understanding of the different forms of intelligence collection with constitutional and statutory law. With the advent of the Internet of Things, next generation social media, 6G networks, artificial intelligence and machine learning, the landscape is about to again shift. Accordingly, the course will delve into new and emerging technologies, looking at how they fit – or fail to fit – current law.

**LAW 3093 v00 Foreign Investment & National Security: The Committee on Foreign Investment in the United States**

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 052 v01 Fourteenth Amendment Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20052%20v01)
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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20196%20v03)
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 restraint on publication, defamation, privacy, newsgathering liability, media liability for unlawful conduct of third parties, compelled disclosure of sources, and access to information. Practical aspects of representing media clients are examined along with public policy implications of existing legal doctrines and proposals for change. Much of the course is discussion-based, and students will be expected to make meaningful contributions to that discussion, with class participation forming the basis for one-third of the grade for the semester.


LAW 1812 v00 Free Speech on Campus: Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201812%20v00)
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.
This course will examine 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 telecommunications. Specifically, this course will provide 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 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. 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 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 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. 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.

**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 attempt to enter 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 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.
LAW 1272 v00 Gender and Sexuality

This course will provide an introduction to the legal contexts and theoretical debates surrounding sex, gender, sexuality, and their intersections. We will explore the way gender and sexuality have been debated, defined, and redefined in the contexts of gender identity and performance, sexual pleasure, reproductive rights, sexual violence, marriage, family organization, work, and education. In these contexts we will consider the evolution of the law, the discursive effects of law, and the ways feminist and queer theorists have challenged and reimagined prevailing legal rules and cultural norms. In short, the class will probe the ways that law is gendered, sexualized, and raced, and with what overall effects on social institutions and practices.

Key topics will include:

- The Mutual Influence of Identitarian Politics and Law
- Constitutional Law of Sex Equality, Liberty, and Religious Objection
- Regulation of Sexual Conduct
- Regulation of Reproduction
- The Evolving Meanings of Marriage & Family
- Sexual Harm & Consent
- Gender & Sexuality at Work, School and other Institutions

Strongly Recommended: Constitutional Law II.

Mutually Excluded Courses: Students may not receive credit for this course and Sexual Orientation and the Law: Selected Topics in Civil Rights.

LAW 2065 v00 Gender and U.S. Foreign Policy

In recent years, the U.S. has developed a comprehensive policy framework that recognizes gender equality as a pillar of U.S. foreign policy and international law. This class will introduce and analyze these policies, including the U.S. National Security Strategy: the Women, Peace and Security Act of 2017; the U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally; State Department and USAID policy guidance on gender. We will examine the legal basis for women’s human rights, as well as the body of evidence linking women’s advancement to development, prosperity, and stability. Issues covered will include gender and economic growth, peace and security, political participation, development, gender-based violence, and international institutions and treaties. This class will feature prominent guest speakers in the field.

LAW 1298 v00 Global Anti-Corruption Seminar

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 Combating 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 regulation and the ways that law is gendered, sexualized, and raced, and with what overall effects on social institutions and practices.

5. We expect each student to achieve mastery of the basic concepts underlying 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.

6. We expect students to learn the basic principles of anti-corruption regulation and the ways that law is gendered, sexualized, and raced, and with what overall effects on social institutions and practices.
LAW 1801 v00 Global Anti-Corruption Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201801%20v00)
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 Combating of the Financing of the Financial Action Task Force. Corruption within the political system will also be examined, including explicit bribery of politicians, conflicts of interests, and private financing of political campaigns (sometimes referred to as "legalized corruption"). Finally, the course will assess the merits of proposals to establish an International Court on Corruption.

Learning Outcomes

By the end of the course, students will have gained an understanding of those crimes that the international community does (and does not) generally accept as constituting corruption - and why there continues to be a debate on this important definitional question. They will also gain insight into the political and economic circumstances that most typically give rise to corruption and the debilitating impact that this problem can have on society. In terms of the design and implementation of an anti-corruption strategy, students will learn about the key elements of the most relevant anti-corruption conventions and international best practices, including the UN Convention Against Corruption. They will have sufficient knowledge to discuss in depth both the efficacy and limitations of these instruments, taking into account the importance of the domestic political environment. Students' understanding of these issues will be analyzed and assessed through class participation.

LAW 726 v00 Global Competition Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20726%20v00)
LL.M Seminar (cross-listed) | 2-3 credit hours

This seminar will examine the development of antitrust law around the world, starting with a basic understanding of U.S. and EC competition principles and then reviewing the application of those principles around the world (in particular China), as applied to current issues such as the regulation of Big Tech and progressive challenges to the status quo in the United States. Particular emphasis will be on merger control and regulation of dominant firm conduct (monopolization/abuse of dominant position). We will also consider the role of competition policy in economic and political development generally. Grading will be based on a paper and an assessment of class participation.

Prerequisite: For J.D. students: Antitrust Law or Antitrust Economics and Law. LL.M. students should have some previous work experience or coursework in U.S. antitrust law or competition regulation in other jurisdictions; otherwise professor's approval required before enrolling.

Note: This course is part of the following graduate programs: International Business and Economic Law LL.M. 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 (http://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 U.S., Canadian, and EC competition principles, and then compare and contrast these with the principles applied in developing and transition economies, such as China, Mexico, India, and South Africa. Particular emphasis will be on current issues and trends including the role of antitrust in a digital economy, multi-jurisdictional merger control, and regulation of dominant firm conduct. We will also consider the role of competition policy in economic and political development generally.

Prerequisite: For J.D. students: Antitrust Law or Antitrust Economics and Law. LL.M. students should have some previous work experience or coursework U.S. antitrust law or competition regulation in other jurisdictions; otherwise professor's approval required before enrolling.
Globalization and the international trade of drugs and medical products have progressed beyond any single regulatory authority’s ability to effectively ensure the quality, safety, and effectiveness of these products. In the U.S., the importation of foreign sourced products has increased tremendously, accounting for over 80% of the active pharmaceutical ingredients. However, varying drug regulations have resulted in gaps in oversight causing differing views on the acceptable level of risk in public health leading to drug quality related deaths and other serious harms. One clear reason for this compromised system is the differences in how these products are regulated from country to country. Nevertheless, the pharmaceutical and related industries are thriving in the global marketplace. This course is intended to be the first comparative survey into the regulatory frameworks of certain key countries, both developed and developing markets, along with international institutions, such as the World Health Organization, involved in promoting the access and development of safe, effective and quality medical products. This course will also identify the major international non-governmental stakeholders, and the multi-lateral schemes and treaties in which they operate that are intended to assist in the convergence of pharmaceutical laws and regulations.

**Recommended:** Prior Enrollment in Food and Drug Law

**LAW 493 v01 Global Health Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20493%20v01)

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

Global Health Law is the flagship course for Georgetown University Law Center’s O’Neill Institute for National and Global Health Law. This course is open to both Georgetown JD and LLM students and is a compulsory unit in the National and Global Health LLM and the Global Health Law and Governance LLM.

No longer an emerging field, global health law encompasses international law and policy that directly or indirectly affects global health, including treaties, regulations, global strategies and other non-binding standards, and national and international jurisprudence. The field of study includes both legal instruments designed to protect public health as well as the interaction between legal instruments from other international legal regimes and public health considerations and concerns. This course provides a strong foundation in these laws and policies, including governance of the World Health Organization, the International Health Regulations, and the WHO Framework Convention on Tobacco Control.

In examining the application and effectiveness of global health law, this course provides a normative foundation for global health issues including infectious diseases (such as COVID-19, HIV/AIDS, tuberculosis, malaria, and influenza) and noncommunicable diseases (such as diabetes, cancer and cardiovascular disease and their causes, including obesity, tobacco, and alcohol).

In this course, students will hear from leading voices in global health and the law and benefit from the expertise of Georgetown Law’s O’Neill Institute.

**Recommended:** Prior enrollment in International Law I.

**Note:** Required for the Global Health Law LL.M.
LAW 900 v01 Global Indirect Tax: The VAT (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20900%20v01)
LL.M Course (cross-listed) | 2 credit hours
During this century, the United States has raised revenue chiefly through the income tax, which is a per capita or direct tax. In many other countries, fiscal authorities rely far more heavily on indirect taxes. With the pace of globalization accelerating, U.S. tax professionals increasingly advise foreign clients, for whom indirect taxes may constitute a large percentage of aggregate tax liability. A basic knowledge of how these taxes work is thus a valuable asset for any lawyer doing corporate or international tax work.

This course will introduce students to indirect taxation, exemplified by the European Union's Value Added Tax ("VAT") and Canada's Goods and Services Tax ("GST"), two of the fastest-growing indirect taxes globally. The course will examine the economic and policy rationales for such taxes and study in detail how different types of value added taxes work, including tax calculations and cross-border aspects. Finally, the course will compare the VAT with the retail sales taxes imposed by many U.S. state and local governments and will consider the feasibility of adopting some version of a VAT in the United States. At the end of the course, students will have a broad technical understanding of indirect taxes and an appreciation of the policy concerns that animate legislative and academic discussion of this important subject.

This two-credit course will be divided into nine 3-hour class sessions. All sessions will be taught by global indirect tax professionals from KPMG's Washington D.C. office.

Prerequisite: Federal Income Taxation (formerly Taxation I).

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

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

LAW 661 v00 Global Law Scholars Seminar I: Building an International Skill Set (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20661%20v00)
J.D. Seminar | 1 credit hour
This one-credit (7 session) seminar is designed to provide participants in the 2L year of the Global Law Scholars program with a concrete introduction to some of the specific skills used by practitioners in the fields of international and transnational law. Sessions are presented by a mixture of Georgetown Law faculty and outside practitioners. In addition to an overview of the basic features of international negotiation, arbitration and litigation, and an introduction to comparative law, emphasis is given to research, technical writing, fact-finding and advocacy skills. Skill development is taught through a variety of mechanisms (i.e., case studies, workshop style methods, role-playing, etc.). Student preparation for the various sessions includes readings on both skills and theoretical background. Student evaluation at the end of the course is based on class participation and completion of a short piece of technical writing (i.e. white paper).

Learning goals for this course: Ability to research and write/present a substantive legal topic. Ability to work together as a group on an advanced level topic. Awareness of relationship between international and domestic law.

Prerequisite: This course is open only to second and third year Global Law Scholars.

Note: This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit. This class meets for seven sessions in the fall semester. Dates to be announced.

Note: Withdrawals are permitted up until the last class for this specific course.
LAW 662 v00 Global Law Scholars Seminar II: Applying an International Skill Set [Link](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20662%20v00)

J.D. Seminar | 1 credit hour

This one-credit (7 session) seminar is designed to build on the experiences of the fall 2L GLS seminar (“Building an International Skill Set”) by affording participants an opportunity to apply the specific skills used by international and transnational lawyers in the context of a specific substantive area chosen by them. For 2013/14, the 2L GLS focused on constructing an international trade mechanism to promote corporate accountability in developing countries, specifically addressing environmental and human rights concerns. For 2014/15 the 2L group wrote an assessment of corporate compliance W.R. of 1502 of Dodd Frank in the area of conflict minerals. For 2015/16, the group conducted an in-depth analysis of implementation review mechanisms (CIRMs) in multilateral agreements. In 2016/17 the chosen topic was on use of armed force in outer space. Preparation for the group sessions includes background readings on the theoretical, practical and legal aspects of the relevant issues. Under the guidance of Georgetown faculty, participants determine in advance the goal of their work (for example, an analytical “white paper” on a particular substantive issue, a conference involving noted academics and experts, an advocacy effort, etc.). Student evaluation at the end of the course is based on class participation, contribution to the chosen goal, and completion of a short piece of technical writing.

**Prerequisite:** This course is open only to second and third year Global Law Scholars.

**Note:** This course is offered on a mandatory pass/fail basis. This course does not count toward your seven credit pass/fail limit. This class will meet for seven sessions in spring semester. Dates to be announced.

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

LAW 068 v01 Global Revolutions, Civic Activism, and Civil Society [Link](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20068%20v01)

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 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.

Eligible students are eligible to apply for internships at ICNL [Link](https://www.icnl.org), which works on the legal framework for civil society and democracy in 100 countries.

**Learning Objectives:**

By the end of the semester, you should have the ability to:

1. Analyze international law governing the freedoms of association, assembly, and expression;
2. Evaluate the extent to which national legislation complies with international law;
3. Craft arguments to bring national legislation closer to international law and good practice;
4. Communicate effectively with diplomats, government officials, and civic activists;
5. Analyze ethical aspects that arise in crafting laws that affect the freedoms of association, assembly, and expression; and
6. Assess the impact of law on nonprofit organizations, social movements, and protests.

**Note:** Space is limited.

**ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS.** Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety, or to make suitable alternative arrangements with the professor, may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
**LAW 750 v00 Global Securities Offerings**

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.

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

**LAW 1646 v00 Global Tech Law: Comparative Perspectives on Regulating New Technologies**

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

From AI to robots to social media, countries around the world are racing to regulate new technologies. Regulation is the principal mechanism to bring technology within an enforceable ethics framework. Will international competition create a race to the bottom to promote innovation at the expense of consumer protection? How can nations nurture their own Silicon Valleys consistent with their ethical values? We will examine how the same technology—from internet platforms, to algorithms, to drones, to self-driving cars, to smart cities, to sharing platforms—is regulated in various jurisdictions across the world. As countries across the world race to become the world’s leader in artificial intelligence, how are they modifying their laws for a world of automated decision-making? What can countries or states or cities learn from each other? Just as there are technological network layers, there are regulatory layers: What is the proper regulatory layer for any particular technology or activity—the nation, the region, or the globe, or even city or state? In an era of unprecedented technological change, how we choose to regulate technology is more important than ever.

**Note:** This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the 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 565 v00 Globalization, Work, and Inequality Seminar**

A backlash against globalization has emerged in advanced economies as a result of job loss, wage stagnation, precarious work and economic insecurity for the middle class. The liberal globalization of the last three decades is under attack for the unequal distribution of its gains and its failure to provide better opportunities for ordinary working people. Reimagining the global economy will require placing work front and center. This seminar will explore the changing nature of the workplace due to global competition and technological change. It will examine important policy debates about how best to create jobs, improve working conditions, and promote economic growth and well-being. We will analyze how a variety of factors, such as new modes of production and technologies, increasing participation of women in the economy, widespread migration flows, increasing global trade and capital mobility, and the rise of informal economies challenge the assumptions underlying traditional labor and employment regulation in both developed and developing countries. We will consider an array of innovative attempts – national, international, transnational, public, private and mixed – to improve workplace conditions and assure employment opportunity consistent with economic growth and stability. We will also inquire about the moral and political commitments associated with various approaches. There are no prerequisites. All students are welcome.

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

**LAW 572 v00 Good and Evil Seminar: The Role of Law in Shaping Character and Behavior**

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

This seminar will explore some extremely thorny moral and psychological issues: why do people behave altruistically or cruelly? What separates the law-abiding citizen from the criminal? Does “character” determine most behavior, or does environment trump character in some—or most—situations? What’s the best way to understand the role law plays in shaping human behavior? Course readings will be drawn from a wide variety of disciplines, including biology, sociology, psychology, and jurisprudence, and we will look at materials that range from studies of adolescent bullying and war-time heroism to stories drawn from the Rwandan genocide and the interrogation rooms at Guantanamo.

No prerequisites. For students enrolled in the writing requirement section: Students will be required to write one 25+ page term paper and several shorter reaction papers (1-2 pages) throughout the course.

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

This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 419 v00 Governance of Nonprofit Organizations

J.D. Seminar (cross-listed) | 1 credit hour
This seminar will examine the rapidly developing field of governance “best practices” for nonprofit organizations. Recent crises and resulting reforms at leading nonprofit organizations will be used as case studies and the course will also consider the impact of government legislation and tax policies. Guest speaker participants will include governance experts who have led reform studies for nonprofit organizations and senior executives of local nonprofits.

Learning goals for this course: Give students an overview of the governance challenges faced by nonprofit organizations and how they are resolved. Uses case studies of specific governance crises at a variety of nonprofit organizations.

Prerequisite: Prior or concurrent enrollment in Corporations.

Recommended: Federal Income Taxation (formerly Taxation I).

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

LAW 202 v00 Government Contracts

J.D. Course (cross-listed) | 2 credit hours
This course analyzes the basic considerations in contracting with the federal government, including the sovereign’s power to contract, the applicable statutes, regulations and executive orders, and sovereign immunity. Material covers methods of acquisition: sealed bidding or negotiation (competitive proposals); requests for quotations; Multiple Award Schedule (MAS) contracting; the problems of offer, acceptance, and consideration; as well as the authority of government agents to contract. The materials also focus on the problems of contract performance, including changes; delays and suspensions of work; contract termination either for contractor default or for government convenience; and equitable adjustments and allowable costs. There is emphasis throughout the course on the practical as well as the substantive problems, including the dispute procedures before the boards of contract appeals and appeals to the U.S. Court of Federal Claims, as statutorily mandated by the Contract Disputes Act of 1978; extraordinary rights and remedies, including recovery for defective pricing and Public Law 85-804 requests; and bid protest proceedings before the agencies, Government Accountability Office (GAO), and the U.S. Court of Federal Claims. The course also includes a discussion of the changes to the government contracting process, to allow for "commercial item" contracting, as a result of the Federal Acquisition Streamlining Act of 1994 and the Federal Acquisition Reform Act of 1996.

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

LAW 1110 v00 Government Enforcement Investigations: A Study at the SEC

J.D. Course (cross-listed) | 2 credit hours
Government enforcement programs are more vigorous than ever, and lawyers on all sides of an issue need to be able to investigate and understand what happened. Investigative skills are an essential part of the toolkit of any attorney. Fact-finding and analysis are core elements of all legal work, but too often, lawyers are left to develop crucial, practical skills without guidance or training.

Government investigations – such as those into violations of the federal securities laws – require a unique skill set, above and beyond substantive knowledge of legislation and rules. Enforcement attorneys need skills to identify key documents, review large amounts of information, interview witnesses and then summarize their work in writing. The private attorneys representing companies and individuals need to do similar work.

The course attempts to provide practical skills in the context of broader ideas about how to investigate and about how the Securities and Exchange Commission investigates. This will include some substantive law and some academic critique of the SEC, but it will concentrate on practical issues like how to gather information, how to analyze it against substantive law, how to deal with lies, and why lawyers must make themselves comfortable with technical subjects.

Through this course, students will learn about how lawyers investigate through the lens of the SEC Enforcement Division’s securities enforcement investigation. Students will consider the life cycle of an Enforcement Division investigation – from the first tips through collecting information through deciding whether a violation has occurred – and gain an appreciation of how to use investigative powers responsibly. The course will rely heavily on publicly-available primary documents, including lawyer work product like subpoenas, transcripts, court orders, complaints and motions. The course will also include case studies for students to try their hand at making decisions.

The course will focus on the goals and tools of law enforcement, including how to start, plan and conduct an investigation. It will contrast those investigations with similar efforts by journalists, investors, and other government agencies. It will also examine investigations from the perspective of defense lawyers – both conducting their own investigations and responding to the government – so that students may learn how to act on behalf of private clients. We want students to think about and prepare for the investigations that they’ll do in their careers.

Recommended: We do not assume students have taken any other classes. Prior or concurrent enrollment in Securities Regulation may give you some familiarity with issues covered in this class, but it is not necessary.
LAW 008 v03 Government Processes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20008%20v03)
J.D. Course | 4 credit hours
This course examines the various instruments the legal system has to deal with social problems. It seeks to identify the advantages and disadvantages of each instrument as a means of dealing with social problems and to provide students with an understanding of why one rather than another instrument is chosen. Upon analyzing the various options, the course will then undertake an in-depth analysis of the regulatory state. The emphasis will be on institutional analysis, exploring the institutional roles of public and private actors in the regulatory state and the procedural framework within which those various institutional actors operate.

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

LAW 341 v02 Great Philosophers on Law, Human Rights, and Obligations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20341%20v02)
J.D. Course | 2 credit hours
The course has a double purpose. It is designed to provide historical information about the developments in the meaning of “law” within the system of major philosophers and to offer the opportunity to the students “to do” philosophy in various historical and cultural context. In the first part of the semester the lectures and discussions focus on Antiquity; that is on the doctrine of Plato, Aristotle, Roman and Jewish thinkers, and Aquinas. In the second part they center on Modernity; that is, on the theories of Locke, Kant, Marx, as well as of representatives from the Positivist and Analytical Schools. The lectures intend to show that each of the selected thinkers made significant contribution toward the development of legal philosophy. The discussions and exercises are meant to help the students to find their own legal philosophy and to become philosopher-lawyers; that is, independently thinking advocates of justice – of justice rooted in the rich soil of the wisdom of all ages past and present.

LAW 1527 v00 Habeas Corpus Post Conviction Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201527%20v00) (Project-Based Practicum)
J.D. Practicum | 5 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This practicum will combine policy and litigation, focusing on the doctrinal law and lawyering skills necessary to effectively litigate writ of habeas corpus cases. Students will participate in a two-hour/week seminar and carry out 15 hours/week of project work under the direction of the course professors.

Habeas corpus gives those detained in the United States an opportunity to challenge their confinement through a unique mechanism: the imprisoned person sues the warden overseeing his or her confinement. A writ of habeas corpus claims that the government (state or federal) has improperly confined a person against his or her will. “Habeas” refers to the procedural mechanisms that state and federal governments have put into place to enable prisoners or immigrant detainees to challenge their confinement. Habeas is the method by which a convicted prisoner, including a prisoner facing a death sentence, can challenge their conviction and alert a judge to an unconstitutional sentence.

But habeas is a last resort and confusing. Habeas is a tool of civil procedure that alleges that a person has been wrongfully confined against their will. Both immigration detainees and convicted prisoners may utilize a writ of habeas corpus, but habeas is only available to prisoners after they complete their criminal appeals. Thus, a prisoner may only access the power of a writ of habeas corpus in the late stages of their case. Because habeas is a late-stage tool, it is a civil law solution to redress problems in the criminal sector, and is relatively unknown in the popular conception of the justice system, the field of habeas law is both complex and under-utilized.

SEMINAR: In the seminar, students will be introduced to basic aspects of habeas law, a unique field that uses civil law to challenge wrongs in the criminal and immigration sectors of the American legal system. All students will be expected to attend a weekly 2-hour seminar that will introduce basic habeas concepts. The seminar will incorporate hands-on learning to teach the theories of habeas law to prepare students for their work in the practical component of the course. The seminar will have a final paper to address issues in a case study that students will review in the seminar throughout the semester.

PROJECT WORK: Each student will be assigned to a team supervised by an attorney engaged in high-stakes litigation in the areas of capital defense, criminal defense, or immigration. Depending on the posture of the team’s case, students will be expected to provide substantive legal writing. For example, in a capital habeas case in state court, students will likely be heavily involved in the investigation, which will entail reading trial and hearing transcripts, interviewing or reviewing notes from interviews with witnesses, reviewing expert reports, and culling evidence to support legal claims. A student with a case in this posture might be expected to conduct legal research regarding the relevant potential issues to litigate and to prepare a legal memo outlining the anticipated issues, the necessary facts to develop the issues thoroughly, and any anticipated pitfalls. On the other hand, if a habeas case is in federal court, the students will probably be involved in more traditional legal research and assist in drafting briefs before the federal district courts or appellate courts.

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

Recommended: Prior coursework or other experience in criminal
The 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 integrity 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 otherwise): Regular and punctual attendance is required at all practicum courses (unless the professor indicates otherwise). One 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 statues, 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 1511 v00 Health Care Fraud and Abuse Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201511%20v00)

J.D. Seminar | 3 credit hours

Since the Affordable Care Act became law more than a decade ago, it has come under unrelenting legal and political attack. It’s been subject to multiple court challenges. Former President Trump and congressional Republicans sought to “repeal and replace” it. Some Democrats, meanwhile, doubled down, demanding their own, “single-payer” replacement. All this was prologue for COVID-19 and its catastrophic impact on America’s health care system — and our national life. This seminar will examine the oft-bitter battles over “Obamacare” with an eye toward lessons for health law and policy and for American governance more generally. It will then turn to COVID’s extraordinary stress on our medical system and the legal regimes that govern it. We’ll consider potential lessons learned, from the COVID crisis, about the ability of American legal and political governance to cope with health care’s scientific, organizational, and emotionally-fraught complexities.
LAW 206 v03 Health Care Law and Policy (http://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.

LAW 3140 v00 Health Equity and Social Justice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203140%20v00)
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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202037%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Health care decision-making and innovation are increasingly driven and made possibly by vast stores of data. The importance of data has created an inevitable push-pull dynamic between concerns for confidentiality and demands for medical progress and cost containment. Data is both a privacy risk and a tremendous asset. This course will explore the legal and ethical issues at the intersection of health information, including where data comes from, how it is used 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20627%20v00)
J.D. Clinic | 10 credit hours
Please see the Health Justice Alliance Law Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/health-justice-alliance-clinic) for more detailed information about the program.

For registration-specific supplemental materials, please see the Health Justice Alliance Law Clinic PDF (https://georgetown.app.box.com/s/sayjo4vhr2qw8zcndzjgeseky6d0opn1).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3vqcuynevip3ytfr6nj9pyv6).

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202076%20v00)

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 1700 v00 Healthy Living, Aging, and Dying Seminar: The Legal Determinants of Wellbeing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201700%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course examines law as a determinant of health throughout the lifecycle, including direct regulation, indirect regulation through the courts, deregulation of legal barriers to health, the authority to tax and spend to influence behaviors, and powers to alter socio-economic, informational, and physical environments. It covers both domestic and international legal and policy strategies.

Health outcomes and life expectancy increasingly are socially determined. In the United States, for example, life expectancy has dropped three years running, mostly due to diseases of despair (e.g., illicit drug and opioid overdoses, suicides, and depression) among low and middle-income Americans. It will explore how law and regulatory reform can improve health and longevity among all socioeconomic groups.

Part I analyzes the role of law and policy in preventing chronic non-communicable diseases (NCDs) such as cardiovascular disease, cancer, diabetes, and respiratory disease. It explores international instruments, such as the Framework Convention on Tobacco Control, and domestic interventions to reduce use of tobacco, alcohol, and vaping products. Importantly, law and regulatory reform can effectively promote healthy diets and physical activity across the life-course.

Part II examines the social and economic impacts of aging populations, with a focus on legal and policy interventions for healthy aging. It explores social isolation and the importance of recreational spaces, social connectedness, mental health, and prevention of injuries among the elderly (both unintentional and elder abuse). It will also examine "macro" policies such as the social and economic impacts of aging populations, and what governments and societies can do to encourage productivity and manage costs.

Part III covers legal and ethical issues around the concept of a "good death," including palliative care, end of life decision-making, and voluntary assisted death. Everyone wants to live a healthy life, without major disability. But they also want to die with dignity. How can society be structured to empower people to have a "good death?"

In addition to analyzing population level interventions to promote health and wellness, the course integrates personal, family, and societal health and wellbeing. Students will have the opportunity to reflect on how to keep themselves and their loved ones healthy and balanced, including lifestyles conducive to health, peacefulness, wellbeing, social engagement, and productivity.

NCDs are a global pandemic, representing 70% of all global mortality. Well-structured laws and policies have the power to prevent premature disease, disability, and premature death, and promote health and well-being in ageing societies. This course will educate and actively engage students on the legal issues surrounding disease prevention and health promotion across the life-course and offer analysis of innovative policy opportunities to structure health systems, food systems, and communities that promote individual and public health.

Description of student learning goals:

1. Understand the social and economic impacts of population aging and the global non-communicable disease pandemic.
2. Analyze law and policy as a determinant of health and well-being, with a focus on legal interventions to reduce NCD risk factors (e.g. tobacco use) and promote healthy aging and dying.
3. Compare regulatory approaches to health promotion, including direct regulation, the authority to tax and spend to influence behaviors, and powers to alter socio-economic, informational, and physical
LAW 311 v01 Higher Education and the Law Seminar

J.D. Seminar | 2-3 credit hours
Higher education plays a singular role in our society. Colleges and universities are complex organizations and institutions with unique missions to discover, create and transmit knowledge, and to further social mobility. Higher education intersects with the law in a myriad of ways. This course examines the legal issues that shape higher education, particularly in the United States. The course covers the distinctions between public and private colleges and universities, religion and higher education, accessibility to and financing of higher education, academic freedom, shared governance, admissions, free expression, privacy and freedom of association, campus safety with a particular focus on sexual assault, and issues of race, disability, gender and sexual orientation. We will consider student rights and responsibilities, faculty issues concerning research ethics and the classroom, and the roles of presidents, governing boards, and university general counsels. Materials include relevant statutes and cases as well as readings from related fields. Our goal throughout the course will be to understand the breadth of issues faced by higher education in the United States in pursuing its mission, and the ways in which legal rules and norms relate to these issues.

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

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

LAW 216 v02 Historic Preservation Seminar

J.D. Seminar (cross-listed) | 3 credit hours
In recent decades, the preservation of historic buildings, neighborhoods, and landscapes has become a significant basis for regulation of private property, as well as an important motive for public and charitable ownership. In the District of Columbia, for example, there are over 25,000 buildings and 60 historic districts protected. This seminar examines the theory and practice of historic preservation. The practical focus of the course will be on the nationally significant law and institutions in the District of Columbia and how they might be improved. Students will have opportunities to hear from recognized preservation experts and architects, visit several districts, attend public proceedings of the DC Historic Preservation Board, and meet with actual participants in controversial preservation battles. Each student must complete a substantial original research paper, as the seminar satisfies the upperclass writing requirement.

Recommended: Constitutional Law and/or Land Use Law.

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

LAW 220 v02 Homelessness, Poverty, and Legal Advocacy Seminar

J.D. Seminar | 2 credit hours
This seminar will explore the many facets of homelessness and poverty and the role of legal and community advocacy in addressing its causes and alleviating its consequences. Students will be introduced to the myriad societal problems and individual challenges that intersect in homelessness and will work on developing solutions to those problems and challenges. Throughout the semester, the class will be building towards developing a strategic advocacy plan to address one of these problems/issues. Students will develop the skills needed to lay the groundwork for such plan to become a reality. The course will be very skills focused, exploring the variety of tools in a public interest lawyer’s tool box that stretch beyond traditional notions of legal practice.

Throughout the semester, students will engage in a number of in-class problem solving exercises which will require students to identify a client’s problem(s) or issue(s); define the client’s goals; and develop advocacy strategies to help the client attain those goals.

Each student is required to 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201403%20v00)

J.D. Seminar (cross-listed) | 2 credit hours
Antitrust is dynamic. In regulating business strategy, competition law is only as effective as its understanding of each industry's idiosyncrasies. Novel business practices reflect changing technologies, market conditions, and strategies. Antitrust lawyers do not simply master doctrine. Fluent in the basic principles of antitrust law and economics, they understand industry conditions and the enforcement agencies’ agendas. Above all, they stay abreast of cutting-edge developments in the law.

This seminar bestows that understanding. We will discuss today's most hotly debated antitrust questions, explore how foreign jurisdictions' competition laws and enforcement ideals deviate from U.S. practice, and delve into the industry-specific issues that arise in fields ranging from healthcare to wireless technology.

Major points of focus include the evolving relationship between antitrust law and intellectual-property rights. We shall discuss post-Actavis issues in the pay-for-delay space, including no-authorized-generic promises by pioneer-drug manufacturers and whether the continuation of infringement litigation immunizes a reverse payment. Outside of the life sciences, urgent questions involve antitrust limits on IP aggregation by patent-assertion entities and practicing firms. Further, when does a "privateering" agreement between a practicing entity and a PAE implicate competition law? Does the owner of a standard-essential patent violate antitrust law in seeking to enjoin a technology user despite its prior assurance to license on reasonable and nondiscriminatory terms? We shall also address antitrust limits on patent licensing and refusals to deal. Agency guidelines overseas, such as in China, and enforcement actions in Asia more broadly hint at the direction of international antitrust in this area.

In the larger field of antitrust and technology, some commentators argue that big data and privacy may implicate competition policy. In 2016, Germany's Federal Cartel Office accused Facebook of abusing its dominance based on privacy and big-data theories. Do those allegations hold water? A recurring problem in antitrust, which has emerged anew in the pharmaceutical industry, is predatory innovation. A separate development goes to the nature of actionable conspiracies where the lines between vertical and horizontal agreements become blurred. The Apple e-Books saga, which came to an end in March 2016 when the Supreme Court denied cert., has important repercussions for the law in this space. We shall also address the ongoing debate about the reach of Section 5 of the FTC Act, which allows the FTC to reach beyond the Sherman Act to condemn unfair methods of competition. The FTC’s controversial 2015 statement of enforcement principles on Section 5 features here, and we shall ask whether it makes sense that the Justice Department and FTC can subject firms to distinct liability standards. We shall touch on pending legislation, the SMARTER Act, which touches upon those issues. A critical antitrust issue that remains unresolved is the scope of Noerr-Pennington immunity. Finally, we will discuss contemporary issues in healthcare-merger oversight.

**Recommended:** Prior or concurrent enrollment in a basic antitrust course.

LAW 552 v01 Housing Advocacy Litigation Clinic at Rising for Justice, Law Students in Court Division (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20552%20v01)

J.D. Clinic | 7 credit hours
Please see the Rising for Justice (Housing Advocacy and Litigation Clinic) website (https://www.law.georgetown.edu/experiential-learning/clinics/risingforjustice) for more detailed information about the program.

For registration-specific supplemental materials, please see the Rising for Justice (Housing Advocacy and Litigation Clinic) PDF (https://georgetown.app.box.com/s/vp86guyehbeteihjchz6cgctu63kig).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3jqvcuyxvij3ytyrfl6njpyv).

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

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

LAW 034 v10 Human Rights Advocacy in Action Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20034%20v10) (Project-Based Practicum)
J.D. Practicum | 7 credit hours
Course Overview
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 human rights through litigation and legislative reform. Catherine Cooper is the Dash-Muse Senior Teaching Fellow and Supervising Attorney. She has supported civil society organizations in Myanmar, Iraq, and East Africa on issues including transitional justice and the rights of ethnic and religious minorities. 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.

For the 2022-2023 academic year, the practicum will focus on justice and accountability of the Islamic State for their crimes of genocide and sexual violence against the Yazidi ethnic group in Iraq. HRI’s partner is Nadia’s Initiative, a Washington, DC-based NGO founded by Nobel Peace Prize laureate Nadia Murad.

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 2023.

Seminar
The seminar portion of the practicum will cover the substantive law and legal framework as it pertains to a particular human rights issue. For the upcoming year, students will learn about the international criminal law on genocide and sexual and gender-based violence, as well as the international and domestic legal avenues for justice, accountability, and claiming reparations. Students will also use seminar time to propose and assess what legal remedies 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 particulars of the project, students may engage in any or all of the following:

- Conduct fact-based research on a human rights issue,
- Learn about the international human rights framework pertaining to the project,
- Draft legal memos,
- Develop advocacy strategies,
- Conduct first-person interviews in a cross-cultural context,
- Engage in public speaking.

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- Conduct fact-based research on a human rights issue,
- Learn about the international human rights framework pertaining to the project,
- Draft legal memos,
- Develop advocacy strategies,
- Conduct first-person interviews in a cross-cultural context,
- Engage in public speaking.
LAW 1777 v00 Human Rights Advocacy: Lessons from the Campaign to End the Death Penalty and other Human Rights Campaigns

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? 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

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 034 v09 Human Rights Fact-Finding (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20034%20v09) (Project-Based Practicum)

J.D. Practicum | 7 credit hours

This project-based practicum course will give students the unique opportunity to participate in the Human Rights Institute (HRI) Fact-Finding Project. Through this course, students will gain the substantive background and skills needed to carry out a human rights investigation from beginning to end. Each year, the HRI Fact-Finding Project has focused on a policy-relevant human rights issue, including migrants’ rights, children’s rights, LGBT rights, and the role of human rights in the global economy. In the fall, students will participate in a two-hour weekly seminar and carry out at least 5 hours per week of project work. Over Week One students will carry out a virtual fact-finding investigation. In the spring, students will participate in a two-hour seminar every other week and carry out an average of 10 hours of project work per week. Students work closely with the Professor and Dash-Muse Teaching Fellow in conceptualizing and implementing each step of the Project.

SEMINAR: In the fall, the seminar will cover the substantive law and policy relating to health and human rights of migrant and refugee populations, as well as human rights fact-finding skills and methodology. In the spring, seminar classes will meet every other week and focus on the production of a human rights fact-finding report. Seminar sessions will be designed to guide students through each step of the human rights fact-finding process, including project design, interviewing, and reporting writing.

PROJECT WORK: Students will research a human rights problem in depth, conduct extensive outreach and interviews on the subject, and draft a comprehensive report on their findings. In January 2021, during “Week One,” the group will conduct interviews with potential victims of human rights abuses and relevant stakeholders. The fact-finding investigation during the 2020-2021 academic year will be conducted virtually and take place from Monday, January 11 through Thursday, January 14, 2021 with a mandatory orientation on Friday, January 8, 2021. Students will be expected to work both independently and in teams.

Prerequisite: Prior or concurrent enrollment in International Law I: Introduction to International Law or International Human Rights Law no later than the Fall 2020 semester.

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

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

Note: This course is open to both J.D. and LL.M students.

This practicum course may be suitable for evening students with flexible work schedules. Interested evening students should contact current Dash-Muse Fellow Melissa Stewart (Melissa.Stewart@georgetown.edu) to discuss their particular situation. THIS COURSE REQUIRES HUMAN RIGHTS INSTITUTE PERMISSION TO ENROLL. J.D. student applications (comprised of a statement of interest, a resume, and a writing sample) are due by noon on Thursday, April 16, 2020. Admitted J.D. students will be informed of HRI’s decision on their application before they are required to make a clinic decision on April 20, 2020. Selected students will be required to accept or decline an offer to join the project by COB on Monday, May 4, 2020. J.D. students who have missed this deadline should contact Dash-Muse Fellow Melissa Stewart (Melissa.Stewart@georgetown.edu) to inquire whether seats are still available. Selection criteria include but are not limited to: a demonstrated

LAW 1286 v00 Human Trafficking and Modern Slavery in the 21st Century: Legal Perspectives (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201286%20v00) J.D. Seminar (cross-listed) | 2 credit hours

Slavery has been a phenomenon that has existed since before written history, yet it is only in the last 200 years that efforts to abolish it have gained traction. Today, increasing mobility, global supply chains, and continued social discrimination have created the environment for ongoing human exploitation, even though the formal practice of chattel slavery, or the legal ownership of one human being by another, is illegal virtually everywhere. Indeed, some estimate that there are more slaves today than at any other time in human history. Most recently, efforts to eliminate severe forms of human exploitation are being made under the banner of ending human trafficking (or more formally, trafficking in persons).

This course will provide students an overview of the multiple legal perspectives on combating human trafficking and modern slavery. This will include the definitional tensions between different perspectives, alternative approaches to addressing severe human exploitation, and an overview of the current U.S. legal framework for eradicating human trafficking and modern slavery and its weaknesses. Attention will be paid to commonly recognized principles in human rights, criminal and labor law, but also in such areas as corporate responsibility and international humanitarian law. The class will use a range of materials, including international treaties, decisions of international and foreign tribunals, and more familiar U.S. statutory materials and legislative history (such as committee reports).

Learning Objectives:

At the conclusion of the class, students should be able to

- recognize many of the forms of and pervasive nature of human trafficking and modern slavery;
- identify risks of human trafficking and modern slavery in most areas of practice they may choose in the future; and
- have familiarity with emerging issues in the area of human trafficking and modern slavery.

Recommended: A prior course in public international law or international human rights.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Human Trafficking in International and Transnational Law.
Law 1672 v00 Human Trafficking: A Labor Approach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201672%20v00)

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

Human trafficking has attracted unprecedented attention in the past decade and has been subject to extensive academic inquiry. Despite this, the diverse legal instruments developed to combat human trafficking, as well as the large body of scholarship dedicated to its research, have generally come short in identifying, elucidating, and targeting the profound institutional structures that enable trafficking and that turn this phenomenon into one of the pressing moral and political challenges of today's global economy. Common anti-trafficking approaches focus on criminalization of trafficking, border controls, and ex-post measures to assist and protect the human rights of victims of trafficking. The assistance provided through these tools reaches an alarmingly small number of individuals, leaving the rest of the traffickers and trafficked population largely unaffected. In this seminar we will study, explore and develop a complementary anti-trafficking approach: a labor approach to human trafficking. The labor approach focuses on market inequalities between employers and employees, and seeks to devise ways to transform the bargaining playing field. Such transformations can occur through traditional unionization of workers or through other means that address structural causes of inequality and worker vulnerability such as regulation of recruiters, developing corporate responsibility to severe forms of exploitation, and guaranteeing rights of workers in labor sectors vulnerable to trafficking through protective legislation.

In this seminar students will be introduced to the legal concept of human trafficking in international law and the history that led to its current legal formulation, study the most common anti-trafficking approaches and best practices around the world, and focus on a labor responses to human trafficking. It is important to note that the course will not focus solely on trafficking into the sex industry but rather will look at labor trafficking to various sectors.

Students will be required to submit a research proposal in advance, actively participate in class, develop a research project and write a final seminar paper that builds on the theoretical tools and concepts acquired in the class.

Note: This course will meet on the following Tuesdays and Thursdays, 9:00-11:00 am: 9/24, 9/26, 10/1, 10/3, 10/8, 10/10, and 10/17.

Law 037 v00 Immigration Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v00)

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

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

Law 037 v02 Immigration Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v02)

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

This course 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

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 1032 v00 In-House Counsel: Law and Practice
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 new Center for Self-Regulation at BBB National Programs.

Prerequisite: Corporations and Contracts
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
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
Covers accounting methods and accounting periods. The course examines a broad range of subjects concerning the timing of income and deductions under Subchapter E of the Internal Revenue Code. Topics include requests to change methods, inventories (including costing, valuation, and the requirements for maintaining inventories), principles of income recognition, prepaid income, cash equivalency and constructive receipt, special methods involving long-term contracts, depreciation, estimated expenses, prepaid expenses, and expensing versus capitalizing costs. These topics are analyzed from both a technical viewpoint and a tax policy perspective.

Prerequisite: Federal Income Taxation (formerly Taxation I), but a knowledge of financial accounting is not necessary for this course.
LAW 1629 v00 Independent Defense (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201629%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, students will work on all aspects of an innovative litigation strategy, using the First Amendment to fight the pervasive problem of judicial and political interference with public defenders across the country. Students will participate in a two hour/week seminar and carry out 15 hours/week of project work under the direction of the course professors.

SEMINAR: In 2018, Civil Rights Corps (CRC) launched its Indigent Defense Initiative, through which Civil Rights Corps attorneys will fight systemic denials of the right to counsel. In this course, we’re going to work on federal litigation to fight structural threats to the independence of state and local public defense across the country. To do this, we’ll learn about several kinds of legal problems: first-amendment problems, criminal-procedure problems, federal-procedure problems, and problems related to the collective action of defense attorneys. So far, I’ve set up the syllabus to tackle these problems in that order, but it’s probably best to view that as a very tentative plan: if specific issues come up in our practical work, I think we’ll want to address those issues during the seminar.

PROJECT WORK: Students will assist in investigating new cases and in all aspects of litigation on CRC’s clients’ behalf, from drafting complaints, investigating, writing motions, and doing legal research. In weekly seminars, students will prepare for this work by discussing the diverse legal topics that arise in the project’s litigation. Topics may include civil procedure, federal courts, and the First Amendment’s protection from employment retaliation.

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

Recommended: Prior coursework on Criminal Procedure, First Amendment Law, and/or Employment Law are recommended but not required.

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

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

This is a five credit course. Two credits will be awarded for the two-hour weekly seminar and three credits will be awarded for approximately 15 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar portion and the project work will be graded. Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and project components. Regular and punctual attendance is required at all practicum seminars and fieldwork placements. Students in project-based practicum courses are similarly required to devote the requisite number of hours to their project. If a student must miss seminar, fieldwork, or project work, he or she must speak to the professor as soon as possible to discuss the absence. Unless the professor indicates otherwise, a student with more than one unexcused absence from the seminar and project components. Regular and punctual attendance is required at all practicum seminars and fieldwork placements. Students in project-based practicum courses are similarly required to devote the requisite number of hours to their project. If a student must miss seminar, fieldwork, or project work, he or she must speak to the professor as soon as possible to discuss the absence. Unless the professor indicates otherwise, a student with more than one unexcused absence from the

LAW 3145 v00 Indigenous Health Law and Access to Health Care (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203145%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
Internationally the United Nations recognizes indigenous peoples and their special rights associated with identity and culture. Many countries have formal systems intended to support indigenous peoples with instruments of law, policy, and custom. This course will examine those international instruments, 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 573 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.

Learning Objectives:
By the end of this course, students will be able to:
• Identify and interpret relevant authorities and limitations that underpin Indigenous access to health care
• Identify and understand specific regulations, guidance, and laws applicable to providing health care to US tribal governments
• Gain knowledge on the right to self-determination
• Master vocabulary and terminology associated with Indigenous rights and health law
• Understand the linkage of national health systems to the United Nations including the UN Permanent Forum on Indigenous Issues; and UN Declaration on the Rights of Indigenous Peoples
• Compare and analyze legal instruments and structures from other countries, including New Zealand, Australia, and Canada with the United States

Recommended: Administrative Law; Federal Indian Law.
LAW 3114 v00 Industry Epidemics: NCDs, Commercial Risk Factors and the Law

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

Russian interference in the 2016 U.S. election, the spread of misinformation related to the COVID-19 pandemic, and the threat of deep fakes have all increased government – and public – attention on the national security threats posed by both State and non-State actors use of information and disinformation. Whether referred to as propaganda, psychological operations, influence operations, or information warfare, States have used information to further their national security interests for many years.

While these activities are not new, cyber capabilities and modern communications technologies have increased both their reach and effectiveness. The use of data to micro-target audiences via social media, leveraging hacked and leaked information, the dissemination of non and misattributed messages to a mass audience, and the potential use of deep fakes all challenge current policy approaches and existing legal norms. This class will examine the U.S. domestic legal and policy issues, as well as the International legal issues, arising from the use of information and disinformation as an instrument of national power.

**Learning Objectives**

The learning objectives for the course are for students to:

1. Become familiar with how States use information as an instrument of national power, to include past use of propaganda and modern use of disinformation.
2. Appreciate how cyber capabilities have transformed the use of information by States, and the increased threats to national security posed by these activities.
3. Gain an understanding of the domestic and international law governing State informational activities, including the limitations faced by the US Government imposed by the Constitution and US federal law.
4. Understand the role of, and rules applicable to, private actors in monitoring and controlling online communication.
5. Understand how to analyze the different information activities and the applicable legal regimes.

**Recommended:** International Law course
LAW 342 v03 Information Privacy Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20342%20v03)
J.D. Course (cross-listed) | 3 credit hours
This course provides an introduction to information privacy law both on the books and on the ground. Topics covered include the constitutional, common law, and consumer protection foundations of U.S. information privacy law; the European approach to privacy and data protection; the "life cycle of data," with particular regard to regulatory issues and new challenges posed by algorithmic and/or data-driven practices; and sectoral privacy regimes in national security, employment, health, education, finance, and communications.

Learning goals for this course: Critical mastery of the existing doctrinal, statutory, regulatory, and policy landscapes and the complex interrelationships among them; critical mastery of the privacy compliance considerations that confront both private- and public-sector organizations; awareness of international differences in the treatment of information privacy issues and some comparative exposure to European information privacy and data protection law in particular.

LAW 342 v05 Information Privacy Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20342%20v05)
J.D. Course (cross-listed) | 3 credit hours
This course serves as an introduction to the field of "information privacy law." The goal of the course is to equip students with the vocabulary, legal toolkit, and conceptual knowledge to enter the this rapidly-expanding area of law as a practitioner, an academic, or something in between. The course will trace the development and meanings of privacy in American law from the famous 1890 Harvard Law Review article "The Right to Privacy" by Samuel Warren and Louis Brandeis to the modern problems of privacy in the information age. Particular emphasis will be placed upon modern policy problems involving privacy, including privacy and the media, Fourth Amendment law, health privacy, Internet privacy, FTC regulation, emerging technologies, the problems caused by government and private-sector databases, and the prospects of federal privacy reform in 2021. The focus of the course is on US law, but we will necessarily examine the internationalization of the field, including the European General Data Protection Regulation (GDPR) and the "Right to Be Forgotten." Attendance and participation are essential.

Note: Please note that laptop computers are not permitted in class.

LAW 1294 v00 Information Technology and Modern Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201294%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course builds upon the reality that what a lawyer must know about the influence information technology has had on litigation cuts across the traditional boundaries between law school courses and will deal universally with the impact information technology has had on the management and trial of criminal, civil and administrative cases.

The course will deal with all the topics usually encompassed in so-called e-discovery, such as the meet and confer responsibility, format of production, claw back of privileged information, Rule 502 of the Federal Rules of Evidence, and preservation and sanctions. There will be a particular emphasis on the science of technology assisted review and its relationship to the reasonableness search and the implicit certification a lawyer makes under Rule 26(g) the Federal Rules of Civil Procedure by producing electronically stored information in response to a demand for it.

Throughout the course there will be practical exercises such as mock meet and confer or drafting and responding to a letter demanding the preservation of electronically stored information. The course will attempt to equip students with the practical ability to handle a case involving electronically stored information from its conception to trial.

Finally, the course will deal with the often ignored implications of electronically stored information for criminal cases. The manner in which law enforcement gathers information will be examined with a heavy emphasis on the constitutional implications of the collection of large amounts of data by law enforcement.

Prerequisite: Civil Procedure (or Legal Process and Society).
Recommended: Prior or concurrent enrollment in Evidence.

LAW 295 v00 Information Technology Transactions: Strategy, Negotiations and Drafting (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20295%20v00)
J.D. Seminar | 3 credit hours
This class will consider commercial transactions structured around the transfer of information technology ("IT"), focusing primarily upon the software industry and data-centric businesses. Whereas traditional curricula have approached this subject matter as a species of intellectual property licensing, this course will emphasize the multi-disciplinary approach that tech lawyers must adopt in order to represent tech clients effectively, drawing upon, inter alia, contract law, commercial law/UCC and intellectual property law (but also from corporate law, consumer protection law, privacy law, antitrust, bankruptcy, accounting, export regulation and several international accords). The class is organized around archetypal models of commercial IT transfer; with each such model, students will study the interplay among statutory, regulatory and case law frameworks (as well as industry standard practices) that are relevant to shaping and structuring particular tech deals. At a practical level, key contractual provisions and negotiation strategies will be explored, and class assignments will include contract negotiation and drafting exercises.

Recommended: A basic intellectual property course or Copyright Law.
Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Legal Writing: Intellectual Property and Technology Transactions.
**LAW 773 v00 Initial Public Offerings** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20773%20v00)

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

The course will be a “soup to nuts” securities offering course, focusing on the legal aspects of conducting an IPO for a U.S. issuer on a Form S-1 and advising the issuer about its future responsibilities as a newly public company. Young lawyers entering a securities practice often find that their knowledge of securities-law principles does not always prepare them for day-to-day challenges of practice in this area. This course is designed to fill those gaps by providing students with an understanding of the securities offering process as well as the tools and skills needed to perform tasks required to work on securities offerings.

The major topics that will be covered include laws relating to securities offerings, listing on the New York Stock Exchange, underwriters and liabilities, underwriting agreements and the agreement among underwriters, financial statements, accounting issues, comfort letters, the securities act registration process (including the SEC comment and review process), law firm opinions and post-closing reporting obligations. The course will also provide an in-depth analysis of certain sections of the Form S-1, including the Management’s Discussion and Analysis of Financial Condition and Results of Operations section and the risk factors section.

**Prerequisite:** Corporations; Securities Regulation.

**LAW 1729 v00 Initiating Cross-Border Litigation Simulation** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201729%20v00)

J.D. Seminar | 2 credit hours

Your phone rings. It is your Colombian client, and he has just been wronged! He needs your help to bring this bad-actor to justice. But not all of the relevant conduct took place in the United States, and you are not a Colombian lawyer. Where do you begin? Do you bring a claim in a Colombian court? Do you file suit in the United States? Does it make a difference? What causes of action can you bring? What law governs? If you do bring suit abroad, can you get information from the United States? As globalization in business increases, the need for cross-border litigators equally increases.

This simulation course, taught around a hypothetical fact pattern, is designed to be a hands-on introduction to initiating and defending against a cross-border litigation. Students will become familiar with topics unique to cross-border litigation, such as what law applies to your client’s claim, where can you bring this claim, and how to obtain discovery in the United States for a legal proceeding abroad. Students will learn practical skills such as factual investigation, legal drafting and reasoning, and oral advocacy.

The course is divided into three parts: Part I will focus on initiating a cross-border litigation, including the strategy motivating where to file and what to allege. The course will begin by giving students an opportunity to interview their “client” and gather factual information to support their client’s potential claims. At which point, the class will be divided into two groups. Group 1 will decide to file their claims in the United States and prepare a Complaint seeking a preliminary injunction while Group 2 will decide to file their claims elsewhere, but still use the U.S. Courts to help with discovery, and prepare a 1782 Application.

Part II of this class will focus on defending against the initiation of a cross-border litigation. Group 2 will prepare a Motion to Dismiss Group 1’s Complaint, and an opposition to the preliminary injunction, while Group 1 will prepare an opposition to Group 1’s 1782 Application.

Part III of this course will focus on oral advocacy. Each student will be required to give an oral argument related to either the Motion to Dismiss the Complaint or the 1782 Application.

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

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

Due to the nature of this course, it is essential to finalize enrollment after the first class session. As such, students have until 9:00 a.m. on Wednesday, January 18, 2023 to drop the class without penalty. After January 18 at 9:00 a.m., a student who wishes to withdraw from this course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the course would cause significant hardship for the student.
LAW 1612 v00 Innovative Policing: From Theory to Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201612%20v00) (Project-Based Practicum)

J.D. Practicum | 5 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This practicum will focus on innovative efforts to transform policing and our criminal justice system. Students will participate in a two-hour/week seminar and carry out 15 hours/week of project work under the direction of the course professors.

SEMINAR: Nationwide, high-profile police shootings and the documentation of patterns of police misconduct have triggered the emergence of broad-based protest and reform movements. Here in Washington DC, relations between DC’s Metropolitan Police Department (MPD) and the community it serves have been relatively positive compared to many other regions, but MPD nonetheless struggles to ensure it polices effectively, fairly and collaboratively in a diverse and changing city. What’s more, even “good” policing is part of a criminal justice system that both reflects and drives racial, ethnic and socioeconomic rifts in American society. Through this practicum, students will work with MPD and community groups to transform the training and education MPD provides its officers and new recruits. Students will gain the skills and knowledge lawyers need to play an effective role in the effort to transform policing and our criminal justice system.

PROJECT WORK: Project work will be comprised of three components: 1) student projects, conducted either individually or in groups; 2) once per month leading break-out groups of officer recruits at the MPD training academy; and 3) helping to support and expand Georgetown Law’s Police for Tomorrow Fellowship Program. Through some or all of these components students will have the opportunity to work directly with police officers and community groups to learn their perspectives on policing and our criminal justice system—a critical component of reform efforts.

Student Projects. Student projects will be based on a combination of student interest and Program on Innovative Policing needs. Students may be assigned to work on a project on their own, or with a team of students. Projects may include researching and writing up innovative projects and best practices in policing; developing workshops for the Program on Innovative Policing’s MPD Academy or Police for Tomorrow work; developing and implementing legislative initiatives related to policing; designing law enforcement curricular modules for use at MPD or other departments; and developing and implementing outcome metrics to evaluate innovative police projects.

Police for Tomorrow—MPD Training Academy. Students will lead break-out groups of officer recruits during monthly sessions for recruits and officers in Washington DC’s Metropolitan Police Department on topics such as: implicit bias, race and policing, homelessness, history of policing/DC, use of force, persons in behavioral or mental health crisis, youth and policing, alternatives to arrest, active bystandership and other vital topics. As noted above, some students, as part of their student projects, may help develop workshops and design law enforcement curricular modules for MPD’s training academy.

Police for Tomorrow—Fellowship Program. The practicum will help support and expand the Georgetown Law-MPD Police for Tomorrow Fellowship.

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

Recommended: Prior coursework or other experience on policing, criminal justice, or education is recommended but not required.

LAW 1670 v00 Intellectual Property and Information Policy Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201670%20v00) (J.D. Clinic | 9 credit hours)
The Intellectual Property and Information Policy (IP/IP) 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/y9f8wg3jvcuyneip3y9f8wg3y9f8wg3jvcuynei). For more information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3jvcuyneip3y9f8wg3y9f8wg3jvcuynei).

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20233%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course examines the special legal and policy issues arising from the use of intellectual property rights in the pharmaceutical and biotechnology fields. The course will cover: (1) U.S. case law impacting intellectual property, patents, trademarks and copyrights in 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 legislative developments affecting the use of intellectual property rights in the drug, biotechnology and medical device fields, such as the Biologics Price Competition and Innovation Act of 2009 and the America Invents Act of 2011. Other topics may be included depending on current judicial or legislative developments. A background in biologics or pharmaceuticals is not required, although completion of a basic patent law or a food and drug law course is recommended.

Students will have the option of taking this course for either two or three credits. The three credit option will require a paper that satisfies the upperclass legal writing requirement in compliance with Law Center regulations. The two credit option will require completion of 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201471%20v00)
J.D. Course | 1 credit hour
This course focuses on key concepts of intellectual property law as they pertain to the startup business environment. We initially cover the basics of patent, trademark, copyright, and trade secret law. We discuss stages of a startup business cycle and evaluate intellectual property goals relevant to each stage. We review best practices and common mistakes of startups in intellectual property. The course also focuses on client communication skills, including the clear articulation of complex intellectual property problems to a startup client.

Note: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 9, 2023, through Thursday, January 12, 2023, 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 20th through Friday, January 27th, 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. This course will not fulfill the prerequisite for advanced courses that require prior enrollment in a course in intellectual property.

LAW 226 v00 Intellectual Property in World Trade (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20226%20v00)
J.D. Course (cross-listed) | 3 credit hours
The knowledge, technological inventions, creative works and accumulated experience of the professional workforce increasingly drives the global economy. Unlike physical capital, this intellectual capital cannot readily be confined to the territorial setting of its origin. The development of cohesive norms to protect intellectual properties on a global basis has thus proven to be an enormous challenge. This course considers this effort by addressing the core international agreements governing intellectual property; norms and norm-making in the international intellectual property rights system; dispute settlement and the enforcement of rights; and tensions arising between intellectual property rights and distinct legal and cultural values.

Mutually Excluded Courses: Students may not receive credit for this course and International Intellectual Property and Development and the graduate course, International Protection of Intellectual Property Through the WTO.
LAW 293 v01 Intellectual Property Litigation: Pretrial Skills (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20293%20v01)
J.D. Seminar | 2 credit hours
The objective of this course is to help students develop the skills necessary to handle intellectual property disputes in the federal courts and administrative agencies. By focusing on pretrial activities, the course provides the opportunity to examine a dispute from its beginning, including the types of investigations and filings that are made and consideration of alternative forums, through discovery and the filing of a summary judgment motion. By covering this period of the litigation cycle, students will have the opportunity to develop both written and oral skills necessary for a trial lawyer. The emphasis on the pretrial aspects of a case is beneficial because most new associates spend far more time in their first few years dealing with these aspects of litigation than they do participating in actual trials. The course includes practice in drafting pleadings, discovery and motions, as well as the opportunity to hone oral skills through taking discovery depositions. Because this course focuses on pretrial activities, it also is a good companion course to the patent trial advocacy course, which focuses on the trial phase of a proceeding.

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

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

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

LAW 905 v00 Intelligence Reform and the Modern Intelligence Community (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20905%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course is an introduction to intelligence law as discussed in the context of changes to the Intelligence Community. The course focuses on changes to the law made in response to reviews and reports conducted following the attacks of September 11, 2001, and how those changes have been implemented in policy and practice. Students will examine legislative efforts to enhance information sharing and intelligence collection, such as the creation of the Director of National Intelligence, the modernization of the Foreign Intelligence Surveillance Act, and more recent proposals to reform surveillance laws and policies in the context of global discussions of privacy and civil liberties. In addition, the course will address complexities faced by national security lawyers in protecting classified information, and providing legal advice on intelligence operations, including domestic intelligence activities.

Recommended: Prior or concurrent enrollment in International Law I.

LAW 611 v02 Internal Investigation Simulation: Evaluating Corporate Corruption (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v02)
J.D. 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, 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 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 2085 v00 International Agreements

LL.M Course (cross-listed) | 2 credit hours
The course begins by examining what is an international agreement under international law and distinguishes such agreements from other arrangements between States or international organizations that constitute political rather than legal commitments. Since there is interplay between domestic and international law in the operation of international agreements, it is important to understand how both systems of law work. To provide a domestic law framework, the first half of the course focuses on the treaty law of the United States. It addresses such matters as applicable Constitutional provisions, factors bearing on the decision as to the form in which a particular international agreement will be concluded and the respective roles of the Executive, the Senate, the Congress, and the courts concerning the conclusion, termination, and interpretation of international agreements. Students from other countries are encouraged to explain how their domestic systems handle similar issues, thus permitting the addition of a comparative element to the domestic law discussion. The second half of the course is devoted primarily to the international law rules reflected in the 1969 Vienna Convention on the Law of Treaties to which more than one hundred countries are parties and which is in most respects regarded as representing customary international law. In addition to the Convention, the course materials for the second half include recent cases decided by the International Court of Justice or by treaty-based arbitral tribunals and examples of important developments concerning the law of international agreements that have taken place since the entry into force of the Vienna Convention in 1980.

LAW 2079 v00 International and Comparative Antitrust Law

LL.M Course (cross-listed) | 2 credit hours
More than a hundred countries have enacted competition laws and modeled their laws either on the U.S. or on the EU system. This course will focus on the U.S. and the EU antitrust regimes by comparing and contrasting their principles and procedures. Some other jurisdictions at the center of the international antitrust arena, such as China and Brazil, will also be discussed. This course will start with an overview of the institutional design and of the substantive standards applied by the FTC/DOJ in the U.S. and by the European Commission in the EU, and will then delve into various areas of antitrust law, with particular emphasis on cartels, horizontal and vertical restraints, abuse of dominance, and mergers. This course will also examine process and procedures in the U.S. and the EU, and consider practices that facilitate international cooperation in antitrust investigations.

Learning objectives:
Students attending this course (i) will receive an overview of the international dimension of the various areas of antitrust law (horizontal agreements; monopolization/abuse of dominance; mergers); (ii) will learn to compare and contrast antitrust principles and procedures of the two systems (EU and U.S.) that most have influenced antitrust laws and institutions around the world; (iii) will familiarize with new actors and current challenges of the international antitrust arena. As a result, students will learn how to navigate multi-jurisdictional antitrust matters.

Prerequisite: For J.D. students: Antitrust Law or Antitrust Economics and Law. Prerequisite for LL.M students: None, although it is recommended that LL.M students have some previous coursework or work experience in competition law in the U.S. or another jurisdiction.
Seminar (CTLs course).

Arbitration or the J.D. seminar, *International Commercial Arbitration* to *Commercial Arbitration*, *Introduction to International Commercial*.

**Mutually Excluded Courses:**

- dispute resolution clauses.
- conducting arbitration proceedings, judicial oversight of arbitration.
- of arbitration. It will cover such topics as enforcing arbitration clauses, focuses on the procedural law applicable to and the practical aspects arbitral institutions such as the ICC, JAMS, the ICDR, etc.
- Enforcement of Foreign Arbitral Awards, and the arbitration rules of major
- Examines United States, foreign, and international law and practice
- human rights issues such as sex-based discrimination in employment,
- 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 rights to equality with opposing assertions of religious and cultural rights to discriminate, the course also examines how human rights bodies resolve those conflicts and asks how they should be resolved.

**Note:** For J.D. Students: Students Enrolled in the International Women's Human Rights Clinic must take this course as a pre- or co-requisite, but it is also open to other J.D. students and to LL.M. students.

**LAW 882 v08 International Arbitration**

- 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 rights 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 1758 v00 International Arbitration in the Middle East**

- J.D. Seminar (cross-listed) | 1 credit hour
- Almost a decade has passed since the uprisings of the Arab Spring swept across the Middle East, causing political unrest and economic instability. These waves of upheaval and their aftermath have caused severe disruption to foreign investment inflows and cross-border business transactions, propagating a number of high-profile commercial and investment disputes and rendering arbitration an essential tool for doing business in the region more than ever.

This course will examine the history of arbitration in the Middle East and its evolution from the Islamic era, through the early colonial twentieth century's oil & gas arbitrations, to the modern-day proliferation of commercial and investor-State arbitration cases. The classes will draw upon a wide range of materials including law journal articles, arbitral awards, regional treaties, domestic arbitration laws and court decisions to discuss and provoke debate over core topics in the international arbitration field, such as the impact of Sharia law on the arbitration process, the internationalization of contract-based disputes; the contribution of the Iran-US Tribunal to the development of international investment law; the role of consent to arbitration contained in domestic laws; attribution and State responsibility in the context of the Arab Spring, enforcement of arbitral awards in the region; and the rise of inter-Arab investment arbitration through the investment treaty of the Organization of Islamic Conference.

This course is designed for students, young scholars, and practitioners who are interested in understanding the unique features of arbitration theory and practice in the Middle East, and appreciating the legal and cultural context within which the current arbitration practice in the region has developed. The course will also provide practical insights and commentary on domestic arbitration regimes of selected countries, and arbitration rules and processes of some of the region's arbitral institutions, including CRCICA, DIAC, DIFC-LCIA, ADGM-ICC, BCDR, and SCCA.

**Learning Objectives:**

Students will:

- Better understand the origins of the concept of arbitration in Islam, and the role that Sharia law plays in today's arbitration process in the Arab world.
- Develop familiarity with the arbitration practice and its evolution in the region through the lens of landmark cases involving Arab States and assess the contribution of these cases to the overall development of the international arbitration field.
- Gain knowledge of the protections and guarantees afforded to investors by regional treaties and domestic investment laws of Arab countries, including dispute resolution clauses that refer to international arbitration.
- Identify some of the legal challenges faced by investors when attempting to enforce a foreign or international arbitral award in the Middle East.
- Develop familiarity with some of the major regional arbitral institutions and their common structures and procedural rules.

**Note:** Withdrawals are permitted up until the last class for this specific course.
LAW 802 v01 International Assistance for Global Health (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20802%20v01)

LL.M Course (cross-listed) | 1 credit hour
The overall objective of this course is to explore the present and potential role of international human rights law – and the right to health in particular – in international assistance for global health.

During the first class, we will discuss the recent history and present practice of international assistance for global health. We will discuss tensions between the objectives of development and relief, and between the objectives of promoting 'health security' and equity in global health. During the second class, we will explore the concept of equity in global health: how it is central to several definitions of global health, what the practice of international assistance for global health should look like, if the predominant objective of that assistance were equity. During the third class, we will examine the meaning of the right to health, the freedoms and entitlements it generates and the corresponding national and international responsibilities. During the fourth class, we will discuss if and how the right to health can be used to modify/improve the practice of international assistance for global health, taking into account that such assistance serves other objectives as well.

**Strongly Recommended:** Completion of coursework in the area of international human rights law.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.

LAW 914 v00 International Banking in the United States (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20914%20v00)

LL.M Seminar (cross-listed) | 1 credit hour
Foreign banks have established a major presence in the United States during the last four decades and have acquired substantial market share during that period. In response, the regulation of foreign banks has likewise experienced significant change and growth. This is reflected in law firm practice as advising foreign banks is now a significant component of the financial institutions practice of major U.S. law firms.

This course will analyze the conceptual framework and the laws and regulations governing the U.S. operations of foreign banks, including how foreign banks may enter, operate and expand in the United States. This will include an analysis of the Dodd-Frank Act's prudential standards for systemic foreign banks in the United States as well as of the International Banking Act and the Bank Holding Company Act. In addition, the course will examine the supervision and enforcement scheme that the U.S. government applies to foreign banks and assess the evolving standards that apply to them, including capital standards under the Basel Capital Accord. Finally, this course will review emerging conflict of law issues that arise in the international banking context and the increasing extraterritorial reach of U.S. laws.

For students to understand the basic conceptual and legal framework that applies to foreign banks in the United States. This understanding allows a student to then select and analyze a topic of interest for purposes of the class paper.

**Recommended:** J.D. students may take this course after they have completed their first year.

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

LAW 863 v00 International Business Litigation and Federal Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20863%20v00)

LL.M Course (cross-listed) | 2 credit hours
The course explores issues common to litigation in U.S. courts arising from cross-border business transactions, including venue, jurisdiction, service of process, choice of law questions, discovery, evidence from abroad, privilege and ethical considerations, and the recognition and enforcement of foreign judgments in U.S. courts. The course covers the resolution of disputes in litigation, as well as in arbitral proceedings, and through regulatory and other internal investigations, and explores issues such as the Foreign Corrupt Practices Act.

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Civil Litigation (LAWG/J 734); the J.D. course, International Civil Litigation (LAWG/J 013); and Cross Border International Litigation and Conflicts of Law (formerly International Conflict of Laws) (LAWG/J 735).
LAW 240 v01 International Business Negotiations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v01)
J.D. Seminar | 3 credit hours
This course is structured around a semester-long, simulated negotiation exercise in which the students in this class will represent a US pharmaceutical company (KJH Pharmaceutical Corporation) and the students in a similar class, at the University of Dundee in Scotland, will represent an African agricultural production company (Malundian Cassava Corporation). The two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that uses the cassava produced by Malundian Cassava Corporation. The form of their collaboration could be a joint venture, a licensing agreement or a long term supply contract. The negotiations will take place through written exchanges and through live negotiation via videoconference. Substantive law issues related to the transaction, as well as negotiations strategy and related issues, will be addressed in this class.

The purpose of the course is to provide students with an opportunity (i) to gain an introduction to transactional law and experience the sequential development of a business transaction over an extended negotiation, (ii) to study the business and legal issues and strategies that impact the negotiation, (iii) to gain insight into the dynamics of negotiating and structuring international business transactions, (iv) to learn about the role that lawyers and law play in these negotiations, (v) to give students experience in drafting communications, and (vi) to provide negotiating experience in a context that replicates actual legal practice with an unfamiliar opposing party (here, the students at Dundee).

The thrust of this course is class participation and active involvement in the negotiations process. Students are expected to spend time outside of class, working in teams, to prepare for class discussions involving the written exchanges as well as preparing for the live negotiations. Class discussions will focus on the strategy for, and progress of, the negotiations, as well as the substantive legal, business and policy matters that impact on the negotiations. Grades will be based on participation in the exercises, students’ diaries, and a final paper.

Recommended: Prior or concurrent enrollment in Corporations.

Mutually Excluded Courses: Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240) or the graduate course International Negotiations (LAWJ/G-3029).

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

Students may not withdraw from this class after the add/drop period ends without the permission of the professor. 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v02)
J.D. Seminar | 3 credit hours
This simulation course is structured around a semester-long negotiation exercise in which the students on one team of lawyers will be negotiating with students on another team of lawyers. One team will represent an African agricultural production company (Malundian Cassava Corporation) and the other team will represent a multi-national pharmaceutical company (KJH Pharmaceutical Corporation). In the simulation, the two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that requires use of a plant crop (cassava) produced in Malundi and sold by Malundian Cassava Corporation. The form of their business collaboration could be a joint venture, a licensing agreement, or a long-term supply agreement. The negotiations will take place through written exchanges and through face-to-face negotiation sessions. Substantive legal topics related to the transactions, as well as to the process of international negotiation and related issues, will be covered in this course.

The goals of this course are (i) to introduce students to transactional law and practice, (ii) to provide negotiations training and experience in the context of international transactional practice, and (iii) to develop legal-practice skills. Students will apply their legal and non-legal knowledge in the role of lawyers negotiating an international business transaction, within the controlled environment of the classroom.

This experiential course is built around active involvement in the transactional negotiations process. Students may expect to spend some time outside of the class meetings working in teams to prepare the written exchanges and prepare for the negotiations. Class meetings will focus on the strategy for and the process of the negotiations as well as on many of the substantive legal, business and policy issues that arise in the course of business negotiations. Grades will be based on 1) written self-evaluation “journal” entries and 2) a final paper (see “Course Requirements” below).

Recommended: Prior or concurrent enrollment in Corporations and Contracts.

Mutually Excluded Courses: Students may receive credit for this course and the graduate course International Negotiations Seminar (LAWJ/G-958). Students may NOT receive credit for this course and the J.D. course International Negotiations Seminar (LAWJ/G-240) or the graduate course International Negotiations (LAWJ/G-3029).

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

In addition to the 2-hour Monday classes, this class has five Saturday sessions (see times below). These sessions are devoted to the live negotiations. Due to the Saturday sessions, the Monday sessions will end earlier in the semester. NOTE: In the event of a weather closing, this class may be held via conference call dial-in.
LAW 876 v04 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v04)
LL.M Course (cross-listed) | 3 credit hours
This three credit course is an introductory survey of legal issues that arise in connection with international business transactions. Subjects covered include: (1) laws and treaties involved in cross-border business transactions; (2) core international business transactions, including international sales and letters of credit, non-establishment (agency, distribution, contract manufacturing, franchising, licensing) and establishment (branch, subsidiary, joint venture) forms of doing business, equity and debt/project finance transactions, and mergers and acquisitions; (3) fundamental legal concepts such as choice of law, choice of forum, jurisdiction, investment protection (expropriation), anti-corruption and competition regulation, and dispute resolution, focusing on litigation and arbitration; (4) the transfer and protection of intellectual property, and (5) corporate social responsibility.

The learning outcomes for this International Business Transactions course include: (1) basic knowledge and understanding of (a) substantive and procedural laws concerning international business transactions, and (b) the role of private and public international law in the conduct of international business; and (2) international legal analysis and reasoning, problem solving, professional skills, and written and oral communication in the context of international business transactions.

Recommended: International Law I: Introduction to International Law; a course in Finance or Securities Regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and International Dispute Resolution or the J.D. course, International Business Transactions.

LAW 876 v07 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v07)
LL.M Seminar (cross-listed) | 2 credit hours
An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Emphasis is given to the actual practice of international business law. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border 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.

LAW 876 v10 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v10)
LL.M Course | 3 credit hours
An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Emphasis is given to the actual practice of international business law. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border 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.

LAW 876 v11 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v11)
J.D. Course (cross-listed) | 4 credit hours
This four-credit survey course studies the major legal issues arising in international business, trade and investment activity, taught from a practical, problem-oriented approach. The focus of the course is on the law and practice that is different when business, trade or investment takes place across an international boundary. The principle areas of coverage are: 1) the movement of goods, including the Convention on Contracts for the International Sale of Goods (CISG), contracts for transportation, and financing, including the law of letters of credit, 2) problems of international investment and the transfer of intellectual property, including the international law governing patents, trademarks, copyrights and trade secrets, 3) national and international rules for dealing with imports and exports, including export controls and sanctions and trade remedies (antidumping, countervailing duty and safeguards), 4) public international law disciplines that arise in connection with anti-corruption efforts and norms of corporate social responsibility, and 5) international dispute resolution, including investment arbitration, trade disputes at the WTO, and private international commercial litigation issues, including choice of law and forum issues.

Mutually Excluded Courses: Students may not receive credit for this course and International Business Transactions and Trade Law or the LL.M. course, International Business Transactions.
LAW 882 v03 International Commercial Arbitration (http://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 (http://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 10, 2022 through Thursday, January 13, 2022, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during between January 21 and January 28, 2022.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

LAW 3033 v00 International Commercial Arbitration with a Foreign Sovereign (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203033%20v00)
LL.M Course (cross-listed) | 2 credit hours
Resolution of disputes between private sector companies and sovereigns arising under international contracts and projects typically are resolved by international commercial arbitration, giving rise to unique challenges, issues, and opportunities.

This class will address the relationship between international arbitration and court litigation, key fora and features that exist in this realm, proper negotiation and mediation techniques, analysis of foreign sovereign immunities, choice law issues, the importance of language and culture in these disputes, interplay with treaty arbitration, issues arising under arbitration clauses, critical trends in case law and arbitral institutions, and enforcement of arbitration awards globally. The course will feature guest speakers, hands-on exercises, use of materials from actual arbitrations, optional field trips to local courts, and a two-class practical moot—all focused on the dynamics and practicalities of dealing with the disputes of sovereigns and private parties.

Recommended: Prior enrollment in a basic course in international arbitration

LAW 1036 v00 International Contracts and Sales Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201036%20v00)
J.D. Course (cross-listed) | 2 credit hours
The course analyzes 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).
LAW 790 v01 International Criminal Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v01)

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

Examines selected issues involving the application of criminal law to international activities and across national boundaries. The course covers both the procedural aspects of international cooperation in criminal matters (including extradition, cross-border investigations, mutual legal assistance, and recognition of foreign penal judgments) as well as the developing substantive international law (e.g., war crimes, crimes against humanity, genocide, cybercrime, and trafficking in drugs, people and firearms). Particular attention is paid to the question of jurisdiction over criminal activities at the international level, in the context of activities such as money laundering, organized crime, and computer crime, including the reach of Constitutional protections to investigations and law enforcement activities overseas. Addresses the structure, jurisdiction, and jurisprudence of the ad hoc criminal tribunals for the former Yugoslavia and Rwanda and the statute and rules of evidence and procedure of the International Criminal Court.

Recommended: Criminal Law, Conflict of Laws: Choice of Law (or the equivalent Conflict of Laws: Choice of Law (International Focus)); International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course with the same title; the J.D. first year elective, Criminal Law Across Borders; or the J.D. seminar International Criminal Law Seminar: Tribunals and Crimes; or the J.D. course International Humanitarian Law; or the J.D. course International Criminal Courts.

LAW 835 v00 International Debt Workouts (http://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.

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, and the 2008 global financial crisis). In this course we will simulate, from an international lender’s perspective, the out-of-court debt restructuring or “workout” of a corporation in distress. The simulation of this hypothetical workout will have role-play and extensive class interaction: we will be members of the restructuring and insolvency practice of an international law firm.

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, and currently is the IFC counsel for several projects worldwide. Evaluations will be done by short reaction papers in groups and by class participation. There will be no exams.

Prerequisite: Corporations.

Recommended: Bankruptcy and Insolvency.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a withdrawal from an academic advisor in the Office of Academic Affairs. Failure to attend any subsequent 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.
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.

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 issues.
LAW 1260 v00 International Economic Law Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201260%20v00) (Project-Based Practicum)  
J.D. Practicum | 4 credit hours  
In 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 (http://www.tradelab.org))) to enable beneficiaries to submit projects to, to facilitate the operation of the teams and to promote the completed work to the public. TradeLab is an online platform that allows countries, NGOs and other smaller stakeholders easy and smart access to legal talents in the field of trade and investment law, allowing these actors to reap the full development benefits of global trade and investment rules by making WTO, preferential trade and bilateral investment treaties work for everyone.

Prerequisite: Students may not receive credit for this seminar and Global Anti-Corruption Seminar.

LAW 166 v00 International Efforts to Combat Corruption Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20166%20v00)  
J.D. Seminar (cross-listed) | 2 credit hours  
International anti-corruption has become an increasingly “hot topic” among lawyers and policymakers: governments, international organizations, and technical experts all identify corruption as a serious impediment to comprehensive economic development. If left unchecked, corruption threatens to undermine the effectiveness of development initiatives in both the public and private sectors. Growing enforcement of legal instruments such as the Foreign Corrupt Practices Act and the UK Bribery Act have placed anti-corruption squarely on the agenda of a wide variety of transnational organizations. With so many variant actors invoking the importance of anti-corruption, lawyers must not only have a working knowledge of what corruption entails, but also understand how the development of an international anti-corruption legal framework is changing the way business is conducted in a global economy.

This course explores the international legal framework of anti-corruption, the scope of anti-corruption instruments, the methodologies employed by international actors enforcing these instruments, and the policy dilemmas implicated by these endeavors.

Given the dynamic nature of anti-corruption initiatives, the course presents an interdisciplinary, interactive approach to the subject matter. The class will introduce and discuss perspectives from academic texts, policy papers and media. It is hoped that this broad-based approach will provide students with a strong theoretical foundation in anti-corruption law, foster a practical understanding of international anti-corruption work, and inspire students to integrate this avenue of study into their future professional endeavors.

Students will complete a research paper 20-25 pages in length.

Learning Objectives:

By the end of this course, students will have a working knowledge of the role anti-corruption policy and political institutions (i.e., FCPA, OECD, and UNCAC) play in the field of anti-corruption. Students will be able to engage in professional discussions on the historical context of international anti-corruption efforts, the state of the current political and international climate, and the future of anti-corruption by making connections between past policy and current events. Students will be able to articulate original views, back them up with research and defend them through strategic thinking by engaging with guest-lecturing practitioners and the final oral presentation. Students will further deepen their knowledge on a particular topic within the field by conducting a research paper in which they will need to provide insightful analysis making connections among historical and current policies, institutions, and governments.

Recommended: Prior or concurrent enrollment in at least one course in private or public international law might be helpful but is not necessary.

Mutually Excluded Courses: Students may not receive credit for this seminar and Global Anti-Corruption Seminar.
LAW 3032 v00 International Energy Arbitration

LL.M Course | 2 credit hours

The course begins with an introduction to international energy arbitration, followed by discussion of the international energy industry, its sources, segments, and players, including its evolution during the energy transition. An extensive presentation on the legal framework for international energy arbitration covers international laws and norms, national constitutions, national petroleum laws and regulations, and, in particular detail, the historical evolution of upstream host government petroleum contracts, including petroleum fiscal systems. To place the subject of host government contracts in its proper setting, the next section describes resource cycles and resource nationalism, as well as the legal status of host government contracts. Segments on contract stabilization and choice of law come next. Discussion then moves to the early international oil and gas arbitration awards, from there to several modern international oil and gas arbitration awards, and finally to contemporary energy disputes with host governments. The course next covers commercial disputes arising out of joint operating agreements, gas contracts, and LNG sales contracts. Following a discussion of enforcement of energy awards, the final segment concerns building an international energy arbitration practice. The course is designed to provide an in-depth knowledge of the main types and key drivers of international energy disputes, past and present, not only to aid in understanding the international energy industry, its business relationships and contracts, its broader legal framework, and its disputes, but to build better advocates to represent international energy companies and host governments in these contentious proceedings.

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

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. While the first three days of this course meet during the Fall add/drop period, a student may only drop this course without a transcript notation prior to the start of the second class session by submitting a written request to the Office of the Registrar. After the start of the second class session, a student must seek permission from an advisor to withdraw.

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

LAW 145 v00 International Environmental Law

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

The course focuses on international law applicable to the leading environmental and natural resource issues. It provides a framework for identifying and addressing the legal issues, links international law with relevant national laws, and focuses on ways to strengthen compliance with international obligations. The course covers climate change, ozone depletion, transboundary pollution and hazardous waste disposal; natural resource issues of fresh water (both surface and ground water), marine resources, and biodiversity; the links between human rights and environment and between environment and trade; and the financing of sustainable development. Special attention is given to cutting edge issues, such as synthetic biology and climate intervention.

Learning goals for this course: To enable students to become effective counsel, litigators, negotiators, arbitrators, judges, or legal advisors on a broad range of international environmental and natural resource problems; to understand international negotiations; and to be able to apply legal concepts developed in the course within different national settings for implementing international law.
LAW 1544 v00 International Environmental Law in Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201544%20v00) (Project-Based Practicum)
J.D. Practicum (cross-listed) | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of Professor Vidal. This project-based practicum course will involve work 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 under the direction of Professor Vidal.

SEMINAR: This practicum offers a unique opportunity to influence global environmental policy. Through this course, students will learn to do the following: (i) understand and formulate positions on specific issues in international environmental law through application of general knowledge and targeted research; (ii) develop and implement influencing strategies for advancement of international environmental law through ongoing global policy processes; (iii) communicate effectively and engage appropriately with an international community encompassing different cultures, approaches, and perspectives; and (iv) consolidate lessons learned to support improvement and inform further work in international environmental law. To help achieve these goals, the seminar will feature visiting experts from the international environmental legal community and discussions on practical approaches to influencing global environmental policy.

PROJECT WORK: Students will work on a specific international environmental process over the course of the semester, providing direct support to a specific international organization, party or observer. Topics that students have worked on in previous semesters include, the enforcement of domestic legislation implementing the Montreal Protocol (with ELI); the ongoing negotiation of a new international instrument on marine biodiversity in areas beyond national jurisdiction (with IUCN); comparative analysis of national and regional frameworks addressing corruption and human rights violation in extractive industries (with ELI); and research into global best practices for mangrove conservation and sustainable use (with WWF). 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. Under Professor Vidal’s supervision, students will work with lawyers and policy practitioners.

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).

Recommended: Prior enrollment in International Environmental and Natural Resources Law. Prior or concurrent enrollment in International Law I: Introduction to International Law, or prior enrollment in Criminal Law Across Borders or International Criminal 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.
**LAW 814 v00 International Human Rights Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20814%20v00)

LL.M Course (cross-listed) | 3 credit hours

This course provides an intensive survey of international human rights law and practice, with a principal focus on interpretation and implementation of human rights obligations, commitments, and norms in the practice of states. The course has three main components: in the first unit, we examine the development of the substantive law of human rights and its sources (including treaties, customary international law, and non-binding international instruments). In the second unit, we examine implementation of international human rights in the international, regional, and domestic systems, focusing on UN organs such as the Human Rights Council and treaty bodies as well as regional 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.

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**LAW 814 v02 International Human Rights Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20814%20v02)

LL.M Course (cross-listed) | 3 credit hours

This course provides an intensive survey of modern international human rights law. Tracing the historical evolution of human rights norms, we will first explore look at how and 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, freedom of expression), 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:**

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

**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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201755%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the philosophical and historical underpinnings of international human rights law. Students will encounter early conceptions human rights protection, alternative visions for the modern human rights framework, the development of international human rights law, and critical perspectives on the evolution and implementation of human rights.

Students will be encouraged to critically examine the successes and failures of the normative framework for the protection of human rights, whether we have achieved the universal realization of human rights, and ways in which the system might be reimagined or strengthened. Particular attention will be paid to the legal framework applicable to the protection of the rights of non-citizens, including migrants, refugees, and stateless persons. Contemporary case studies will be used to illustrate the challenges in resolving protracted situations of statelessness or displacement, and how gaps in international legal protection may exacerbate looming human rights crises, including those related to global climate change.

There are no required prerequisites for this course. However, students may find it beneficial to have taken International Law I: Introduction to International Law and/or the introductory course to International Human Rights.

Learning Objectives:

• Students will gain an understanding of 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 1476 v00 International Law and the New Global Political Economy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201476%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
Recent electoral results in the United Kingdom and the United States have challenged the liberal globalization agenda of the last three decades. The UK is leaving the European Union and the Trump administration has withdrawn from the Trans-Pacific Partnership (TPP), called for a renegotiation of the North American Free Trade Agreement (NAFTA) and advanced an America First foreign policy. Discontent with the effects of global markets includes job losses, wage stagnation, growing income inequality, and downward mobility of the middle class. How are these effects related to the international legal architecture states have set up, including international trade and investment agreements, international tax regimes, financial regulation and labor norms? Can’t these negative results be addressed primarily and more effectively at the national level?

This moment offers a key opportunity to think of an alternative globalization. So far, there are two strong, emerging positions in the global economic debate. On the one hand opposition to globalization, often accompanied by xenophobic and discriminatory rhetoric, blames foreign trade, immigration and racial minorities for the economic foibles of society. On the other hand, there is a defense of existing liberal globalization as the enlightened economic path that needs to be better explained and at the most softened. Can we imagine a different type of globalization? One that recognizes the gains that societies may accrue from integration while addressing seriously the dislocation and negative distributional consequences? Does this require that we re-imagine a different role for the State in the market? Does it entail a reform of our existing global institutional arrangements? What role may international law play in responding to these challenges?

A leading scholar in the field of international law will present a paper each week. The papers represent a wide range of topics and methodological approaches connected to the colloquium questions. Students will be expected to read the papers and write a short critique of five of the papers. You will also have an opportunity to engage in discussion with the paper’s author. In addition to the students enrolled in the colloquium, Georgetown Law faculty and other DC area scholars and practitioners will be invited to participate in the weekly paper presentations. Lunch will be provided.

Note: The first class will meet on Friday, January 24, 2020 in Hotung 5020.

This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1362 v00 International Law Colloquium ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201362%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201362%20v00))

J.D. Seminar (cross-listed) | 2-3 credit hours
In this colloquium, a paper will be presented each week by a leading national or foreign scholar in the field of international law. The papers will relate to 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 ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v02](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v02))

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 though 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 this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.

LAW 235 v08 International Law I: Introduction to International Law ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v08](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v08))

J.D. Course | 3 credit hours
This introductory course deals with the nature, sources and operation of "public international law," with some of the most important contemporary challenges to the international legal system, and with the international community’s evolving responses to those challenges. It includes such topics as the law governing treaties and other international agreements; the recognition of states and governments; methods for international dispute resolution including litigation in the International Court of Justice; the United Nations and other international and regional entities; international human rights and international criminal law; law of the sea and international environmental law; and the rules governing the use of force. Some attention is also given to the role of international law in the U.S. legal system; questions of jurisdiction, foreign sovereign immunity and the act of state doctrine; and the allocation of foreign affairs powers between the President, the Congress, and the Judiciary. We will discuss a few of the most pressing illustrations of the operation – or shortcomings – of the international legal system in the context of current problems or crises. As a first-year elective, this course is intended to offer a contrast or a complement to the bulk of the first year curriculum, by exposing students to the substance and style of foreign and international law materials, institutions, and dispute-resolution mechanisms, and to provide a gateway to Georgetown’s rich international law upper class course offerings.

**Mutually Excluded Courses:** Students may not receive credit for this course and the upperclass course by the same title, or the LL.M. course International Law Essentials: The U.S. Perspective.

**Note:** This course is a first-year elective. First-year day students select an elective offered in the spring.
**LAW 235 v16 International Law I: Introduction to International Law**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v16)

J.D. Course (cross-listed) | 3 credit hours
This course deals with the nature and sources of international law and major developments in the international legal system, including the interaction of international law and municipal (domestic) legal systems. It considers such topics as treaties, executive agreements, and customary international law; jurisdiction over disputes with international elements; foreign sovereign immunity; methods for international dispute resolution; the role of international law in the U.S. legal system; how the international system protects (or fails to protect) human rights and the environment; and the use of force against other countries, rebellions, or terrorist groups.

**Learning Objectives:**

This course will expose you to a different legal system – the regime of contemporary public international law governing the conduct of states and international organizations – as well as the way that legal regime is incorporated in the law of the United States. It also serves as a general precursor to other international law courses in the Georgetown Law curriculum.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.

**Note:** J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on July 14.

**LAW 235 v17 International Law I: Introduction to International Law**
(http://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. ET on November 10.

**LAW 1010 v00 International Law in Domestic Courts Seminar**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201010%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
How does international law apply in domestic legal systems? When are treaties and customary international law binding in national courts? What are the rules and mechanisms of “incorporation”? Do judges have a responsibility to follow generally accepted rules of international law? This seminar offers students an opportunity to research, write and make presentations about specific issues related to the status of international law in domestic legal systems. The primary focus will be on the U.S. system, but a comparative approach is included and students are encouraged to investigate the treatment of international law in foreign legal systems that directly incorporate customary international law as well as those where international legal rules always require legislative enactment.

These issues arise in varying contexts, 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201231%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar examines efforts to reduce poverty in countries and problems of accountability in doing so, whether in international institutions, national institutions, or the private sector. Considers various approaches to accountability. Covers issues of compliance, good governance, human rights, corruption, environmental sustainability, and experience with various accountability mechanisms in international institutions. Includes two simulations in which students must address accountability issues.

Learning goals for this course: To understand the difficulties of reducing poverty within countries and the legal issues associated with bringing accountability to doing so. Students should be able to develop insights that can be applied in both the public and private sectors.

Recommended: A basic course in public international law.

LAW 761 v03 International Law, Human Rights & Fighting Impunity (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20761%20v03)
LL.M Seminar (cross-listed) | 1 credit hour
This course will explore the global fight against impunity – specifically, as it pertains to curbing war crimes, human rights violations, grand corruption and looted antiquities – through class discussions, lectures and guest speakers with personal experience in fighting the impunity that is so often associated with war crimes and economic crimes. It is based on the premise that those that are willing to slaughter thousands of innocents, are also willing to steal millions of dollars and loot our collective cultural heritage – and that the fight against impunity includes both war crimes and economic crimes (and often, the international trend to focus on the former, ignores the domestic interest in prosecuting the latter). Over the semester, students in a seminar-size class will be exposed to the basics of international criminal law, international human rights law and international economic crimes, as well how the fight against impunity impacts national security and foreign policy issues. The class will focus on issues related to war crimes, crimes against humanity, and genocide, as well as the recent global efforts to fight grand corruption and recover looted assets and antiquities, including UN Convention Against Corruption and the new UN-World Bank Stolen Asset Recovery (STAR) Initiative. Students will be allowed to write a paper of their choice regarding international law and the fight against impunity. Class grades will be a combination between class participation (40%) and a seminar paper (60%). Required readings (cases, statutes, articles, book excerpts, on-line treaties, etc.) will be illuminated by lecture and discussion from a professor with first-hand experience in the global fight against impunity through his personal experience with the Slobodan Milosevic, Saddam Hussein and Omar al-Bashir matters, as well his background with the UN war crimes tribunal, the White House, the Pentagon, and the World Bank's STAR Initiative, and helping recover stolen assets on behalf of various governments. In order to take advantage of Georgetown's unique position in the intersection of law, politics, and international affairs, the course will feature high-profile guest speakers who will highlight their own personal efforts to fight impunity and how such international efforts impact national security and foreign policy matters.

Prerequisite: International Law I or equivalent.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 1323 v00 International Law, National Security, and Human Rights

J.D. Course | 3 credit hours
This course teaches international law by focusing on two bodies of law and how they protect the right to life and the right to liberty. These are international human rights law and international law governing the use of military force.

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 organized 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 and European Conventions on basic 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 contemporary national security concerns present challenges that do not fall squarely within either international human rights law or the international law governing military force – which means that you must be able to think creatively about modern challenges

LAW 1639 v00 International Litigation in Europe: Key EU Regulations

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: NOTE: In the Spring 2022 semester, this course will take place online via Zoom (https://georgetown.box.com/s/s4nyif5n3g92usmagji9guq5n2cjw7f).

WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 10, Tuesday, January 11, Thursday, January 13, and Friday, January 14, 2022, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed between January 21 and January 28, 2022. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 076 v00 International Migration and Development (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20076%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This course is for students who are interested in acquiring a broader knowledge and a better understanding of research related to international migration and development. Topics covered include: past, present and anticipated future trends in international migration, including the various factors (e.g., economic, social, political) that influence population movements; elements of the normative and legal frameworks upon which migration policies may be based; relationships between international migration and economic development, economic growth and economic competitiveness, poverty alleviation, social networks and social support systems, national and international security, transnational organized crime, and human rights, among other issues; and institutional arrangements that enhance international cooperation to promote safe and orderly migration.

Learning Objectives:

This course offers an overview of the theoretical debates in the field of international migration and the empirical data upon which these debates hinge. Upon completion of this course, students should be able to:

1. Describe recent trends in migration at national, regional and global levels;
2. Compare theories of international migration from different disciplinary perspectives and different units of analysis (e.g., individual, household, national, global), identifying the advantages and disadvantages of each;
3. Analyze the usefulness of current international legal frameworks in defining the rights of migrants and states' responsibilities to protect those rights;
4. Assess the economic and social impacts of migration on both origin and host societies;
5. Understand and analyze the concept of “brain drain” in describing high-skilled migration;
6. Understand and analyze the concept of “social remittances”;
7. Compare processes of immigrant integration;
8. Understand the ways in which smuggling and trafficking undermine international migration;
9. Understand the ways in which climate change and development projects contribute to migration; and
10. Understand the various mechanisms for managing international migration.

Students should also be able to:

1. Demonstrate critical thinking, research and writing skills;
2. Evaluate empirical evidence; and
3. Articulate and defend findings (real or proposed) from their research papers

Note: Priority is given to students fulfilling the requirements of the Certificate in Refugees and Humanitarian Emergencies and to students enrolled in the Certificate Program in International Human Rights Law.

See the schedule of courses on the Main Campus Registrar’s website (http://registrar.georgetown.edu) for room assignments. Law Center students may register only through the Law Center’s registration system. This seminar requires a paper. J.D. students must register for the 3 credit WR section of the seminar (LAWJ-076-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.

LAW 3029 v00 International Negotiations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203029%20v00)
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 or International Business Negotiations.
LAW 3106 v00 International Negotiations II (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203106%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This simulation course is designed for students who have taken an International Negotiations course and want to further develop the skills introduced in that course. Specifically, in this smaller class environment, students will observe, analyze, and conduct a critical examination of actual negotiations and international issues. Students will face the same situations experienced negotiators face in the international context and the course will provide students with opportunities for one-on-one interaction with international negotiators during their negotiation simulations.

Through this course, students will:

- Develop and sharpen legal and negotiating skills in the international context by simulating real world negotiations in a real-world setting.
- Gain knowledge in how to prepare, strategize, and conduct a negotiation in the international context. This includes legal, historical, political, diplomatic, and other research necessary to prepare for an international negotiation.
- Come to understand and be able to use an organized theoretical framework in which to analyze the problems of international negotiations.
- Engage in effective problem-solving with respect to the simulated exercises, whether alone or in teams.
- Identify and appreciate ethical considerations related to international negotiations and the importance of credibility, authenticity, and honesty.
- Demonstrate professionalism in interactions with classmates and professors.
- Engage in self-reflection and peer critique, including applying lessons learned in exercises to future performances, and providing constructive criticism to classmates.

Prerequisite: International Negotiations or International Negotiations Seminar

Note: For students who have completed International Negotiations Seminar with Timothy Harr (LAWJ-240-05), please contact LLLMAS@georgetown.edu to have a prerequisite waiver posted on your account.

Recommended: International Law

LAW 240 v00 International Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20240%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar seeks to develop skills and knowledge to participate in negotiations and in particular international business negotiations. Approximately a third of 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 teamwork with others, including strategy, analysis, and preparation. Negotiations are carried on both inside and outside normal class time.

Recommended: Contracts.

Mutually Excluded Courses: Students may not receive credit for this course and the International Negotiations Seminar (LAWJ/G-958) or International Negotiations (LAWJ/G-3029) in the graduate program, or International Business Negotiations.

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

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

LAW 958 v00 International Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20958%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
After introductory lectures on negotiation theory and practice, the seminar students will be divided into teams for a series of simulated negotiations covering government-to-government, government-private and transnational private negotiations. Student performance in these negotiations and class discussions will comprise most of the course grade; no research paper or examination is required.

Mutually Excluded Courses: Students may receive credit for this course and International Business Negotiations. Students may NOT receive credit for both this course and International Negotiations or the J.D. course, International Negotiations Seminar.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
LAW 2021 v00 International Oil & Gas Industry: Legal and Policy Seminar
(https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202021%20v00)
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 928 v01 International Project Finance
(https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20928%20v01)
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.
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 08, 2023, 8:30 a.m. to 12:45 p.m. Location to be announced at the start of the semester.

This course 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203006%20v00)

LL.M Course (cross-listed) | 2 credit hours
The course provides an introduction to 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. Waillisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.

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

LAW 509 v01 International Tax (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20509%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course is an introduction to the law and policy of U.S. taxation of U.S. and foreign persons engaged in cross-border activities. The course will address both how individual and corporate foreign taxpayers are taxed by the United States, and how U.S. individual and corporate taxpayers are taxed by the United States on income earned in or from other countries. Topics will include U.S. jurisdiction to tax, allocation of income, withholding taxes, the foreign tax credit, deferral, transfer pricing, and tax treaties. The course will also consider how the U.S. rules in these areas are influenced by developments in other countries. The goal of the course is to provide an overview of the relevant law and policy considerations, with a focus on specific issues that are presently contested as a policy matter. Students should leave the course with an understanding of the basic framework for U.S. international tax law and a sense of some of the policy debates surrounding the current rules.

Prerequisite: Federal Income Taxation (formerly Taxation I).

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

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.

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. Waillisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.

For the Spring 2022 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 244 v01 International Trade (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v01)
J.D. Course (cross-listed) | 3 credit hours
This three-credit survey course is designed to introduce students to the legal system governing international economic transactions and international economic relations, with a focus on the World Trade Organization (WTO) and its constituent treaty instruments. The primary objective of the course is to give the student an in-depth overview of the world trading system and some exposure to its particular details. The course will cover the basic principles and mechanisms of international trade law, including most-favored-nation (MFN) and national treatment, and relevant law in different substantive areas, including tariffs, quotas, services, intellectual property, trade remedies, and standards. We will also examine the issue of development in the WTO and trade treaties and whether treaty obligations constrain countries’ policy autonomy and hinder their ability to pursue successful development strategies, as well as the tensions between trade liberalization and other values, such as those concerning the environment, health and safety, workers’ welfare, and human rights.

The course will also cover current trends and issues in international trade law. The Uruguay Round established the WTO in 1994 as the premiere forum for negotiating multilateral trade agreements and adjudicating international trade disputes; however, the negotiation and adjudication functions of the WTO currently face significant challenges. Globally, more than 300 regional or bilateral trade agreements have been negotiated, including the recent United States-Mexico-Canada Agreement (USMCA) and Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), with implications for both individual countries and the global trading system overall. The course will include current developments at the WTO, bilateral and regional trade agreements (including U.S.-Europe and U.S.-Kenya negotiations and trade models in other parts of the world like China’s Belt and Road Initiative and the African Continental Free Trade Area), Brexit, and U.S. “trade wars” pursued on national security grounds.

Mutually Excluded Courses: Students may not receive credit for both this course and International Trade and the WTO or International Trade Law or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

LAW 1799 v00 International Trade and Investment Law (http://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 673 v01 International Trade and Investment Litigation and Strategy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20673%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
This course will teach students the practical aspects involved in litigation of international trade and investment disputes. Its goal is to prepare students entering either private practice or government service to handle complex litigation in those fields. The course will provide a comparative analysis of the dispute settlement mechanism of the World Trade Organization (WTO) and Investor-State arbitration. While it will focus on procedural issues and case management, the first sessions will provide an overview of the legal framework of the multilateral trading system and investment treaty law. It will identify and analyze each phase of the proceedings of WTO disputes (under the Dispute Settlement Understanding) and of investor-State arbitrations (mainly under the arbitration rules of the International Centre for Settlement of Investment Disputes and Chapter Eleven of the North American Free Trade Agreement). Some of the topics that will be covered include: pre-trial preparation, formal initiation of a dispute, constitution of panels and tribunals, discretionary procedural issues, evidentiary issues, jurisdictional and other preliminary objections, written pleadings, conduct of hearings, use of witnesses and experts, awards and rulings, recourses, implementation and enforcement, and in general case management. The analysis and discussions in class will be based on treaty text, jurisprudence and the practical, hands-on experience of the professors. Guest-speakers – including practitioners, government officials, or staff from relevant international organizations – will be invited to a few sessions. Students will be expected to participate in class discussions and in simulations.

Recommended: Basic courses in public international law and international trade.
**LAW 244 v05 International Trade Law** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v05](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v05))

J.D. Course (cross-listed) | 3 credit hours
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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** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20966%20v01](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20966%20v01))

LL.M Course (cross-listed) | 2-3 credit hours
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Examines international trade laws and regulations and World Trade Organization agreements affecting international trade, and the relationship of the General Agreement on Tariffs and Trade 1994 and other international agreements to U.S. law and practice. Considers, in detail, the U.S. antidumping, countervailing duty, safeguards (Section 201) laws and regulations and the WTO agreements that establish multinational standards applicable to the use of those remedies. Examines the WTO agreements on services, intellectual property, and technical barriers to trade. Examines the statutory remedies, particularly Section 301, that are available to address foreign restrictions on U.S. exports of goods, capital, services, and intellectual property. Analyzes the U.S.-China "trade war" and resulting tariffs and agreements. Evaluates the role of Congress, the U.S. Trade Representative, and other U.S. agencies in setting trade policy and overseeing administration of the trade laws. Analyzes the WTO procedures for dispute resolution and key WTO panel and Appellate Body decisions. Reviews free trade agreements, including the U.S.-Mexico-Canada Agreement, as well as bilateral investment treaties. The course includes a weekly discussion of current events affecting international trade law and regulation.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. course, International Trade or World Trade Organization: Law, Policy and Dispute Settlement.

**Note:** The 3-credit section of this course meets the "Category 1" requirement for the WTO certificate program. The two-credit class requires a final exam; the three-credit class requires a paper. J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.
LAW 1770 v00 International Trade Rules and Climate Change Seminar - Can the Two Get Along? (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201770%20v00)
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 UNFCC 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.

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.

LAW 959 v00 International Trade, Development & the Common Good (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20959%20v00)
LL.M Seminar (cross-listed) | 2-3 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.
LAW 708 v00 International Trade, Intellectual Property Rights, & Public Health (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20708%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course will cover the interface between the intellectual property rights, international trade and public health, focusing in particular on the WTO TRIPS Agreement and subsequent decisions, including on the Covid-19 waiver, if approved. 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 devote a session to Covid-19 and infectious disease pandemics. It will also discuss the relevance of bilateral or regional free trade area agreements to the subject.

The course would study relevant national/regional implementing legislation, for example on compulsory licenses, and discuss use of the WTO export compulsory license provisions. In addition to the final paper, students will be graded on class participation, individual presentations and group exercises, an example of the last being a hypothetical case study of exports, with students taking up the role of legal advisors based in either the importing country or the exporting country.

Finally, the course will also cover recent work on trade, intellectual property and public health in other intergovernmental organizations, in particular in the World Health Organization

**Recommended:** Coursework in International Trade, Intellectual Property Rights, or Public Health.

LAW 880 v00 International White Collar Crime (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20880%20v00)
LL.M Course | 2 credit hours
This course examines key issues arising from the criminalization of transnational business conduct and attempts to enforce national laws extraterritorially, as well as how to counsel clients to comply with inconsistent or conflicting legal regimes. Topics covered will include: bribery of foreign officials, crime on the internet, economic embargoes and export and reexport controls, securities fraud, money laundering, and price-fixing. Attention will be paid to foreign governmental opposition to U.S. assertions of jurisdiction via "blocking" statutes, secrecy laws, and use of local court injunctions, as well as to mechanisms for resolving jurisdictional conflicts, including international agreements for notification, consultation, mutual legal assistance, "positive comity," and exchanges of confidential information among enforcement authorities. The course will also focus extensively on compliance and ethics issues and on techniques for dealing with government law enforcement agencies.

**Recommended:** International Law I: Introduction to International Law (or the equivalent of International Law I, which is a 3 credit course in public international law).

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Economic Crime and Corruption.

**Note:** Please note, the two sections of this course have different requirements. Please be sure to register for CRN 13649 if you wish to elect the section with a final exam and CRN 24229 if you wish to elect the section requiring a paper. The cutoff date to select either an exam or paper requirement is Tuesday, September 7, 2021.

LAW 520 v00 International Women's Human Rights Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20520%20v00)
J.D. Clinic | 10 credit hours
Please see the International Women's Human Rights Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/international-womens-human-rights-clinic) for more detailed information about the program.

For registration-specific supplemental materials, please see the International Women's Human Rights Clinic PDF (https://georgetown.app.box.com/s/rq9mhjfdajljp8sa5vhctv2jgc8ivnt).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3yqcuynsnp3ytly6j9pyv6).

**Mutually Excluded Courses:** Students may not concurrently enroll in this clinic and an externship or a practicum course.
This course will tackle state-to-state disputes a historical and comparative perspective, tracking the development of interstate dispute resolution over time and across institutions. We will approach the history of interstate dispute resolution from both a legal and political science perspective. In so doing, the course will ask the following questions:

- Why have states agreed to submit their disputes to arbitration or other dispute resolution mechanisms? What were the international relations factors that permitted the use of such mechanisms?
- How successful are such means in resolving disputes between states? What sorts of disputes can be resolved through arbitration or similar mechanisms?
- How does interstate dispute resolution work in practice?
- What are common procedures for such disputes?
- How do international courts develop international law?
- What are the prospects for interstate dispute resolution going forward?

Modern interstate dispute resolution finds its basis in a string of ad hoc arbitrations and claims commissions from the 18th, 19th, and early 20th centuries. The United States was an early adopter of arbitration as a means of resolving interstate disputes, first agreeing with the United Kingdom in 1794 in the Jay Treaty to resolve certain disputes remaining from the Revolutionary War.

In the first part of the 20th century, there was an effort to formalize such disputes, first through the PCA and then the 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 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 this course and Digital Law & Policy (CCTP-658-01), which is offered by the Communications, Culture & Technology department on the Main Campus.

See the schedule of courses on the Main Campus Registrar’s website (http://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.

This class will survey the various forms of alternative dispute resolution (ADR), including negotiation, mediation, arbitration and hybrid approaches. Students will also participate in a number of simulated practical exercises. Grades will be based on written assignments and class participation.
**LAW 511 v00 Introduction to Scholarly Editing Seminar**

This course is designed to prepare law journal members for the significantly different and, in many instances more challenging, nature of their responsibilities in their second year on journal. Its focus is twofold: to help students develop excellent editing techniques in the context of publication, and to help students master other aspects of second year journal membership, including journal management, timely publication, and author-editor interactions. During the course, students will analyze scholarly writing from the editor's perspective, covering such topics as article selection, large- and small-scale edits, style judgments, and analytical precision. Studying scholarly papers drafted for publication, students will discuss how to edit them to achieve the best balance among the author's intent, the readers' needs, and the journal's production imperatives. Students also will do several individual and group assignments focused on particular editing challenges. The class will meet in four three-hour sessions, and attendance will be mandatory in order to receive credit.

**Note:** The seminar will meet on the following Thursdays in Spring 2023: 3/23, 3/30, 4/6 and 4/13.

**Complete List of J.D. Courses**

**LAW 514 v01 Introduction to Scholarly Note Writing**

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.

**Note:** In Fall 2022, this course will meet on the following Fridays, 10:00 a.m. - 12:00 p.m: 9/9, 9/16, 9/23, 10/14, 10/28, 11/4, and 11/18.

**LAW 730 v00 Introduction to U.S. Constitutional Law**

This course provides an overview of the major constitutional cases over the last 200 years. The first half of the course focuses on how the Constitution affects the fundamental structure of American government. Particular attention will be paid to the critical balances of power between the Federal and state governments (federalism) and among the three branches of the Federal government. The rest of the course will focus on individual rights, with particular emphasis on individual rights in the areas of equal protection, and substantive due process.

**Note:** This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

For the Fall sections, FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
LAW 3130 v00 Investigating Transnational Criminal Organizations & National Security Threats in Cyberspace (http://curriculum.law.georgetown.edu/course-search/?keyword=LA%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 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; Courses in technology-related subjects

LAW 676 v00 Investor-State Dispute Resolution Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LA%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 414 v02 Israel/Palestine Conflict: Legal Issues Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LA%20414%20v02)
LL.M Seminar (cross-listed) | 3 credit hours
In this class we will examine a wide variety of legal issues raised in the various stages of conflict in Israel/Palestine. These will be evenly divided between issues arising inside Israel proper and issues arising with respect to the Occupied Territories. For each issue, there will be some background readings and then presentation of opposing legal positions, often with a U.S. case to give a comparative perspective. Issues covered will involve Israeli civil and constitutional law and international law; areas will include local government, land, water, education, and taxation, as well as more familiar issues around the legality of the occupation and its military framework. Two classes will be devoted to the legal analysis of violent resistance and terrorism.
LAW 063 v00 Issues in Disarmament: Proliferation, Terrorism, and Great Power Rivalry Seminar

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 dismantling of redundant weaponry. The seminar is particularly recommended for those interested in exploring careers in public international law, but will also be relevant to others interested in the role of the lawyer in influencing United States public policy more generally. Each student will prepare a substantial original research paper and participate in small exercises designed to provide some simulated experience in characteristic legal tasks, such as drafting, analyzing, briefing, etc.

Mutually Excluded Courses: Students may not receive credit for this course and Proseminar in National Security Law.

LAW 1765 v00 J.D. National Security Law Specialization Program

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 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

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 1523 v00 Judicial Biographies Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201523%20v00)
J.D. Seminar | 2-3 credit hours
In this seminar, students will analyze Supreme Court justices’ doctrinal tendencies and judicial philosophies in light of each justice’s personal history and early career. The course will focus on twentieth-century justices who no longer serve on the Court. Throughout the course of the semester, each student will write an original paper that aims to identify key elements of a justice's life and core values and discusses the extent to which the justice's history contributes to his or her judicial opinions (or fails to). After an introductory/overview class, each week two students will lead discussions on their selected justices based on the materials the students assemble—primarily the students’ papers and 2-3 key opinions by each selected justice. The professors will work with students to review their papers and materials prior to their presentations. Students also will have the opportunity to discuss various issues related to judges’ lives and their decision-making. We plan to invite a member of the judiciary to one of the classes to discuss his or her insights on these issues with the students. Evaluation will be based primarily on the student’s paper and presentation, plus contribution to the class discussions.

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

Note: This course will be enrolled via waitlist.

FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first class session in order to be eligible for a seat in the class.

LAW 1106 v02 Judicial Review of Military Justice Proceedings: Current Issues and Constitutional Perspectives (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201106%20v02)
J.D. Seminar (cross-listed) | 1 credit hour
This seminar will address the relationship between courts-martial and civilian judicial proceedings, focusing on the allocation of responsibilities in the military justice system to commanders, judges, and lawyers. Specific topics will include the contemporary debates regarding sexual misconduct and combat-related offenses. The assigned readings will utilize materials available on the internet, including judicial decisions, legislative and regulatory materials, and law review articles. The seminar paper will take the form of a draft judicial opinion based upon topics covered in the course. The seminar is designed for students interested in national security, judicial review, and the constitutional allocation of legislative, executive, and judicial powers.

Learning Objectives:
• Identify the key features of military legal practice, the distinctions between military and civilian jurisprudence, and the primary factors considered by Article III courts in reviewing cases arising in the military justice system.
• Assess the impact of congressional legislation and oversight, as well as the role of the President in the military justice system.
• Enhance research skills through analysis of briefs and source materials.
• Enhance writing skills by preparing a judicial opinion.

Recommended: Constitutional Law I and either Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Note: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 9, 2023, through Thursday, January 12, 2023, 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 1778 v00 Judicial Selection Process and Reforming the Supreme Court Seminar (http://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.

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 394 v02 Jury Trials in America: Understanding and Practicing Before a Pure Form Democracy (http://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 (http://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.
Independent of the simulations, a serious research paper is required.

For registration-specific supplemental materials, please see the Juvenile Justice Clinic PDF (https://georgetown.app.box.com/s/p8bnbfkh8ibl0jsgoarf6ixt7wa5t11).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8w93jvqcyunevi3tlyr66j9pyv6).

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201813%20v00)
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 role and responsibilities, 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 evaluate 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 about the challenges they faced, as well as the satisfaction and benefits of public service.

LAW 262 v00 Labor Arbitration Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20262%20v00)
J.D. Seminar | 3 credit hours
Arbitration has played a prominent role in American labor relations since its strong endorsement by the Supreme Court in 1957 in the Lincoln Mills decision. The procedure is viewed by many as the mainspring of the collective bargaining agreement, providing a means of dispute resolution without a strike. Sometimes arbitration is used to resolve deadlock situations; more frequently, it is used to resolve employee grievances. The customary advantages of the process are speed, economy, finality, and privacy. Although this seminar focuses on labor and employment arbitration, many of the principles and practices apply as well to commercial arbitration. The seminar explores fully the arbitration process—how it works; how arbitrators function and what standards and rules they apply; and whether the customary advantages remain valid. Special attention is given to practice and procedure in the labor arbitration hearing. Arbitration cases or arguments are simulated, and each student participates as witness, counsel, or the arbitrator. Independent of the simulations, a serious research paper is required.

LAW 1714 v00 Labor Law and the Changing US Workforce Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201714%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This is a 2-credit seminar examining modern day labor law interpretation and enforcement, with a particular focus on how the National Labor Relations Act, an eight decade old statute, is being applied to the 21st century workforce. This course will examine the application of National Labor Relations Act (NLRA) to the private sector workforce under Obama, Trump and Biden administrations. This will involve a study of the uniquely described “gig” workforce, joint employer status, independent contractors, graduate students, contingent and immigrant workers and others. The course will explore the impact of working under modern business models, technological advancement, electronic communication and the effect of social media. We will examine the effectiveness of protections afforded to employees exercising their rights to address terms and conditions of employment, through their unions, and in nonunionized 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.

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.


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

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 1675 v00 Land, Dispossession, and Displacement Seminar: Topics in Property Law

J.D. Seminar | 2-3 credit hours

This seminar revisits the foundations of American Property law by examining its precepts and some seminal cases in the contexts of conquest and gentrification. More specifically, it explores the relation between historical processes of commodifying land in the U.S. and the creation of mechanisms for dispossessing and displacing the people who inhabit it. By examining the roots of the Takings Clause in the doctrine of discovery, "development" goals in the labor theory of value, and the practice of foreclosure in the right of possession, it also seeks to help students understand the line of continuity that legal practices and concepts draw between the past and present.

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 1792 v00 Law and Authoritarianism

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

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 so-called "backend" profit accounting). 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 1751 v00 Law and Culture of Migration Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201751%20v00)
J.D. Seminar | 2-3 credit hours
Critics of our contemporary border regime are often asked, so then are you in favor of open borders? The question is often a gesture of dismissal rather than genuine engagement. And it is almost always premature. Most of us who live in the United States do not have a very deep understanding of what our immigration policies are, how they came to be, or our relation to those who arrive at our borders. Before we can meaningfully address the question of open borders, we need to unsettle borders, defamiliarize, demystify, and recontextualize them. By “borders,” I am referring not only to lines on the map or the territorial limits of national sovereignty, but the idea of the border, one that governs and contains our political, disciplinary, and normative framing of questions about migration and membership.

There are no prerequisites for this class, but students should be prepared to engage with variety of materials, not limited to legal cases or statutes. This interdisciplinary seminar is intended to offer students a contextualized study of immigration law by engaging literature, film, memoir, and recent scholarship in literature, history, ethnic and migration studies. While the immigrant often appears within immigration law as a “problem” for the state to resolve, this course resituates the immigrant as the source of knowledge production and political vision. Given the unprecedented numbers of displaced people living in the world and looming climate catastrophe, the contemporary global border regime is ethically and practically unsustainable. And for this reason, it is essential that we learn to expand our political imaginary.

Students will be expected to draft short weekly reflections, to participate in leading our seminar discussion at least once during the semester, and to submit a final paper on a topic of their own choosing.

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

LAW 292 v07 Law and Development (http://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:

Introduce students to different roles for lawyers in the field of law and development, and the legal, political, economic, and social implications of law and development.

Equip students with the knowledge and tools to approach law as a tool for promoting social, economic, and sustainable development.

Develop an understanding of the legal, political, economic, and social implications of law and development.

Provide a foundation for students to further develop their understanding of law and development through participation in the Georgetown International Human Rights Clinic and other experiential learning opportunities.

Interpret academic research, relevant excerpts from international treaties, provisions in bilateral and regional agreements, and laws and regulations.

Treaties, provisions in bilateral and regional agreements, and laws and regulations as means of promoting social, economic, and sustainable development.

Assess law and development challenges facing governments and institutions at the national, regional, and global levels.

Offer practical tools and training for law and development practitioners, policy makers, and civil society organizations.

Assess how various legal instruments, such as treaties, provisions in bilateral and regional agreements, and laws and regulations, have been further incorporated into soft and hard law, as well as in international, regional, and national law; and the tools and strategies that are being developed to promote social, economic, and sustainable development.

Interpret academic research, relevant excerpts from international treaties, provisions in bilateral and regional agreements, and laws and regulations as means of promoting social, economic, and sustainable development.

Treaties, provisions in bilateral and regional agreements, and laws and regulations as means of promoting social, economic, and sustainable development.

Assess how various legal instruments, such as treaties, provisions in bilateral and regional agreements, and laws and regulations, have been further incorporated into soft and hard law, as well as in international, regional, and national law; and the tools and strategies that are being developed to promote social, economic, and sustainable development.

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Treaties, provisions in bilateral and regional agreements, and laws and regulations as means of promoting social, economic, and sustainable development.

Assess how various legal instruments, such as treaties, provisions in bilateral and regional agreements, and laws and regulations, have been further incorporated into soft and hard law, as well as in international, regional, and national law; and the tools and strategies that are being developed to promote social, economic, and sustainable development.
LAW 1705 v00 Law and Economic Analysis of the Public Sector Seminar

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

Should government help families to pay for their health care? If so, which level of government: state or federal? What about disaster relief, education, or news that informs instead of simply entertaining? Which governments, if any, should provide those goods?

This course aims to equip students to provide answers to these and other basic questions of legal policy. Our basic approach is economic, but we also engage with other forms of policy analysis. The course provides a general introduction to the economics of government taxing and spending, with a focus on the implications of economic theory for legal problems. Each unit of theory will be paired with a practical policy issue, allowing us to learn and apply the theory in a concrete context.

For example, we will discuss the theoretical challenges of measuring “utility” across a population, and some economic tools for approximating it. We will analyze the basic concept of the “externality,” and develop our analysis to the point where we can argue about what it suggests about whether government should provide services to the population, and if so, what kinds of services and what levels of government. In particular, we will spend a fair bit of time discussing aspects of “fiscal federalism” -- the question of the optimal allocation of taxing and spending authority between states and the federal government. We will touch on the implications of government serving as insurer, particularly as a “social” insurer providing welfare-type benefits. There will be a running debate over whether utility-maximization ought to be the sole criteria for judging good government, or whether other factors, such as fairness, must also play a role. And we will briefly cover some of the major economic theories of taxation.

Course Objectives:

- Acquire familiarity with general economic arguments pertaining to why and how government intervenes in the marketplace
- Develop ability to make and analyze economic arguments in a legal and policy context
- Begin thinking about many of the most important controversies confronting government today
- Practice skills of policy advocacy

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

LAW 276 v01 Law and Economics Workshop

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 852 v00 Law and Foreign Investment in China

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

The course will examine the major Chinese laws that apply to foreign invested projects in China and related cross-border transactions. We will begin with an overview of China’s policy priorities for foreign investment and the foreign investment approval process, focusing on the sources of law and regulation relevant when planning entry into the China Market. We will then consider the options for structuring a foreign investment under the Company Law and the Foreign Investment Law with its impact on the Sino-foreign Equity Joint Venture Law, the Cooperative Joint Venture Law, and the Law of Wholly Foreign-owned Enterprises. We will also study the requirements for foreign acquisitions of existing Chinese enterprises under China’s M & A rules. The preparation of the project application report or feasibility study is also a key part of the foreign investment approval process, involving a number of important laws and regulations. We will study how China’s environmental laws, rules and regulations on foreign exchange, financing and security, land use laws and labor laws must also be considered when forming a venture in China. Foreign investment projects in China typically involve cross-border arrangements that are crucial to the foreign investor’s goals, especially technology licensing and trademark licensing. In this context, we will study the PRC contract law, and the challenges encountered in the protection of intellectual property. Finally, we will look at the issues involved in exiting an investment in China, whether by disposal or termination, and dispute resolution. We will work primarily with English translations of PRC law, with some secondary sources. No knowledge of Chinese language is required.

Recommended: Students should have prior or concurrent coursework in International Business Law. Examples of such courses would include: International Economic Law, International Law II, International Business Transactions, Global Commerce and Litigation, etc.
LAW 2071 v00 Law and Functioning of International Organizations  
LL.M Course (cross-listed) | 2 credit hours
Multilateral diplomacy and the international organizations that support much of it have come to play a pervasive role in international relations particularly since the end of World War II. These international organizations serve as instruments of consultation, co-operation and standard setting in almost every sphere of public policy and governmental activity. This may involve broad concerns such as the maintenance or restoration of international peace and security, promotion of economic development and stability, advancement of human rights, protection of health, protection of the environment, and the facilitation of trade and investment. Or they may address more specific tasks such as settlement of disputes, codification and progressive development of international law, civil aviation and maritime safety and security, protection of intellectual property, understanding world weather, internet governance, management of the geo-stationary orbit, police cooperation, education and biotechnology. They vary greatly in nature, mission, powers, structure and size. There are inevitable conflicts and frictions in their functioning.

It will examine a number of aspects common to the universe of public, i.e., intergovernmental, international organizations: their legal nature; their need, as the collective instruments of their member states, to remain independent of the individual control of these states, including control through the exercise of some normal state jurisdiction; their immunities and counter-balancing obligations to co-operate; their special body of labor law, including the duties and ethics of the international civil service and the use of international administrative tribunals to adjudicate their employment disputes. The course will examine a sampling of international organizations: how they are governed and funded, how they go about fulfilling their functions, the powers and instruments they use to advance agreed policies, some examples of their output including the development of soft law and hard law instruments and the increasing involvement of civil society in monitoring and influencing their actions. It will also consider the crucial advisory and operational roles lawyers play in a typical international organization, whether as members of the secretariat or of member state delegations.

Students will have the option of preparing a paper that they may elect, after grading, to include in the calculation of their final course grade.

Recommended: Prior enrollment in Public International Law or International Law I.

LAW 289 v05 Law and Literature Seminar  
J.D. Seminar | 2 credit hours
This course will examine literary texts that engage important questions related to justice theory, criminal law, and public policy decisions. These texts range from canonical works (Antigone, Merchant of Venice) to contemporary writers exploring the effect of law on Outsider groups such as immigrants, drug addicts, and prisoners. Law and literature offers us the opportunity to consider the impact of law on those O thered by our society, to obtain an empathetic and vicarious understanding of how law affects those who are most marginalized. The authors range from those who are very well known (James Baldwin, Richard Wright, Margaret Atwood) to the first published, including works of fiction by recent immigrants and those who are still in prison. The course invites broader consideration of the purposes of justice: should societies prioritize utilitarian principles? What is the role of forgiveness when heinous crimes have been committed? Other texts invite students to apply a broad perspective to criminal policy questions, including the insanity defense, rape, and the death penalty. Readings include some speculative/dystopian fiction and recent stories bearing on epidemic and disease control.

LAW 977 v00 Law and Measures Against International Terrorism  
LL.M Seminar (cross-listed) | 2 credit hours
In the decade since the 9/11 attacks, the United States and most other countries have significantly altered ways in which they respond to international terrorism. Many government measures against terrorism have stretched domestic and international law to their limits. Controversial changes to laws have altered the balance between governments’ interest in ensuring public safety and individuals’ fundamental rights. The class will discuss current events from around the world to explore domestic and international legal bases for counter-terrorism measures such as intelligence gathering, criminal law enforcement, efforts to prevent terrorism financing, and use of military force. Students completing the course will have an overview of laws that apply to governments’ responses to terrorism. The course will be graded by exam.

Recommended: Prior enrollment in International Law and/or International Humanitarian Law

LAW 045 v03 Law and Multiculturalism Seminar  
J.D. Seminar (cross-listed) | 3 credit hours
The aim of this course is to introduce the students to the ways in which liberal constitutionalism deals with the fact of difference (religious, ethnic, or national). After general theoretical introduction to various issues (such as law, culture and difference, politics of recognition and politics of redistribution, the risks of politics of identity, the liberal and feminist critiques of multicultural politics, the analytical problem of group rights), the course will survey the ways that liberal democracies deal with the claims of several groups within society to be different. We will read cases and materials from the United States, Canada, France, Israel, India, and Germany.
LAW 1713 v00 Law and Neuroscience Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201713%20v00)
J.D. Seminar | 2 credit hours
This seminar will examine legal issues arising at the intersection of law and neuroscience. Advances in neuroscience have led to increased understanding of the brain and its relationship with issues such as behavior, decision-making, reasoning, memory, and emotions. The interdisciplinary field of law and neuroscience (sometimes referred to as “neurolaw”) has been exploring the implications of the science for law and public policy. This seminar will examine cutting-edge issues and proposals currently facing courts, lawyers, legislators, administrative agencies, and other policymakers. The issues explored will likely include assessments of criminal responsibility, insanity and capacity, juveniles, proving pain and other injuries, lie detection, memory, and practical issues in court, among others. No prior background in science is necessary or will be assumed.

LAW 1769 v00 Law and Political Economy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201769%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar introduces students to field of “Law and Political Economy” (LPE) and explores current topics in LPE scholarship. LPE scholars are a diverse group whose work cuts across subject areas and methodologies. Nevertheless, LPE scholars tend to hold that “the economy” and “politics” are deeply interdependent—and yet that much legal doctrine, legal scholarship, and legal discourse denies that interdependence. Many LPE scholars also seek to understanding the relationship among axes of social inequality including race, class, gender, and nationality, and to envision more democratic and inclusive legal and political-economic orders.

The first part of the course will provide general introduction to LPE. We will begin by reading several law review articles articulating what LPE is and that lay out major themes within LPE research. We will then read canonical works of political economy and social theory that demonstrate the embeddedness of economic activity within political and social orders, which have been especially influential on LPE scholarship. Finally, we will situate LPE within past bodies of legal theory including legal realism, critical legal studies, and critical race theory.

In Spring 2022, the second part of the course will address at least two current topics in LPE research. First, we will explore the law and political economy of labor, broadly defined to include forms of work that are free and unfree, paid and unpaid, and national and global. There we will aim to better understand the role of law in generating and reproducing class power, the intersection of class, race, and gender inequalities, and modern production regimes generally. Second, we will study classical and contemporary theories of the relationship between law and capitalism as a social and economic order. Our goal there will be to shed additional light on how law constitutes the political-economy—and the limits of law’s constitutive power.

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 199 v03 Law and Regulation of Drugs, Biologics and Devices (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20199%20v03)
J.D. Course (cross-listed) | 3 credit hours
This course explores the legal, regulatory and policy issues that shape the research, development, and commercialization of drugs, biologics, and medical devices in the United States. We will consider the history and role of federal regulation of medical technologies; legal and ethical issues in the development and testing of new therapies; managing incentives for innovation, including patent, regulatory and data exclusivity; tort liability and its function in the regulation of the life sciences industry; and other issues. We will explore these issues using real-world examples, including the government and industry response to the COVID-19 pandemic.

Recommended: Prior or concurrent enrollment in Administrative Law.
Note: This is a required course for the Food and Drug Law Certificate.
LAW 1433 v00 Law and Religion (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201433%20v00) (Fieldwork Practicum) J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course is designed to give students familiarity with the field of law and religion. Students will participate in a two hour/week seminar and undertake 10 hours/week of fieldwork with organizations that work on issues related to religious freedom.

SEMINAR: President Obama called religious freedom "central to the ability of peoples to live together." Professor Martha Nussbaum observes, "America now contains a religious diversity unparalleled in its history."

This seminar will examine society's ability to enable those with the deepest of differences to live in community peaceably. Substantively, it will promote an understanding of the law that governs the relationship between religion and government, defines protections for the free exercise of religion, and provides the framework for civic life among people of all religions and none. Although law and religion will be the unifying theme of our work, there is a broad range of modalities that we can pursue in this field—litigation in workplace disputes, amicus briefings for the Supreme Court, researching the effect of public policy initiatives—providing a myriad of opportunities to hone professional legal skills.

Seminar participants will gain doctrinal competency in current religious freedom law, engage in a principled examination of religious freedom as an essential Constitutional and basic international human right, and gain experience interacting on a "hot topic" issue in a professional manner by focusing on common ground and building principled consensus.

Interested students who have any questions or would like more information about the seminar or field placements should feel welcomed emailing Professor Inks directly at sci2@law.georgetown.edu.

FIELDWORK: Students will perform legal work under the supervision of an attorney mentor for 10 hours/week with organizations that focus on issues related to religious freedom. Some examples include: the ACLU, the ADL, DOJ, The Interfaith Alliance, Americans United for the Separation of Church and State, Congress, The Christian Legal Society, The Native American Rights Fund, and Alliance Defending Freedom.

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

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

Note: Both enrolled AND waitlisted students are encouraged to e-mail Prof. Inks 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 is a 4 credit course. Two credits will be awarded for the two-hour weekly seminar and two credits for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The two-credit seminar portion of this practicum will be graded. The two credits of fieldwork are mandatory pass/fail. Students will be allowed to

LAW 1470 v00 Law and Rhetoric Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201470%20v00) J.D. Seminar (cross-listed) | 2-3 credit hours

This seminar 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.
This course will explore the contemporary strategies used by movements seeking law and social change. An early wave of critique in the analysis of law and social change centered on the distinction between rule change and culture change, and stressed the shortcomings of litigation and reliance on courts in bringing about deep or lasting change. Today, most legal rights organizations have significantly modified the litigation-centric model to adopt a strategy more consistent with multi-dimensional advocacy, an approach to social change that self-consciously uses multiple strategies for change, including litigation, legislation, administrative and policy advocacy.

This class will analyze the role of law in achieving social movement goals. Topics will include both practice-grounded and more abstract questions. In the former category, the class will study the advantages and disadvantages of different institutional venues, approaches to communications, how framing decisions are made and with what consequences, working with allies, and the process of anticipating and responding to limitations of working within the law.

The class will meet as a once-a-week seminar. Students working in teams will take responsibility for proposing discussion questions in advance of class and introducing the material assigned for a given week.

In addition to interviewing one guest speaker, each student will write a paper of approximately 5,000 words in length analyzing how a particular legal campaign has used and/or is using some of the strategies discussed in class and with what results. Papers should:

- Situate the legal campaign in the broader legal/political landscape in which it is engaged;
- Describe the strategic and tactical choices being undertaken and the results; and
- Analyze how its experiences illustrate or refute (or both) arguments in the theoretical or social science literature.

Students may select a campaign for either progressive or conservative change, or will be assigned to a particular movement.

Final grades will be based on class participation, including discussion leader sessions, and the paper. (The paper for this course will not satisfy the UCWR.)

Students should leave the course with a much more nuanced understanding of what is involved in working as a lawyer toward "making the world a better place." They will learn how some challenges recur across issues; how social movements affect law as well as the other way around; and how to bring theoretically informed critical thinking to practice.

Note: This course requires professor permission to enroll. Please email Professor Nan Hunter (ndh5@law.georgetown.edu) by 3:00 pm on Monday, August 3, 2020 expressing your interest in taking the seminar.

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 advise 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, gendered 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 will be offered during both the Fall 2022 and Spring 2023 semesters. Students can only enroll in the course for one semester, i.e., Fall 2022 OR Spring 2023.
LAW 1087 v01 Law and Solidarity Economy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201087%20v01) (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 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20135%20v01)  
J.D. Seminar | 1 credit hour  
The point of this course is to provide the tools and some of the experience of working in or with a large law firm pro bono practice. We do this through three primary means: lecture (not just from the professors, but also from law firm and legal services leaders in the community); reading current materials on pro bono and the state of the legal market; and role-playing, using our mock law firm, Zimmerman Strasburg & Scherzer. Each student will have a specific role in that fictional law firm, and we will provide access to more firm financial information than you 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 9, 2023, through Thursday, January 12, 2023, 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 3031 v00 Law in the Gray Zone: The Legal Challenges of Hybrid Conflict (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203031%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
State and non-State actors are increasingly pursuing political and economic objectives through the use of aggressive, ambiguous, and integrated multiple elements of power. This strategy, which exceeds the threshold of normal national competition but falls below the level of armed conflict, has been referred to as hybrid, unconventional, asymmetric, and ambiguous warfare. This competition in the gray zone between peace and armed conflict presents significant legal challenges to States responding to these threats.

This course will examine the legal challenges presented by this conflict in the gray zone. We will examine issues in legal classification of threats and how State and non-State actors employ these strategies to exploit perceived gaps in international and domestic law. Additionally, we will discuss how these actors may also use the law when pursuing their objectives in the gray zone.

Some of the specific topics to be discussed include:
- What is hybrid warfare? Case study, actors, definitions.
- Issues in legal classification of threats, including use of force and armed attack (the Article 2(4)- Article 51 "gap"), determining whether an armed conflict exists and, if so whether it is an international or non-international armed conflict.
- State responses to activities in the gray zone.
- State responsibility for surrogates/proxies.
- Information warfare, psychological operations, and the role of cyber.
- Sovereignty and intervention.
- Economic measures.
- Support to domestic organizations such as civil society and political groups.

Recommended: Prior or concurrent enrollment in International Law, Law of War, Foreign Relations Law

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

LAW 267 v04 Law of Cyberspace (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20267%20v04)
J.D. Course (cross-listed) | 3 credit hours
This course examines legal and policy issues arising from the Internet, with an emphasis on three broad areas: (1) the impact of the Internet on traditional legal causes of action; (2) government regulation of the Internet; (3) international aspects of the Internet and the interplay among United States and foreign jurisdictions.

Specific areas that will be examined within this framework include: constitutional issues raised by cyberspace speech and content; privacy issues; torts occurring in cyberspace; contract and other issues related to cyberspace commerce; and the protection of intellectual property in cyberspace.

Course readings rely primarily on cases, pleadings, statutes, and regulations. However, short articles and commentaries will also be used for background and supplementary information. There are no prerequisites for the course, and a computer background is not necessary.

LAW 1296 v00 Law of Religion (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201296%20v00)
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—treats religious belief, religious exercise, and religious institutions. We will spend part of the semester examining the Supreme Court’s treatment of the Religion Clauses. We will also address current questions and controversies, including issues such as: 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 role of religion in public education and in the public square; the constitutionality of statutory exemptions for religiously motivated conduct; and religious institutions’ claims to legal autonomy.
LAW 936 v02 Law of War (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20936%20v02)
LL.M Course (cross-listed) | 2 credit hours
Surveys the law of armed conflict (LOAC) and customary international law as applied by the United States in warfare. From where does LOAC arise? What is a war crime – and who decides? What is “unnecessary suffering,” and what drives that legal determination? When does LOAC apply and what role do other rules of law, such as domestic U.S. law and International Human Rights Law play in regulating the conduct of armed conflict? Does it cover non-state actors? What are U.S. LOAC obligations, and how are they enforced? How does one distinguish illegal combatants from prisoners of war? Where do military commissions come from, and who may be tried by them? Could the atomic bombing of Nagasaki have been a war crime? Can a superior’s order constitute a defense to war crime charges? What is the U.S. position in regard to laser weapons? Land mines? Non-lethal weapons? Torture? Rendition? Reprisals? The assassination of enemy commanders? What is an illegal order, and what should a soldier do if she receives one? How may battlefield war crimes be prosecuted? Our inquiry will focus on the law applicable to the conduct of U.S. military operations in past and current conflicts, whether or not they be declared, whether they be internal or international. Although primarily focused on the law of land warfare, the law of air and naval warfare, as well as space and information warfare, will be considered.

Learning objectives:
To gain a firm understanding of the law of armed conflict and to consider, through discussion of practical exercise from the textbook, how the law is applied in an operational context.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Law of War, the International Law of Armed Conflict Seminar or War Crimes and Prosecutions.

LAW 915 v00 Law, Healthy Lifestyles, and Business Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20915%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
This course is about legal responses to tobacco use, obesity, poor diet, harmful use of alcohol and sedentary lifestyle – the leading causes of preventable disease in the United States, in high-income countries generally, and increasingly, in developing economies. Cancer, heart disease, stroke, diabetes and tobacco-related diseases (known as “non-communicable diseases” or NCDs) are society’s greatest killers, but what can law do – and what should it do – to prevent and manage them?

Unlike other global health threats, NCDs and their risk factors are partly caused by patterns of consumer choices and transactions lived out every day across the country. The challenge of creating healthier lifestyles cannot be separated, then, from the regulation of those businesses that all too frequently have a vested interest in unhealthy lifestyles.

Law’s relationship with tobacco, alcohol and food is complex and contested. Nevertheless, governments around the world are experimenting with a wide range of legal strategies to encourage healthier lifestyles. This course places U.S. developments in a global and comparative context, offering comparisons with legal strategies for encouraging healthier lifestyles in Australia and other countries.

During the course, we will confront some important overarching questions. What are the global determinants of NCDs, and how are these diseases being managed, globally? What do the global solutions look like? To what extent should law intervene to influence the behavior of populations – as distinct from treating lifestyle-related risk factors matters for personal responsibility? Does a regulatory approach to the prevention of NCDs imply coercion? Does it signal the emergence of a “nanny state”? 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 or dictating commercial decisions and “legislating the recipe for tomato ketchup?”

Most people want to live longer and healthier lives. Yet no country can achieve this without addressing the preventable risk factors that drive non-communicable diseases. This course gives students the conceptual tools to think powerfully about law’s role in the prevention of NCDs, and to participate effectively in debates about appropriate, workable, legal interventions.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 09, 2023 through Thursday, January 12, 2023, 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 may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 1542 v00 Law, Policy, and Practice of Disasters and Complex Emergencies [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201542%20v00]
J.D. Seminar (cross-listed) | 2 credit hours
This course is a “disaster law” simulation based on the post Hurricane Katrina legal reforms, particularly the Post Katrina Emergency Management Reform Act. That bill, along with ones passed in response to Hurricane Sandy, reorganized the United States emergency management system and highlighted the particular issues of vulnerable groups.

This simulation course will give students an in-depth experience of working on disaster law issues in the context of a legislative inquiry and hearing. Students will conduct mock interviews, review legislation and legal precedent, and then conduct a legislative hearing to determine whether further changes to the law are necessary. This course present students with the opportunity to work in an emerging area of law, honing their legal skills with a focus on disaster victims and vulnerable populations.

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

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

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

LAW 1722 v00 Lawyers as Leaders [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201722%20v00]
J.D. Seminar | 1 credit hour
This 1-credit course will explore various ways in which lawyers act as leaders, showcasing the scholarship and work of the Georgetown Law community. The eight classes will take place on Sundays in the fall, from 1 to 2:30 pm. Each session will feature Dean Treanor engaging in a discussion with a faculty member or members about their work across a wide spectrum of issues, from social justice and policing to the role of corporations in our society. Students will read research and materials and submit questions in advance of each session. At the end of the course, students will draft a reflection paper that engages with the research, the class sessions, and their own personal reflections on leadership and their career aspirations and goals.

Course Goals/Student Learning Outcomes

• Develop critical thinking skills.
• Develop ability to synthesize key ideas across disparate topics.
• Improve analytical and writing skills.

Note: Students can participate asynchronously.

This course is open to LL.M. students. LL.M. students should register using the LAWJ course number (LAWJ-1722-05, CRN 39115). This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. Note for LAWJ-1722-05: This course will have eight sessions on Sundays, 1:00 p.m. - 2:30 p.m. on the following dates: 9/13, 9/27, 10/4, 10/11, 10/18, 10/25, 11/1 and 11/15. Note for LAWJ-1722-09: This section will meet Sundays, 1:00 p.m. - 2:30 p.m. on the following dates: 9/13, 9/27, 10/4, 10/11, 10/18, 10/25, 11/1 and 11/15. This section will also meet on Saturday, 10/3 from 10:00 a.m.-12:00 p.m. and from 1:00 p.m. - 3:00 p.m., and on Sunday, 10/4 from 10:00 a.m. -12:00 p.m. This section requires departmental permission to enroll. New F-1 international students will receive priority. To request permission, email lawcentervisa@georgetown.edu. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
**LAW 361 v22 Lawyers' Ethics** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v22)

J.D. Course | 2 credit hours
This course will examine critically the law governing lawyers' ethics. The course will address the role of the lawyer in an adversary system, professional ethics and personal morality, the allocation of decision-making between lawyer and client, zealous representation, lawyer-client trust and confidence, conflicts of interest, preparing and examining witnesses, client perjury, prosecutors' ethics, judicial ethics, solicitation of clients, and the ethics of torture. Readings will include the rules and standards of professional conduct, case law, legal scholarship, and anecdotal materials. Class discussion will be based on these materials as well as excerpts from film and television. This course will be of special interest to those interested in criminal law, public interest law, and litigation generally.

Please note: This is not a preparation course for the MPRE. Many of the ABA's Model Rules of Professional Conduct will be assigned, and you will be expected to have a working familiarity with them. However, the Model Rules will not be the focus of the course except in the context of broader discussions of lawyers' professional conduct in an adversary system. The emphasis of the class will be principally, but not exclusively, on litigation in the criminal context. Although differing ethical views will be discussed, the instructor will emphasize a client-centered view of lawyers' ethics, rooted in the Bill of Rights. The examination will be closed-book.

**LAW 1616 v00 Legal and Policy Aspects of Countering Terrorist Recruiting and Online Propaganda in the Digital Age Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201616%20v00)

J.D. Seminar (cross-listed) | 2 credit hours
Rapidly evolving technological advances over the past decade have created powerful mechanisms to instantly and directly reach billions of information consumers around the world. Although the latest information revolution has fostered tremendous progress by connecting people in every corner of the planet, it has also been accompanied by governmental and non-governmental efforts to spread propaganda, particularly through social media platforms. This course will review the legal and policy aspects of addressing these challenges, focusing on the rise of terrorist recruiting and other organized online propaganda efforts.

As governments intensify their extensive counterterrorism initiatives, terrorist recruiting continues to evolve and poses a more complex threat than perhaps at any time in history. Terrorists no longer require in-person recruiting to spread their ideology and to inspire attacks in other countries. Domestic and international extremist groups have become more adept at using online platforms and other tools to “crowd source” their recruiting in a decentralized attempt to attract and inspire disaffected individuals by exploiting grievances and offering a sense of purpose, belonging, adventure, and obligation. At the same time, governments and other organizations are themselves using social media platforms to reach audiences in their countries and around the world. They have done so not only to increase public support for their political leaders, but also to attempt to impact public debates on major issues, influence policy formulation, and even to sow discord between groups domestically and abroad. These propaganda efforts have raised questions about whether social media companies, governments, and international organizations should play a larger role in determining how such information is disseminated, and how they can implement solutions without undermining freedom of expression and other legal protections.

In addressing online propaganda, this course will focus on legal and policy challenges and strategies in three main areas: (1) assessing and countering methods to spread propaganda online, including terrorists’ efforts to recruit followers and to inspire attacks; (2) examining innovative NGO and private sector cooperation in developing counter-propaganda initiatives; and (3) utilizing existing law enforcement tools and crafting new governmental and non-governmental prevention and intervention programs to disengage, redirect, and rehabilitate those who are radicalized online.
LAW 1664 v00 Legal History of the Early Republic: The Age of Marshall
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201664%20v00)
J.D. Seminar | 2 credit hours
Students will read the leading cases of the Marshall Court in their social, economic, and political context. They will also examine major legal topics in the period 1790-1825, including the Alien and Sedition Acts, the trial of Aaron Burr, state slavery legislation, and the Missouri Compromise. Requirements include a 2-4 page reading response paper, to be posted the day before class.

Student learning goals: This course will introduce students to the major legal concepts and debates of the late eighteenth and early nineteenth century. It will familiarize them with the jurisprudence of John Marshall and how that jurisprudence fits into the legal thought of his day. Students should leave the course with a good grasp of major legal events of 1790-1825, and a high-level understanding of the political, social, and economic context of those events.

LAW 611 v13 Legal Innovation: Designing Human-Centered Solutions to Challenges in Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v13)
J.D. Seminar | 1 credit hour
This Week One, project-based simulation course is designed for students who want to learn methods and processes to create new and effective solutions to challenges in the legal industry. Working in teams of four, students will re-imagine how we can deliver some aspect of legal services. To do this, we will bring together principles from design thinking, business strategy, and behavioral science.

Some examples of legal design challenges that teams may take on:

* How might we reduce the rate of default in landlord-tenant court?
* How might lawyers in firms improve the billing process for clients?
* How might we improve the likelihood that consumers will read, understand, and respond to a product recall notice?
* How might we help qualifying pro se litigants take advantage of free filing policies in D.C. Superior Court?

Over four fast-paced, intense days, teams will: map out and study the problem, sketch out competing ideas, turn your ideas into testable prototypes, and validate the key elements you will need if your idea is going to work. At the end of Week One, you will pitch your proposed solution to a key influencer in the legal industry.

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

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

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

**LAW 1785 v00 Legal Philosophy Seminar: Legal Interpretation**

J.D. Seminar | 3 credit hours
Legal Justice introduces the students to styles of twentieth- and twenty-first century American legal thought. The course begins with classical legal thought and with the challenge posed by legal realism to classical conceptions of rights and legal reasoning. It then considers process theory, law and economics, legal liberalism, and perspectivist approaches to law, including Law & Society, critical legal studies, feminist legal theory and critical race theory. The course ends with units on modern conservative theories and approaches to statutory interpretation. Each week students attend a one-hour overview lecture given to all students in Curriculum B, and two hours of seminar, given in small sections. The aim of the course is to familiarize students with the theoretical and historical underpinnings of the doctrines studied in their other courses, in particular the other Curriculum B courses.

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

**LAW 009 v00 Legal Justice Seminar**

J.D. Course | 3 credit hours
Legal Justice introduces the students to styles of twentieth- and twenty-first century American legal thought. The course begins with classical legal thought and with the challenge posed by legal realism to classical conceptions of rights and legal reasoning. It then considers process theory, law and economics, legal liberalism, and perspectivist approaches to law, including Law & Society, critical legal studies, feminist legal theory and critical race theory. The course ends with units on modern conservative theories and approaches to statutory interpretation. Each week students attend a one-hour overview lecture given to all students in Curriculum B, and two hours of seminar, given in small sections. The aim of the course is to familiarize students with the theoretical and historical underpinnings of the doctrines studied in their other courses, in particular the other Curriculum B courses.

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

**LAW 005 v01 Legal Practice: Writing and Analysis**

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**

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**

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 v00 Legal Research Skills for Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20360%20v00)
J.D. Course | 1 credit hour
This course will reinforce the skills learned in the first-year Legal Practice: Writing and Analysis course. Students will learn how to develop strategies for approaching legal research problems and how to select and use the basic legal sources. Topics covered include the legal research process, statutory and regulatory research, case law research sources and techniques, using secondary sources effectively, legislative history, and understanding the different varieties and uses of legal treatises. In addition, the course will address the advantages and disadvantages of online and print versions of basic sources, and why a researcher might choose one or the other in researching any particular issue. At the end of the course, the student will have gained valuable knowledge and experience in identifying basic legal sources. This basic course provides limited opportunities for completing extensive research problems and, instead, focuses on strategies for approaching these types of problems.

Class will meet for a two hour lecture for half the semester. Grading will be based on a series of assignments due at the beginning of each class and a short exam at the end of the semester.

Prerequisite: Legal Practice: Writing and Analysis.

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

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

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

LAW 360 v07 Legal Research Skills for Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20360%20v07)
J.D. Course | 1 credit hour
This course will reinforce the skills learned in the Legal Practice: Writing and Analysis course. Students will learn how to develop strategies for approaching legal research problems and how to select and use basic legal sources. Topics covered include the legal research process, statutory research, legislative history research, case law research, administrative law research, and secondary sources. 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 360 v09 Legal Research Skills for Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20360%20v09)
J.D. Course | 1 credit hour
This course will reinforce the skills learned in the Legal Practice: Writing and Analysis course. Students will learn how to develop strategies for approaching legal research problems and how to select and use basic legal sources. Topics covered include the legal research process, statutory research, legislative history research, case law research, administrative law research, and secondary sources. At the end of the course, students will have gained valuable knowledge and experience in developing a legal research strategy and selecting and using basic legal sources. This basic course provides limited opportunities for completing extensive research problems. Instead, this course focuses on generally applicable strategies for approaching these types of problems.

Grading will be based on a series of assignments due at the beginning of each class, attendance and class participation, and a take-home exam, scheduled during the mini-course exam period.

Prerequisite: Legal Practice: Writing and Analysis.

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

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

LAW 1547 v00 Legal Spanish: The Traditions, The Culture and Lawyering Tools (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201547%20v00)
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.

This 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 understanding of the impact of cultural, historical, and political events in shaping legal systems in Civil Law countries.

Prerequisite: Intermediate Spanish proficiency.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please submit the following to both Professors Cabrera (cabrerajlaw.georgetown.edu) and Serrano Guzman (sjs357@georgetown.edu) no later than 5:00 p.m. on Wednesday, October 5, 2022: (1) resume and (2) short explanation of interest in the seminar. The professors may conduct brief interviews by Zoom. After the October 5 application deadline, students who receive professor permission to
**LAW 536 v01 Legal Writing Seminar: Theory and Practice for Law Fellows**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20536%20v01)

**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.

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**LAW 304 v06 Legislation**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20304%20v06)

**J.D. Course | 3 credit hours**

In the first-year curriculum, you are taught to “think like a lawyer.” Because of the predominance of common-law subjects in your first year, this means you are generally taught to think like a “common-law lawyer.” Moreover, you are taught to think this way at the same time that you are also trying to learn the doctrine in those particular areas.

In upper-level courses, however, you will likely turn from common law to law based in statutes and regulations. From tax law to the criminal code, virtually all of modern American law is based on materials produced by legislatures and agencies. Reading and interpreting these materials also requires you to “think like a lawyer,” but like a different lawyer—a “statutory lawyer.”

This course is about the method of statutory interpretation generally. You will not learn the doctrine of any specific type of law in this class. You will learn the process of how to approach a piece of statutory text, how to diagnose the interpretive problem in the text, and how to answer that problem. You will practice the observant reading of text; you will get a framework for breaking down and thinking about a legal question in any statutory case; and you will practice deploying interpretive tools to answer a question in the way that best “zealously advocates” for your client. This course will prepare you for summer legal work, as well as for upper-level courses that rely extensively on statutory law (such as tax, securities, environmental law, labor law, health law, copyright law, etc.)

The course has three overall goals:

1) To provide you with an understanding of the relationships among legislatures, courts, and agencies. The course will include some basic information on how legislation and regulations get created and on the ways in which power is shared in the “making of law.”

2) To teach you the full toolkit of statutory interpretation so that you can diagnose any interpretation question and bring the right tools to bear on answering that question. This toolkit includes elements of the plain text, canons of interpretation, analysis of intent and purpose, and deference to agencies. By unpacking and analyzing these tools used by courts in various decisions, you will learn how to wield them yourself in order to reach different results.

3) To expose you to the theoretical debates around statutory interpretation. The tools that a judge chooses to use often depend on the judge’s theoretical position on statutory interpretation. Starting with materials that will frame the theoretical debate early in the semester, you will return periodically to questions about theory as you become more proficient in the toolkit.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the upperclass course or the first-year elective, Lawmaking: Introduction to Statutory and Regulatory Interpretation, or the first-year elective, The Regulatory State, or the upperclass course, Statutory Interpretation. Students MAY receive credit for this course and Lawmaking and Statutory Interpretation Seminar.
**Complete List of J.D. Courses**

**LAW 304 v07 Legislation**

J.D. Course | 3 credit hours
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Much of the “law” that lawyers work with is statutory. This course will examine both how legislatures go about doing their work (that is, legislative process) and how courts and others utilize legislative output (that is, statutory interpretation). We will begin with legislative process, focusing both on how laws are enacted and on the rules structuring legislative debate and behavior, including campaign finance regulation, lobbying regulation, the conduct of legislative oversight, and issues of “due process of lawmaking.” We will then devote substantial attention to theoretical and practical issues in statutory interpretation, including theories of interpretation generally, the canons of construction, and the use of legislative history.

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

**LAW 304 v08 Legislation**

J.D. Course | 3 credit hours
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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 both courses and the first year elective course by the same name.

**LAW 1326 v00 Legislation and Regulation**

J.D. Course | 3 credit hours
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Virtually all contemporary law involves statutes enacted by legislatures and regulatory law produced by administrative agencies. Whatever the body of law—securities, tax, anti-discrimination, telecommunications, consumer protection, intellectual property, employment, education, environmental, energy, labor, tax or criminal justice, to name a few—statutes and regulations provide much if not most of the law. Few constitutional law and federalism issues arise without a regulatory element. Facility with legislation and regulation is hence essential for any lawyer.

The course starts with exploration of why regulation is enacted, the diversity of forms of regulation, and how legislation and regulation relate to law created through the common law process. The course then breaks into three basic units, all of which examine legislation and regulation primarily (but not exclusively) through federal law. The first unit examines congressional process, reasons interpretive challenges arise, and the diversity of interpretive methods and strategies wielded in disputes over statutory meaning. The second unit turns to the pervasive role administrative agencies play in interpreting, implementing and enforcing statutes. This includes coverage of their procedural options, judicial review of agency process, reasoning, and responsiveness, as well as discussion of the role of cost-benefit analysis and White House review in the regulatory process. The last unit links the first two, examining statutory interpretation in the administrative state. The course closes with analysis of regulatory innovations, possible coverage of recent major regulatory developments, and review problems.

The class will use the Manning and Stephenson casebook, Legislation and Regulation (3rd edition) (2017) and supplemental materials. Class method will involve a mix of lecture, questions and answers (via volunteers, questions I’ll direct at particular students, and questions students raise), and problem-based analysis.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Administrative Law with Professor Heinzerling (LAW 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.
and contribute to health disparities. International law and how these policies impact access to health care which LGBTQ individuals and families are treated under federal, state, and facing LGBTQ youth and elders. This course will also examine the ways in reproductive justice, international human rights law, and health issues include LGBTQ-inclusive data collection, clinical and cultural competency, people at both the individual and community level. Topics covered will understanding of the social mistreatment and ostracism of LGBTQ health, women's studies, and U.S. foreign policy—and gain a better issues from a variety of perspectives—including medicine, public, ethnicity, or other aspects of identity—such as people of color, young and older people, people with disabilities, low-income people, and immigrants, among others.

In this seminar, students will learn about LGBTQ health law and policy issues from a variety of perspectives—including medicine, public health, women's studies, and U.S. foreign policy—and gain a better understanding of the social mistreatment and ostracism of LGBTQ people at both the individual and community level. Topics covered will include LGBTQ-inclusive data collection, clinical and cultural competency, reproductive justice, international human rights law, and health issues facing LGBTQ youth and elders. This course will also examine the ways in which LGBTQ individuals and families are treated under federal, state, and international law and how these policies impact access to health care and contribute to health disparities.

LAW 1739 v00 Legislation Colloquium: Advanced Topics in Statutory Interpretation (http://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.

Prerequisite: Legislation, Statutory Interpretation, or the first year elective, Legislation & 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 3047 v00 LGBTQ Health Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203047%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Despite significant progress in legal protections for (and the visibility of) LGBTQ and non-binary people over the past decade, LGBTQ communities continue to face systemic obstacles to quality health care such as refusals of care, substandard care, and inequitable policies and practices in many health care settings. These experiences of discrimination correlate with significant health disparities, including greater exposure to sexual and gendered violence, higher rates of tobacco and other substance use, mental health concerns, HIV acquisition, and cancer. These disparities are even more pronounced for LGBTQ people who are also members of other groups that face discrimination because of race, ethnicity, or other aspects of identity—such as people of color, young and older people, people with disabilities, low-income people, and immigrants, among others.

In this seminar, students will learn about LGBTQ health law and policy issues from a variety of perspectives—including medicine, public health, women's studies, and U.S. foreign policy—and gain a better understanding of the social mistreatment and ostracism of LGBTQ people at both the individual and community level. Topics covered will include LGBTQ-inclusive data collection, clinical and cultural competency, reproductive justice, international human rights law, and health issues facing LGBTQ youth and elders. This course will also examine the ways in which LGBTQ individuals and families are treated under federal, state, and international law and how these policies impact access to health care and contribute to health disparities.

LAW 315 v00 Literacy and Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20315%20v00)
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 2050 v00 Managing Political Risk in Emerging Market Project Financings (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202050%20v00)

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

The course examines concepts of political risk and the means by which certain political risks can be managed in planning and structuring foreign investments, particularly in international project financings. Classes will be a combination of lecture and guided discussion based on assigned readings. The readings include articles about the issues and related subjects, examples of political risk insurance contracts used by a national government agency, a multinational institution and private insurers, as well as decisions on claims made under political risk insurance contracts. The opportunity to analyze and revise original contract documents will be an additional and more general benefit of the course. The variety of source material will expose students to the public policy issues that underlie the decision to issue such insurance and the consequences of doing so. Some incidental coverage of insurance law, international law, and dispute resolution will also be required.

In addition to an in-class final exam, students, as counsel to an insurer, will draft a memo advising how one of the insurer's standard contracts would have to be revised to cover a non-standard situation or provide a non-standard coverage and attempt the revision. The insurer will provide a detailed written description of the situation or coverage. Students may work as individuals or form a team (and all receive the team product's grade).

The course will be taught jointly by Robert C. O'Sullivan, formerly Associate General Counsel for Insurance and Claims at the Overseas Private Investment Corporation (OPIC), and Kenneth W. Hansen, a partner at the law firm of Norton Rose Fulbright and formerly General Counsel of the Export-Import Bank of the United States and Associate General Counsel at OPIC.

LAW 324 v00 Maritime Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20324%20v00)

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

This course surveys various principles and aspects of admiralty and maritime law of the United States, including: the historical and constitutional bases for its existence; the admiralty and maritime jurisdiction of the courts; the substantive law of maritime contracts and maritime torts; the application of criminal law at sea; the laws governing carriage of goods and passengers by sea; the public order of the oceans at the national and international levels; protection of the marine environment; and federal-state maritime issues. Consideration is given not only to the current state of the law in these areas, but also to related U.S. government policies and international and comparative law issues.

LAW 1447 v00 Mediation Advocacy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201447%20v00)

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 12-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 v03 Mediation Seminar
This seminar is an interactive course designed to teach the practice and principles of mediation. The course will explore the mediation process from multiple perspectives, including disputants, advocates, and mediators. Particular emphasis will be placed on how to be an effective advocate during the mediation process. The course is designed to allow students to develop proficiency in mediation, both from a strategic and behavioral perspective. The effect of culture, power, and individual attitudes toward conflict will be explored. The class will address practical and ethical questions which surround the use of mediation as a dispute resolution mechanism. Hybrid mediation processes and current issues in mediation will also be explored.

Students will be expected to read, write, discuss, critique and participate in simulated disputes. The simulations are designed to familiarize students with the mediation process, to determine when mediation is appropriate, to plan and prepare for a mediation, to participate effectively as both a disputant and advocate in a mediation, to overcome impasse and deal with difficult situations, and to raise practical and ethical issues. Simulations are taken from a variety of practice areas, including community, commercial, environmental, international, litigation and transactional disputes.

The class will meet one Friday afternoon and four weekend days; attendance at all class sessions is required to fulfill class commitment and students must attend the first class to be enrolled. Grades will be based on class participation including discussions and simulations (25%), the quality of the student’s 7-page journal analyzing and comparing two simulations from the class (25%), and a 14-page client mediation advocacy plan on an issue of the student’s choice (50%).

Prerequisite: Completion of all first year courses, except Property and Criminal Justice (or the equivalent Democracy and Coercion or Criminal Procedure), is required.

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

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

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

LAW 322 v06 Mediation Seminar
Mediation skills have become essential for attorneys working in all areas of practice, whether in transactional or litigation settings, as clients demand cost-effective ways to resolve problems. Many courts require litigants to attempt resolution prior to trial. In this skills-building course, you will develop an in-depth knowledge of the practice and principles of mediation. Emphasis is on learning the skills used by mediators, but also on becoming an effective advocate for a party in mediation.

Students will experience the roles of mediator, counsel, and party in various simulations. Special focus is placed on planning for a mediation, for mediators and attorneys/clients, with takeaway materials to use in practice after law school. Several simulations will devote enough time to practice these skills in a full mediation. Various videos and demonstrations will further illustrate the principles. Emphasis will be placed on the ethical rules and guidelines that bind the mediator and advocate.

Class sessions will be devoted to a combination of lectures, preparation for and participation in mediation simulations, discussions, and videotaped mediation topics. Grades will be based on: (1) the quality of class participation (25%); (2) planning documents and short written assignments (30%); and (3) a 10-12 page final paper evaluating a mediation scenario (45%). Students will be graded on their planning, but not on the outcomes of the mediation simulations.

Due to the extensive use of exercises in which students must participate, class attendance is ESSENTIAL. Only one absence per semester will be permitted. A second absence will require completion of a significant make-up assignment. A third absence will result in failing the course. Class size is limited to 18 students.

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

- Develop an in-depth knowledge of the practice and principles of mediation
- Recognize the settings in which it is appropriate to use mediation (litigation, transactional, etc), and what type of mediator (and mediator styles) is appropriate
- Explain the benefits of the process of mediation and its differences from other forms of alternative dispute resolution
- Learn negotiation skills necessary in mediation
- Master the principles and benefits of interest-based bargaining
- Acquire proficiency in necessary communication skills
- Demonstrate the skills of a mediator, including in co-mediation
- Learn to identify each party’s interests, creating value to meet them, and alternatives if mediation is unsuccessful
- Prepare a client to participate in mediation and to understand the differences between the client’s role in mediation vs litigation
- Become an effective advocate as a lawyer negotiating on behalf of a client
- Understand the effect of cultural considerations in mediation
- Recognize and handle confidentiality issues in mediation
- Identify and adhere to the ethical rules and guidelines for mediators and for advocates in mediation
- Understand court-ordered and court-annexed mediation

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

Strongly Recommended: Negotiations Seminar.

Mutually Excluded Courses: Students may not receive credit for both this course and Negotiations Seminar.
LAW 322 v50 Mediation Seminar

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 Summer 2022 section: 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.
LAW 1469 v00 Merger Antitrust Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201469%20v00)
J.D. Course (cross-listed) | 4 credit hours
This is a course on identifying and resolving antitrust problems that arise in mergers and acquisitions. Using case studies of contemporary transactions ranging from simple negotiated acquisitions to hard-fought contested takeovers, we will examine anticipating antitrust problems and identifying possible defenses and solutions at the early stage of a deal when information is typically 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

Recommended:

Prior or concurrent enrollment in Antitrust Law or Antitrust Economics and Law is recommended but not required.

LAW 434 v02 Mergers and Acquisitions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20434%20v02)
J.D. Course (cross-listed) | 3 credit hours
This course draws on legal principles and financial economics to understand mergers and acquisitions. The class will cover incentives for deals and constraints on them arising from both law and economic factors. Valuation and judicial review of defensive tactics, for example, are included in the topics to be studied. Individual and team assignments may be included as part of the class.

Prerequisite: Corporations.

Mutually Excluded Courses: Students may not receive credit for both this course and Takeovers, Mergers, and Acquisitions.
LAW 1145 v00 Mergers and Acquisitions in Practice: Advising the Board of Directors

This intensive one-credit course will take six students through a fast-paced, real-life M&A situation over the course of a single weekend. Past years have had students represent a hypothetical client that has received an unsolicited takeover, or represent a company in the final days of a public company sale transaction. Students will be informed of the scenario a few days in advance, and provided with the relevant background materials, in order to be ready for the weekend. The students will play the role of associates in a firm that is the outside counsel to the company that is the subject of the scenario. The goal of the course is to simulate through this hypothetical M&A scenario, the legal and practical skills needed to guide a client’s strategic and tactical business decisions in a real-life M&A situation.

This course will be highly interactive. Working in teams and individually over the weekend, the students will finalize legal documents and prepare and deliver presentation materials to the company’s Board of Directors. They will also brief the Board on its fiduciary duties under Delaware law in the context of the scenario, and review the relevant agreements with the Board. The course will begin on Friday evening and continue throughout the course of the weekend, culminating in a simulated Board meeting on Sunday. The students will be allocated tasks throughout the weekend as they would in a real-life/real-time private practice situation. The students will work with a practicing M&A lawyer from an international New York City firm as the “partner” on the matter who will give out assignments, review written material, and otherwise coordinate the team.

Note that the class will require work to be done Friday evening after the in-class portion concludes at 7:00 p.m.

Prerequisite: Corporations.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students. Note: Students should be prepared to dedicate a significant amount of time to this class over the course of the weekend outside of the scheduled class hours.

LAW 1145 v01 Mergers and Acquisitions in Practice: Advising the Board of Directors

This intensive one-credit course will take ten students through a fast-paced, real-life M&A situation over the course of a single weekend. We will have one class meeting in advance of the simulation to review relevant case law, acquisition structures and the fact pattern. Past years have had students represent a company in the final days of a public company sale transaction. Students will be informed of the scenario a few days in advance, and provided with the relevant background materials, in order to be ready for the weekend. The students will play the role of associates in a firm that is the outside counsel to the company that is the subject of the scenario. The goal of the course is to simulate through this hypothetical M&A scenario, the legal skills needed to guide a client’s strategic and tactical business decisions in a real-life M&A situation.

This course will be highly interactive. Working in teams and individually over the weekend, the students will finalize legal documents and prepare and deliver presentation materials to the company’s Board of Directors. They will also brief the Board on its fiduciary duties under Delaware law in the context of the scenario. The course will culminate in a simulated Board meeting on Sunday. The students will be allocated tasks throughout the weekend as they would in a real-life/real-time private practice situation. The students will work with a practicing M&A lawyer from an international New York City firm as the “partner” on the matter who will give out assignments, review written material, and otherwise coordinate the team.

Learning Objectives:

We strive to create a real world experience of the last 48 hours leading up to the final board meeting to approve a transaction. The students will learn the cadence of a transaction, manage multiple work streams and gain valuable experience in how to guide a board of directors in the decision-making process.

Prerequisite: Corporations.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. 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 1145 v02 Mergers and Acquisitions in Practice: Advising the Board of Directors (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201145%20v02)
J.D. Seminar | 1 credit hour
This intensive one-credit course will take ten students through a fast-paced, real-life M&A situation over the course of a single weekend. Past years have had students represent a company in the final days of a public company sale transaction. Students will be informed of the scenario a few days in advance, and provided with the relevant background materials, in order to be ready for the weekend. The students will play the role of associates in a firm that is the outside counsel to the company that is the subject of the scenario. The goal of the course is to simulate through this hypothetical M&A scenario, the legal skills needed to guide a client's strategic and tactical business decisions in a real-life M&A situation.

This course will be highly interactive. Working in teams and individually over the weekend, the students will finalize legal documents and prepare and deliver presentation materials to the company's Board of Directors. They will also brief the Board on its fiduciary duties under Delaware law in the context of the scenario. The course will begin on Friday evening and continue throughout the course of the weekend, culminating in a simulated Board meeting on Sunday. The students will be allocated tasks throughout the weekend as they would in a real life/real time private practice situation. The students will work with a practicing M&A lawyer from an international New York City firm as the "partner" on the matter who will give out assignments, review written material, and otherwise coordinate the team.

Learning Objectives:

We strive to create a real world experience of the last 48 hours leading up to the final board meeting to approve a transaction. The students will learn the cadence of a transaction, manage multiple work streams and gain valuable experience in how to guide a board of directors in the decision making process.

Prerequisite: Corporations.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students. Note: Students should be prepared for several hours of outside the classroom work on Friday evening following the class session to prepare draft agreements for Saturday morning negotiations. Students will be required to draft and revise transaction agreements, negotiate agreements with practicing attorneys, create a board package and present to a board of directors comprised of investment banking professionals, general counsels and law firm partners. Students should be prepared to dedicate a significant amount of time to this class over the course of the weekend outside of the scheduled class hours.

LAW 1317 v00 Military, Veterans and Society (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201317%20v00) (Project-Based Practicum)
J.D. Practicum | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor.

SEMINAR: Through this practicum, students will learn the 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
This course will cover the concepts and components that form the basis for an organization to implement a modern ethics and compliance program. This will use current examples on failures in organizations and discuss how an ethics and compliance program could have prevented or minimized the conduct.

By the end of the course, students should:

1) have a mastery of the basic elements of an effective compliance program (see U.S.S.G and OIG 7 elements) along with a basic understanding of how a risk-based assessment guides practitioners in building modern compliance programs; 2) have a basic knowledge of the relevant laws, regulations and guidances (including FCPA, UK Bribery Act, OECD Anti-bribery convention) that enforcement organizations, agencies and/or courts would apply to hold organizations/individuals accountable for ethics/compliance failings; 3) have a basic understanding of the tools used to help organizations implement an effective ethics and compliance program (from assessment frameworks, code of conduct, policies and procedures, to internal investigations, training approaches and hotlines, due diligence and screening tools); and 4) using real-world scenarios and case studies, gain a deeper understanding of the issues faced by modern organizations and how compliance programs are tailored to address current and emerging risks (such as data privacy concerns) and exhibit an ability to combine law, theory and tools to analyze how to mitigate ethical or compliance risk facing an organization.

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

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

LAW 1179 v01 Modern Litigation Theory and Practice Seminar
This seminar focuses on modern issues related to litigation and dispute resolution as well as the role of private enforcement in our overall system of divided government. In particular, the seminar will dedicate discussion to the doctrinal and litigation history that produced our present litigation landscape, questions of policy and theory that cut across class actions and other litigation alternatives, and questions regarding the role of private enforcement, the judiciary, and the rule of law in our system of government.

The seminar will integrate guest speakers that include some of the leading practitioners, judges, and scholars in the country.

This seminar is intended for students who wish to pursue advanced, in-depth study of our system of litigation and private enforcement. Civil Procedure (or Legal Process and Society), torts, and contracts are prerequisites.

Students will write short response papers on the readings, which—depending upon the particular reading—will be assigned either weekly or bi-weekly.

Prerequisite: Civil Procedure (or Legal Process and Society), Contracts and Torts.
LAW 3053 v00 Money Managers as Fiduciaries (http://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: This course is part of the following graduate programs: Executive LL.M. in Securities & Financial Regulation Securities & Financial Law Certificate Securities and Financial Regulation LL.M.

First class attendance is strongly encouraged for all enrolled and waitlisted students.

LAW 1606 v00 Motherhood and the Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201606%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine society's notions of motherhood and how various laws affect becoming and being a mother. Specific topics include laws that affect reproduction, pregnancy, leave from work following childbirth, parenting decisions, when to legally punish mothers and lastly navigating motherhood and professional identity as a lawyer. Some of the questions that will run through this course include:

1. Given the importance of caring for children, how should the law construct expectations of parenthood?
2. How does the law shape our notions of the responsibility of motherhood?
3. Is there common ground among political opponents on issues related to law and motherhood?
4. What laws should be implemented to better support mothers in the United States?

Note: This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement. The 3-credit section is open to J.D. students only and non-degree students may not enroll.
LAW 1757 v00 Multiparty Negotiation, Groups Decision Making and Teams (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201757%20v00)  
J.D. Seminar | 3 credit hours  
All lawyers work in environments that present opportunities to work and negotiate with multiple parties — whether across the table, behind the table, or as colleagues on a team or in a group. This seminar explores the special challenges and complexities of multiparty negotiation, group decision-making, and working collaboratively in teams. Using simulations, large- and small-group discussion, exercises, lectures, video, and journal writing, the workshop will help students engage with various frameworks, tools, and perspectives that will enable them to become more effective and successful in multiparty settings in the future. Topics addressed will include: the differences between multilateral and bilateral negotiations, coalitional dynamics and strategy, decision rules for groups, preparation methods, process design and management, facilitation, and the role of emotions and identity, among others.

The seminar is intensive (9:00am to 5:00pm) for six session, spread over two long weekends (Friday/Saturday/Sunday), plus a time to be scheduled between the two weekends for videorecording and reviewing one negotiation). Full attendance and participation is required at all six sessions given the complexities of scheduling multiparty simulations and the condensed nature of the course.

Grades are based on the quality of student's in-class participation, two directed journal assignments, and a 10- to 12-page final paper.

Learning Objectives:

By combining theory and practice, this seminar aims to improve your conceptual understanding of and effectiveness in multiparty negotiations, groups, and teams.

More specifically, the course goals/learning outcomes are:

1. To increase your theoretical understanding about common dynamics at play in multiparty negotiations, groups, and teams by exposing you to:
   - Various frameworks for understanding and analyzing multiparty negotiations and teams;
   - Empirical research findings on behavioral best practices;
   - A common vocabulary to enhance preparation, conduct, and review

2. To enhance your behavioral skills negotiating in multiparty contexts and working in groups and teams:
   While there is no "best" way to negotiate in all dyadic circumstances, it is even harder to offer prescriptive advice in the multiparty context. Nonetheless, you may be able to develop some general guidelines to structure your preparation for, conduct of, and review of negotiations and teams. We will offer our own best advice and encourage you to develop your own prescriptions:
   - To assess the skills you have as a negotiator;
   - To broaden your repertoire of simple, usable, and effective tools and strategies for multiparty negotiations and working in teams;
   - To allow you to practice and experiment with these skills in a low-risk, collaborative learning environment;
   - To work on bridging the gap between theory and practice

3. To increase self-awareness of yourselves as agentic actors in multiparty negotiations and teams:
   - To help you diagnose your own and others' strengths and weaknesses in multiparty negotiations and teams
   - To help you identify your own and others' default tendencies in such situations
   - To expand your capacity for taking on different roles in different contexts

LAW 372 v02 Music Law Seminar: Changing Landscapes in the Music Industry and the Law that Governs It (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20372%20v02)  
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 business practices, as well as student interest within the classroom, 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. During the course of the semester, we expect that you will:

- Gain an understanding of how the music industry is structured and how the law has impacted that structure
- Become familiar with and be able to recognize legal themes and issues that have recurred throughout the history of the music industry in the United States
- Be able to identify potential contractual and legal issues that arise when new technology is introduced for reproducing, distributing, and/or performing music
- Develop in-depth knowledge and critical analysis of a narrow area of music law or policy in connection with the paper(s) written for the course
- Enhance legal research skills by researching and critically analyzing materials relating to current legal issues in the music industry
- Learn how to produce a piece of scholarly writing (whether the longer version required for the Writing Requirement or a shorter version required for students taking the course for 2 credits)
- Gain an introductory understanding of issues that arise in negotiating contracts in the music industry
- Become comfortable raising questions and debating issues in a collegial setting
LAW 593 v00 National and Global Health Law: O’Neill Colloquium (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20593%20v00)
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 the intersection of national and international health law. Topics will include health care, public health, global health, science, regulation, politics, ethics, and policy. The colloquium will have a range of experts from various fields, including 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20922%20v01)
LL.M Course (cross-listed) | 2 credit hours
This course reviews the basic principles of international law related to the oceans’ role in national security. Students will develop a comprehensive understanding of the legal regimes governing the ocean, especially the legal rights and duties of coastal states and the rights of non-state actors. Topics include international law, national security policies, and the role of the United States and other states. The second half of the course will focus on the law and policy of the oceans, including the use of force in law enforcement settings, with particular emphasis on the law of armed conflict. Students will 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

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 Oceans Law and Policy.
LAW 3084 v00 National Security and International Aviation Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203084%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course reviews the basic principles of international law governing aviation, especially those involving critical issues affecting national security. Students will develop an understanding of the legal regimes governing civil aviation and an overall appreciation for U.S. aviation law and policy regarding national security issues. Topics include international organizations, such as the United Nations International Civil Aviation Organization, int’l disputes resolution mechanisms, int’l treaty obligations and government oversight responsibilities, air transport agreements, navigation and overflight rights, regulation of international airspace, airspace zones and military enforcement activities, the concept of civil and state aircraft, unmanned aircraft operations (drones), economic sanctions, and airport security and border control. We will also discuss the intersection of international aviation law with related regimes governing oceans and space.

Students will research and engage in class discussions on a number of problems involving international aviation and national security issues. We will make extensive use of case studies and problems to explore the complex legal and geopolitical questions that arise in these cases. In addition, we will track events in the news to provide real-world examples of the significance of the concepts that we will be discussing throughout the course. Case studies will involve issues like sovereign airspace management, establishment of no-fly zones, territorial disputes in the South China and East China Seas, the conflict in Ukraine, Saudi-led blockade of Qatar, U.S. Iran Sanctions, international terrorism, and forums for dispute resolution. The course aims to provide students with a practical understanding of international aviation law through an in-depth examination of how it operates in relation to national security.

**Recommended:** Public International Law, National Security Law, Administrative Law

LAW 849 v00 National Security Investigations and Litigation
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20849%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This seminar will address the law governing national security investigations and related litigation. Topics will include electronic surveillance (e.g., the Foreign Intelligence Surveillance Act), national security letters, mail covers, and the handling of classified information at trial (e.g., the Classified Information Procedures Act). National security law is often in accessible, 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
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20849%20v01)
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.
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 3:00 p.m. on Wednesday, June 8, 2022. After the June 8 application deadline, students will be admitted into open seats on a rolling basis.
LAW 819 v01 National Security Law Through an Immigration Framework
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%20819\%20v01)

LL.M Seminar (cross-listed) | 3 credit hours
This course will explore the relationship between national security and immigration. The course will first provide a historical backdrop of this issue and continue with threshold national security issues that have immigration implications. Particularly, the current legal framework that surrounds this issue will be explored to include specific provisions in the Immigration and Nationality Act as well as peripheral legal issues such as material support of a terrorist organization. Other national security questions will be discussed to include protecting the borders, criminal immigration prosecutions, and population control. Lastly, this course will explore the conflict between individual rights and national security and attempt to answer the threshold question of whether it is appropriate to use immigration laws as a national security enforcement tool.

This course is oriented toward the practitioner due to the focus this course places on the legal framework and litigation strategies necessary for removing or detaining individuals who are national security threats. At the same time, we will spend time learning how to defend against the government using the immigration statutes as a national security tool. To facilitate this, students will not learn through lectures and group discussions alone, but also through examining real legal documents that have been filed in the United States District Courts and the Courts of Appeals. Students will also have the opportunity to examine a real A-file in order to practice issue spotting.

In the 3-credit version of this class, students will be required to submit a paper proposal, rough draft, and highly researched analytical paper approximately 30-35 pages in length.

Note: The 3-credit section meets the J.D. writing requirement.

Note: The J.D. section will be enrolled via waitlist.

LAW 1151 v00 National Security Lawyering Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%201151\%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the substantive, ethical, moral, procedural, and practical challenges of practicing national security law in the government. Government national security and foreign affairs lawyers have significant influence on operational and policy decision-making, but generally encounter fewer external checks and less oversight than lawyers in other areas. Because of threshold doctrines such as standing and political question, courts address national security legal questions relatively rarely. There are few timely, formal checks in the area of international law, which develops over time and by consensus and often lacks a direct enforcement mechanism. In addition, much of the subject matter about which national security lawyers provide advice is classified, which can limit the scrutiny of legal analysis by Congress, the press, and the public. Therefore, national security lawyers, who provide advice on what are often extremely high stakes and difficult legal issues, shoulder a great deal of responsibility to carry out their roles ethically and effectively.

The course will use case studies and hypotheticals to explore these important challenges. Students will discuss a variety of issues, including: the players and process of national security legal decision-making; flexibility, constraint, and accountability for the national security lawyer; the challenges in providing balanced advice; whether and when it is appropriate to "push the envelope" on legal advice; the impact of secrecy on legal advice and decision-making; the importance of transparency about national security legal advice and why it is so difficult; prosecution, litigation, and national security; the appropriate role of lawyers and the law in the national security policymaking process; lawyering when the law is not developed; and the challenges and responsibilities of lawyering during war and other national security crises.

Students will be graded on several short reaction papers and one longer final paper. Class discussion will also be considered in grading.

Recommended: International law and/or national security related course.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
**LAW 1402 v00 National Security Regulation** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201402%20v00)

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

National Security Regulation examines a cross disciplinary area of law mingling international law, constitutional law, statutory interpretation, and administrative law. Areas regulated by the Federal government because of national security concerns are frequently high stakes and high dollar. The government cares a lot about getting the “right” result, and the penalties can be enormous. Unfortunately, knowing what is “right” can be hard. The rules are arcane, formal guidance may not be public or even exist, and case law may be thin or nonexistent. The adjudication process likely involves classified information (which you may not be able to access), and you may have limited due process or appeal options. If you have a career ahead of you in corporate law, you will almost certainly run into national security regulations at some point during your career. This course is designed to help. It surveys some of the most common areas of regulatory interest, as well as some hot issues that will dictate the path of emerging technologies. Areas of law that will be examined include National Emergencies Act, International Emergency Economic Powers Act, cybersecurity, export controls, economic sanctions, and foreign investment.

**Recommended:** Administrative Law and National Security Law.

**LAW 331 v01 Nationalisms, States, & Cultural Identities Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20331%20v01)

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

This seminar is about the phenomena of national and cultural identity formation within states and non-state groups (ethnic, racial, regional, religious, cultural, tribal) and the roles played by law and culture in defining and distributing membership in a collective or “national” community. The course material will provide a foundation in political theories of nationalism and will focus on two different forms of contemporary nationalism: the rise of a new American and predominantly white nationalism (since the 2016 election) and a non-US example of a sovereignty or self-determination movement (such as the Catalan independence movement in Spain). Along the way we will discuss additional and alternative forms of belonging and exclusion, such as monuments and memory, statelessness and diaspora, and postcolonial and cosmopolitan forms of citizenship. This interdisciplinary and comparative seminar is geared toward better understanding how law and culture are used to divide and unify diverse populations, and exploring how democratic, heterogeneous states and communities might find common purpose.

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

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

**LAW 1619 v00 Natural Resources and Energy Law and Policy Practicum** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201619%20v00) (Project-Based Practicum)

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

This course will give students an experiential learning experience in the field of natural resources and energy law and policy. Students will work individually or in groups on real-world legal and/or policy problems related to natural resources or energy for clients or stakeholders currently engaged in this rapidly changing subject area.

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

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

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

**Course Goals:**

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

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

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

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

5. The course should provide you with a context for evaluating ongoing and fast-changing legal and policy issues and controversies relating to energy and natural resources.

**Mutually Excluded Courses:** Students may not receive credit for this course and Natural Resources Law: Energy; Water and Land Resources.

**Note:** This is a four-credit course, with two credits awarded for the two-hour weekly seminar and two credits for work outside of class on experiential learning projects. The course is graded.

Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component individually.
LAW 329 v00 Natural Resources Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20329%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course surveys the laws governing the ownership, conservation, exploitation, and preservation of renewable and non-renewable natural resources, such as wildlife, wilderness, parks, rangeland, water, minerals, and forests. The course explores the philosophical, constitutional, historical, and economic underpinnings of natural resource law as well as the role of interest groups in natural resource policy formulation. Current issues, such as those relating to takings and federalism, are also examined.

LAW 1207 v00 Negotiating a Joint Venture in China (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201207%20v00)
J.D. Seminar | 1 credit hour
Through a simulation oriented course, students will be exposed to recent economic history of the People's Republic of China, foreign direct investment law of China, and negotiating norms of US and Chinese investors. These various knowledge sets will be brought together as each participant takes on the role of either a Chinese investor or a US investor, negotiating the terms of a China-based joint venture and ultimately reporting back to their respective board of directors. In addition to the negotiations exercises, the course requires a brief quality-driven paper on any number of topics relating to China as an economic actor on the world stage.

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

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

LAW 1300 v00 Negotiating a Mergers and Acquisitions Transaction (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201300%20v00)
J.D. Seminar | 2 credit hours
Through experiential, hands-on learning, this course will teach students how to negotiate transaction terms with and against “clients” and each other. Students will be divided into teams and act as lawyers representing the buyer and the seller to draft documents and actively negotiate, demonstrating the various ways in which transactions may progress. Transactions will be based on real life examples and actual transactions from the news will be used as teaching tools. Guests may be invited to join particular classes in order to provide deeper analysis of legal issues in areas such as tax, labor and employment, employee benefits, environmental, real estate, antitrust, FCPA, and intellectual property, tailored to the students’ interests. These guests may play the roles of executives at hypothetical clients, bringing changing facts and positions to a negotiation that must be addressed “on the fly” as in a real life. By the end of this class, students will be able to compare and contrast the different styles and documents used in real life transactions, understand and draft M&A transaction documents, and learn successful negotiating skills. The goal is to expose students to everything they would see in their first six (6) months of private practice as a transactional attorney.

Prerequisite: Contracts or Bargain, Exchange, and Liability.
Recommended: Corporations; prior or concurrent enrollment in Mergers & Acquisitions.

Note: This course is open to J.D. students only.
LAW 1481 v01 Negotiations and Mediation Seminar (http://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.

LAW 1482 v01 Negotiations and Mediation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201482%20v01)

J.D. Seminar (cross-listed) | 3 credit hours
All lawyers, irrespective of their specialty, must negotiate. This intensive, interactive seminar will explore the theoretical and practical aspects of negotiating and mediating transactions and disputes in our legal system. The goal is to improve students’ understanding of negotiation and mediation as well as their ability to negotiate effectively.

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

Through in-class negotiation 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: 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.
LAW 317 v01 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v01)
J.D. Seminar | 3 credit hours
This seminar is an interactive workshop designed to teach the practice and principles of joint problem-solving and to improve students’ negotiating skills. Students will be expected to read, write, discuss, critique, and participate in simulated disputes, both in and outside of class. The simulations are designed to familiarize students with the negotiating process, to plan and prepare for negotiations, to identify and experiment with individual negotiating styles and to raise ethical and practical questions. Simulations are taken from a variety of practice areas, including community, commercial, environmental, interpersonal, litigation, and transactional disputes. The effect of gender, culture, power, politics, impasse, and attitude toward conflict will also be explored.

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

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

Learning Objectives:

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

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

Recommended: Contracts, Torts, Civil Procedure.

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

Note: 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.

LAW 317 v04 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v04)
J.D. Seminar | 3 credit hours
This seminar is an interactive workshop designed to teach the practice and principles of joint problem-solving and to improve students’ negotiating skills. Students will be expected to read, write, discuss, critique, and participate in simulated disputes, both in and outside of class (one simulation of approximately three hours between the two weekend classes). The simulations are designed to familiarize students with the negotiating process, to plan and prepare for negotiations (both bi-lateral and multi-lateral), to identify and experiment with individual negotiating styles, to deal with impasse and difficult situations, and to raise ethical and practical questions. Simulations are taken from a variety of practice areas, including community, commercial, environmental, interpersonal, litigation, and transactional disputes. The effect of 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.
LAW 317 v11 Negotiations Seminar (http:// curriculum.law.georgetown.edu/course-search/?keyword=LAW %20317%20v11)
J.D. Seminar | 3 credit hours
Most lawyers, irrespective of their specialty, must negotiate. Litigators resolve far more disputes through negotiation than by trials. Business lawyers—whether putting together a start-up company, arranging venture financing, or preparing an initial public offering—are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators.

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

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

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

Grades are based on the quality of student participation and several writing assignments, including a final negotiation preparation memo and analysis of a video recorded negotiation.

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

More specifically, our goals are:

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

LAW 317 v14 Negotiations Seminar (http:// curriculum.law.georgetown.edu/course-search/?keyword=LAW %20317%20v14)
J.D. Seminar (cross-listed) | 3 credit hours
This intensive, interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students’ understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the psychological and ethical dimensions of negotiations, and the importance of planning and choosing negotiation strategies.

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

Grades will be based on:
- Participation in class (30%)
- Midterm reflection paper (20%)
- Final paper (10-15 pages) (50%).

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

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

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

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Students wishing to withdraw from the course must do so before the deadline to withold grades.
LAW 317 v19 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v19)
J.D. Seminar | 3 credit hours
This seminar is an interactive workshop designed to teach the practice and principles of joint problem-solving, to improve students’ negotiating skills and to provide instruction in representing clients in mediations. Students will be expected to read, write, discuss, critique, and participate in simulated disputes. The simulations are designed to familiarize students with the negotiating process, to plan and prepare for negotiations, to identify and experiment with individual negotiating styles and to raise ethical and practical questions. Simulations are taken from a variety of practice areas. Students learn to negotiate by participating in simulations, studying and discussing negotiation theory and principles, analyzing negotiation exercises, and being critiqued.

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

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

This course will be enrolled via waitlist. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. Full attendance and participation is required at all six sessions. The schedule is a demanding one, and students who cannot firmly commit to be at all six sessions should not enroll. A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course. Students in this course will be charged a course materials fee to cover commercial materials that the Law Center purchases at the faculty’s request on behalf of enrolled students. This additional fee will be placed directly on a student’s account in early June. Students who drop the course will not be charged, but students who are approved to withdraw from the course after add/drop will not be refunded.

LAW 317 v21 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v21)
J.D. Seminar | 3 credit hours
This intensive, interactive seminar is designed to teach participants the theory and practice of effective negotiation and negotiation advocacy so that they may improve their skill in joint problem solving and joint decision making. Negotiation skills are best learned by doing, so this seminar includes numerous opportunities for participants to enact the skills, principles, and approaches learned. The simulations and activities are designed to familiarize students with the negotiating process, help them prepare for entering and conducting a formal negotiation, teach them to identify and engage in the types of informal negotiations that occur every day, allow them to experiment with various styles and techniques, and introduce a variety of practical and ethical problems that they might encounter. Simulations are derived from a range of practice areas, including interpersonal, commercial, transactional, and criminal disputes, among others. The effects of culture, gender, power, politics, psychology, neuroscience, and personal conflict styles will be examined. Participants will apply their negotiation skills in the real world and evaluate the results. The course will also explore the use of alternative dispute resolution and conflict management systems to break or avert impasse in negotiation and facilitate the constructive handling of conflict.

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

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

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

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

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

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

Note: Note for the Summer 2022 section: 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 start of the first class session in order to remain eligible to be admitted to the course. Enrolled students will have until 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 enrolled. Waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. Full attendance and participation is required at all six sessions. The schedule is a demanding one, and students who cannot firmly commit to be at all six sessions should not enroll. A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course. Students in this course will be charged a course materials fee to cover commercial materials that the Law Center purchases at the faculty’s request on behalf of enrolled students. This additional fee will be placed directly on a student’s account in early June. Students who drop the course will not be charged, but students who are approved to withdraw from the course after add/drop will not be refunded.
LAW 317 v22 Negotiations Seminar

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.

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.

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 withdrawal; failure to attend any subsequent class session in its entirety may result in a withdrawal.

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.

LAW 317 v24 Negotiations Seminar

This seminar is an interactive workshop designed to teach the practice and principles of joint problem-solving, to improve students’ negotiating skills and to provide instruction in representing clients in mediations. Students will be expected to read, write, discuss, critique, and participate in simulated disputes. The simulations are designed to familiarize students with the negotiating process, to plan and prepare for negotiations, to identify and experiment with individual negotiating styles and to raise ethical and practical questions. Simulations are taken from a variety of practice areas. Students learn to negotiate by participating in simulations, studying and discussing negotiation theory and principles, analyzing negotiation exercises, and being critiqued.

Learning Objectives:

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

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

Recommended: Contracts, Torts, Civil Procedure.

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

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The schedule is a demanding one, and students who cannot firmly commit to be at all six sessions should not enroll. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course’s in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.
LAW 317 v25 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v25)
J.D. Seminar | 3 credit hours
Negotiation is a primary activity in the legal profession, whether the attorney is engaged in transactional, litigation, corporate, non-profit, academic or policy work. This skills-based seminar is designed to develop a deep understanding of the theory and practice of negotiation in professional settings. Students will learn through interactive role play plays, readings and writing. The seminar is highly interactive, therefore to obtain credit for the course attendance at every class session is mandatory. Grades will be determined by the quality of class participation, assignments that reflect the preparation for and post-negotiation reflections on negotiation role plays, and a final paper assignment.

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

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

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

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

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

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

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted.
**LAW 317 v30 Negotiations Seminar**

J.D. Seminar | 3 credit hours

Most lawyers, irrespective of their specialty, must negotiate. Litigators resolve far more disputes through negotiation than by trials. Business lawyers—whether putting together a start-up company, arranging venture financing, or preparing an initial public offering—are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators.

This seminar, by combining theory and practice, aims to improve both the participants’ understanding of negotiation and their effectiveness as negotiators. Drawing on work from a variety of research perspectives, the readings and lectures will provide students with a framework for analyzing negotiations and tools and concepts useful in negotiating more effectively. In particular, this seminar will expose students to the problem-solving approach to negotiation. Accordingly, our texts will include Getting to Yes, 3d. Edition by Roger Fisher, William Ury, and Bruce Patton, and Beyond Winning, by Robert Mnookin, Scott Peppet, and Andrew Tulumello. An additional packet of readings will also be required for the course.

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

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

Grades are based on the quality of student participation and several writing assignments, including a final (10 to 12 page) paper and an analysis of a video recorded negotiation.

**Learning Objectives:**

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

More specifically, our goals are:

- To increase your awareness about negotiation and negotiating behavior:
  - The pervasiveness of negotiation;
  - The implicit working assumptions that underlie your behavior;
  - Understanding others’ perceptions and reactions;
  - The importance of process (how we negotiate): its effects on the progress of negotiations and the relationship between negotiators.

- To enhance your understanding of negotiation theory by providing:
  - Exposure to social science research related to negotiation;
  - Some basic organizing concepts;
  - A common vocabulary to enhance preparation, negotiation, and review;
  - Analytic tools for diagnosing problems and developing strategy.

- To help you apply what you learn so that you can keep improving:
  - To allow you to practice and experiment with skills;
  - To assess the skills you have as a negotiator;
  - To increase your awareness about negotiation and negotiating effectiveness as a negotiator.

- To help you develop some guidelines to improve your negotiation experience.

- To enhance your understanding of negotiation theory by providing:
  - To learn from experience and from each other, so that we all keep getting better:
  - To help you apply what you learn so that you can keep improving:
  - To allow you to practice and experiment with skills;
  - To assess the skills you have as a negotiator;
  - To increase your awareness about negotiation and negotiating effectiveness as a negotiator.

- To enhance your understanding of negotiation theory by providing:
  - To learn from experience and from each other, so that we all keep getting better:
  - To help you apply what you learn so that you can keep improving:
  - To allow you to practice and experiment with skills;
  - To assess the skills you have as a negotiator;
  - To increase your awareness about negotiation and negotiating effectiveness as a negotiator.

**Prerequisite:** Completion of all first year courses, except Property and Criminal Justice (or the equivalent Democracy and Coercion or Criminal Procedure), is required.

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

**Note:** This course will be enrolled via waitlist.

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

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

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

**Note:** NOTE: In the Fall 2021 semester, this course will take place online via Zoom (https://www.law.georgetown.edu/wp-content/uploads/2021/08/Online_Class_21_Students.pdf).

**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 v53 Negotiations Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v53)

J.D. Seminar | 3 credit hours
This course will introduce the frameworks and tools critical for effective negotiation. The pedagogy is primarily experiential and interactive. In this course, we will learn from one another. Most class sessions will consist of a brief lecture followed by hands-on simulations, exercises, and group discussions. We will cover myriad topics including but not limited to -- value creation, value distribution, principal-agent tension, dealing with difficult tactics, advanced listening, and facilitating difficult conversations. Critical to success in this course is intentional engagement and robust self-reflection: students rigorously review their performance through in-class discussions, out-of-class journaling, and peer-to-peer feedback. The capstone project will be a final paper.

**LAW 317 v54 Negotiations Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v54)

J.D. Seminar | 3 credit hours
This interactive course is designed to help you explore the theory and practice of negotiation. You will be expected to learn and apply theories from a broad range of disciplines including law, economics, psychology, sociology, and management. These theories will be discussed and debated in class and put into practice through highly interactive simulations. We will focus on the use of negotiation in making deals and in resolving disputes. We will conduct simulations in a variety of contexts (including one simulation of approximately four hours following the two weekend classes). We will explore how dynamics change when moving from two-party to multi-party negotiations and look at how ethics should influence our behavior.

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. Attendance at all sessions is mandatory. Grades are based on participation in discussions and simulations (33%), reflective journals (33%), and a final project (34%).

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

- teach the theory, principles, and practice of negotiation, joint problem solving, and joint decision making;
- develop negotiation skills;
- allow you to experiment with a variety of negotiating techniques in a variety of contexts, including legal, personal, commercial, bilateral, multi-lateral and multi-issue matters;
- 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 attitude toward conflicts and disputes.

**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. 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 a later date (Date TBA).

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

**Students in this course may 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 (for Summer courses), August (for Fall courses), or December (for Spring courses). 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 v55 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v55)
J.D. Seminar | 3 credit hours

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

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

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

The Negotiation Seminar is an intense, interactive course. We will require preparation of readings, simulations (including one simulation of approximately four hours between the two weekend classes), and written assignments. Basically, you will learn by building 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. Students in this course may 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.

LAW 626 v00 New Deal Legal History Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20626%20v00)
J.D. Seminar | 3 credit hours

The deep recession that commenced in 2007 encouraged many in the United States to look to the past for insight on how the American legal order should respond to severe economic dislocation. Many turned to the first two presidential administrations of Franklin D. Roosevelt. For many years, the New Deal had been Old Hat, reviled by conservatives for its statist excesses and deplored by reformers for its bureaucratic rigidities. Suddenly, the Roosevelt administration’s seemed to speak directly to the present. Then, in November 2016, the election of Donald Trump suddenly provided a new, less flattering perspective on Roosevelt, from which his impatience with legal and constitutional proprieties and his ability to galvanize public opinion through a relatively new medium (radio in FDR’s case; Twitter in Trump’s) suggested disturbing parallels.

This seminar takes up many legal developments from the years 1933-1941: the creation of new federal programs of social insurance, regulation, and public investment, the blazing, by a generation of young law graduates, of a new path into the profession through what had previously been considered a wasteland of government employment; the birth of modern administrative law; a reorientation of judicial activism from the defense of free markets and private property to the safeguarding of civil rights and civil liberties; and a great duel between President Roosevelt and Chief Justice Charles Evans Hughes, known to history as the “Court-packing” plan of 1937. Over the course of the semester, students will read nine historical monographs as well as articles and book chapters. They will write a Review Essay that evaluates one of the books assigned in the course. Most importantly, they will write a research paper that fulfills the Upperclass Legal Writing Requirement. Class meetings will be devoted to lectures, discussions of the assigned readings, progress reports on students’ research and writing, and a concluding, roundtable discussion of the first drafts.

Note: Non-degree students must seek professor permission to enroll in this seminar. Please contact Professor Ernst at ernst@law.georgetown.edu to request permission.

LAW 1649 v00 Non-Profit Organizations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201649%20v00)
J.D. Course (cross-listed) | 3 credit hours

Advocacy organizations are key players in modern political debate. Many GULC students will go on to work for, with, or against a variety of advocacy groups in their careers. At the same time, traditional charitable entities such as hospitals, churches, and schools make up nearly 1/6 of the U.S. economy. This course addresses the rules of the road for both advocacy groups and charities: how they function, how law empowers and constrains them, how they get and manage their money. In-class exam. No prerequisites.

Mutually Excluded Courses: Students cannot receive credit for this course and Non-Profit Organizations Seminar.
This course will provide students with an understanding of the current curriculum.law.georgetown.edu/course-search/?keyword=LAW
LL.M Course (cross-listed) | 2 credit hours
LAW 755 v00 Nuclear Non-Proliferation Law & Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW
LL.M Course (cross-listed) | 2 credit hours
LAW 3077 v00 Oil and Gas Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203077%20v00)
LL.M Course (cross-listed) | 2 credit hours
LAW 2099 v00 Nutrition Law and Policy (http://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 326 v00 Non-Profit Organizations Seminar (http://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 (http://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 (http://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 (http://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 1657 v00 Ownership, Leadership, and Teams (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201657%20v00)
J.D. Seminar | 3 credit hours
This course is designed to provide Business Law Scholar students with an understanding of how to own and develop their careers, engage on teams in an effective manner, and develop leadership skills that will accelerate their careers. Team-based consulting projects are a key aspect of the course, allowing students to contribute to the Law Center’s strategic planning while building their project management and team skills. Students will read case studies, articles, and book chapters that will contribute to the development of their strategic thinking skills and personal leadership growth. Topics will include, teams and team building, self-advocacy, strategic networking, and leadership style.

Course Goals/Student Learning Outcomes:

• Develop critical and strategic thinking skills.
• Gain knowledge about leadership strategies and skills.
• Build team and teamwork skills.
• Develop project management skills.
• Engage in self-reflection and peer critique.

Note: 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 1209 v02 O'Neil Institute Practicum: Regulating Alcohol, Tobacco & Food in International and Comparative Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201209%20v02) (Project-Based Practicum)
J.D. Practicum (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: 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.
LAW 3020 v00 Pan-Epidemics and PHEICS: COVID-19, EBOLA, and What's Next? (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203020%20v00)
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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201781%20v00)
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 1522 v00 Parent, Child, and State: Constitutional Rights and Familial Responsibilities

No area of the law arouses more controversy than state regulation of the family. This course examines the law of parent-child relations with a focus on constitutional concerns. What, constitutionally speaking, is a family? What is the source of parental authority? What rights do parents enjoy to direct the educational and religious upbringing of their children? What are the limits on such rights? Do children hold rights of their own? Should they? What is the scope of the state’s authority to protect children? We will look at how these questions (and many more) have been answered historically (with some surprising discoveries) as well as the current state of the law, and we will consider what future might await the evolving family. The shifting “settlement” of individual, family, and state interests will lead us to a rich universe of topics and to broader philosophical considerations (questions about the nature of individual and group rights, identity and assimilation, the proper boundaries of civic discourse, etc.)—and a host of questions that are intensely personal and problematic.

Note: This course will be enrolled via waitlist.

FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first class session in order to be eligible for a seat in the class.

LAW 1429 v00 Patent Appeals at the Federal Circuit

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 v05 Patent Law

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

Patent licenses achieve different business objectives in a range of settings. This seminar first covers patent licensing and related agreements in establishing a company’s intellectual property from start-up through later growth phases. We then probe the role of patent licensing to transfer technology in and out of a company or university and in relations with others in the marketplace. We examine the elements of a patent license in detail. Limits on patent licensing and practice imposed by supply chain considerations, antitrust law, misuse, and connections with settlements are analyzed. Finally, we look at legal principles and strategies that impact patent licensing in several sectors of a knowledge-based economy. These sectors include biotechnology, software, standards setting, and patent assertion entities in the secondary IP market. We look at patent licensing in current open innovation and IP-enabled business models too. Guest speakers will also be drawn upon for specific topics. Students will complete an in-class negotiation and license drafting assignment. A cumulative final take-home exam will be given.

Recommended: Prior or concurrent enrollment in Patent Law.

LAW 387 v01 Patent Prosecution Practice and Strategy

This skills and writing course will focus on the practical and strategic aspects of patent preparation and prosecution before the United States Patent and Trademark Office, and the effects of prosecution decisions on patent enforceability. Claim drafting and responding to Office Actions with an eye towards enforcement will be a primary focus, and both will be addressed with short practical writing assignments. Coverage of the appeal process will include preparing a final written Appeal Brief (in compliance with 37 CFR § 41.37) and making oral arguments before a mock panel of Administrative Law Judges. Among other topics, the strategic use of the post issuance reissue, reexamination and post-grant review procedures, especially in anticipation of litigation, will also be addressed. Given the range of competencies covered and type of work assigned, this course is recommended for students who intend to practice patent or IP law.

Prerequisite: Patent Law.

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20334%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This course introduces students to the elements of a typical patent trial through mock trial experiences and classroom demonstration and discussion. Topics to be covered include: developing a persuasive and comprehensive theme for your case; opening statements; direct and cross examination techniques; impeachment and rehabilitation of witnesses; qualifying and examining expert witnesses; laying the proper foundation for the introduction of evidence and using exhibits in examination to help present technical information; closing arguments; and preparing for and presenting arguments at Markman Hearings. The course will also introduce students to the use of current computer graphics and information technology in trial. The course will be taught using hypothetical fact patterns common to patent litigation. During the semester students will receive individual feedback on their individual performances.

Prerequisite: Evidence; Patent Law.

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

LAW 1217 v00 Persuasion (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201217%20v00)
J.D. Seminar | 2 credit hours
The objective of this course is to build practical persuasion skills. The course is skills-oriented. We will examine techniques of persuasion from classical rhetoric to what modern scientific research tells us about perception, memory, emotion, logic, and how we really make decisions. We will apply this information to improve your presentation skills in multiple ways. By the end of the course, you should feel that you are more effective at public speaking and presentation. You should also feel more comfortable and confident speaking publicly. I hope that you will develop practical checklists of what works and what doesn’t and use this information to refine your own personal presentation style. This course will provide you tools to better organize and present your arguments in a more persuasive manner based on how your audience thinks. We will investigate your (students’) and my (instructor’s) biases, values and beliefs, and perceptions as factors in persuasion. There will be several in-class participation exercises (come as you are, no preparation required), two short presentations, and a brief and oral argument. The course requirements are: participate in the in-class exercises and presentations; maintain a concise journal of your reactions to the materials presented each class session and how you could use them; and practice your presentation skills based on the techniques we will study. There are no prerequisites for this course.

LAW 1720 v00 Police Abolition Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201720%20v00)
J.D. Seminar | 2-3 credit hours
This course will study policing transformation through an abolitionist framework. The course will first look at abolitionist theory and its application to policing. It will then look at the implications of this framework for immediate and mid-term change-making efforts in policing and beyond. We will explore the interplay between police abolition, the “defund” movement and more “traditional” police reform efforts, critiquing each. We will look at what police currently do and the extent to which current policing promotes, or undermines, public safety. We will question how “public safety” is commonly defined and consider what role law enforcement would play if we were to define public safety differently. We will consider how the role of police (at least as currently constituted) in promoting public safety might be decreased (eliminated?) and how we would protect physical well-being if that were to come about. Throughout this course we will consider whether the police abolitionist framework might help us more effectively address institutionalized racism and entrenched class inequity as we seek to transform policing.

Students may take this course to fulfill Georgetown’s Upperclass Legal Writing Requirement. If you take this class to fulfill your Writing Requirement, you should be prepared to devote a considerable amount of time in the course developing a paper proposal about a conflict, crisis, or controversy within policing; researching your idea in depth; and both drafting and revising a substantial paper of at least six thousand words (exclusive of footnotes) that meets the elements of the Writing Requirement as set out in the Georgetown Law Student Handbook of Academic Policies.

Course Readings

• Chokehold: Policing Black Men by Paul Butler.
• Additional Readings will be listed in the course syllabus and will be posted on/linked to in Canvas

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1750 v00 Police Accountability Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201750%20v00)  
J.D. Seminar | 2-3 credit hours  
Alongside newer demands to end our over-reliance on policing to keep us safe, are renewed calls for more effective mechanisms for police accountability. This course will focus on the nuts-and-bolts of police accountability, from exploring the efficacy and costs of the exclusionary rule, prosecutions of individual police officers, and Section 1983 cases, to USDOJ's reinvigorated pattern-or-practice investigations, civilian oversight, and "front-end" oversight in the form of state and federal regulation of police. Along the way we will consider subsidiary topics like qualified immunity, the *Monell* doctrine, and even the role of insurance companies in holding police accountable. We will consider how new or pending legislation at the federal, state, and local levels can be expected to improve (or undermine) police accountability, and discuss how this all fits in with efforts to reform, remake, or abolish policing.

Students may take this course to fulfill Georgetown's Upperclass Legal Writing Requirement. If you take this class to fulfill your Writing Requirement, you should be prepared to devote a considerable amount of time in the course developing a paper proposal about a particular aspect or type of police accountability; researching your idea in depth; and both drafting and revising a substantial paper of at least six thousand words (exclusive of footnotes) that meets the elements of the Writing Requirement as set out in the Georgetown Law Student Handbook of Academic Policies.

**Prerequisite:** Criminal Justice or Criminal Procedure.

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

LAW 1360 v00 Policing in the 21st Century: Law Enforcement, Technology and Surveillance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201360%20v00)  
J.D. Seminar | 2 credit hours  
This seminar will explore the intersection of contemporary surveillance practices with the need to safeguard civil liberties, and investigate how new technologies are being used to manage and control populations of people, in particular racial and religious minorities and immigrant communities. The course will place special emphasis on the evolving right to privacy in an increasingly cyber- and technology-oriented world, the expansion of government surveillance during the Obama and Trump administrations, and the implications of new law enforcement technologies on civil liberty protections. Our texts will include a variety of sources ranging from case law, legal scholarship, government manuals and congressional testimony to congressional letters, TED Talks, and digital publications.

We will investigate a variety of electronic and non-electronic forms of surveillance, including social media monitoring, stop and frisk, license plate readers, drones, suspicious activity reporting, predictive policing, countering violent extremism programs, and NSA data collection. Throughout the course, we will specifically discuss how these technologies can be used to stifle dissent and protest.

We will discuss how judges and legislators have responded to these surveillance technologies, and pay special attention to the legal tools, doctrines, and defenses available to the government in surveillance-related matters. We will simultaneously investigate the different avenues through which today's surveillance practices can be challenged, including lobbying, litigation, and private industry innovation. Specific reforms that will be discussed include encryption, informed consent, body cameras, diversity, community policing, and abolition.

**Recommended:** Prior or concurrent enrollment in Criminal Justice (or Democracy and Coercion) or Criminal Procedure.
LAW 508 v02 Policy Clinic (Harrison Institute for Public Law) (http://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 through 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 public 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.

For registration-specific supplemental materials, please see the Policy Clinic PDF (https://www.law.georgetown.edu/wp-content/uploads/2022/04/2021-22-Policy-clinic-operations-8-12-21-v3.docx).


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 course and:
- LAW 508 v02 Policy Clinic (Harrison Institute for Public Law)
- LAW 508 v02 Policy Clinic (Harrison Institute for Public Law) (for students in the Policy Clinic who are J.D. students)

**LAW 1288 v00 Politics of Litigation and Litigation of Politics** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201288%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Many of the most important and intense political disputes in American history have come before the federal courts. From the controversy about the midnight judges reflected in *Marbury v. Madison*, to the conflict about slavery at the core of *Dred Scott*, to the rise of interest group litigation by civil rights, religious, environmental, and other organizations, those opposed to prevailing laws and policies have taken their grievances to court. In recent years, a new breed of political litigation has proliferated. Increasingly, the losers in legislative and electoral battles have leapt immediately into the judicial arena, challenging the constitutionality of the laws enacted over their objection or the way elections are run. Increasingly, politicians and the entities they control have deployed litigation as another tool in the partisan arsenal. And increasingly, federal courts have become the arbiters of political disputes between the two branches of the Federal Government, and between the Federal Government and the States, and between political candidates.

This course will use the legal challenges to the Affordable Care Act as an initial case study of how political disputes play out in litigation, from the trial courts to the Supreme Court. We will follow the pattern of political litigation into the Trump and Biden Administrations, and assess the lessons from the partisan shift in the litigation. We will consider how and why partisan disputes generate litigation and discuss the issues this litigation raises regarding the appropriate role of courts in our democratic system. In large part, the perspective will be practical, as we explore the legal, strategic, and tactical choices advocates make in bringing high profile political cases, in framing the legal issues, in harnessing the rules of procedure, and in managing the political features of the case – both offensively and defensively, and both inside and outside the courtroom. We will discuss the hurdles litigants face in seeking to strike down federal laws, the particular challenges of representing the U.S. Government in defending those laws, and the conflicting pressures that bedevil advocates on both sides of the cases. In some of our sessions, students may be asked to strategize or to argue from the perspective of the plaintiffs or the defendant in the cases.

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

**Recommended:** Prior or concurrent enrollment in Federal Courts and the Federal System.
LAW 408 v03 Poverty Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20408%20v03) (Fieldwork Practicum)
J.D. Practicum | 8-10 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course is designed for students who wish to work for a public interest law organization that deals with issues connected to poverty. Students will participate in a two hour/week seminar (in both the fall and spring semesters) that focuses on the framework, history, and current issues related to American poverty. Students will also work for a public interest law organization that works on issues connected to poverty; students may work for either 10 or 15 hours/week in both the fall and spring or 30 hours/week in one semester only. In addition, students may work for 10 hours/week in the fall and 15 hours/week in the spring or vice versa.

SEMINAR: Classes in the fall will cover the definition of poverty, the history of antipoverty policy, welfare, work supports, and safety net issues. Spring classes will feature guest lecturers covering education, health, housing, homelessness, juvenile justice, and child welfare. Students will be involved in participatory exercises in the course of both 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. The host organization may work from either a national or a local perspective on issues connected to poverty. Placements may involve a focus on poverty per se or “poverty and...” e.g., civil rights, women, education, housing, health, juvenile and criminal justice, child welfare or immigration. Depending on the organization, activities at placements could include litigation and/or policy advocacy, including governments on all level and in either the executive branch or the legislative. Students may propose and arrange their own placements; these must be approved by Professor Edelman. Alternatively, Professor Edelman is available to assist in finding and setting up the placements. Depending on the number of hours worked, students will earn four, five, or six pass/fail credits for the fieldwork; one grade will be provided at the end of the year.

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

Mutually Excluded Courses: Students may not concurrently enroll in this practicum and an externship or another practicum course. If students complete their fieldwork hours for this practicum entirely in one semester, they may be eligible to enroll in a clinic for the other semester.

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

This course may be suitable for evening students who can attend seminar and participate in fieldwork during business hours.

Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. A student wishing to withdraw from the course will be withdrawn from both the seminar and fieldwork components. Default attendance rule for all practicum courses (unless the professor

LAW 1250 v02 Practicing Law in Another Country Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201250%20v02)
J.D. Seminar | 1 credit hour
Globalization of legal services has given rise to the movement of attorneys between multiple jurisdictions within the practice of law. This course will survey the complexities of the international legal industry, from the licensing requirements for lawyers or foreign legal consultants under various national legal systems, to the practice of law in the globalized arena and the growing dilemma of conflicts laws for practitioner. Students will discuss the challenges faced by attorneys practicing law in another country, and will explore the differences and similarities among some of the world’s legal systems, particularly common law and civil law. The course will examine how, in the course of that process, cultures and political systems collide and conflict. Students will also examine the underpinning structures for all of this global movement; the indispensable process of international arbitration, as well as international litigation.

The seminar is open to students who, at the time of the seminar, are working as law clerks, legal interns or summer associates in a country other than their home country. Students who are working outside of the US in the summer session may only participate in this seminar if they are able to attend all of the class sessions remotely.

Students will be asked complete reading assignments, participate in class discussions, and submit a short final paper relating subjects covered in the course to their practical experience.

This course is appropriate for first-year JD students who have not had prior coursework in International Law.

Note: This course is enrolled via professor permission. Interested students should provide the following information by completing the form available at https://georgetownuniversity-km2bf.formstack.com/forms/practicing_law_in_another_country_2019: 1) a brief statement of interest in the seminar; 2) a current resume or C.V.; 3) documentation of a written job offer confirming the start and end dates of employment in the summer session, the number of hours to be worked per week, the job title, and description, and supervisor; and 4) confirmation that the position is in a country that is different from the student's permanent domicile or home country. Applications will be reviewed and approved on a rolling basis.

This seminar will meet in Hotung 6005. Students who are outside of the D.C. area may participate online using Zoom. Additional instructions will be provided to enrolled students. The seminar is offered only on a pass/fail credit basis and will not count against the 7 credit pass/fail limit. A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course. Note: Once enrolled, students who are on an F-1 visa must contact an International Student Advisor (lawcentervisa@georgetown.edu) before they drop or seek permission to withdraw from this seminar to discuss their work authorization. Please note: Students pursuing opportunities outside of the United States are required to register their travel and to obtain specific Education Abroad Health Insurance. Please see the Law Center's policy regarding student travel abroad (https://www.law.georgetown.edu/academics/transnational-programs/international-travel-policy) for additional details. Students wishing to travel to countries under a U.S. State Department Travel Warning must first go through an approval process. These policies are administered by the Office of Transnational Programs. Students should contact Cara Morris, Director, Transnational Programs at cara.morris@georgetown.edu or 202-662-9860 with questions.
LAW 1537 v00 Practicum on Helping Pro Se Litigants (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201537%20v00) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in a weekly seminar and engage in related fieldwork at outside organizations. This fieldwork practicum course will focus on assisting those representing themselves in divorce, child custody, and child support matters in D.C. Superior Court. Working under the supervision of attorneys at the Affordable Law Firm who are involved with the Family Law Assistance Network (FLAN), students will be responsible for handling client intake and providing family law related information and community education services to individual and groups of D.C. residents in areas of the city such as Ward 8. Ward 8 is an area with a 36% poverty rate, where its residents largely address their legal problems without the benefit of counsel. The assistance may be hybrid for the Spring 2023 Practicum, with some services at DC Superior Court and some virtual. Students will also be preparing information about family court law and procedure for self-represented parties. Students will participate in a two-hour/week seminar and carry out up to 10 hours/week of fieldwork with DCALF lawyers.

SEMINAR: In the seminar, students will learn about: (i) family law and procedure in the District; (ii) the types of information self-represented parties often need when they have to represent themselves; (iii) the best means for helping self-represented persons in crisis situations; (iv) developments nationally on involving non-lawyers, such as law students, in providing needed information and public education to self-represented parties; and (v) requirements and restrictions set forth in the District’s unauthorized practice of law provisions (DC court of Appeals Rule 49) that governs the services students in the Practicum will be able to provide.

FIELDWORK: In the fieldwork component of the course, students will: (i) get guidance from DCALF attorneys in handling pro se litigant intake and providing basic information about DC Superior Court Domestic Relations Branch law and procedure; and (ii) prepare easily understood on-line and print family law public education materials.

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

Recommended: Prior coursework or other experience in family law is recommended but not required.

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

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

This course is suitable for evening students who can commit to attending seminar and working 10 hours/week during business hours. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks. The two-credit seminar portion will be graded. The two credits of fieldwork are mandatory pass/fail. Students will be allowed to take another course pass/fail in the same semester as this practicum. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and practicum.

LAW 1803 v00 Practitioner’s Perspective on Banking Structure and Regulation (http://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 Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20358%20v00)
J.D. Skills | 2 credit hours
This seminar focuses on the communication skills lawyers are required to master. The seminar includes work on the preparation and presentation of informational briefings and persuasive speeches to both expert and lay audience from a listening perspective. The seminar does not address trial or appellate advocacy skills. In addition to lecture/discussions of the principles and techniques, students deliver presentations which are video-recorded, analyzed and critiqued by the seminar participants and the professor.

Learning Objectives:

Upon completion of this course, students will have an understanding of and enhanced professional skill in creating and presenting listenable presentations.

Note: The Summer 2022 section of this course will enroll via waitlist.

This course is open to J.D. students only. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.
LAW 1493 v00 Prison Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201493%20v00)
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 1181 v00 Prison Reform Advocacy and Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201181%20v00) (Fieldwork Practicum)
J.D. Practicum | 5 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course will introduce students to the prison reform and related fields. Students will participate in a two-hour/week seminar and carry out 15 hours/week of fieldwork at non-profits or agencies that deal with prison reform and related issues.

SEMINAR: Seminar materials will cover substantive law, policy, and practical advocacy skills. Substantive law will comprise the major statues, regulations, and case law governing the U.S. carceral system. The policy units will cover issues such as privatization and approaches to sexual assault. Finally, the course will touch on practical skills such as interviewing techniques, media relations, and self-care.

FIELDWORK: Fieldwork placements will be at various non-profits and agencies that deal with prison reform and related issues. Depending on the agency and its needs, work will include litigation, individual advocacy, policy development, or legislative advocacy.

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

Mutually Excluded Courses: Students may not receive credit for this class and Prison Law and Policy. Students may not concurrently enroll in this practicum and an externship or a clinic or another practicum course.

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

Evening students are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules. This is a 5 credit course. Two credits will be awarded for the two-hour weekly seminar and three credits for 15 hours of supervised fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The fieldwork must be completed during normal business hours. The two-credit seminar portion of this practicum will be graded. The three credits of fieldwork are mandatory pass/fail. Students will be allowed to take another course pass/fail in the same semester as the fieldwork. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and fieldwork components. Default attendance rule for all practicum courses (unless the professor indicates otherwise): 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.
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor. This project-based practicum course will focus on privacy policy. Students will participate in a two hour/week seminar and carry out 15 hours/week of project work under the direction of the course professor.

SEMINAR: The aim of this practicum is to have law students and Master of Law and Technology (MLT) students jointly explore in-depth current issues in privacy policy and to propose policy solutions in the form of legislation that could be adopted by state governments. Our goal is to foster an environment that permits law students interested in a career at the intersection of law and technology to work with technology students on current issues of real gravity to (a) become literate in the technology that drives privacy issues; (b) learn to work with experts from different disciplines; and to (c) learn to work collaboratively with technologists on issues with important technological dimensions.

PROJECT WORK: The practicum will pair law students and MLT students in interdisciplinary teams, each likely consisting of two law students and one MLT student. Each team will be assigned a specific question of public policy, and over the course of the semester the team will be responsible for preparing a detailed legal assessment of the policy question, the technological frameworks and challenges associated with the policy question, and formulating policy and technological recommendations to address the question in the form of draft state legislation. Among the kinds of questions that students may be asked to address are the following: (a) new, invasive forms of workplace and employee tracking; (b) commercial and police use of face recognition technology; and (c) state efforts to severely restrict flows of local and state government data to Immigration and Customs Enforcement (ICE).

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

Strongly Recommended: Information Privacy Law with either Professor Julie Cohen, Professor Paul Ohm or Professor Marc Rotenberg.

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

Note: This practicum may be suitable for evening students who can commit to attending class and participating in 15 hours/week of project work.

This is a five-credit course. Two credits will be awarded for the two-hour weekly seminar and three credits will be awarded for approximately 15 hours of project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be graded. Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and project components. Default attendance rule for all practicum courses (unless

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Each team will be assigned a specific question of public policy, and over the course of the semester the team will be responsible for preparing a detailed legal assessment of the policy question, the technological frameworks and challenges associated with the policy question, and formulating policy and technological recommendations to address the question in the form of draft state legislation. Among the kinds of questions that students may be asked to address are the following: (a) new, invasive forms of workplace and employee tracking; (b) commercial and police use of face recognition technology; and (c) state efforts to severely restrict flows of local and state government data to Immigration and Customs Enforcement (ICE).

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

**Strongly Recommended:** Information Privacy Law with either Professor Julie Cohen, Professor Paul Ohm or Professor Marc Rotenberg.

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

**Note:** This practicum may be suitable for evening students who can commit to attending class and participating in 15 hours/week of project work.

This is a five-credit course. Two credits will be awarded for the two-hour weekly seminar and three credits will be awarded for approximately 15 hours of project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be graded. Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and project components. Default attendance rule for all practicum courses (unless otherwise noted) is that students must attend all scheduled classes and complete all required work.
LAW 845 v00 Private Equity, Hedge and Other Private Funds (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20845%20v00)

LL.M Course (cross-listed) | 2 credit hours
This course provides 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 on 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 361 v01 Professional Responsibility (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v01)

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v04)

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 a later date (Date TBA).
This course examines, against the background of the American Bar Association's Model Rules of Professional Conduct, the ethical obligations of lawyers in the United States. We have responsibilities to clients, the courts, and third parties, and those responsibilities sometimes conflict. Among the topics considered will be paternalism, confidentiality and candor (in negotiation and litigation), fees, conflicts of interest, free speech, and advertising for and solicitation of clients. Professors may also differ in the context chosen to address those (and other) topics: working in government or in a private or public interest law firm; and in the nature of law: civil or criminal.

The course will: (1) provide an overview of the rules of professional conduct, using the DC Rules of Professional Conduct as a baseline, but discussing variations in other jurisdictions, primarily New York and California, (2) apply the rules to fact patterns intended to highlight common issues attorneys confront in specific contexts, focusing on practice in a large firm environment, and (3) address an attorney's liability for legal malpractice (and other potential consequences, such as criminal liability) against the backdrop of the rules of professional conduct.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at a later date (Date TBA).

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.

Learning Objectives:

- To prepare students to:
  - recognize ethical problems when they arise;
  - identify the pertinent authority—particularly the ethical code provisions (based on the Model Rules of Professional Conduct) most likely to bear on the matter; and
  - arrive at a sound resolution, within the boundaries set by the Rules.

These objectives also require considering the ways in which the ethical codes address competing interests of clients, opposing parties, non-parties, the system of justice generally, and lawyers themselves.
This course endeavors to provide a practical, and practice-oriented (as opposed to academic, philosophical or jurisprudential), approach to the ethical, moral and social issues that lawyers deal with in the practice of their profession. The central objectives are to prepare students to recognize ethical problems when they arise; to identify the pertinent authority—and in particular the ethical Rules found in the Model Rules of Professional Conduct—that are most likely to bear on the matter; and to arrive at a sound resolution. Necessary to these ends will be consideration of the ways in which the ethical codes address the often competing interests involved: those of clients, of opposing parties, of non-parties, of the system of justice generally, and of the lawyers themselves. Although the particular focus of the course is on ethical issues, and on the codes and other authority that govern the resolution of such issues, some attention will be paid to putting the subject in a setting that encompasses both a macroscopic view of the role of lawyers in society and a more earth-bound understanding of the processes, disciplinary and compensatory, by which the professional responsibilities of lawyers are enforced.

**Note:** J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on July 14.

**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.

**Complete List of J.D. Courses**

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**LAW 361 v59 Professional Responsibility**

J.D. Course | 2 credit hours

This course deals with problems of professional responsibility and legal ethics from the standpoint of the practicing lawyer confronted with real-world issues requiring decision-making on the part of the lawyer rather than purely abstract speculation. It will cover such topics as avoiding and resolving conflicts of interest; preserving client confidences; ethical problems arising in civil and criminal litigation, including disclosure obligations to adversaries and tribunals, responding to discovery requests and handling the unethical client; attorney fees and methods of attracting legal business; and the role and duties of counsel in particular relationships, such as lawyers for the government, inside and outside lawyers for corporations and other entities and public interest lawyers.

The course will also focus on the changes in the legal profession in recent years, such as the rise of mega-law firms, the globalization of law practice, the entry of women and minorities in large numbers into the profession, and the impact of technology, and what they import for the future of the profession. It is designed to help law students in making career choices in the law as well as to become better lawyers.

**Recommended:** Prior or concurrent enrollment in Civil Procedure (or Legal Process and Society) and Torts (or Bargain, Exchange and Liability).

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**LAW 361 v28 Professional Responsibility: Advocacy and Ethics in Practice**

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.

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**LAW 1264 v00 Professional Responsibility: Ethics in Public Interest Practice**

J.D. Course | 3 credit hours

Public interest lawyering is counter-cultural in the legal profession, but the substantive law governing lawyers is generally the same regardless of practice area. This course examines the regulation of the legal profession with a focus on the ethical issues most often encountered by public interest lawyers. Most class meetings will be devoted to applying the Model Rules of Professional Conduct and other lawyer law to problems chosen from the text and other sources. Issues will include confidentiality and publicity; allocation of decision-making authority; conflicts of interest between individual clients and the broader client community or particular social justice movement; settlement and fee shifting; and special problems in organizational, class, and mass representation. The course will also examine the history of public interest law, issues confronting the public interest movement, and career options.

**Note:** This course satisfies the Professional Responsibility requirement for the Public Interest Law Scholars program ("PILS").
LAW 1187 v00 Professional Responsibility: Problems from Practice
(https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201187%20v00)
J.D. Course | 3 credit hours
The premise of this course is that studying the legal profession, and particularly its code of ethics, is exciting! May a lawyer rat on her client who is planning to kill someone? Is it permissible for a prosecutor to impersonate a defense lawyer in order to save lives? May a lawyer represent two criminal co-defendants? Must a prosecutor turn in his best friend, a fellow prosecutor who has concealed evidence from a criminal defendant?

In this course, we will read very few judicial opinions. Instead, we will work on about forty ungraded problems, most of which are based on real situations that lawyers faced. Instead of assigning you to read autopsies of cases (that is, appellate opinions), I will provide you with the relevant legal framework (most importantly, the Rules of Professional Conduct) and then ask you to step into the shoes of a lawyer who has to make a critical decision, often caught between conflicting loyalties.

You will use your laptop or internet-enabled mobile phone to cast anonymous votes, to register what you would do as the problems unfold. Class discussions will explore and evaluate the legal, ethical and strategic justifications for each possible course of action. After the discussion of each problem, I will reveal what happened in the real case.

The course will include a unit on the American Legal Profession: its history, the relative advantages of large-firm, small-firm, and public service practice, and how recent economic developments are changing both the legal profession and the career opportunities for graduates of Georgetown Law.


The professor has created a document with a summary of the learning goals for this course (https://www.law.georgetown.edu/wp-content/uploads/2021/04/Goals.pdf).

Note: This course meets the J.D. Professional Responsibility graduation requirement. Students may receive credit for only one offering in the Professional Responsibility series. For a list of the PR series courses, please see the Legal Profession/Professional Responsibility cluster essay (https://curriculum.law.georgetown.edu/jd/legal-profession-professional-responsibility). The courses in the PR series are open to only J.D. students.

(https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v10)
J.D. Course | 2 credit hours
This class considers lawyers’ professional responsibilities through the lens of legal practice in the 21st Century. During the last decade, economic forces and the emergence of new technologies have roiled the legal services market. With the recent recession, individual and corporate clients have rejected traditional models of service delivery. In response, more entrepreneurial lawyers have developed new organizational structures and business models to serve clients more efficiently. In the meantime, new digital technologies have emerged that in some instances enhance the effectiveness of legal representation and in others risk displacing lawyers altogether. This course, which satisfies the professional responsibility requirement, explores what these trends mean for the regulation of lawyers and law as a profession.

Note: Laptop use is not permitted.

LAW 361 v60 Professional Responsibility: The Ethical Lawyer and the Good Life
(https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20361%20v60)
J.D. Course | 2 credit hours
This course explores the legal principles and rules that govern lawyers and law practice. We will use the Model Rules of Professional Conduct as our framework and cover topics that include the regulation of lawyers, legal malpractice, the formation and termination of the attorney-client relationship, the duties of confidentiality, zealour 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**

J.D. Course | 4 credit hours
Examines classical and modern concepts of property, personal property issues, the nature of interests held in real property, the transfer of such interests, the law of landlord and tenant, and private and public restrictions upon the use of real property.

**LAW 007 v02 Property In Time**

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**

J.D. Seminar (cross-listed) | 1 credit hour
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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20201244%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 provide students with the experience, knowledge, and analytical skills to identify and apply the criminal laws, evidentiary and procedural rules, and case law relevant to the prosecution of sex crimes. Students will participate in a two-hour/week seminar and also undertake 10 hours/week of fieldwork at AEquitas: The Prosecutors’ Resource on Violence Against Women.

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will learn about the prosecution of sex crimes. Rape and sexual assault laws are complex and evolving. The crime of rape originated as a crime against property – not against a person. While these laws have evolved, they still retain vestiges of their archaic origins, resulting in inconsistency and variability in sex crime terminology and elements from state to state, as well as other anomalies. This course is designed to inform students’ evaluation, preparation, and litigation through a course-long review of a complex sexual assault case file. It will also address the prevalence and perpetration of sexual violence in the United States and will explore the commonalities and differences in the barriers to effectively responding to these cases in the United States and abroad. This practicum course will provide students with the experience, knowledge, and analytical skills to identify and apply the criminal laws, evidentiary and procedural rules, and case law relevant to the prosecution of sex crimes. Students will be exposed to research related to victim behavior, sexual violence perpetration, medical and health issues, and forensics in sexual violence cases in their seminar readings, discussion, and fieldwork. Students will be provided with opportunities to apply the relevant research, court rules, and case law to the course case file. The students’ fieldwork will be complemented weekly by a review of relevant case law and literature, class discussion, lectures by the lead faculty member and guest lecturers, and mock pre-trial and trial exercises. Students will develop an understanding not only of the applicable laws but also of common challenges that arise when investigating and prosecuting these crimes. Topics such as alcohol-facilitated sexual assault, violence against sexually exploited women, commonly co-occurring crimes, prosecutorial decision-making, marital rape, issues of force and consent, and more will be studied.

FIELDWORK: In the two-credit, mandatory pass-fail, fieldwork portion of the practicum, students will undertake 10 hours of fieldwork/week at AEquitas, where each student will be supervised by an Attorney Advisor. Students will be expected to assist AEquitas Attorney Advisors with daily tasks of providing technical assistance to prosecutors and allied professionals and to prepare for trainings. Technical assistance requests span the continuum and include but are not limited to: information on experts, legal research (statutory and case law based), policy guidance, and more.

Students will also work in pairs to complete a semester-long project related to AEquitas’s work, focusing on sexual assault prosecution and advocacy. Projects may include:

- Utilizing technology to enhance the prosecution of these cases, such as developing a public service campaign to raise awareness of issues related to prosecution and sexual assault and/or creating short podcasts on relevant topics that feature AEquitas Attorney Advisors and other justice system experts, etc.
- Developing sample briefs
- Analyzing relevant laws
- Peer review of colleagues’ work

LAW 995 v00 Public Health and International Investment Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%2020995%20v00)
LL.M Course (cross-listed) | 1 credit hour

The objective of this 1 credit course is to introduce students to the relationship between international laws governing foreign investment and efforts to protect and promote human health. The course will examine the extent to which bilateral investment treaties (BITs) and investment chapters in trade agreements limit domestic regulatory autonomy, 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 limiting 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 trans-national corporations, are increasingly using these rules to challenge domestic regulations such as public health measures.

The course will address:

1. the theoretical perspectives underlying the international law of investment and the concept of police powers (particularly the power to protect health);
2. the different types of legal tests used to determine the regulatory legitimacy of a measure as well as the impact of varying standards of proof on analysis of this type;
3. rules governing expropriation of property rights and the circumstances in which health and environmental health measures might be considered equivalent to expropriation;
4. rules governing fair and equitable treatment as used in determining the legitimacy of domestic regulatory measures;
5. rules governing non-discrimination and their potential impact on domestic health measures that are non-discriminatory in form;
6. rules governing arbitrary or discriminatory measures; and
7. procedural issues relating to the participation of civil society in the negotiation of investment treaties and the settlement of investment disputes.

There are no prerequisites for the course, although familiarity with international law or global health law is desirable. The course is ideal for students in the Global Health Law LLM program or for other students wanting a course on international investment law.

Prerequisite: Familiarity with international law or global health law is helpful, but not required.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.
This course explores the interwoven dynamics of legal and ethical aspects of public health issues in the United States and abroad, including infectious diseases, tobacco use, obesity, and the environment, among others. This course will be valuable for students interested in global health law, as well as students looking to broaden and deepen their expertise in preparation for a career in health law more generally.

This course will proceed in three movements. First, it will consider the conceptual foundations of public health law in the United States through the lens of governance, ethics, and human rights, affording particular attention to the statutory and regulatory powers and duties of federal and state governmental entities to protect the health and safety of the population. Second, it will examine the sources of tension between the objectives of public health and civil liberties including, among others: labeling and advertising restrictions and free speech; disease surveillance and privacy; and considerations in personal versus population-based conceptions of health. Lastly, this course will conclude by considering emerging public health issues at the intersection of law and ethics, such as biosecurity, vaccine policy, and the role for public health in broader discussions around health care reform in the United States.

This course will be valuable for students interested broadly 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. Throughout the course, students will engage with public health law through applied learning—case studies and exercises—focused on addressing public health issues, comparing national and global responses, and developing legal and policy strategies that integrate health equity.

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 aPPP and discuss and debate sophisticatedly how they should be managed and governed.

To do this, the course uses a mix of lecture, discussion, video, and experiential learning. It will start by examining and contrasting the key organizational, legal, and governance components of public-sector institutions and corporate entities. Students will then analyze several kinds of PPPs including global health partnerships, innovative finance institutions, and biomedical research consortia. In particular, they will examine applicable international, corporation, and regulatory law and seek to understand the choices these partnerships make in applying a particular mix of public-sector and corporate norms. We will seek to understand the high profile COVID-19 PPPs such as COVAX, Accelerating COVID-19 Therapeutic Interventions and Vaccines (ACTIV) partnership, and Operation Warp Speed. A key feature is a simulation that provides students the opportunity to experience the formation of a PPP using the tools they develop during the semester.
LAW 1352 v00 Pursuing Fraud Against the Government: A Model of Complex Civil Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201352%20v00)

J.D. Seminar | 3 credit hours

Since the 1980s, the Federal False Claims Act (“FCA”) has been the United States’ primary civil mechanism to stem, recover for, and punish fraud against government programs and in government contracting. It provides for both treble damages and additional statutory penalties. It also establishes a public-private partnership in which whistleblowers are empowered to work alongside or in the name of the United States to prosecute fraud. In return, they receive a portion of the recovery and attorneys’ fees. The FCA has proven so successful in uncovering fraud and recovering tax payer dollars that a majority of states have passed similar statutes. As a result, FCA litigation is a particularly salient example of the complex civil litigation found throughout federal and state courts. It can involve allegations of nationwide fraud requiring extensive discovery, made on behalf of multiple plaintiffs, including multiple independent sovereigns, and for which the potential recovery risks bankrupting the defendant.

This course will use the allegations, discovery, and trial testimony from actual FCA suits to introduce students to the intricacies of and strategic considerations presented by this and other complex civil litigation. The course will follow the development of FCA suits from the under seal investigation of the case through trial with a special focus on utilizing and defending against discovery and driving cases to early resolution. Students will draft portions of complaints, proposed orders, discovery requests, motions, and jury instructions. Class time will be used to critique student work product and strategize responses so that students will be exposed to both defense and plaintiff perspectives and understand the tradeoffs faced by litigants in multi-party suits. Students will also hear from practitioners, including mediators and judges, to understand the techniques they employ and what motivates their decisions. The goal is that at the end of the course students will have experience with all of the tools of complex civil litigation, an understanding of how to take a case from complaint to trial, a familiarity with the central legal doctrines underlying FCA actions, exposure to private-public interest practice, and an appreciation for working with the government and other co-parties.

Students will be evaluated based on their written work product and class participation.

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

Recommended: Prior or concurrent enrollment in Evidence.

LAW 611 v06 Questioning Witnesses In and Out of Court (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v06)

J.D. Seminar | 1 credit hour

This Week One course will introduce students to a critical dimension of lawyering: the law, practice, and ethics of questioning witnesses effectively in non-adversarial and adversarial situations. Through lectures, simulation exercises (i.e., mock depositions, grand jury proceedings, and trials), and oral and written feedback, students gain exposure to the forensic techniques needed to effectively question witnesses in both informal and formal settings, a skill set whose value in the practice of law is not limited to litigation. This course is an excellent introduction to the type of materials covered in upperlevel elective courses such as Trial Practice and Civil Litigation Practice.

The course does not require students to have taken Evidence, but will introduce students to selected key evidentiary issues that they need to understand in order to construct lines of questions and individual questions to elicit responsive answers (or to object successfully to opposing counsel’s questions). For class each evening, students will have limited assigned readings before class (which may include fact patterns and mock documents for the next day’s exercises), and handle questioning in mini-problems involving witness questioning in both civil and criminal practice. The scenarios are expected to include situations such as: (1) informal interviews of corporate employees and other individuals by outside counsel conducting internal investigations of alleged wrongdoing, such as consumer fraud, economic sanctions violations, foreign bribery, organized crime, and SEC disclosure violations; (2) informal and formal interviews of government employees, government-contractor officers and employees, and other individuals by counsel for a Congressional committee investigating alleged fraud against the government; (3) formal non-adversarial questioning of witnesses in civil and criminal depositions, and in federal grand jury proceedings; and (4) formal adversarial questioning of witnesses in civil and criminal trials. Students can expect to be conducting witness questioning each evening of class and to enhance their and their classmates’ learning through a highly participatory and supportive environment.

Learning Objectives for Professor Rusch:

The general objective of the examination exercises in this course is skills exposure, practice, and improvement to ensure that students become familiar with the forensic techniques needed to question witnesses effectively in a variety of contents. Whether or not students eventually take upper-level courses such as Trial Practice or Trial Advocacy, which address a broader array of litigation skills in a full-semester course, this course will provide them with a valuable lawyering skill set whose value in the practice of law is not limited to litigation. That skill set is best developed in a concentrated course like this by keeping in-class mini-lectures brief, overseeing multiple exercises by students, and providing prompt in-class feedback after each exercise is completed.

Learning Objectives for Professors Williams and Brightbill:

Students will develop a stronger understanding through experiential learning of the role of questions in litigation, with specific focus on witness interviews, depositions, direct examinations, and cross examinations.

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

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website.
LAW 586 v00 Race and American Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20586%20v00)
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.


Note: Laptops may not be used during class sessions.

LAW 1548 v00 Race and Democracy: Voting Rights in America (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201548%20v00)
J.D. Course (cross-listed) | 3 credit hours
Race and Democracy: Voting Rights in America assesses the impact of white supremacy ideology on American Democracy. The course uses the struggle for Black voting rights as the primary framework for exploring this relationship.

Over the course of the term, students 1) develop a working knowledge of how the ideology of white supremacy has impacted voter registration, participation, and representation 2) acquire critical tools to identify, analyze, and dismantle narratives, policies, and practices rooted in the history of white supremacy and 3) develop an appreciation for the role social movements have played in both reinforcing and disrupting the structural and systemic barriers to a multiracial and multicultural democracy.

Recommended: There are no prerequisite requirements for this course, although courses in constitutional law can be helpful.

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University's COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

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

LAW 1461 v00 Race and Poverty in Capital and Other Criminal Cases Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201461%20v00)
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, constitutional and ethical responsibilities of prosecutors, the right to counsel for people who cannot afford lawyers, jury selection, and racial disparities in sentencing.

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 2022, this course will meet on the following Tuesdays and Thursdays: 8/30, 9/1, 9/6, 9/13, 9/15, 9/20, 9/27, 9/29, 10/4, 10/13, 10/18, 10/20, and 10/25.
Complete List of J.D. Courses

LAW 1335 v00 Race, Inequality, and Justice (http://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 1719 v00 Race, Law, and Inequality Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201719%20v00)
J.D. Seminar | 2-3 credit hours

The deaths of black men and women at the hands of white police officers in places like Ferguson, Missouri, New York City, North Charlestown, South Carolina, and Baltimore has launched a conversation about race in the United States unlike any we have seen in recent decades. Recent debates have focused on racial bias, discrimination and disadvantage, but have largely ignored the effects of law in the racial inequality context. This course looks to correct that omission. It offers students an opportunity to explore the ongoing role that law plays in both shaping notions of race and in fostering structural racial inequality in the United States. Launching an inquiry that emphasizes history, as well as scholarly critique and social science insights, the course invites students to consider the racial contours and function of law in a host of contexts, including criminal justice, education, family, and housing.

Note: J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
**LAW 1389 v00 Racial Capitalism and American Law Seminar** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201389%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201389%20v00))

**J.D. Seminar | 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 though the revolutions of emancipation, racial segregation, and selective migration, to understand the racialized patterns of economic inequality rooted in our present. Though the readings assigned in this course have been selected to provide students with a richly historical framework for understanding contemporary crises, students are encouraged to introduce questions that concern them most immediately. Students are also encouraged to think critically across intersections of race, class, gender, and sexuality.

There are no prerequisites for this class, but students should be prepared to engage with variety of materials, not limited to legal cases or statutes. Students will be introduced to foundational essays in the critical legal tradition, as well as emerging interdisciplinary scholarship in postcolonial studies, critical indigenous studies, black radicalism, ethnic / American studies, and feminist / queer studies.

Students will be expected to draft short weekly reflections, to participate in leading our seminar discussion at least once during the semester, and to submit a final paper on a topic of their own choosing.

**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Munshi (skm67@georgetown.edu) and her assistant Noreen Tareque (nt574@georgetown.edu) by Wednesday, June 8, 2022 with a copy of your CV and a short statement of interest (1 page or less). Please include whether you want to take the course for 2 or 3 credits. After the June 8 application deadline, students will be admitted into open seats on a rolling basis.

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

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**LAW 1753 v00 Racial Equity in Education Law & Policy Clinic** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201753%20v00](http://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.


For registration-specific supplemental materials, please see the Racial Equity in Education Law & Policy Clinic PDF ([https://georgetown.app.box.com/s/glnik5brjsz342e6loz6ab3b00gmns](https://georgetown.app.box.com/s/glnik5brjsz342e6loz6ab3b00gmns)).

For information about clinic registration, please see the Clinic Registration Handbook ([https://georgetown.box.com/s/y9fbwg3jvqcuynveip3ytyrl6n9jpyv6](https://georgetown.box.com/s/y9fbwg3jvqcuynveip3ytyrl6n9jpyv6)).

**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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201728%20v00)
J.D. Seminar | 2 credit hours
During this seminar our class will read six 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 and politics; the role that race, gender, age and socio-economic status have played in shaping how policing happens; the connection of policing to mass incarceration and its attendant harms; and we will probe some of the biggest challenges facing policing currently, such as combatting gun violence and police interactions with youth.

The books we will read are:

- Uneasy Peace: The Great Crime Decline, the Renewal of City Life, and the Next War on Violence by Patrick Sharkey
- America On Fire: The Untold History of Police Violence and Black Rebellion Since the 1960s by Elizabeth Hinton
- Misdemeanorland: Criminal Courts and Social Control in an Age of Broken Windows Policing by Issa Kohler-Hausmann
- Becoming Abolitionists: Police, Protests, and the Pursuit of Freedom by Derecka Purnell
- The Rage of Innocence: How America Criminalizes Black Youth by Kristin Henning
- Tangled Up in Blue: Policing the American City by Rosa Brooks

**Reflection and Summaries:** All students are required to submit a 500 word reflection paper on each book after we have read the book and before we have discussed it with the author. Reflection papers will be submitted via Canvas by noon two days before class (i.e. every other noon on Monday) so that they can be made available to the authors before our discussion. Reflection papers will be graded and late papers will be penalized. In addition, all students will submit a 500 word summary of the reading before the first week’s discussion of each book. Summaries will be graded pass-fail and must be submitted each week by 5pm the day before class (i.e. every other Tuesday at 5pm). I will note these dates on the Canvas calendar for this class.

**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) weekly reading summaries.

**Prerequisite:** Criminal Justice or Democracy & Coercion or Criminal Procedure or Instructor Approval. (LL.M.s are welcome).

**Note:** To accommodate author schedules, at least two classes will be held on Wednesday afternoon from 3:30pm-5:30pm, rather than the normally scheduled class time.

LAW 1718 v00 Real Estate Development Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201718%20v00)
J.D. Course | 2 credit hours
Guest Lecturers:
Brandon Rule, Rule Enterprises
Feras Qumseya, Folger-Pratt
David Bramble, MCB Real Estate

This course teaches the fundamentals of real estate development with considerable emphasis on problem solving and real time engagement of potential development sites. Across the semester, students acquire practical knowledge of the stages of real estate development, as well as the laws and deal structures pertinent to a range of mixed income/mixed use development.

Students whose projects show promise may have the opportunity to join interested professional development teams as interns, continuing their learning experience and involvement on this and/or other projects.

**Learning Goals**

Through class readings, in-class exercises, and guest lectures, students learn to

1. Identify problems and solutions at various stages of the development process: 1) creating and refining a development idea, 2) site selection, evaluation, and control, 3) development and entitlement, 4) construction and tenant occupancy and 5) management of the built project.
2. Navigate the deal structure and most common legal issues in mixed income/mixed use development
3. Research the preliminary feasibility of potential sites and construct a pro forma to analyze business feasibility of those sites
4. Prepare a short prospectus capturing the essentials of site research and pro forma analysis
5. Organize and present a 5-7 min. pitch to industry professionals based on prospectus and pro forma analysis

**Recommended:** This course functions like an incubator for those interested in commercial and multi family real estate development. No prior experience or coursework in development, finance, or real estate law is required, but proficiency with Excel and familiarity with general business and finance concepts could be helpful.

**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students should submit a statement of interest, along with an updated CV to Professor Anthony Cook (mailto:cooka@georgetown.edu) by 3:00 pm on Monday, September 21, 2020.
LAW 430 v01 Recent Books on the Constitution Seminar

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):

- Aziz Huq, "The Collapse of Constitutional Remedies" (https://t.co/tpBQ9n4WRS)
- Helen Norton, "The Government's Speech and the Constitution" (https://t.co/W64V1e4a4r)
- David Bernstein, "Classified: The Untold Story of Racial Classification in America" (https://t.co/wws8NOtCbb)

Grades will be based on class participation and a 5500 character "thought paper" for each book. In addition, students will submit a one-page summary of the reading — graded pass/fail — for the first and second week’s discussion of each book. All thought papers must be submitted electronically by Monday at noon, so they can be made available to the authors and graded by the following day. Grades for papers submitted late will be lowered.

**Prerequisite:** Constitutional Law I: The Federal System or Democracy and Coercion in Curriculum B.

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

**Note:** Internet access on any device is not allowed during class; all laptop use is disallowed (unless necessary to conduct Zoom instruction).

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. The paper requirements of this seminar will not fulfill the Upperclass Writing Requirement.

LAW 670 v13 Recent Tax Legislative Developments

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

Each student will select a topic relating to a recently-enacted tax statute or newly-issued interpretation of a tax statute; present an overview of the topic early in the semester; lead a longer discussion of the topic late in the semester; and submit a final paper not later than the paper due date. Professors will give guidance on the topics and paper preparation throughout the semester. Professors also will provide information about the tax legislative process to give context to the paper topics. Students will be graded primarily on the final paper and secondarily on the quality of their discussion/s of their own topic and the value of their comments and suggestions made regarding other students’ topics.

**Prerequisite:** Federal Income Taxation

LAW 440 v04 Refugee Law and Policy

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 2054 v00 Regulation of Commodities and Derivatives Markets
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202054%20v00)

LL.M Seminar (cross-listed) | 2 credit hours
Survey of current regulatory and enforcement issues in commodity and derivatives markets; including environmental / climate change commodities, FinTech, energy, securities, forex and related derivatives trading, including swaps, futures, and options markets. Topics include: (1) overview of the history of derivatives and commodity trading generally; (2) the concepts of hedging and speculation; (3) development of derivatives regulation in the U.S. during the 20th and 21st century and the evolution of the Commodity Exchange Act of 1936 (CEA); (4) the current jurisdiction of the Commodity Futures Trading Commission (CFTC) and the Securities and Exchange Commission (SEC) in the post-Dodd-Frank world; (5) application of commodity trading and derivatives statutes and regulations to new products, such as bitcoin, blockchain and other FinTech innovations; (6) analysis of energy and environmental commodity derivatives and markets (cases studies); (7) application of certain securities and banking statutes and regulations to derivative transactions (e.g., the Volcker Rule); (8) registration and regulation of market participants, such as brokers, hedge fund operators, investment advisers, swap dealers; (9) administrative and injunctive enforcement powers involving violations of the CEA; (10) current developments in self-regulatory oversight; and (11) foreign market access to derivatives trading and developments in the EU. After taking this course, students will have a strong understanding of US federal regulation of commodities and derivatives markets as well as awareness of priority areas for likely CFTC enforcement.

**Recommended:** Bankruptcy, banking.

**Strongly Recommended:** Securities, corporations.

LAW 1390 v00 Religion and Constitutions in Global Perspective Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201390%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
All constitutions around the world deal with religion. Some constitutional systems are theocratic, some accommodate religion, while yet others advocate neutrality toward religious institutions or call for a strict separation between religion and the state. This course examines core questions regarding how religion and law interact in constitutional systems globally. We will explore the role of religion and the state drawn from comparative contexts including Asia, the Middle East, and Europe. We will evaluate the challenges faced by the different models of the relationship between the state and the church (or mosque) in our modern world. To what extent is liberal constitutionalism consistent with constitutional designs that privilege a particular religion? Should religion or secularism ever be placed beyond constitutional change, like through constitutional eternity clauses?

We will also consider the individual right of religious freedom and the scope of its protection globally. What counts as "religion" and religious freedom? Who is better placed to make these determinations—the courts, legislature, executive, or the people? We will discuss controversies relating to these questions, such as apostasy, religious conversion, religious symbols, and bans on religious dress like headscarves and burkinis. This course will also explore contemporary issues relating to religion and gender, multiculturalism, religious arbitration, and conscience claims.

**Note:** This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
**LAW 1038 v00 Religion and the Work of a Lawyer Seminar**

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

For some, the ways in which we think about legal questions, and about our own work as lawyers, are related to our religious or spiritual outlook. The seminar will explore the content of that relation, and such questions as: is such a connection appropriate only as a private matter, not to be brought into the evaluation of policy questions or even into conversation, except with one's chosen intimates? Can its importance to our legal thinking be honored in a manner that honors too our political commitment to pluralism and freedom of conscience? What is the difference, if any, between religious and secular sources of values? How may one integrate a religious commitment with a career as a lawyer? This is not a seminar on the law of the First Amendment, although it may affect our understanding of some of the controversies.

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

**Substantive Goals:** For some, the ways in which we think about legal questions, and about our own work as lawyers, are related to our religious or spiritual outlook. The substantive goal of the seminar is to provide students with the opportunity to explore questions such as: is such a connection appropriate only as a private matter, not to be brought into the evaluation of policy questions or even into conversation, except with one’s chosen intimates? Can its importance to our legal thinking be honored in a manner that also honors our political commitment to pluralism and freedom of conscience? What is the difference, if any, between religious and secular sources of values? How may one integrate a religious commitment with a career as a lawyer? This is not a seminar on the law of the First Amendment, although it may affect our understanding of some of the controversies.

This course does not satisfy the JD Upper-Level Writing Requirement.

**Skills-oriented goals:**

1. This seminar requires a series of short reflection and reaction papers which provide an opportunity for students to hone the art of brief writing for a professional setting. The final paper is not a research project, but a short engagement (6-8 pages) with a particular set of issues arising from across the range of topics covered in the course.
2. Reflection papers also aid in preparation for thoughtful student participation in seminar discussions throughout the course, and the further opportunity to hone skills in speaking fluently and comfortably, even about difficult or contentious questions.
3. Seminar discussions will not shy away from sensitive, difficult, or even polarizing cultural and religious questions. Frequent breakout groups and exercises in communication aim to help students hone cognitive empathy, a capacity to listen to understand (rather than simply to debate), and agile skills for dialogue across profound difference.

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**LAW 1196 v00 Religion, Morality and Contested Claims for Justice Seminar**

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 1709 v00 Religion, State and Multiculturalism Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201709%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours

Religious minorities are seeking accommodations in a variety of forms: exemptions (kosher and halal regulations); recognition (representation quotas); assistance (subsidies, museums); self-government (schools, religious courts, territorial sovereignty) and more. Drawing on the rich experience of countries where such accommodations were granted, the course will inquire into the legitimacy and problems associated with such accommodations. In doing so, the course will draw on modern theories of multiculturalism and religion and state designs. Principal topics will include: Liberal multiculturalism, theory and practice; Group accommodations in a democracy; A survey of religious groups and illiberal practices; Traditional schemes of religious accommodations, with special reference to the Ottoman millet system; The reality of religious accommodations in Western democracies (United States, Canada, France, United Kingdom, Germany); The reality of religious accommodations in the Middle East, with special reference to Israel; the problem of minorities within minorities; essentialism, secularism in divided communities and reform movements.

A student who has successfully completed this course should:
- Understand the justifications for accommodating groups in general, and religious groups in particular
- Understand the problems associated with accommodating religious groups, especially when the particular group endorses illiberal practices
- Have the capacity to identify the legal instruments meant to mitigate the effects of illiberal practices of religious groups
- Be aware of the relevance of the constitutional culture for both the legitimacy of accommodating religious groups and the problems associated with such accommodations.

Note: This course will meet on Tuesdays and Thursdays, 12:30 - 2:30 pm in Spring 2021 on the following dates: 1/26, 1/28, 2/2, 2/4, 2/9, 2/11, 2/16, 2/18, 2/23, 2/25, 3/2, 3/4 and 3/9.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. Students may take this seminar for either 2 or 3 credits. All members of the seminar are required to write a number of short reaction papers. Students taking the seminar for 3 credits are also required to write a research paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.

LAW 399 v00 Religious Liberty on Trial Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20399%20v00)
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: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Shulman (shulmanj@georgetown.edu) by Wednesday, October 5, 2022 with a copy of your CV and a statement of interest. After the October 5 application deadline, students will be admitted into open seats on a rolling basis.

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must attend each class session.
LAW 268 v01 Remedies in Business Litigation

- J.D. Course | 3 credit hours
- This course will explore the law and practice of remedies, the concrete outcome of every litigated case. The rules governing the availability, scope, and interaction of the major remedies — compensatory damages, injunctions, declaratory judgments, restitution, and punitive damages — will be examined in commercial settings. The focus is therefore on remedial responses to violations of rights in tangible and intellectual property, exchange-based rights such as breach of contract, and marketplace rights against improper competitive conduct. Particular attention will be given to the basic concepts underlying remedies law and the policy influences of moral philosophy and economic analysis. In addition, the course will cover the practical and strategic aspects of seeking and resisting judicial relief, including quantification of monetary awards. The reading includes three "behind-the-scenes" case studies of how remedies issues are litigated, as well as a classroom visit with an expert witness. Students considering practice in commercial litigation, as well as students who intend to pursue a transactions practice (where prospective remedies are often lurking in the background), will find the course valuable.

**Learning Objectives:**

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

**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 2023 are 1/19, 2/2, 2/16, 3/9, 3/30, 4/13, and 4/27.

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LAW 1194 v00 Renewable Energy Seminar: Policy, Law and Projects

- 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201071%20v00) (Project-Based Practicum)  
J.D. Practicum | 4 credit hours  
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor. This project-based practicum course will focus on the interaction between international human rights law and reproductive health and rights. Students will participate in a two-hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

SEMINAR: The seminar will begin by providing an overview of international human rights law as it pertains to reproductive rights. The course will then focus on access to reproductive health from an international perspective, examining States’ obligations on a variety of issues, such as maternal mortality and coerced sterilization. Analyzing recent decisions emerging from regional and international human rights bodies, such as the European Court of Human Rights, the Inter-American Commission and Court on Human Rights and the CEDAW Committee (UN Committee on the Convention on the Elimination of All Forms of Discrimination against Women), the seminar component will provide a solid legal foundation for students to develop their experiential/field placement projects.

PROJECT WORK: Students will work with external partners on legal and policy projects related to reproductive health. Some of the projects may include drafting amicus briefs for cases currently pending before international bodies, and drafting briefs assessing a particular State’s compliance with human rights law regarding sexual and reproductive rights to be filed in front of UN bodies (shadow reports). Through these projects, students will learn how to conduct an analysis of existing legal and regulatory frameworks for sexual and reproductive health from a human rights perspective. Students will also learn how to use epidemiological data to support and craft compelling human rights law arguments for advancing public policy on, for example, maternal mortality and sexual violence prevention and eradication. By working with external civil society organizations, the course will give students the opportunity to develop practical projects using international human rights law to advocate for the advancement of reproductive health rights. In the past, external partners have included organizations working on women’s rights issues, such as: the Center for Reproductive Rights, Women’s Link Worldwide, Human Rights Watch (Women’s Rights Division), IPAS, and Southern Africa Litigation Centre, among others.

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

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

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

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be graded. Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes...
LAW 260 v04 Research Skills in International and Comparative Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20260%20v04)
J.D. Seminar (cross-listed) | 2 credit hours
Whether they are representing couples in transnational adoptions or multinational enterprises in cross-border mergers, legal practitioners increasingly are expected to consult international and foreign legal materials. This course will familiarize students with the best tools for researching international law and the domestic law of jurisdictions outside the U.S., enabling them to approach these tasks with confidence, rather than trepidation. Students will learn how to efficiently locate multilateral and bilateral treaties, decisions issued by international tribunals, documentation produced by the United Nations and other international organizations, as well as legislation and case law from selected foreign jurisdictions, including the European Union. Tools for topical research in specialized fields, such as human rights, international trade, and investor-state arbitration, also will be covered. Students will refine their information-gathering skills through a series of in-class research exercises and take-home quizzes based on real world, practice-oriented scenarios. This course will be especially beneficial for journal editors, students participating in the Jessup International Moot Court competition and other international competitions, and for students interested in pursuing careers in international law or in practicing law outside their home jurisdiction.

Recommended: Prior or concurrent enrollment in International Law I: Introduction to International Law.

LAW 837 v00 Research with Human Subjects: Law, Policy & Ethics
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20837%20v00)
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.
LAW 1653 v00 Resolution of International Financial Crises Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201653%20v00)
J.D. Seminar (cross-listed) | 2 credit hours

Overview
While the globalization of private capital markets has generated important welfare gains, it has also been responsible for episodes of financial instability, often with devastating consequences. The Course will analyze the underlying causes of international financial crises and assess the efforts of policy makers to mitigate their impact. The Course will be interdisciplinary in nature, focusing on the legal, financial and economic dimensions of these crises and the relevant policy responses. Key lessons will be distilled from an in-depth analysis of the most important episodes, including the Latin American Debt Crisis, the Asian Financial Crisis, Argentina’s default in 2001 and the crises precipitated by the Great Recession of 2008, including the Eurozone Crisis. We will also conduct a simulation, with students playing the roles of the various policy makers seeking to contain and ultimately resolve the crisis.

The Course will analyze both the common patterns of the previous international financial crises and the extent to which they have differed. In that context, the Course will investigate how the dynamics of these crises have been driven both by the evolution of credit markets (including the transition from bank lending to bond issuance) and changes in the underlying legal framework that supports these markets. The Course will analyze the competing considerations faced by policy makers as they seek to mitigate the impact of a crisis – often with large scale financial assistance - without increasing the risk of future crises through the creation of excessive moral hazard. In that context, the Course will review in some detail the role played by the International Monetary Fund in managing these crises.

Learning Objectives
By the end of the course, students will have gained an understanding of how global financial markets have evolved over the past 40 years and how this evolution has both promoted welfare and created significant financial instability. They will learn how the relevant legal frameworks have interacted with this evolution to shape creditor incentives, with a focus on regulatory design, contractual provisions and litigation strategies. Through in-depth case studies, they will gain insight into how public policy makers have struggled to both contain the impact of these crises while, at the same time, introducing reforms to prevent them from recurring. In particular, they will gain an understanding of the legal, policy and governance framework of the IMF and the role it plays as a financial fire fighter. More generally, they will gain an understanding of the challenges faced by policy makers when addressing a systemic crisis, with a focus on the key actors, namely: (a) the governments of the countries experiencing the crisis, (b) private creditors and (c) the IMF. Existing and former officials will participate in a number of classes to share their own perspectives regarding the key lessons to be distilled from previous episodes.

LAW 611 v18 Restorative Justice: Law and Policy Intersections
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20611%20v18)
J.D. Seminar | 1 credit hour

Restorative justice has been part of American law and policy for more than three decades. It exists as an alternative approach to addressing harm across multiple public systems (i.e., juvenile and criminal justice, education, and child welfare) as well as in community-based settings. In the context of harm, restorative justice is a distinct form of conflict resolution that aims to redirect society’s retributive responses. For example, crime, in the context of restorative justice, is not considered just an offense against the state but rather viewed as a wrong against another person and indicative of a broken relationship between the offender, the victim, and the community.

More recently, restorative justice has expanded into mainstream reform conversations—particularly around addressing mass incarceration and securing justice—and gained a new urgency following nationwide protests in response to racial violence and anti-Blackness. The increasing exchange between criminal justice reform and restorative justice cannot be ignored. Proponents and opponents of the expansion of restorative justice in law must think carefully about the existing U.S. restorative justice scheme, to ensure the construction and refinement of restorative justice laws do not yield undesirable state and local practices.

This Week One course provides an introductory examination of restorative justice in U.S. law in an intensive and condensed format. First, it will review the most common uses of restorative justice in the U.S. in public systems. This includes consideration of the application of restorative justice values, frameworks and practices in contrast to retributive theories. Next, using American criminal law as a case study, it will examine contemporary ethical and legal issues emerging from the legalization of restorative justice. The capstone requires application of the course materials in a simulated negotiation, development, and drafting of a restorative justice law.

The course aims to improve students’ effectiveness as future lawyers. The course design promotes learning through the application of knowledge and performance of skills to gain expertise. Students will develop skills associated with legal analysis, legal writing, professional collaboration, negotiation, and self-reflection.

Learning Objectives:
- Familiarity with fundamental restorative justice theories and principles.
- Ability to describe and analyze the application of restorative practices.
- Development of an informed perspective of the nature of restorative justice in public systems.
- Identification of legal and ethical intersections in the U.S. restorative justice scheme.
- Identification and assessment of challenges and possibilities for restorative justice.
- Practice of introspection through experiential exercises.

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

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the
Law 611 v14 Restorative Justice: Theory and Practice in Criminal, Education, and Community Settings (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v14)
J.D. Seminar | 1 credit hour
Restorative Justice (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 — and as it relates to the theory and practice of punitive justice — through a variety of local case studies. Last year these included sexual harm at institutions of higher education such as Georgetown, police reform, community-based paroling, and domestic violence services in the District. This year's topic areas are still to be determined, but may include some or all of the above. These are some of the most complex, politically charged, and emotionally sensitive issues for RJ to address. We will also discuss the broader history and legal debates around RJ in the US as it manifests in criminal justice systems, educational systems, and community contexts. As such, we will consider the challenges and possibilities for restorative justice on campus, the DC area, and beyond, ending our final class with a simulated restorative process to gain an experience for what readings and academic discussions cannot offer.

Course Learning Outcomes

- Identify key restorative principles and practices.
- Articulate the problem in each of the case studies; assess traditional responses to these problems and the legal environment within which they take place; and identify the potential of Restorative Justice.
- 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: This course is mandatory pass/fail, and does not count against the 7-credit pass/fail limit for J.D. students.

Law 712 v00 Rethinking Securities Regulations & the Role of the SEC (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20712%20v00)
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 Act 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201779%20v00)
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**

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

This course offers students an opportunity to learn about the expanding field of practice focused on strengthening the Rule of Law. It begins with a review of various definitions of the term, recognizing that many approach the same end through various means. It employs a case study methodology, including specific sessions with U.S. and foreign judges and other legal practitioners active in reform efforts. Topics include: Democracy and the rule of law; access to justice; criminal procedural reform; court administration and case management; commercial court reform; alternative dispute resolution (ADR); judicial independence and accountability; national security and transitional justice; indicators to measure the rule of law; and the role played by legal actors in addressing corruption, both within and outside the legal system. We will consider the rationale behind rule of law reforms by examining experiences, including in the U.S., which seek more competitive market economies, stronger law enforcement, gender equality, or social justice in response to an increase in demand populations, not only formal "users" of justice services. The course will also address the often overlapping or inconsistent agendas of bilateral donors, international organizations (e.g., U.N., World Bank, IMF, USAID, U.S. Military, among others) in the discussion and analysis.

**Learning Objectives:**

- At the end of the course. Students will have acquired an understanding of the various definitions of 'rule of law' and the factors leading to and preventing successful reform efforts.
- At the end of the course, students will have acquired some understanding of the differences and similarities among international financial institutions (IFIs) and their approaches to Rule of Law to be able distinguish varying objectives (e.g. democracy promotion, economic development, human rights and social justice, anti-corruption and law enforcement).
- At the end of the course, students will have acquired a vocabulary and understanding of overlapping (and even inconsistent agendas) to be able to identify the "drivers" of reform and provide inputs for the design or evaluation of Rule of Law reform efforts.

**Recommended:** International Law I: Introduction to International Law is suggested but not required. Familiarity with international organizations would be useful but not required.

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

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**LAW 772 v00 S Corporation and LLC Taxation**

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

Examines the business and tax issues encountered when using either an S corporation, a limited liability company, or a combination. Most of the course focuses on S corporation taxation rules including eligibility requirements, elections, revocations and terminations, corporate level taxes, distributions, loss utilization, compensation planning, and merger and acquisition transactions. Regarding limited liability companies (LLC), areas covered are formation and classification, conversions, application of partnership rules, and compensation. Business considerations and practical tax planning opportunities, as well as choice of entity fundamentals, are highlighted throughout the course.

**Prerequisite:** Federal Income Taxation (formerly Taxation I); Corporate Income Tax Law I; Prior or concurrent enrollment in Taxation of Partnerships.

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**LAW 960 v00 SEC Enforcement Process**

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 860 v01 Securities Arbitration and Mediation
This seminar will introduce students to the specialized legal arena of U.S. securities arbitration and mediation. Though these proceedings are similar in many ways to a traditional court proceeding and/or mediation, they are also distinctly different and offer their own sets of advantages and disadvantages to parties that are seeking to resolve a dispute. This course will discuss the origins of securities arbitration and mediation, how they differ from court proceedings, the various forums for arbitration and mediation claims, and to whom these forums are available. Focusing primarily on FINRA arbitrations, we will cover the procedural steps involved in bringing a claim through the arbitration and mediation process, as well as the substantive types of claims and disputes that can be settled through arbitration and mediation. The course will also review the pros and cons of arbitration and mediation generally, and the remedies available to a party unhappy with the outcome of an arbitration. Students will participate in their own mock arbitration exercise at the end of this course.

**Prerequisite:** Note for J.D. students only. Prior or concurrent enrollment in Securities Regulation is strongly recommended.

LAW 1392 v00 Securities Enforcement Seminar
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
The Internet has become more important than ever to today’s investors. Similar to the change ATM machines brought to retail banking, the Internet has now given investors the ability to trade without human interaction. Over the last several decades this change has dramatically reduced transaction costs (commission and time), but securities regulators must constantly play catch up. Consequently, in the area of securities, investments, finance and commerce, the Internet can often seem akin to the Wild West, with the pioneers and entrepreneurs struggling within an uncharted territory of the securities laws. This course focuses on four important areas of concern for the securities lawyer: offerings conducted over the Internet, including via more opaque SPAC vehicles, and the impact of the 2012 JOBS Act; trading facilities and market centers operating over the Internet and the increasingly dark market; giving investment advice over the Internet and the importance of social media; and SEC Enforcement issues and the Internet. This course covers the nuts and bolts of the securities laws in each of the areas, and then applies existing statutes, rules and regulations to ongoing Internet activities.

**Prerequisite:** Securities Regulation.

LAW 941 v01 Securities Litigation and Enforcement
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, Salmon, 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20396%20v01)
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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20396%20v05)
LL.M Course (cross-listed) | 2 credit hours
This course focuses on the federal securities laws and the nature and regulation of the U.S. securities markets. The relevant statutes are the Securities Act of 1933 and the Securities Exchange Act of 1934. Among other topics, the course introduces students to registration requirements and exemptions under the 1933 Act and the disclosure obligations and the liability provisions under both the 1933 and the 1934 Acts. This course covers similar territory as the 3- and 4-credit versions of Securities Regulation, but its primary focus is on the core principles and practical aspects of the registration and disclosure requirements, including their historical background, while devoting less attention to judicial case law and detailed regulatory requirements. This course would be appropriate for foreign-trained lawyers pursuing the LL.M. degree in Securities and Financial Regulation and for J.D. students desiring an overview of this area.

Recommended: Prior or concurrent enrollment in Corporations.

LAW 396 v07 Securities Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20396%20v07)
J.D. Course (cross-listed) | 3 credit hours
In this course we will study the disclosure philosophy of the federal securities laws and the nature and regulation of securities, securities markets and market participants. The primary statutes we will cover are the Securities Act of 1933, or the '33 Act, and the Securities Exchange Act of 1934, or the '34 Act, including recent amendments such as Dodd-Frank and the JOBS Act, as administered primarily by the U.S. Securities and Exchange Commission. Major topics include the registration requirements for securities transactions and exemptions from these requirements, the concept of materiality, issuer reporting requirements under the '34 Act and civil liabilities for securities law violations. At times, our discussions will also touch on relevant economic and policy underpinnings and current events.

Prerequisite: Corporations.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at a later date (Date TBA).

LAW 553 v50 Securities Trading Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20553%20v50)
LL.M Course | 2 credit hours
The goal of the course is to provide participants an in-depth understanding of the key themes underlying the regulation of trading in the U.S. Financial Markets. The course will provide students the following: (1) An overview of the current market structure. (2) An understanding trading systems commonly used in today’s markets. (3) An in-depth review of the federal securities laws and self-regulatory organization (SROs) rules applicable to order handling and trading in the U.S. Securities Markets. (4) An in-depth review of Regulation NMS.

Prerequisite: J.D. students must take Securities Regulation prior to taking this class. LL.M. students in the Securities and Financial Regulation Program are presumed to have taken Securities Regulation prior to this course. Specifically, students should have knowledge of the basic duties of a broker-dealer under the Securities Exchange Act of 1934.

LAW 1450 v00 Segregation Seminar: History and Future for Education, Housing and Opportunity (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201450%20v00)
J.D. Seminar | 3 credit hours
The course will cover segregation in public accommodations, residences and education, historically and currently. Although the workforce, marriage, and access to citizenship and voting were segregated for centuries in the U.S., employment discrimination, anti-miscegenation, immigration and election law are beyond the scope of this course. Students will learn that the US is racially segregated in housing and education and that segregation is discriminatory. They will grapple with the fundamental question of why segregation exists and the role of law in creating and responding to segregation. Students will gain a historical perspective on the ideology of white supremacy that animates segregation. They will learn that the chief consequence of segregation is inequality, for everyone, people of color and whites. Among those consequences are mass incarceration, health and wealth disparities, wasted human capital due to lack of opportunity, racial hostility, militarized policing in certain neighborhoods (Ferguson & all its antecedents and successors), environmental degradation, and suburban sprawl. Students will also learn strategies for dismantling segregation and, hopefully, help develop innovative solutions in their research papers.
LAW 1085 v01 Sentencing and Pre-Trial Detention: Law and Policy
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201085%20v01)
J.D. Seminar | 2-3 credit hours
This seminar will focus on the legal and policy issues related to the sentencing and pre-trial detention of defendants in state and federal courts. The class will address philosophical approaches to detention, incarceration, and other 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.

Recommended: Criminal Law.

Mutually Excluded Courses: Students may not receive credit for this course 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
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201085%20v02)
J.D. Course | 2 credit hours
This two-credit hour course will address issues of sentencing law and policy 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 v02 Separation of Powers
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20397%20v02)
J.D. Course | 3 credit hours
This course will address the allocation of authority among the branches of the federal government. The course title is a bit of a misnomer, because those powers are not simply “separated” between the three departments. As Justice Jackson wrote, although “the Constitution diffuses power the better to secure liberty . . . it also contemplates that practice will integrate the dispersed powers into a workable government. It enjoins upon its branches separation but interdependence, autonomy but reciprocity.” Youngstown Sheet & Tube Co. v. Sawyer, 343 U.S. 579, 635 (1952) (Jackson, J., concurring)). A principal focus of the course will be to test Justice Jackson’s description. Although we will examine some issues related to the federal judiciary and Article III, our primary focus will be on Articles I and II—in particular, on the President’s independent powers and Congress’s authority to regulate the Executive. This course will deal in greater depth with some of the separation-of-powers issues you studied in Constitutional Law I, but we will also closely examine current controversies, including the allocation of congressional and executive war powers, foreign affairs disputes, congressional oversight, presidential control over the execution of federal law, and constitutional interpretation within the political branches. The principal text will be the second edition of Shane & Bruff, Separation of Powers Law (2005), with some supplemental materials.

Mutually Excluded Courses: Students may not receive credit for this course and Separation of Powers Seminar with Professors Clement and Blatt. Students MAY receive credit for this course and Separation of Powers Seminar: Hot Topics in Scholarship with Professor Chafetz.
This seminar addresses advanced issues raised by the interaction of the three branches of the federal government. In particular, the seminar will build on the separation of powers issues covered in the Constitutional Law I course by addressing some of those issues in greater depth and dealing with other separation of powers issues that tend to receive less attention because they do not result in justiciable controversies. Specific areas of study will include the political question doctrine, the invocation of executive privilege in Congress and the courts, executive immunity from the criminal and civil process, congressional subpoena power over executive branch documents, the effect of impeachment on the separation of powers, the issues raised by the executive branch's refusal to defend the constitutionality of acts of Congress, and judicial review of executive branch efforts to address foreign terrorism.

Students will be expected to prepare an outline, draft, and final version of a 25-page paper on a topic covered in the seminar and chosen in consultation with the instructor. Participation in class discussions will factor into final grades. Photocopied sets of reading materials for the seminar will include cases, statutes, legislative hearings, interbranch correspondence and other materials.

**Mutually Excluded Courses:** Students may not receive credit for both this seminar and Executive Branch Legal Interpretation: The Separation of Powers and the Office of Legal Counsel.

**LAW 1711 v00 Separation of Powers Seminar: Hot Topics in Scholarship**  
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:** Students can take this course and Separation of Powers with Professor Lederman and Separation of Powers Seminar with Professors Clement and Blatt.

**LAW 1661 v00 Sex Equality: Theory and Practice**  
J.D. Seminar (cross-listed) | 1 credit hour  
The seminar on **Sex Equality: Theory and Practice** will focus on particular issues that currently press the boundaries of what "sex equality under the law" means, both legally and socially. Over the course of the week, students will read and discuss at least one substantial piece of recent feminist scholarship and also meet with one or more leading practitioners in the field. For example, students may read a law review article that addresses transgender or gender non-binary issues, and discuss its ideas from a theoretical point of view with the professor and then discuss the same questions with a more applied focus with an advocate. Students may also read short texts such as articles from journalism or organizational reports.

By the end of the week, students will have gained a concrete sense of how current scholarly debates intersect with the efforts of advocates involved in lawmaking (whether through litigation or other means). The class itself will serve as a bridge between academia and practice, and discussions will analyze both overlaps and disjunctions.

**Attendance and participation every day is mandatory. In addition to participation, valuation will be based on written reactions to the assigned scholarly readings.**

**Recommended:** Knowledge of Fourteenth Amendment rights or anti-discrimination statutes would be helpful, but is not required.

**Note:** WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 6, 2020, through Thursday, January 9, 2020, 1:30 p.m. - 4:50 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

**ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 1353 v00 Sexual Orientation, Gender Identity, Sex Characteristics and International Human Rights Law

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of the professor. This project-based practicum course will focus on issues of sexual orientation, gender identity, gender expression and sex characteristics from an international human rights law perspective. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professor.

Background: Every day, lesbian, gay, bisexual, transgender and queer (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.

PROJECT WORK: Students will work, under the direction of the professor, with external partners on legal and policy projects, including conducting legal research and drafting memoranda on specific human rights issues faced by LGBTQI people, preparing shadow reports to present before international human rights bodies, conducting analysis of legislation or a related case, among others. External partners vary every year, and include international and domestic leading human rights organizations working on the promotion and protection of the rights of LGBTQI people at the international level.

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


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

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

Evening students who work during the day are encouraged to reach out to the professor to discuss whether this practicum course would be compatible with their schedules. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits will be awarded for approximately 10 hours of supervised project work per week, for a minimum of 11 weeks. Both the seminar and the project work will be evaluated.

LAW 1790 v00 Shareholder Power, Voting, and the Governance of Firms Seminar

This seminar will focus on how shareholders exercise power over 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 three sessions of the student’s choosing throughout the semester, 500-word memoranda that critically analyze the readings for that week. In addition, at the conclusion of the course, students will be required to submit, at the student’s election, either (1) a final paper, building on the three weekly memoranda, addressing the legal, economic, and policy questions raised during the semester; or (2) comments for federal regulators now preparing to issue rules on a topic discussed in class (2500 words).

3-credit writing requirement students will be required to submit three slightly shorter memoranda (250 – 500 words) and 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: 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 1173 v00 Social Enterprise and Nonprofit Law Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201173%20v00)
J.D. Clinic | 9 credit hours
Please see the Social Enterprise and Nonprofit Law Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/social-enterprise-and-nonprofit-clinic) for more detailed information about the clinic.

For registration-specific supplemental materials, please see the Social Enterprise and Nonprofit Law Clinic PDF (https://georgetown.app.box.com/s/fl242xb4zig13zt7hdpjrijxok6413ixf).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3yqcynevip3ytty6ijnj0pyv6).

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

LAW 1314 v00 Social Entrepreneurship, Impact Investing, and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201314%20v00)
J.D. Seminar | 2 credit hours
This class is for students who wish to become lawyers to pursue positive social impact, whether they enter into private practice or pursue traditional public interest legal jobs. This class explores the nexus of social entrepreneurship, impact investing, and the law. The syllabus generally covers three parts: (1) revisiting the role of the three traditional sectors of society (nonprofit, government, business/private) in addressing the world’s most pressing problems; (2) new legal forms for social enterprises; and (3) how social enterprises engage in impact investment transactions.

Traditionally, the public has relied on the government to tackle society’s major social issues. Eventually, the nonprofit sector began to play a larger role where the government was either unable or unwilling to take action. But today, there is a growing recognition that no one sector alone can address today’s most pressing problems. Now, the private sector is beginning to play an even larger role by applying market-based solutions to address traditional social problems at greater scale and sustainability, such as economic inequality, climate change, and access to basic resources like clean water and energy. This includes a growing recognition that businesses can also be used as a “force for good.”

Social enterprise and impact investing – driven by social entrepreneurship – represent two areas where the traditional lines between the traditional sectors are increasingly blurred. Social entrepreneurs are individuals who develop innovative solutions to some of the world’s most pressing social and development problems. They often form social enterprises, which can be either for-profit or nonprofit entities that advance a double- or triple-bottom line approach (i.e., the pursuit of a profit, social and/or environmental objective). They also need to raise capital, often through impact investments, to grow their organizations. Through this course, we will explore the unique legal challenges and opportunities that social entrepreneurs and social enterprises typically encounter. We will also focus on the role that lawyers can play in advancing social change.

The topics we will cover include an analysis of the traditional role of the nonprofit sector and its limitations, the evolution of traditional for-profit legal forms and the use of tandem structures (the combination of both a nonprofit and for-profit entity), potential unintended consequences of relying on the private sector to provide traditional public goods, and the provision of and access to capital beyond traditional grants, including impact investing, blended finance, and pay-for-results structures.

Learning Objectives

This course will provide you with the analytical and communication (oral and written) skills as an attorney to effectively counsel social enterprises and to analyze the role of the law as a powerful tool to help social entrepreneurs achieve their objectives.

This course will utilize skill-building exercises in each class so that you have the opportunity to:

• improve written (final research paper) and oral (class participation) communication skills critical to good lawyering;
• apply the relevant laws and regulations that you have learned in other core law school courses to the specific legal challenges faced by social enterprises;
• exercise a multidisciplinary approach and understand how to apply existing bodies of law in different ways that address the unique needs of social enterprises;
• explore and critically examine the role of the law in social innovation; and
LAW 611 v05 Social Intelligence in the Practice of Law: Dealing Effectively with Clients, Colleagues, and Opposing Counsel

This Week One simulation will introduce students to the essential concepts and competencies of social intelligence implicated in all forms of a law practice, including law firms, government agencies, corporations, non-profits and a solo practice. Students will learn about emotional intelligence and research that illustrates how basic brain function and other factors, such as strong emotion, influence how a person makes decisions. Using a combination of lecture, discussion, videos, skills exercises and simulations of common legal practice scenarios, this course will emphasize concrete, practical tools to increase students’ effectiveness in managing themselves and their interactions with others. The course will equip students with an improved ability to effectively communicate with others and make them feel heard; present information in the most persuasive light; recognize and address their own internal biases; act with assertiveness when necessary; learn how to effectively give and receive criticism; and deal with highly emotional or extremely difficult individuals. This course also will present positive strategies for dealing with common interpersonal relationships in the legal workplace: lawyer-client, lawyer-opposing counsel, and lawyer-co-counsel. Students completing this course will have developed a solid grasp on how to address the wide variety of interpersonal dynamics that commonly arise in the legal arena.

Learning Objectives:

The main objectives of this course are to increase students’ awareness of the substantial role of social intelligence in the practice of law, and to provide students with concrete skills to effectively handle day-to-day interactions. Students will learn research-based skills and strategies from the fields of neuroscience, the study of emotions and emotional intelligence, negotiations and communication. As they learn these theories, 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 highly emotional or extremely difficult individuals – skills that talented legal minds need to become great counselors at law.

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

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 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 1746 v00 Social Media Law Seminar

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, Fortnight, 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 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 devices 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 (http://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 (http://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.

LAW 1715 v00 Special Operations: Law, Policy, and Ethics Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201715%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
The United States has come to rely increasingly on Special Operations Forces (SOF) to pursue national security interests around the world as a “small footprint” alternative to more controversial large-scale military operations. Many SOF activities are unknown to the larger public, and some are not subject to the notification and oversight provisions of the US covert statute. This course will explore how US reliance on these operations raises complex and challenging issues of law, national security and foreign policy, and ethics.

With regard to law, some issues include: What legal provisions should apply to the decisions to deploy SOF and their use of lethal force if they cannot be deemed to be participating in an armed conflict? To what extent may the international law of state responsibility hold the US responsible for human rights violations committed against their own people by recipients of assistance from SOF? For war crimes committed by recipients in the course of armed conflict with other countries? To what extent does international law prohibiting interference in the sovereign functions of another state apply to SOF cyber and information operations? When may SOF activities be governed by the US covert action statute, and when are they traditional military activities that are exempt from the statute?

With respect to policy, does greater reliance on SOF operations risk preventing the US population from appreciating the scope of US activities abroad and the risks that they can pose? Should a liberal democracy minimize reliance on SOF as a major instrument of national security abroad because of these concerns? Or is such reliance preferable to alternatives that might include large-scale military operations? Have two decades of concentrated focus on kill or capture missions left SOF ill-equipped to effectively carry out non-kinetic gray zone activities in Great Power Competition? What should their role be in relationship to other agencies that may be involved in such activities? Should the US seek to define more specifically what distinguishes SOF from other national security assets and limit their use to situations that require these capabilities?

Finally, ethical issues include: Has emphasis on the use of SOF for kinetic counterterrorism operations over the last two decades has contributed to a culture that valorizes attributes and psychological orientations that serve these purposes over all others? How should we assess allegations of serious misconduct in the recent case of Navy SEAL Edward Gallagher in the US and the Breerton report on Australian SOF? Do the dynamics of SOF, as well as small unit cultures in general, create a risk of ethical violations? If so, how might such cultures be changed and what obstacles to doing so may exist?

The learning objectives for the course are for students to:

(1) Become familiar with how US Special Operations Forces are organized and the kinds of missions that they conduct.

(2) Gain an understanding of the domestic and international law governing SOF and their activities.

(3) Appreciate the practical and ethical issues raised by using SOF that may operate in clandestine and covert fashion to further US interests in a large number of countries across the world.

(4) Gain an understanding of the distinctive ethical issues that can arise on different types of SOF missions, and the role of organizational and small-unit culture in shaping whether personnel recognize those issues and resolve them appropriately.

(5) Appreciate how trends in geopolitics, technology, and military doctrine are likely to affect missions that SOF are asked to conduct in the future in light of broad US consideration of Great Power Competition.
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, low income housing tax credit issues, historic and energy tax credits, new markets tax credit transactions, environmental and conservation ventures, university joint ventures (e.g., distance learning, faculty research and pouring rights), impact investing, social benefit corporations (Hobby Lobby case) and valuation and reasonable compensation issues. It will include negotiating strategies (key structural issues, how to educate the for-profit party, “must-have” deal terms); case studies with students taking sides in negotiating the deal; Congressional outlook (political and lobbying) and “hot” UBIT topics. The course will feature guest lecturers from the Treasury, IRS and the private sector, including in-house general counsel of tax exempt organizations. The course will require a 20 page (approx.) paper.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Recommended: Taxation of Charities and Other Nonprofit Organizations.

J.D. Seminar (cross-listed) | 2 credit hours
This course will give students an in-depth look at rapidly developing areas in immigration law. Students will become familiar with the variety of adjudicators in the immigration system, navigating the relationship between Asylum Officers, Immigration Judges, the Board of Immigration Appeals, and the federal courts. We explore legal topics that often arise before these adjudicatory bodies, focusing on those that generate the most frequent—and complex—litigation. Specifically, we focus on detention and bond, corroboration requirements for asylum seekers, and “categorical approach,” under which adjudicators determine whether a criminal conviction renders a respondent removable and ineligible for relief. Students will also become familiar with constitutional challenges to immigration statutes or procedures as they appear in immigration courts and the extent of executive authority under the immigration laws. Finally, we introduce students to judicial review under the Immigration & Nationality Act, the immigration rule of lenity, and the role of deference doctrines in immigration cases.

This course also provides experiential training in the field of appellate immigration practice. Instead of writing a final paper or exam, students will participate in a moot court exercise. Each student will draft the pleadings and prepare arguments for an immigration-related case currently pending in a court of appeals. During this process, the professors provide each student with individualized feedback on her brief-writing and oral advocacy.

Learning Objectives:

Through this course, students will:

- Better understand judicial review under the immigration laws and the immigration adjudication procedures.
- Develop familiarity with asylum law, exclusion and removal grounds, and detention under the immigration laws.
- Gain knowledge of administrative legal practice, including concepts like administrative exhaustion requirements, administrative appeals procedures, and judicial review.
- Become familiar with appellate practice, including concepts like standard of review and findings of fact.
- Develop oral advocacy skills, including the ability to respond to present a legal argument and respond to questions from appeals judges.
- Prepare pleadings in an immigration case at the appellate level, including researching relevant caselaw and succinctly stating the facts of the case.

Recommended: Immigration Law and Policy.
LAW 775 v01 Special Topics in State and Local Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20775%20v01)
LL.M Course (cross-listed) | 2 credit hours
The biggest challenge of a multistate tax practice is dealing with the practical issues of multiple states with sometimes conflicting laws and regulations. Most companies operate in multistate environment and must learn how to apply their operational realities to a patchwork of state and local tax laws and regulations. With telecommuting, internet and other work options, and a fluid workforce, this course will also review the state and local tax rules for employers/employees and individuals.

This course reviews the basic concepts that govern multistate taxation on an operational level and detailed practice and procedures guidelines. The issues surrounding audits and record access will be discussed along with the use of tools such as managed audits and voluntary disclosures. Appeals on administrative and judicial levels will be reviewed with an emphasis on statute of limitation, de novo and other issues. Additionally, this course will provide a review of the relationships between the states, information sharing between and among the states and the federal government, and the natural tension between taxpayers and the state revenue departments.

Learning objectives:

Gain an understanding of the practical aspects of state and local taxation. This understanding will prepare you to take on real time state tax projects with a client perspective. The class will also provide you with an understanding of state and local learning resources to gain the needed information to define and complete state and local tax projects.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 417 v09 Sports Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20417%20v09)
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.)
This course aspires to empower its students to:

- Recognize and apply several core legal doctrines that enable and constrain state and local 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.

Learning Objectives:

This course aspires to empower its students to:

- Recognize and apply several core legal doctrines that enable and constrain state and local 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.
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- 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 2031 v00 State and Local Taxation: Sales and Use Taxes
LL.M Course (cross-listed) | 2 credit hours
This course provides an in-depth examination of Sales & Use taxes. These taxes make up approximately half of all state tax revenues. The course focuses on fundamental principles of the Sales & Use tax regime by reviewing seminal and recent cases on the subject. The course also discusses U.S. Constitutional limitations applicable to Sales & Use taxes and state efforts to bypass these limitations to tax remote sellers. Finally, we will discuss current issues in the field of Sales & Use taxation, including application of Sales & Use taxes to 'the Cloud', marketplace facilitators, and digital goods.

Prerequisite: Federal Income Tax.

LAW 1524 v00 Statutory Interpretation
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.

**Note:** NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University's COVID testing protocol and follow all other safety measures.
LAW 1784 v00 Statutory Interpretation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201784%20v00)
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 1782 v00 Statutory Interpretation Theory Seminar (http://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 415 v00 Strategic Intelligence and Public Policy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20415%20v00)
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 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. Zirkle at zirklej@georgetown.edu.

Note: The Summer 2022 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!”**

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

This hands-on course will explore the fast-paced, high-stakes field of data breach response. Data breaches wreak havoc at organizations of all shapes and sizes in both the public and private sectors. From hospitals and financial institutions to military installations and civilian government agencies, entities face sophisticated adversaries and a diverse range of threats. Few organizations are prepared to manage and respond to an incident. This lack of preparation and experience can turn an already high-pressure event into a full-scale crisis.

Legal experts who can provide clients with sound advice and pragmatic guidance are in high demand but there remains a dearth of lawyers with the relevant training and experience to navigate the barrage of issues that surface following an incident. This course examines the full range of challenges and questions that counsel may face, from legal compliance to risk mitigation and reputational damage.

The course will introduce the subject, focusing on the types of breaches organizations may experience and some basic technical issues. The overview is followed by a deep dive into the myriad legal issues that arise. Most notably, we’ll explore how different governments regulate breach response activities and the challenging patchwork of requirements. Other issues include: mitigating the risk of liability and potential litigation; coordinating with law enforcement; working with human resources; and examining contractual and other obligations of third parties. The course then turns to a dizzying array of policy and strategic issues: public relations and communications; government affairs; managing the investigation; coordinating with technical teams; assessing risk to potentially impacted individuals; and effective breach notification. Real world scenarios and actual data breaches will be used and referenced throughout the course to illustrate different points. By the end of the course students should be able to enter the job market prepared to develop and execute a comprehensive data breach response strategy.

**Learning Objectives:**

- Understand the legal and regulatory framework that governs data breach response in the United States and other jurisdictions.
- Appreciate the importance of establishing and following clear policies for addressing a data breach.
- Be prepared to pivot back and forth between the legal and practical functions necessary to address a serious incident.
- Be able to manage a data breach response team composed of a range of stakeholders with potentially inconsistent priorities.
- Tailor response strategies to different types of data breaches from a lost laptop or an insider threat to the exfiltration of sensitive data by organized crime.
- Learn how to identify, assess, and mitigate the risk of harm to potentially impacted individuals as well as to the organization itself.
- Become comfortable with making high-stakes decisions in short time frames and with incomplete information.

**LAW 1348 v00 Strategically Managing Intellectual Property: A Study of IP in Business Transactions**

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

The class will address the need for companies and individual creators to strategically manage their intellectual property assets. Students will study approaches to managing patents, copyrights, trademarks and trade secrets through the spectrum of activities including creation and ownership of intellectual property; its acquisition, sale and license; due diligence and disclosure issues; protection and enforcement of rights; and litigation. The class will cover case law and real world business dynamics and provide students with insights into the role and responsibilities of in-house counsel and outside lawyers in this process. As part of the course, there will be an assignment of a corporate case study project to teams of at least two students. It will involve communication with legal representatives from the companies in the study project who have agreed to be available to the students.

Students will be evaluated based on class attendance and individual class participation; team participation and completion of team written and oral presentations related to the corporate case studies; and written assignments including a final individual paper.

**Learning Objectives:**

By the conclusion of the course, students will have the ability to apply intellectual property law effectively in business situations and also gain experience with some of the skills necessary in counseling business executives, inventors and others about their intellectual property assets.

**Prerequisite:** A basic course in Patent Law, Copyright Law or Trademark and Unfair Competition Law.
LAW 1397 v00 Street Law: Criminal Justice and Human Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%201397\%20v00) (Project-Based Practicum)
J.D. Practicum | 5 credit hours
Please see the Street Law website (http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/street-law-program) and this video (https://youtu.be/wc9fkeMNA) for more information.

OVERVIEW: Street Law is a project-based practicum where Georgetown Law students teach practical law courses at DC public high schools. Street Law instructors help the local community better understand the law, identify how it impacts them, and develop legal and analytical skills. Law students will be assigned to a DC public high school class or the DC Jail to teach law and law-related concepts for the semester. Law students are immersed in the practical application of law and exercise actual lawyering skills (public speaking, legal research, and writing, advocacy, etc.). The curriculum focuses on the purpose of laws and legal reasoning, legal negotiations, criminal justice, and human rights. The course capstone is a human rights “mini” mock trial where the high school students perform as lawyers and witnesses and compete against other Street Law classes. This practicum allows law students to gain invaluable lawyering skills while actively giving back to the local community.

SEMINAR: The seminar provides instruction in the law and legal concepts, classroom management, lesson planning, and student assessment using interactive methods. Outside of the seminar, faculty provide intense support for each student to support their learning and growth.

PROJECT WORK: Law student instructors are placed in DC public high school classrooms based primarily on their academic schedules for the semester. All high school classes will be taught in person. There, they will work for at least 10 hours/week preparing for and teaching a course in practical law. Law student instructors have the primary responsibility for the instruction and grading of their students. Street Law faculty and fellows observe each law student instructor and conduct post-observation debriefs at least three times per semester. The instructional methods are subject to change to accommodate Georgetown Law and DC Public Schools COVID policy.

ORIENTATION: There is a four-day interactive orientation from 9:30 a.m. to 4:00 p.m., dates to be announced, where law students will experience the student-centered teaching methodology they will use in their own classes. Attendance at the orientation is mandatory.

ENROLLMENT INFORMATION: Students enroll in this course via MyAccess (https://myaccess.georgetown.edu). Students are encouraged to enroll in this practicum course and the spring semester practicum course Street Law: Mock Trial Advocacy. A background check will be required.

After registering via MyAccess, please email Street Law Professor Charisma Howell at ch329@georgetown.edu to set up an informational interview with Street Law staff.

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

Mutually Excluded Courses:
Students may not concurrently enroll in this practicum course and a clinic or another practicum course. Students may not receive credit for this course and the summer course, Street Law: Corrections and Community.

LAW 1398 v00 Street Law: Mock Trial Advocacy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%201398\%20v00) (Project-Based Practicum)
J.D. Practicum | 4-5 credit hours
Please see the Street Law website (http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/street-law-program) for more information about the program.

OVERVIEW: Street Law is a project-based practicum course where Georgetown Law students teach a course in mock trial advocacy at DC public high schools or a variety of community settings ranging from adult and juvenile correctional facilities to treatment centers for alcohol and drug addiction. Street Law instructors help the local community better understand the law, identify how it impacts them, and develop legal and analytical skills. This project-based course will focus on trial and litigation skills and prepares high school students and community members to compete in the Annual City-wide Mock Trial Tournament. Law students help their students prepare for a complicated criminal or civil trial. The law students develop a thorough understanding of trial procedure, law, and effective advocacy skills. This practicum allows law students to actively give back to the local community while gaining invaluable lawyering skills.

SEMINAR: Seminars are devoted to teaching law and legal reasoning, mock trial advocacy skills, classroom management, lesson planning, and student assessment using interactive methods. Outside of the seminar, faculty provide intense supports for each student to support their learning and growth.

PROJECT WORK: Law student instructors are assigned to regular DC public high school classrooms or other community placements based primarily on their academic schedules for the semester. There, they will work for at least 10 hours/week preparing for and teaching a course in practical law. Law student instructors have the primary responsibility for the instruction and grading of their students. Street Law faculty and fellows observe each law student instructor and conduct post-observation debriefs at least three times per semester. The experience of guiding students through the mock trial process is remarkable and unforgettable. The analytical and critical thinking skills that high school students and community members develop, thanks to the law student instructors, are invaluable for their future endeavors.

ORIENTATION: There is a four-day orientation required for this practicum course conducted in mid-January. During orientation law students will participate in lesson plans that they will use in their own classes and learn about the student-centered teaching methodology. In-person attendance at the orientation is mandatory. Evening division students should reach out to practicum faculty to discuss orientation schedule conflicts. Attendance at this orientation is mandatory for students who did not already take the fall semester Street Law: Criminal Justice and Human Rights practicum.

NOTE: Students who took the fall semester Street Law: Criminal Justice and Human Rights practicum course before the Fall 2022 semester (e.g., in Fall 2021) may need to attend one of the four days of orientation. Students should speak with Professor Howell for more information.

ENROLLMENT INFORMATION: Students enroll in this course via MyAccess (https://myaccess.georgetown.edu). Students are encouraged to enroll in this practicum course and the fall semester practicum course Street Law: Criminal Justice and Human Rights. Alternatively, students who enroll in this course may take the summer course, Street Law: Corrections and Community.

After registering via MyAccess, please email Street Law Professor Charisma Howell at ch329@georgetown.edu to set up an informational interview with Street Law staff.
LAW 401 v00 Structuring Private Equity Funds and Transactions
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW \%20401\%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course covers the key business, legal and certain tax principles applicable to the formation of private equity funds, including private offering rules, corporate structuring and practical skills with respect to investor negotiation and management. The course explores these topics through a series of discussions and exercises that will require students to analyze complex transactions, and to apply their analytical skills and their corporate, tax and regulatory knowledge to solve business, legal and tax issues. Substantive subjects include discreet federal income tax concepts, corporate law, partnership and limited liability company law and SEC rules and rulemaking, in each case as applied in the context of forming and operating a private equity fund.

**Prerequisite:** Corporations

**Recommended:** Securities Regulation; Corporate Taxation or Corporate Income Tax Law I

LAW 1174 v00 Supreme Court Institute Judicial Clerkship Practicum
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW \%201174\%20v00) (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 court 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 (11:10 a.m. - 1:10 p.m. each Wednesday); conduct a case conference with their Justice/professor (roughly an hour, scheduled at the professor’s convenience); and observe their assigned moot court (a two-hour session during the working day, scheduled to accommodate the needs of the advocate). THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students must submit a transcript and Statement of Interest (one page double-spaced), explaining his or her interest in the course to Professor Daniel Woofter (dhwoofter@goldsteinrussell.com) by 5:00 p.m. on Wednesday, October 5, 2022. After the October 5 application deadline, students will be admitted into open seats on a rolling basis. Any student who is offered a seat in this course will be directly enrolled and will have one week only in which to drop. After that time, a student may only drop the course with the permission of the professor and the Assistant Dean of Experiential Education. Permission will be granted only if remaining
LAW 469 v00 Supreme Court Litigation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20469%20v00)
J.D. Seminar | 2 credit hours
This seminar seeks greater understanding of the nature of Supreme Court decision-making in four primary ways:

First, we will read a modest amount of secondary source material and discuss how the Supreme Court works and how it differs from other American courts.

Second, we will study in depth several cases being decided by the Court this Spring.

Third, through two short (10-12 page, double-spaced) writing assignments and opportunities for extensive one-on-one discussion with me, 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, with multiple opportunities to observe actual moot courts and talk with arguing counsel, and also for each student to participate as advocate and judge in short, informal moot courts, all in cases currently pending before the Court.

Topics to be discussed include the certiorari process, strategic considerations in briefing before the Court, the role of amici curiae, the Office of the Solicitor General and its impact on the work of the Court, and the role of oral argument in the decisional process.

Students will be expected to be prepared to participate at each seminar meeting. Course grades will be based on classroom participation and the two papers.

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


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

Students will attend three Supreme Court Institute moot courts over the course of the semester. Most will be held at the usual class time, but it is possible that one or more may be scheduled on a Friday afternoon (1:00 p.m. or later). Availability to attend at these times is a class requirement except for other class conflicts.

LAW 1346 v00 Supreme Court Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201346%20v00)
J.D. Seminar | 3 credit hours
The purpose of this seminar is to introduce you to the basics of Supreme Court practice and to teach you appellate advocacy skills. You will learn the ins and outs of the certiorari process and put that knowledge to work in crafting either a Reasons for Granting Certiorari or a Reasons for Denying Certiorari. You will also learn techniques for presenting cases on the merits in the Supreme Court, and then draft a brief in, and argue, a Supreme Court case. The certiorari-stage Reasons for Granting or Denying Certiorari will be no more than 1,900 words in length, excluding footnotes (roughly 8 pages) and a draft merits brief must be at least 6,250 words in length, excluding footnotes (roughly 25 pages), but no more than 7,000 words (roughly 28 pages). We will give you comments on your draft merits brief, and you will then submit a revised final merits brief with legal citations of at least 6,250 words, excluding footnotes, but no more than 7,000 words. In the process, you will receive one-on-one instruction from the professors and learn through in-class discussions based on the instructors’ extensive experience litigating in the Supreme Court.

The professors for the seminar are:

The Honorable Patricia Millett of the U.S. Court of Appeals for the District of Columbia Circuit, who worked for four years in the Justice Department’s Civil Division, Appellate Staff, and for eleven years in the Office of the Solicitor General. While in practice, she argued 32 cases before the U.S. Supreme Court and briefed scores more, as well as dozens of cases before appellate courts.

Michael Robinson, formerly Senior Counsel with the Appellate Staff, Civil Division, at the Department of Justice, has argued 119 appeals, including three en banc cases, before every federal court of appeals in the country, and several state appellate courts. Professor Robinson also has drafted numerous Supreme Court briefs at both the certiorari and merits stages with the Office of the Solicitor General.

Prerequisite: Legal Practice: Writing and Analysis.

Recommended: Prior or concurrent enrollment in one or more of the following courses: Constitutional Law I and II, Administrative Law, and an advanced legal writing seminar such as Advanced Legal Writing and Practice for Judicial Clerks and Civil Litigators, Advanced Legal Writing as a Discipline, Writing for Law Practice, or Appellate Courts and Advocacy Workshop.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
**LAW 418 v00 Supreme Court Seminar**

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

J.D. Seminar | 2 credit hours
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The focus of this course is the Supreme Court’s current docket—cases that the Court is hearing and deciding this term. We will use the rich variety of the Court’s cases as a springboard to explore its decisional process. Through close study of briefs and oral arguments, students will learn about the art of appellate advocacy. We will also examine perceptions of the Court in the media, the role of the Court in American society, and cross-cutting themes in the Court’s jurisprudence. The mosaic of the Court’s current docket reaches into many disparate corners of the law, including voting rights, the powers of the police in Indian country, administrative law judges and the Constitution’s Appointments Clause, the Fourth Amendment’s limits on police entry into a home, securities law class actions, the application of antitrust law to the NCAA, and the FTC’s injunctive powers. Engaging with these cases and analyzing both sides’ arguments will deepen your understanding of the Court as an institution and how advocates seek to persuade it.

**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. 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 1416 v00 Supreme Court Topics: The Role of Dissenting Opinions**

J.D. Seminar (cross-listed) | 1 credit hour
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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 9, 2023, through Thursday, January 12, 2023, 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.
LAW 1706 v00 Surveillance and Civil Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201706%20v00) (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 collaborations. 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 and mass incarceration. 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 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 nationwide actually happen and what policy interventions can communities impacted by over policing 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;
- Persuasive writing for policymakers and a general audience;
LAW 2072 v00 Survey of State and Local Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202072%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course is designed as a survey course for those students not pursuing a SALT Certificate in conjunction with their LL.M. in Taxation, Executive LL.M. in Taxation, or MSL Program. The course begins by first introducing the student to the dynamics and taxonomy of SALT, and why (out of necessity) the study of subnational taxes must vary from the “classic” pedagogy of most LL.M. – Tax programs that have come to focus and build on a study of the differing subchapters of the Internal Revenue Code. Next, the course explores important subnational topics not encountered in the study of federal corporate income taxes, such as federal limitations on the powers of subnational governments to tax. To close the course, the student will be presented with a case study and a comparative law analysis that will provide them insight into analytical approaches employed by interdisciplinary tax teams made-up of international, federal and subnational tax specialists assigned to deal with enterprise restructurings.

SALT issues unique to following types of taxes will be explored: income based taxes; sales and use taxes; ad valorem taxes; unemployment taxes; real estate and controlling-interest taxes; transfer taxes; gross receipts taxes; capital stock (net worth based) taxes; excise taxes; and, other taxes to illustrate the diversity of subnational levies and how they can be of critical importance to select industries and their advisors, e.g., such as the insurance industry (premium and retaliatory taxes); the natural resource industry (severance taxes); the communication industry (telecommunication taxes); and, the health care industry (hospital and medical provider taxes).

In addition to overviewing key taxes, the course will introduce the student to other important topics that routinely engage multijurisdictional enterprises, including: unclaimed property (“escheat”) audits; issues implicated by operations and transactions within and without the U.S.; statutory and negotiated tax and non-tax incentives; and, the nonuniform taxing and sourcing rules that face unincorporated multijurisdictional enterprises and their owners that choose to operate through partnerships, limited liability companies, S Corporations or joint ventures.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Note: Students enrolled in the SALT Certificate program may NOT receive credit for this course.

LAW 883 v00 Survey of Transfer Pricing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20883%20v00)
LL.M Course (cross-listed) | 2 credit hours
The topic of international transfer pricing – that is, how a business conducting operations in a number of different countries should divide its taxable income among those countries – remains among the most practically important of international tax issues. This course seeks to provide an introduction to the United States’ principals and current practice of international transfer pricing, as well as some understanding of the historical and conceptual basis of the current system. Specific goals of the course are to assist foreign students in gaining a general perspective on the United States system and to provide domestic students and practitioners a sufficient level of understanding of the area and practices to provide a platform for the development of further interest in the area.

Prerequisite: Federal Income Taxation.

Recommended: Prior or concurrent enrollment in a course in international taxation.

LAW 3147 v00 Sustainability for Big Law and Big Business (http://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 approach risk, and how their decisions are perceived. The topic of sustainability is one例子 that routinely engages multijurisdictional enterprises, including: unclaimed property (“escheat”) audits; issues implicated by operations and transactions within and without the U.S.; statutory and negotiated tax and non-tax incentives; and, the nonuniform taxing and sourcing rules that face unincorporated multijurisdictional enterprises and their owners that choose to operate through partnerships, limited liability companies, S Corporations or joint ventures.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Note: Students enrolled in the SALT Certificate program may NOT receive credit for this course.

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.
LAW 2097 v00 Takeovers, Mergers, and Acquisitions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202097%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course provides a broad overview of mergers and acquisitions. This course will provide a framework for students to understand the merger and acquisition environment, to analyze M&A transactions, to develop opinions about them, to design M&A transactions, including friendly deals, 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 700 v00 Takeovers, Mergers, and Acquisitions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20700%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course focuses upon the regulation of negotiated, hostile and cross-border takeover, merger and acquisition transactions. Assigned readings and lectures will principally examine the regulatory text governing changes in corporate control, including contested elections of directors, as well as the federal regulatory requirements mandating disclosure of large ownership positions, as well as the corresponding tactical and strategic considerations associated with structuring domestic and international business combinations.

Prerequisite: Prior or concurrent enrollment in Securities Regulation

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. Seminar, International Mergers and Acquisitions Seminar, or the J.D. Course, Mergers and Acquisitions, the LL.M. Course, International Mergers and Acquisitions, or the LL.M. Course, Takeovers, Mergers, and Acquisitions.

LAW 2012 v00 Tax Court Advocacy Workshop (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202012%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This Tax Court Advocacy workshop provides students a chance to use substantive tax law to learn Tax Court litigation skills. Using tax law frequently involved in individual income tax matters, the course covers the cycle of an individual income tax dispute with the IRS, beginning at the administrative level and culminating in a mock Tax Court trial and mock US Court of Appeals appellate argument. We start with an overview of income tax issues in individual taxpayer case studies that form the foundation of the course and give rise to frequent litigation. Acting as either lawyer for the taxpayer or the IRS in hypothetical cases, students will conduct client or witness interviews, prepare IRS administrative filings, Tax Court petitions or answers and briefs, and engage in other exercises designed to impart the skills of effective Tax Court advocacy and to convey a practical understanding of the tax controversy process. An introductory course in taxation is a prerequisite. A course in tax practice and procedure is recommended but not required. Students will be graded on written assignments and on class performance during the semester. The course does not have a final written exam.

Prerequisite: Federal Income Taxation (formerly Taxation I)
LAW 2033 v00 Tax Fraud and Tax Crimes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202033%20v00)

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

This course offers first-hand insight into how federal criminal tax cases are investigated and prosecuted. Taught by white collar defense attorneys with prior federal prosecutorial and enforcement experience, topics include a survey of frequently charged crimes such as tax evasion, filing false returns, and conspiracy. The course chronicles the life of a tax fraud prosecution from its inception at the investigative stage to indictment, pretrial, trial, and sentencing. At each stage, students are presented with challenging issues about methods of proof, taxpayer defenses and other issues that impact the theory of prosecution. Student will learn how to examine the strength of evidence of a case and negotiate with federal prosecutors and enforcement agents, the equities for-and-against prosecution, and trial strategy. Animating these discussions are examples of recent tax prosecutions in federal district court that have either resulted in criminal conviction or acquittal of the taxpayer, along with well-known domestic and cross-border investigations.

Strongly Recommended: Federal Income Taxation (formerly Taxation I).

LAW 1276 v01 Tax Law and Public Finance Workshop (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201276%20v01)

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

This course is a colloquium on recent academic work in tax law, public finance economics, and related fields. It is intended to introduce you to current research in tax policy and to give you an opportunity to develop skills in reading and critiquing contemporary legal and economic scholarship and policy position papers. After an introductory component, the workshop shifts to a series of weekly paper presentations by leading public finance economists, tax law scholars, and government experts. Professor Dayanand Manoli (McCourt School of Public Policy) and Professor Emily Satterthwaite (Georgetown Law) 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 tax community who attend the workshop.

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

LAW 784 v00 Tax Planning for Corporate Acquisitions Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20784%20v00)

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

This seminar will examine the tax planning for recent public M&A deals from the practical vantage points of tax counsel advising the buyer and the seller. The principal focus will be on: (1) the tax structure utilized; (2) the tax representations, warranties, covenants, and indemnification provisions in the acquisition documents, along with any tax-sharing agreements; (3) the tax disclosure discussion in the proxy/prospectus delivered to the shareholders; and (4) the form of tax opinions provided by the buyer’s and the seller’s tax counsel.

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

Mutually Excluded Courses: Students may not receive credit for this course and Corporate Tax Planning in Practice: Structuring and Negotiating the Deal.

Note: This class will require a final paper and a short mid-term paper.

LAW 736 v00 Tax Planning for Real Estate Transactions Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20736%20v00)

LL.M Course | 2 credit hours

Examines on an interactive and pragmatic basis the effect of federal income taxes on the real estate market and real estate transactions; sales (including installment sales) and like kind exchanges of real estate interests; the choice of various entities (including partnerships, LLCs, S corporations and REITs) for the ownership and development of real estate; the impact of taxes on the landlord and tenant; the tax impact of creative financing techniques, such as the sale-leaseback; basis (including at-risk) and basis adjustments; passive activity loss limitations; and the tax consequences of foreclosures, bankruptcies, and work-outs.

Prerequisite: Federal Income Taxation (formerly Taxation I). Prior or concurrent enrollment in Taxation of Partnerships or equivalent practice experience strongly recommended.
**LAW 428 v06 Tax Policy Seminar**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20428%20v06)
J.D. Seminar (cross-listed) | 2 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 enrollment in Federal Income Taxation.

**LAW 856 v00 Tax Practice and Procedure (Administrative Practice)**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20856%20v00)
LL.M Course | 2 credit hours
Examines the administration and enforcement of the Internal Revenue Code, including types of guidance, preparation and filing of returns, audit procedures (including centralized partnership audit procedures), administrative appeals, deficiencies, assessments, closing agreements, collection, civil penalties applicable to taxpayers and practitioners, criminal tax penalties, interest, refund claims, statutes of limitations, and practice before the IRS.

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

**LAW 858 v00 Tax Practice and Procedure (Litigation)**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20858%20v00)
LL.M Course (cross-listed) | 2 credit hours
Studies problems and considerations arising in the litigation of federal tax cases before the U.S. Tax Court, District Court, and the Court of Federal Claims, including jurisdictional, procedural, ethical and evidentiary issues. Practical problems of choice of forum, pleadings, discovery, privileges and tax trial practice are surveyed. 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 (formerly Taxation I).

**LAW 809 v04 Tax Research & Writing**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20809%20v04)
LL.M Seminar | 2 credit hours
This course will cover the basic concepts of tax research and tax-specific writing techniques and skills. We will cover legislative, administrative, judicial, and secondary sources of authority. We will discuss where these materials can be located, the extent to which these materials are available electronically, and other practical aspects of researching tax issues in private practice and as an IRS attorney. We will also talk about the relative weight to be given to these various authorities. Finally, we will review why taxpayers and practitioners must be aware of and consider the relative weight of the various authorities covered in the course.

We will also focus on developing effective writing skills. The ability to accurately convey one's thoughts in a written work product is an essential skill in the legal profession. The strength of a legal argument depends not only on the sources of authority cited but also on the manner in which those authorities are presented. Students will practice the research and writing skills developed in class by drafting a piece of tax-related writing throughout the course of the semester, receiving feedback and editing the draft along the way.

**Prerequisite:** Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in Corporate Income Tax Law I or Corporate Taxation (formerly Taxation II).
**LAW 846 v00 Tax Treaties** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20846%20v00)
LL.M Course (cross-listed) | 2 credit hours

International tax treaties determine why hedge funds are located where they are, how motion pictures are financed, whether the dispatch of employees abroad is economical, and why financial assets follow prescribed international paths. They determine why Netherlands and Luxembourg have a large positive balance of trade with the United States, and why recording studios are established in the Caribbean. They determine whether bank accounts in Switzerland and Liechtenstein are really secret. While tax treaties ostensibly are only about dividing up tax bases between countries and exchanging information between sovereigns, in reality they channel the flow of investment and development in the global economy.

This course assumes that students have some familiarity with basic tax treaty concepts and examines how provisions of the OECD Model Treaty and the United States Model Treaty are used by tax practitioners to achieve specific business objectives. Students will acquire an understanding of how treaty provisions help shape economic and financial decisions in different industries and economic sectors. The course uses examples drawn from actual practice to illustrate the creative use of tax treaty provisions. It is designed to be an interactive experience, with students working on case studies, discussing alternative approaches, and using different jurisdictions and changes in the form of the underlying transaction to achieve desirable tax results.

Learning objectives:

This course is intended to teach the concepts underlying the United States Model Tax Treaty and the OECD Model Tax Treaty. By the end of the course, students are expected to understand how tax treaties are organized and be able to apply the model tax treaties to factual situations in which the tax treaties are applicable.

At the same time, the course is intended to challenge the student to be aware of the ethical challenges and risks of practice in the area of international taxation. More and more, tax authorities are not only looking to penalize a taxpayer for improper tax planning, but also the tax advisor who recommended the course of action followed by the taxpayer. By the end of the course, students are expected to be able to understand where the borders of ethical behavior are when developing international tax structures and to be able to analyze risks to the clients and themselves when working in this area.

Finally, the course is intended to reinforce principles of close reading and attention to the specific wording used in the tax treaties and cases interpreting the tax treaties. By the end of the course, students are expected to be able to read and understand why specific words are used in tax treaties and the significance of these words.

**Prerequisite:** 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 945 v00 Taxation of Energy Markets (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20945%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course will examine three important areas of energy tax policy:
1. taxation of the oil and gas industry (including long-standing tax rules specific to exploration, production and refining of oil and natural gas)
2. taxation of electric utility and natural gas markets (including tax changes flowing from deregulation of these markets)
3. tax subsidies and tax incentives for alternative energy development (including analysis of creative tax-planning structures designed to maximize the value of these incentives).

Prerequisite: Federal Income Taxation (formerly Taxation I).
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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20752%20v00)
LL.M Course (cross-listed) | 2 credit hours
Examines the taxation of insurance companies, banks, regulated investment companies (RICs), real estate investment trusts (REITs), and real estate mortgage investment conduits (REMICs). The course analyzes the applicable tax provisions applicable to these financial institutions. Consideration is given to why financial institutions are taxed differently from other taxpayers in light of the economic function and operation of these financial institutions.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 2069 v00 Taxation of Financial Instruments and Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202069%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
The course will explore selected federal income tax issues relating to financial instruments and transactions. Major topics will include the legal and economic characteristics of indebtedness, equity, and derivatives, the fundamentals of the original issue discount (OID) rules, market discount and bond premium, variable rate and contingent payment debt instruments, the fundamentals of the tax rules for derivatives, hedging transactions, and anti-abuse rules such as straddles, wash sales, constructive sales, and conversion transactions.

LAW 362 v03 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20362%20v03)
J.D. Course (cross-listed) | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder as they apply to the life cycle of a partnership, from formation to liquidation. Students will be able to evaluate the tax consequences of the most common partnership transactions, including the acquisition of a partnership interest, compensation of a service partner, distributions by the partnership to partners, and transfers of partnership interests. In addition, students will understand the mechanics and implications of profit and loss allocations, liability allocations, allocations with respect to built-in gain property and disguised sales of property between a partner and a partnership. Students will also have a basic understanding of partnership tax accounting, including creating and maintaining tax and book balance sheets.

Prerequisite: Federal Income Taxation.
Recommended: Prior or concurrent enrollment in Corporate Taxation.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course, Taxation of Partnerships (LAWG-942).

LAW 942 v00 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20942%20v00)
LL.M Course | 2 credit hours
The 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 (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Taxation of Partnerships (LAWJ 362).
LAW 942 v01 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20942%20v01)
LL.M Course (cross-listed) | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder. Attention is given to the tax issues arising upon the formation, operation and liquidation of a partnership, including the consequences of acquisitions of partnership interests, distributions by the partnership to partners, the optional adjustment to basis of partnership property, the transfer of partnership interests, and current topics in partnership taxation.

Prerequisite: Federal Income Taxation (formerly Taxation I).

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

LAW 808 v00 Taxation of Property Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20808%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Explores the federal income tax consequences arising from sales, exchanges, and other dispositions of property. Principal issues considered include determination of the taxable event; ascertainment of basis and amount realized; ascertainment of gain or loss; limitations on the allowability of losses, including the at-risk and passive activity loss provisions; and the relevance of the capital/ordinary gain or loss distinction and the original issue discount rules. The course includes an analysis of certain major non-recognition provisions, including like-kind exchanges and involuntary conversions and replacements. The course also includes an examination of the taxation of deferred payment sales, including the effect of taxpayer's method of accounting and the availability and operation of the installment method.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 1496 v00 Tech Law Scholars Seminar I (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201496%20v00)
J.D. Seminar | 0 credit hours
This year-long course introduces Tech Law Scholars in their first year of law school to key institutions and organizations that shape technology law and policy through visitor presentations and site visits to federal agencies, Congress, the Federal Circuit, and private and not-for-profit organizations. Preparation for this class includes reading the assigned material; preparing a short reflection paper, as well as a few questions about the readings or the implications of the readings; and reading the response papers of the other Tech Law Scholars.

Learning Objectives:
Exposure to key institutions and organizations that shape technology law and policy; ability to engage on contemporary topics with leaders and experts in the field.

Note: This course is open only to first year Technology Law and Policy Scholars.
Enrollment is by professor permission. This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1516 v00 Tech Law Scholars Seminar II (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201516%20v00)
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 bi-weekly sessions taught by members of Georgetown's technology law faculty.

Student preparation for each session will include readings relevant to that week's class, and submission of a written reflection paper ahead of class that draws on the reading, current events, and/or topics explored over the semester.

Learning Objectives:
Exposure to key issues and academic approaches in technology law and policy; ability to engage on contemporary topics with leaders and experts in the field.

Note: This course is open only to second year Technology Law and Policy Scholars.
Enrollment is by professor permission. This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1656 v00 Technology and Election Integrity Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201656%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the security requirements for voting systems (particularly those used for civil elections in the United States), how various technology designs and implementations meet or fail to meet these requirements, and how such systems can be improved. The course will focus on the implications of various vote-casting technologies ("voting machines") as well as the "backend" election management systems and processes that define ballots, register voters, provision precinct equipment, and count and report vote tallies. While it will not be our main focus, we will also examine the interaction between modern social media and foreign and domestic influence operations aimed at affecting election outcomes.

We will devote particular attention to understanding how the legal framework and historical threat models for elections relate to specific technical requirements, how technical failures can affect election outcomes, and the limitations of various remedies when such failures occur. We will look at a range of formal and informal proposed designs for election systems, specific systems that have been or are currently in active use, and various studies that have been made of these systems and designs. The course will focus on technical security issues, but will also touch on usability, threat modeling, and legal and governance issues.

Our primary reference will be the 2018 National Academies study "Securing the Vote" as well as readings drawn from the technical, legal, and policy literature.

Student papers will focus on some issue at the intersection of technology and voting, depending on the specific background and interests of the student.

Recommended: A basic background in computer science and software will be helpful but is not essential.

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

LAW 1605 v00 Technology and the Free Press Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201605%20v00)

J.D. Seminar | 3 credit hours
In the past two decades, technology has dramatically changed the American press. The Internet and mobile devices have revolutionized the creation and consumption of news. The economic structure supporting the press, and newspapers in particular, has crumbled. Readers are finding more of their news through platforms like Google, Facebook, and YouTube. Even though these companies have disavowed the "media" label, they play editorial roles—deciding what speech is allowed into the new public square and even shaping that speech.

These rapid changes lead to numerous legal questions: What is the "free press" in an era when journalists are pushed to amass clicks? Who is a journalist when access to publication technology has been democratized? Are reporter shield laws still relevant when technology allows the government to covertly spy on journalists? Does law have a role to play in combatting so-called "fake news"? Can and should the First Amendment (or other law) protect the press from being squeezed by technology platforms? More generally, what is law's role in protecting journalists, the press, or the journalistic process? This course aims to encourage deep thinking, discussion, and writing about the answers to these questions.

Among the learning objectives for this course are: developing an understanding of how the law conceives of the press, journalists, and the audience for news; determining what legal questions arise as a result of how technology is impacting the press; creatively considering whether and how law can address these questions; improving legal research techniques as well as the ability to closely read and analyze both scholarly work and legal authorities; developing, organizing, and writing a seminar paper that is not merely descriptive but sets forth a thesis and defends it; and refining the ability to give and receive feedback as we workshop drafts.
LAW 4000 v00 Technology Law & Policy Investigations Practicum (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%204000%20v00) (Project-Based Practicum)

LL.M Practicum | 4 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professor(s). This project-based practicum course will focus on technology law and policy investigations in collaboration with the Communications & Technology Law Clinic and the Intellectual Property and Information Policy Clinic. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of Professors Barrett and Moy.

PROJECT WORK: Master of Law and Technology (M.L.T.) students will work side by side with J.D. students enrolled in the Communications & Technology Law Clinic (CTLC) and the Intellectual Property and Information Policy Clinic (iPIP) on a range of clinic projects, such as FTC requests for investigation, regulatory comments, FOIA requests, and draft legislation.

Project assignments will provide M.L.T. students with opportunities to use their technology-related skills and expertise to develop and strengthen legal and policy arguments in the clinic projects, while applying and honing the legal knowledge they have acquired in other M.L.T. classes.

Students' work will fall into four broad categories: (i) conducting investigations into products and services that will form the evidentiary basis for clinical legal work; (ii) drafting technical explanations to be embedded in or appended to those legal writings and filings; (iii) answering technical questions for the clinical students as they collaborate on clinical projects; and (iv) reviewing the ultimate products of those collaborations for technical accuracy.

The M.L.T. and clinic students who are paired on the same projects will meet regularly (weekly or more frequently, depending on project needs and timeline).

The projects on which M.L.T. students will work will depend on the projects that the CTLC and iPIP clinics undertake that semester, but generally speaking, the projects will focus on consumer privacy law, communications law, trademark law, copyright law, and FOIA, among others.

SEMINAR: In the seminar, M.L.T. students will gain substantive knowledge about privacy, copyright, trademark, and communications law and policy, and hone their abilities to present their ideas effectively to a range of audiences.

Students will learn how to approach legal and policy arguments critically, with an eye to structural impediments to the realization of civil rights and freedoms. Additionally, they will learn how those rights and freedoms are disproportionately less accessible or denied all together. Both clinics have a social justice mission that is reflected in the clinics’ projects; the weekly practicum seminar will also focus on the disparities between idealized values and lived reality that tech policy frequently exacerbates for marginalized groups.

The practicum students and the clinic students will occasionally attend the practicum seminar together. In addition, the M.L.T. students will occasionally attend the CTLC seminar. By collaborating with the clinic students, the practicum students will discover the challenges that working in an interdisciplinary environment brings, and improve their ability to make their ideas accessible to a sophisticated audience without technical backgrounds, as well as to the public. They will hone their abilities to triage key legal and policy issues, isolate different audiences for their arguments and frame them accordingly, and present their arguments orally in a compelling way.

LAW 1698 v00 Technology Law and Policy Colloquium: Data, Algorithms, and Platforms (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201698%20v00) (Project-Based Practicum)

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

At this colloquium, outside speakers (typically faculty members or researchers from other institutions) will present their current works-in-progress. The focus of this year's colloquium will be the legal and policy issues surrounding the shift to a networked environment organized around data, algorithms, and platforms. The research presented will explore a variety of current topics, such as: information privacy and data protection; competition in the platform economy; algorithmic fairness and transparency; the viral spread of fake news, hate speech, and revenge porn; online content moderation; the Internet of Things; sensor networks; automation and AI; and administrative frameworks for information economy governance. Students are responsible for reading the speakers' papers, preparing short (2-3 page) weekly response memoranda that will be provided to the speakers in advance of the colloquium session, and attending each session prepared to ask at least one question. Students taking the seminar for WR credit additionally will write a 6000-word research paper.

Learning goals for this course: Close reading and critical interrogation of scholarly analysis and policy proposals regarding cutting-edge legal topics; refinement of analytical and writing skills.

Mutually Excluded Courses: Students may not receive credit for this course and Technology Law and Policy Colloquium: Information Platforms.

Note: NOTE FOR LAWG SECTION: This section is restricted to students enrolled in the Technology Law and Policy LL.M. Master of Law and Technology, and National Security LL.M. 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. 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 1786 v00 Technology Law and Policy Colloquium: Digital Sovereignty (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201786%20v00) (Project-Based Practicum)

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 1625 v00 Technology Policy and Practice (http://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 and having acquired "skills of the trade" for legislative advocacy, including: persuasive advocacy for policy issues, formation of policy campaigns, legislative strategic planning, drafting of policy documents, and stakeholder politics. Specifically, students will develop practical legal and policy making skills, such as drafting talking points, creating a strategic legislative campaign, and learning the art of an elevator pitch. Students will learn skills that can help them pursue a wide-array of careers, from a law firm to the White House.

There is no prerequisite course required. Each class will incorporate pre-class preparations and an in-class skill building exercise.

Learning Objectives:

Goals:
• Receive substantive knowledge of legal 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 2080 v00 The Affordable Care Act: Law and Policy Governing Private Health Insurance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202080%20v00)
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 it has affected Affordable Care Act implementation. By the end of the course, students will be able to describe how private health insurance is regulated at the federal and state level, the major reforms ushered in by the Affordable Care Act, federal and state implementation, and likely areas of changes to the law given real-time debates.
This seminar will focus on "the art of regulatory war." How can and do lawyers and other private and governmental actors and stakeholders working at the regulatory intersection of law and politics gain advantage, use their different sorts of legal artillery and strength, and push regulatory disputes and tool choices into venues, modes, and postures that favor their or their clients’ interests and broader policy goals? What changes are underway regarding the nature of regulation, attitudes about the role of the administrative state, and ways regulatory wars are fought?

Subject to adjustment in light of legal developments and student interest, the seminar meetings will be organized around a mix of case studies and cross-cutting regulatory topics. Topic-based classes will likely select from among the following: critiques of assumptions of regulatory overreach and empire building; debate over the values and functions of preemption, and rationales for various federalism-utilizing allocations of authority; theories of regulation and regulatory reform proposals; recent presidential and agency deregulatory and policy change efforts and judicial and scholarly responses; debates and shifting doctrine regarding deference regimes; the shift to market-based and experimental "rolling rule" modes of regulation; "sound science" and "bought science;" behavioral economics and regulatory design; and "impact" litigation strategies. Case study subjects will likely include a mix of the following: my own research into the 1971-85 battles over the multi-billion dollar Westway project defeated by a small number of citizens; climate change regulatory and legislative proposals and battles; battles over COVID vaccine mandates and what they reveal about the future of the administrative state and judicial review of agency judgments; and court, regulatory and legislative battles over protecting "waters of the United States" under the Clean Water Act. Readings will include diverse materials to illuminate the art of regulatory war, including court decisions, briefs, congressional testimony, 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 of interest to them as long as they are original work for the seminar and have a link to constitutional, statutory, regulatory, regulatory design, or administrative law issues. During the last few weeks of the semester, we will conclude with students sharing and leading discussion of their draft papers. There are no seminar prerequisites, but students interested in administrative law, constitutional law, economic and risk regulation, environmental law, energy law, legislation, law and politics, law and economics, litigation and other areas of public law should find the material of interest.

**Note:** FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1707 v00 The Color of Surveillance Seminar: Law and History
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201707%20v00)
J.D. Seminar | 2-3 credit hours
In 2020, the hallmark of surveillance is its ubiquity. Any public discussion of Facebook or the National Security Agency, every edition of the Business or Technology section of any newspaper, all document the inuring, inevitable fact that “everyone is watched.”

At the same time, these discourses also tend to be anodyne, ahistorical, and often blind to the realities of race, class, and power. We talk about pervasive surveillance; we rarely discuss its disparate impact, its human toll, or its perseverance across centuries of American history. And that is a deep history. The migration of the English Separatists we know as Pilgrims, the construction of the Southern slave economy, the settlement of Mormons in the American west, the labor struggles of Appalachian coal miners, the Palmer Raids, the return of Black service members from World War I, the internment of Japanese Americans during World War II, and J. Edgar Hoover’s surveillance of nearly the entire leadership of the 20th century civil rights movement -- not to mention the boom in post-9/11 surveillance of Muslim Americans -- each of these republic-defining moments reflect an overarching reality: Everyone is watched, but everyone is not watched equally.

This seminar aims to excavate and expose that “color of surveillance.” It will also reckon with its consequence: If surveillance is indelibly marked by disparate impact, must we understand privacy to be not just a civil liberty, but also a civil right? If surveillance is a tool used to threaten vulnerable people, should we understand privacy as a shield that lets them survive and thrive? If so, the entirety of the post-9/11 National Security Agency and consumer privacy debates must be reevaluated in light of their near-total absence of considerations of disparate impact.

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

LAW 1800 v00 The Constitution of Empire: The Insular Cases and the Law of U.S. Territories
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201800%20v00)
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 1748 v00 The Death Penalty in America Seminar [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201748%20v00]
J.D. Seminar | 2-3 credit hours
This seminar will consider the past, present, and future of the death penalty in the U.S. Topics will include the Eighth Amendment framework; capital-eligible offenses and limitations; the role of race; intellectual disability, insanity, and mental status; juvenile offenders; procedural requirements in capital cases; actual innocence claims; methods of execution; juror qualification; and the allocation of issues between judge and jury. The course also will cover current abolition initiatives under state constitutional, legislative, and clemency initiatives.

Student learning goals: Students will gain both a jurisprudential understanding and practical insight into the death penalty and its administration. Students will intensively explore this challenging constitutional and legal area, and will write on an important selected issue.

Mutually Excluded Courses: Students may not receive credit for this course and Capital Punishment Seminar or the Death Penalty Litigation Practicum.

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

LAW 3062 v00 The Essentials of FinTech Law [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203062%20v00]
LL.M Course (cross-listed) | 2 credit hours
Nowhere have the recent changes wrought by technological innovation been more visible than in the financial industry. Algorithmic robots (algo bots) can scan the equivalent of thousands of pages of information and make trading decisions based on that material in fractions of a second. People who might not be able to afford a human financial advisor can get financial advice from robots by enrolling in a “robo-advisory” service to help manage their investments. Virtual currencies such as Bitcoin and initial token offerings (ICOs) have the potential to revolutionize the financial markets. Financial institutions are taking steps to use blockchains and distributed ledger technologies to clear and settle trades in financial instruments and other transactions in a manner that upends traditional processes in this area. Data about human behavior is being collected and used in ways that had not been imagined only ten or so years ago, from uncovering financial market trends via social media sentiment analysis to discerning the success of commodities businesses by scrutinizing satellite images.

"FinTech" is short for “financial technology,” and the term is broadly used to refer to technologies applied to financial services and within financial institutions. This course explores some of the complex, cutting-edge legal issues that are arising at the intersection of technological innovation, business, finance, and the law. The course will introduce several of the primary FinTech innovations and explore with students if, and how, the relevant laws and regulations apply to these new business models. This course provides a guided tour of the major legal and policy issues in banking, financial market regulation, insurance, business-entity law, and data privacy/protection that have resulted from FinTech innovations. Accordingly, much of the course involves looking at how the existing laws and regulations governing securities, derivatives (including futures and swaps), payment systems, and banking activities apply to innovative financial products and services.
LAW 1663 v00 The Federal Courts and the World Seminar: History, Developments, and Problems

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

This course approaches this period with a Reproductive Justice (RJ) lens, emphasizing social supports, financial assistance and other tools that advance the right to have and raise children. Both in the US and throughout the world, factors such as race, language, income, education, ability, gender identity and sexual orientation all impact one’s ability to carry a healthy pregnancy to term, and the opportunities babies have to grow and thrive.

Increasingly, law and policy has been recognized as a high-impact and robust approach for accelerating progress in supporting women who are pregnant and lactating, along with infants through their first 24 months. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws and policies, and set funding priorities with direct or indirect effects on providing the essential building blocks for families during the 1,000-day window of opportunity. This course focuses on policies, programs and practices across the globe—at the national, tribal, state and local levels—that improve or hinder a mother and child’s health and well-being. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory and judicial aspects. This course applies the RJ framework to an area that has primarily been viewed as one of public health. In doing so, students will build a deeper understanding of the social factors and inequities that impede public health initiatives and widen health disparities. Topics and themes include preconception care, infertility, assisted reproductive technology, maternal and infant mortality disparities, newborn screening, immunizations, maternity and paternity leave policies, breastfeeding relevant policies and practices, dietary and physical activity guidance, social assistance programs, food and nutrition labeling, childcare supports, and other environmental and policy strategies to support maternal and child health.

Note: J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The special requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.
The aim of this class is to provide:

- A general understanding of the historical and political circumstances that gave rise to the adoption of the GDPR
- A general understanding of the provisions of the General Data Protection Regulation
- A general understanding of current developments related to the GDPR
- A focused understanding of key provisions in the GDPR, including collective actions, data protection impact assessments, algorithmic transparency, the role of supervisory authorities, and the creation of the European Data Protection Board
- An introduction to related legal frameworks, including the Council of Europe Convention 108 (The "Privacy Convention"), the OECD Privacy Guidelines, and the OECD AI Guidelines
- A brief introduction to regulatory theory, "ratcheting up," and the "California/Brussels effect"
- Authoritative reference materials that will aid students as they undertake future work on the GDPR, including Rotenberg, Privacy Law Sourcebook, which includes the text of the GDPR
- An analysis of the relationship between the GDPR and other emerging EU laws, such as the Digital Services Act, Digital Markets Act, the EU Data Act, and the e-Privacy Regulation

Learning Outcomes

By the end of the course, students will have gained an in-depth understanding of the IMF's regulatory and financial powers, as well as its governance structure. They will also have gained insight into the role the IMF has played in shaping international monetary and financial law in an environment where there has been an increasing unwillingness of countries to surrender sovereignty in this area through substantive treaty obligations. In this context, they will learn about the role that alternative legal frameworks have been played in this area, including procedural law, soft law and private law. A key objective will be for the students to gain an understanding of how the views regarding the nature of the IMF's legal authority can be seen as a microcosm of evolving attitudes towards the pooling of national sovereignty. The students' knowledge of these issues will be enhanced by a close study of internal IMF staff papers, which will enable them to obtain a unique understanding of how legal, financial and economic issues are integrated during the IMF-decision making process. Moreover, through an in-depth analysis of a number of systemic financial crises, students will gain an appreciation of the competing considerations - and constraints - faced by policy makers in a crisis context. This appreciation will be enhanced by occasional presentations provided by present and former IMF officials who played a lead role during the crises that will be studied.

Note: In Spring 2023, this class will meet on the following seven Thursdays: 1/19, 2/2, 2/9, 2/16, 3/2, 3/9, and 3/23.
LAW 1685 v00 The Impeachment Power & American Constitutional Balance Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201685%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
The course explores the origins, historical applications, and current significance of the impeachment clauses of the U.S. Constitution. The course considers the birth of impeachment in British parliamentary practice dating to the 1300s, as well as the transplantation of impeachment to America in the colonial and Revolutionary War periods. More importantly, it examines the place of impeachment in the American constitutional design of inter-branch checks and balances, and the rare instances of its use since 1788. Studying American impeachments provides a crash course into some of the most wrenching public controversies in American history. From the 1797 attempt to impeach Senator William Blount for conspiring with Great Britain to steal Spanish territory in Florida, to the nearly successful effort to impeach President Andrew Johnson for his pro-Southern actions during Reconstruction, to the near-impeachment and ouster of President Nixon for the crimes of Watergate against the background of the strife over the Vietnam War, impeachments have been windows into the passions of the time. The course will conclude by considering the controversy over efforts to impeach the current president.

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

Note: The 3 credit section of this course enrolls via waitlist. Please place yourself on the waitlist by noon on Monday, August 12, 2019.

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

LAW 3139 v00 The International Health Law Infrastructure - Building Resilience from the COVID Crisis (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203139%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course will provide an overview of the international and domestic legal and policy frameworks relating to Global Health. It will explore the critical tools used by the international community and donor governments to respond to the COVID crisis. Using the International Health Regulations, Sustainable Development Goals 2030, WTO Doha Declaration, COVAX Agreements, and International and Regional Human Rights Treaties we will provide a foundation of policy deployment at the international level. Against this backdrop we will focus on the challenges and the tension of international organizations to operate in crises and the sovereignty of the country members resulting in a hardening of nationalism and making their citizens a top priority. Cross-border challenges and threats had been a concern before COVID-19; climate change, fragility and conflict, migration and infectious disease are all increasing in frequency. We will address and examine how these tensions impacted the COVID crisis and other global health emergencies.

The course is designed to impart practical skills for students interested in exploring careers focused on these international issues/global health in government, nongovernmental organizations or the private sector, providing a complementary perspective to Preventing, Detecting and Responding to Global Health: The International Health Regulations and the U.S. Government Interagency Process from the international perspective.

By the end of this course, students will be able to:

- Identify and interpret the key relevant authorities and limitations that underpin the global response to the COVID crisis and other global health emergencies in the international community.
- Identify and interpret the key regulations, guidance, and other laws applicable to providing COVID response as well as broader global health assistance by the countries at the national level.
- Draw lessons learned from the international and country-level response to the COVID crisis.
- Predict and explain policy decisions based on knowledge of areas of international organization, donor governments and private actors discretion and restrictions.
- Critically analyze the application of the international global health infrastructure, the IHR and Global Health Security Agenda to COVID and other real life scenarios.
- Identify and recommend changes to the international legal framework for global health to respond more efficiently and effectively to the next global health crisis.
- Differentiate between ideals and goals that are achievable under the relevant legal and regulatory frameworks from activities that are restricted, restrained or prohibited.

Recommended: International Law; Administrative Law; Global Health Law Seminar
LAW 3134 v00 The Intersection of Employment and National Security Law
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
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.
LAW 3002 v00 The Law and Policy of the Energy Transition

This course will review the most critical policy, legal and regulatory issues faced by the energy sector (coal, oil, gas, renewable energy sources, and minerals) actors, such as governments, investors, corporations, insurers, and citizens, when facing the challenges of the current energy transition, including net-zero pledges at political level and their impact in legislation.

The discussion will be based on the following premises/problems (evidently, the premises could also be discussed as well):

- The world has a carbon emissions problem. Science confirms that action is needed to reduce greenhouse gas (GHG) emissions in the atmosphere generated by human activities.
- The planet works on fossil fuels today, and it seems it will do so for the foreseeable future. Therefore, an abrupt reduction of fossil fuel consumption will severly disrupt current lifestyles, especially in developed countries.
- A sharp increase in renewable energy generation will require much more mineral extraction than today, an activity that itself brings new social and environmental challenges.
- Even with the current fossil fuel consumption, a significant share of the world population has unreliable, insufficient, or inexistent access to energy (approx. 800 million people). This situation is unacceptable and needs to be solved.
- The energy matrix change towards renewable energy sources will disrupt both producing and exporting countries and corporations across the globe. The consequences of such change have to be foreseen and prevented, if negative.

Development is a pending task for most of the planet, and it needs a priority place in the environmental discussions. Through the different topics addressed in the course, we will analyze how weak rule of law, increasing environmental and social challenges, corruption, and geopolitical challenges affect policymakers, legislators, regulators, and the private sector decision-making processes related to the energy transition, environment and development. Energy actors and the finance sector are confronted with long-term capital investment decisions in a volatile policy and regulatory environment. Legal counsel in these cases involves a substantial role in evaluating and mitigating risk and in the prevention and resolution of disputes. The course will analyze the extra-legal factors that lawyers need to understand to provide advice more comprehensively.

Participants in the course will better understand the energy sector transaction models in the context of the current energy transition, the emerging challenges, and the legal strategies used to mitigate such risks using regulatory frameworks, contract drafting, and compliance procedures (ESG). Topics will include a general explanation of the risk or opportunity in each situation discussed, using study cases of specific transactions whenever possible.

This course is not a project finance or a specialized finance course, even though we will review some financing structures. Due to its structure, this course could be considered an overview of the most pressing issues discussed in international energy law (an area of law that knows no borders), education to be continued in other courses.

Even though I will try to make the course as structured as possible, several topics are strongly interconnected. Therefore, the conversation/discussion might flow in unexpected ways, which I fully welcome and encourage.

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 personal opinion.
LAW 1019 v00 The Law of Public Utilities: Bringing Competition to Historically Monopolistic Industries (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201019%20v00)
J.D. Seminar | 2-3 credit hours
Our major infrastructural industries—electricity, gas, telecommunications, transportation and water—were historically controlled by monopolies. Since the 1980s, efforts to introduce competition into these industries have met obstacles. Battles before legislative bodies, regulatory agencies and courts, at the state and federal levels, have produced a distinct body of law. That body of law—the law of introducing competition into historically monopolistic industries—is the subject of this course.

From the principles learned in the course, students have written papers on such diverse topics as renewable energy, internet, movie production, chicken slaughtering, student loans, pharmaceutical research, Uber, Flint’s water crisis, utility corporate form, 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 1674 v00 The Persuasive Narrative Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201674%20v00)
J.D. Seminar | 1 credit hour
Law is story. This seven-week course will focus on how to tell that story persuasively on behalf of a client. We will draw on scholarship in rhetoric, applied legal storytelling, cognitive science, and design to understand why stories are so powerful. This scholarship, and real-world examples of narratives that nudge and tug their audiences, will also help us to build our own toolboxes for constructing persuasive narratives. As part of the course, we will use these tools to create persuasive narratives in several genres (both written and visual) and for different audiences (legal and non-legal).

Note: This course will meet the first seven Wednesdays in Fall 2019 on the following dates: 9/4, 9/11, 9/18, 9/25, 10/2, 10/9, and 10/16.

LAW 1495 v01 The Role of the State Attorney General (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201495%20v01)
J.D. Course | 3 credit hours
As the chief legal officer of the states, commonwealths and territories of the United States, attorneys general serve as counselors to their legislatures and state agencies and as the “People’s Lawyer” for all citizens. Originating in the mid-13th century in the office of England’s “King’s Attorney,” the office had become, by the American Revolution, one of advisor to the Crown and to government agencies. Since colonial times, three forces have molded the office of the Attorney General: state constitutions and state government codes, which specify the duties and responsibilities of the attorney general; legislative decrees altering the duties of the attorney general in response to specific state needs; and the personalities and ambitions of those who have served as attorney general. Attorneys general today deal with everything from common law and statutory authority; conflicting legal and policy demands; resource restriction; relationships with outside counsel; and hard-core partisan politics.

The Role of the State Attorney General has these overarching objectives:

• To examine the unique junction of law, policy, and politics at which the state attorney general operates and to consider whether and when each of these does or should feature in a state attorney general’s deliberations and decisions
• To explore issues of law and governance, especially to consider the role of the executive branch in tripartite democratic republics
• To consider how the state attorneys general figure in the current iteration of American federalism
• To showcase in concrete terms the actual workings and work of state attorneys general

The course will cover the day to day challenges faced by attorneys general and their staffs in delivering legal advice to guide state government in a constitutional and ethical manner. The course will also cover the relationship of attorneys general with the federal government, the private bar, and a range of advocacy organizations. It will focus on some of the most prominent areas in which state attorneys general work, such as consumer protection, criminal justice, and environmental law. Although each state is unique, the course will demonstrate the congruence that exists among state attorneys general when addressing similar challenges and issues. Unlike private and other government lawyers, who work subject to ethical rules that defer decision making to agency “clients,” state attorneys general answer directly to the public interest. The course is weighted toward those decisions by attorneys general that reflect their independent status, which is most often revealed when legislatures, other elected officials, state agencies or the federal government exceed their constitutional or statutory authority. The course materials include case materials and court documents, scholarly articles from a variety of sources, and some journalistic coverage. There is no separate text for this course. All materials will be available via a web portal to be designated by the professor.

Students will be evaluated on class participation (15%); the quality of a short writing assignment (20%), due approximately mid-way through the course; and a compact take home exam, which can be self-scheduled any time during the exam period (65%). In addition to substantive content, the exam will be assessed according to the quality of the prose and organization of the discussion.

Mutually Excluded Courses: Students may not receive credit for this course and the seminar by the same name.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted 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 1495 v00 The Role of the State Attorney General Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201495%20v00)

J.D. Seminar | 3 credit hours

As the chief legal officer of the states, commonwealths and territories of the United States, attorneys general serve as counselors to their legislatures and state agencies and as the “People’s Lawyer” for all citizens. Originating in the mid-13th century in the office of England’s “King’s Attorney,” the office had become, by the American Revolution, one of advisor to the Crown and to government agencies. Since colonial times, three forces have molded the office of the Attorney General: state constitutions and state government codes, which specify the duties and responsibilities of the attorney general; legislative decrees altering the duties of the attorney general in response to specific state needs; and the personalities and ambitions of those who have served as attorney general. Attorneys general today deal with everything from common law and statutory authority; conflicting legal and policy demands; resource restriction; relationships with outside counsel; and hard-core partisan politics.

The Role of the State Attorney General has these overarching objectives:

- To examine the unique junction of law, policy, and politics at which the state attorney general operates and to consider whether and when each of these does or should feature in a state attorney general's deliberations and decisions
- To explore issues of law and governance, especially to consider the role of the executive branch in tripartite democratic republics
- To consider how the state attorneys general figure in the current iteration of American federalism
- To showcase in concrete terms the actual workings and work of state attorneys general

The seminar will cover the day to day challenges faced by attorneys general and their staffs in delivering legal advice to guide state government in a constitutional and ethical manner. The course will also cover the relationship of attorneys general with the federal government, the private bar, and a range of advocacy organizations. It will focus on some of the most prominent areas in which state attorneys general work, such as consumer protection, criminal justice, and environmental law. Although each state is unique, the course will demonstrate the congruence that exists among state attorneys general when addressing similar challenges and issues. Unlike private and other government lawyers, who work subject to ethical rules that defer decision making to agency “clients,” state attorneys general answer directly to the public interest. The course is weighted toward those decisions by attorneys general that reflect their independent status, which is most often revealed when legislatures, other elected officials, state agencies or the federal government exceed their constitutional or statutory authority. The course materials include case materials and court documents, scholarly articles from a variety of sources, and some journalistic coverage. There is no separate text for this course. All materials will be available via a web portal to be designated by the professor.

It is important to complete assigned reading fully before each session. It is strongly recommended that students check assignments early and budget reading time accordingly. Course grades will be based on the paper grade, the quality of class participation, and the quality of constructive feedback given to fellow students. Attendance is required. If a student must miss a class, she, he, or they should inform the professor beforehand. In addition to regular attendance, students will be credited for thoughtful questions and comments and for constructively engaging with the professor and with fellow students in class discussion. Quality is paramount, quantity far less significant.

Students will design their own paper topics in consultation with the professor. Students will submit rough drafts for comments from the professor. They will also have an opportunity to receive peer feedback on their work in progress. Final papers will be evaluated with consideration for thoughtful questions and comments and for constructively engaging with the professor and with fellow students in class discussion. Quality is paramount, quantity far less significant.

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 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 869 v00 The Role of WHO in Global Health Law and Governance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20869%20v00)

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.

Note: This course is part of the following graduate programs: International Legal Studies LL.M.
LAW 1768 v00 The Temporal Dimensions of Governmental Powers Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201768%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will explore 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 (http://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 1338 v00 Think Like a Lawyer: Elements for American Legal Analysis Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201338%20v00)
J.D. Seminar | 2-3 credit hours
A distinctive set of political, philosophical, and economic ideas underwrite 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 1454 v00 Topics in LGBT Civil Rights Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201454%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will address aspects of the long and ongoing work to win LGBT freedom, equality, and inclusion. Topics likely will include the freedom to marry, challenges to so-called “sodomy” laws, the efforts to establish the rights of transgender individuals, LGBT parenting, and employment discrimination, as well as such matters as how the movement is structured, how political and legal groups and strategies interact, etc. The approach will be to talk not only about the development of the legal doctrine but also about the cultural and political context in which the struggle has taken place, and how that context contributed to the willingness or unwillingness of courts and politicians to embrace the cause. Readings will include briefs, case law, and selections from secondary sources. Students should finish the course with an understanding of how the law in this area has evolved, where it is going, and how the LGBT movement illustrates some more general aspects of how successful civil rights movements in this country operate.

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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20008%20v01)
J.D. Course | 4 credit hours
Explores the basic principles governing private lawsuits for damages for wrongs that are noncontractual, including consideration of the concepts of strict liability, liability based on fault, intentional and negligent interference with personal and property interests and defenses thereto, recoverable damages, and related problems.

Learning goals:

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

Learning goals for Professor Hasnas’ section:

The learning goals are not only to acquaint students with the rules of Tort law and practice their application to facts, but also to understand the normative values behind the rules that will allow them to construct cogent arguments for how the rules should be extended or restricted to encompass or exclude novel factual situations.

Note: This is a required course for first year students only.
LAW 1600 v00 Toxic Chemical Law and Advocacy (http://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 field work. Students who enroll in this course will be automatically 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 graded.

LAW 3075 v00 Trade Remedies: WTO Framework, National Law and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203075%20v00)

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

Trade remedies are the bread of butter of international trade law, and hence a critical area of study for any aspiring trade lawyer. This course will introduce participants to the three principal types of trade remedies, anti-dumping, countervailing measures and safeguards. The class will explore the role of, and justifications for, trade remedies in the international trading system, the framework set out in the WTO Agreement for their use, and the dispute settlement jurisprudence regarding them. Because trade remedies are a global phenomenon, it will then examine and compare the trade remedy regimes of major users around the world, before zooming in on the specifics of US practice.

The first objective of this course will be to familiarize students with trade remedies, both in term of the WTO framework and in terms of the practice of both the United States and other major user countries. At the same time, the course should help students to gain a better understanding of the WTO Agreement, how that Agreement interacts with the national law and policy of the United States and other WTO Members, and the role that WTO dispute settlement can play in that interaction.

Prerequisite: An introductory course in International Trade Law and/or WTO Law is highly recommended.
LAW 1218 v00 Trade, Money, and Trust: The Law and Policy of Globalization Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201218%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
Successful management of globalization has emerged as the central challenge of our time. Globalization has been blamed for many of our social and economic problems from inequality to stagnant growth. The international regulatory failures exposed by the financial crisis of 2008-2009 have called into question not only the regulatory framework for financial stability, but also the entire framework of international norms and institutions known as Bretton Woods that have been the pillars of global economic regulation. The accompanying collapse in public trust in government experts and private elites has complicated efforts to address these challenges. Populist candidates have swept elections, particularly in the US and UK, based on platforms to reverse the course of international integration. Meanwhile, China and Russia have doubled down on leaders that embrace a return to state controlled economies and traditional notions of regional hegemony. Are we at an historical turning point characterized by GLEXIT – the abandonment of globalization – or will these challenges lead to a Globalization 2.0?

The purpose of this seminar is to look at the role of international economic law in managing globalization, both in terms of extracting the benefits and in addressing the consequences, particularly those negative effects that have fed the backlash. The focus of the seminar will be on the central regulatory regimes governing international economic activity: trade, monetary, investment, finance, competition, tax, sovereign debt and corruption. We will examine the fundamental character and role of legal norms, regulatory systems and international institutions in a world characterized by interdependence and conflict.

This is a research seminar in which the initial eight weekly classes will present a survey of regulatory regimes designed to give students a framework for what have historically been somewhat distinct “silos” but which each illustrate the recurring tensions between fragmentation and coherence. We invite student involvement in the specific topics in the field on which we focus. Each student will be asked to provide short papers responding to the readings for each of the initial sessions. Students will be expected to write a research paper on a relevant topic under the guidance of one of the professors and to make a short presentation to the class during the last third of the course. In their research paper, students will be expected to identify a contemporary, global economic regulatory issue and propose solutions drawing on insights from the seminar (and their broader studies) to analyze the problem, propose and defend possible solutions.

The seminar will be taught by professors with a wide range of experience in academia, private practice and government service. Distinguished outside experts will also be called upon to address particular topics within this framework.

A number of broad themes will be developed to help unravel the complexity of global regulation:

- What is the role of legal norms in creating efficient and sustainable global markets? Do some problems lend themselves to different types of norms (e.g. soft versus hard law)? What about governance, the formality of legal norms (and institutions) and the role of national sovereignty and subsidiarity?
- Why do the different global economic regulatory regimes look so different? Why has trade evolved with an advanced set of norms, dispute settlement and enforcement?
- How have crises and systemic failures contributed to the development of legal regimes? Do crises lead to sustainable and effective regulatory regimes?
- What role does trust play in the character of legal regimes? Can we distinguish between legal regimes that have justified faith?
LAW 433 v01 Trademark and Unfair Competition Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20433%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course will introduce students to the federal Lanham Act and related common law doctrines designed to protect against consumer confusion and infringement. In addition to the technical requirements for trademark eligibility, registration, and infringement, we will consider the constitutional and economic underpinnings of trademark protection and evaluate current trends toward the “propertization” of trademark law. We will also review and assess the reasons that trademarks can lose protectable status (e.g., becoming generic) and examine best practices in selecting, adopting and enforcing rights in trademarks.

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

• Differentiate between trademark, copyright, patent and trade dress laws;
• Identify what designations can function as trademarks and understand the requirements for trademark protection;
• Assess the degree of protectability of trademarks depending on their distinctiveness;
• Understand the requirement of “use in commerce” for trademark protection, and evaluate whether particular usages of trademarks meet that requirement;
• Grasp the process of obtaining federal registrations for trademarks;
• Analyze whether uses of junior trademarks infringe the rights of owners of senior trademarks (i.e., whether there is a “likelihood of confusion”);
• Evaluate whether a trademark is famous, and whether uses of other trademarks constitute dilution of famous marks by either blurring or tarnishment;
• Determine whether a trademark owner has lost its rights in the mark, either through abandonment or “genericide”;
• Identify and make arguments concerning defenses to trademark infringement and dilution (e.g., “fair use”); and,
• Articulate the interplay and conflicts between trademark law and the First Amendment.

Mutually Excluded Courses: Students may not receive credit for both this course and Trademarks and Brands.

Note: 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 a later date (Date TBA).

LAW 743 v00 Transfer Pricing: Selected Topics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20743%20v00)
LL.M Seminar | 2 credit hours
This course will provide students an opportunity to explore the international taxation topic of transfer pricing through the research and writing of a graduate paper. Students will choose a topic in consultation with the instructors, prepare an outline to be submitted to the instructors, make a presentation to the class on their topic, and submit a paper of at least 22 pages. During the first half of the course, the instructors will focus on international transfer pricing and related topics. Transfer pricing involves the division of taxable income resulting from cross border transactions including the sale of goods and services and the licensing of intangibles. Transfer pricing typically leads to the largest audit disputes between multinational corporations and the national tax administrations for the countries in which these companies do business. As a result, transfer pricing is a key practical topic in international tax.

This course is an advanced topics course. The introductory course in transfer pricing is recommended, but not required. Specific lecture topics will include 1) Overview of the international transfer pricing system. 2) Performing a transfer pricing analysis for a particular multinational group, and assisting the group in implementation. 3) Current developments including the taxation of services, intangibles, and OECD guidance. 4) Apportioning group-wide expenses. 5) Enforcement issues. 6) Administrative procedures, including IRS examinations, APA procedures, and competent authority procedures, and 7) Looking toward the future: what are the most appealing policy options today? In addition to transfer pricing, students may choose paper topics from other international tax topics with a practical application including permanent establishments, tax treaties, international arbitration, and the competent authority process.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Recommended: Survey of Transfer Pricing.

LAW 766 v01 Transitional Justice: Theory and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20766%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
In the wake of historical trauma – dictatorship, revolution, civil war, mass atrocity, genocide, and other crisis moments in the life of a nation – law and society begin the process of grappling with the past and laying a foundation for the future. From the Nuremberg Trials to Rwanda’s gacaca courts, and from Argentina's amnesty laws to the International Criminal Court, this course uses historical and contemporary case studies to gain a better understanding of whether and how various mechanisms of transitional justice have contributed to such goals as peace, justice, and reconciliation.

Prerequisite: International Law or equivalent. Please note that exceptions may be granted, especially if students have prior professional experience in the field of international human rights or international law.
LAW 1721 v00 Transnational Law Colloquium (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201721%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
The Transnational Law Colloquium, normally held as part of the Center for Transnational Legal Studies (CTLS) in London, UK, will be offered fall 2020 and spring 2021 online to any Georgetown Law upperclass JD or LLM student. It also will be offered synchronously to law students at several universities in Europe. CTLS faculty and other legal scholars will present their own work for discussion by students and faculty from partner schools. The Colloquium will meet every other week for two hours. Over the course of the semester, we will discuss six papers in a broad range of topics relating to transnational law, including public and private international law and comparative law. The papers presented will most often be works in progress although some will be recently published work. They will ordinarily be available on Canvas two weeks in advance of the Colloquium. Students are expected to read works before sessions, write two reaction papers, and participate in class discussion.

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

LAW 1539 v00 Transnational Law Practice Field Study (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201539%20v00)
J.D. Seminar | 1 credit hour
Attorneys practicing law in another country face a variety of unique challenges. There are obstacles in local laws, admission requirements and immigration regimes. Attorneys must navigate developing client relationships in different cultural settings and tackle cultural and/or language barriers to serve those clients. Attorneys and law firms face international and foreign legal issues in representation of their domestic clients. Law firms increasingly have offices staffed around the globe, and are innovating and experimenting with client delivery service models. Rules and norms of professional conduct can vary based on country and practice setting.

This field study is open only to students taking part in summer legal work in a country other than their home country. It is designed to foster deeper engagement and exploration of an aspect of their transnational legal practice through development of a scholarly paper and substantive presentation.

Students must submit a proposed paper topic on an issue of international law or international legal practice related to their summer employment/internship in order to be enrolled in this course. The topic and final paper may be related to but must not directly overlap with legal issues explored and worked on during the summer as part of the student's employment or internship. Students are encouraged to include a comparative element and/or to explore diverse aspects of the transnational legal professional experience. Students will be required to submit an outline, conduct an interview, create an audio or visual presentation of their topic, and provide feedback to others, in addition to writing their research paper. The final paper must be a minimum of 3,000 words, excluding footnotes.

Note: This study is enrolled via professor permission. Students should complete the application form at https://georgetownuniversity-kmzb.formstack.com/forms/transnational_law_practice_field_study_summer_2022. This form should be completed as soon as possible, but no later than May 20, 2022, to propose a paper topic and confirm qualifying summer employment. Students may be asked to revise their proposal and/or meet with the professor(s) prior to the start of the course.

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This course does not satisfy the upperclass writing requirement or count toward the 6 credits of experiential coursework required of students matriculating as first-year students in Fall 2016 or later. This is a distance-learning seminar with no regularly scheduled meeting times. Students will participate and submit coursework via Canvas. Additional instructions will be provided to enrolled students. Any student who will not have completed 28 credits or more by the beginning of the summer session is strongly advised to review the rules related to distance education courses for the jurisdiction in which they intend to sit for the bar examination. Once enrolled, students who are on an F-1 visa must contact an International Student Advisor (lawcentervisa@georgetown.edu) before they drop or seek permission to withdraw from this seminar to discuss their work authorization. Students pursuing opportunities outside of the United States are required to register their travel and to obtain specific Education Abroad Health Insurance. Please see the Law Center’s policy regarding student travel abroad (https://www.law.georgetown.edu/academics/transnational-programs/international-travel-policy) for additional details. Students wishing to travel to countries under a U.S. State Department Travel Warning must first go through an approval process. These policies are administered by the Office of Transnational Programs (https://www.law.georgetown.edu/academics/transnational-programs).
LAW 084 v04 Transnational Litigation: Conflict of Laws/Private International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20084%20v04)
J.D. Course | 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 1759 v00 Trial Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201759%20v00)
J.D. Seminar | 3 credit hours
In this simulation course, students will explore the major components of a trial in depth: opening statement; direct and cross-examination of fact witnesses; qualification, direct and cross-examination of expert witnesses; objections; impeachment; use of exhibits and visuals; and closing argument. Students will represent either the plaintiff or the defendant for each trial component. On the final day of class, working in teams of two, students will try the case presented in the simulated case file.

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

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

Note: 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 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v01)
J.D. Seminar | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives for Professors Koukios, Last, and Tsao:

During the course, you will learn to develop a persuasive case theory, structure and deliver opening statements and closing arguments, and conduct effective direct and cross-examinations. You will also learn how to lay proper foundations to admit exhibits and other evidence at trial and to object to your opponent's exhibits, evidence, and arguments. By the end of the course, you should have developed a sense of your personal courtroom style, an understanding of courtroom mechanics, and an appreciation of what it means to be a trial lawyer. Our goal is for you to have developed useful, basic advocacy skills to begin your legal careers.

Learning Objectives for Professor McKenzie:

Through this course, you will learn to develop a persuasive case theory, to structure and deliver opening statements and closing arguments, and to conduct effective direct examinations and cross-examinations. You will also learn to introduce exhibits in court, develop expert testimony, and make objections. A principal goal of this course is to help you to develop a courtroom style that reflects your personality and that is credible and persuasive. By the end of the course, you should develop a sense of your personal courtroom style, an understanding of courtroom mechanics, and an appreciation of what it means to be a trial lawyer.

Learning Objectives for Professors Williams, Glick, and Jones:

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 Trial Practice and Applied Evidence or Patent Trial Practice.

Note: Note for the section taught by Professors Rydstrom and D. Williams:

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 a later date (Date TBA).
**LAW 351 v05 Trial Practice** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v05)

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:**

Provide exposure to the elements of a trial and the techniques that are necessary to properly try a case so that the students have a fundamental understanding of what is involved.

**Prerequisite:** Evidence.

**Recommended:** Civil Procedure (or Legal Process and Society) and Criminal Justice (or Democracy and Coercion, or Criminal Procedure).

**Mutually Excluded Courses:** Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.

**LAW 351 v06 Trial Practice** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v06)

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 Trial Practice and Applied Evidence or Patent Trial Practice.

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

**LAW 351 v07 Trial Practice** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v07)

J.D. Seminar | 2 credit hours
This course is taught by two Adjunct Professors, one a trial Judge, who have extensive trial experience and years of instructing law students and lawyers to be effective trial advocates. Prior to COVID, this course has been taught in a working courtroom in DC Superior Court. This course experience blends practical and rigorous on-your-feet exercises culminating in a mock trial, with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. 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. 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 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 Trial Practice and Applied Evidence or Patent Trial Practice.

**Note:** Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 351 v08 Trial Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v08)
J.D. Seminar | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:
In this practice-oriented course, students try three civil cases. Students act and are treated as counsel, and work with motions in limine, jury selection, opening statements, direct and cross-examination of lay and expert witnesses, demonstrative evidence, and closing arguments. The course emphasizes jury persuasion, exhibits, courtroom tactics and demeanor, and adapting to trial judges of varying demeanors. Students not assigned as trial counsel serve as witnesses and jurors. Proceedings are conducted pursuant to the Federal Rules of Civil Procedure and Evidence.

Students are assigned to teams, but a student’s final grade will be based upon that individual’s presence, punctuality, preparation, participation, and performance, with emphasis upon the progress observed throughout the semester. Students are encouraged to set and share personal goals to facilitate assessments throughout the semester. Assessments are necessarily subjective, with preparation, participation, performance, and progress weighted most heavily. Lack of participation is the greatest detriment to a “good” grade, because it makes preparation and progress difficult to perceive. Students may be given mid-semester feedback upon request.

This Section is for the student who (a) wants to experience trial practice in a true-life setting; (b) is a self-starter wanting to learn actively, through doing, not passively, through “how to” lectures; (c) is able to stay in role, as a lawyer or witness, and to hold questions or comments until the trial exercise has completed; (d) is able to give and receive constructive criticism; and (e) understands the value of learning through a group’s exchange of ideas.

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

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

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

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

J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at a later date (Date TBA).

LAW 351 v10 Trial Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v10)
J.D. Seminar | 2 credit hours
This course is designed to impart a fundamental knowledge and experience of how to try a case, and the basic litigation skills necessary to do so. There will be emphasis on ethics, professionalism, strategy, sophistication, and success at trial in a manner that will allow you to protect your verdict on appeal.

Examples and exercises will pertain to litigation in U.S. District Courts. More often than not these will come from criminal cases as these lend themselves to more manageable examinations. However the skills learned will be entirely transferable to civil trials.

The class is taught in an “immersion” style, similar to a language class. Beginning with the second class we dive right in to mock trial work. This course blends rigorous litigation experiences with class discussion of trial techniques, strategy, and ethics. Students will directly participate in a series of trial practice problems as witnesses and attorneys. We will focus on different problems throughout the semester, including jury selection, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic.

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

Recommended: Prior or concurrent enrollment in Advanced Evidence: Trial Skills.

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

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

LAW 351 v12 Trial Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20351%20v12)
J.D. Seminar | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use video as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

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

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

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 351 v13 Trial Practice | 2 credit hours
This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:
The purpose of this course is to orient students with the basics of trying a civil or criminal case. We will cover topics such as developing the theme of the case, picking a jury, opening statements and closing arguments, direct and cross examinations, witness preparation, proffers of evidence, handling exhibits, the use of expert witnesses, and the use of jury instructions. The goal is prepare students to prepare and try cases in state and federal courts.

Strongly Recommended: Evidence.

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

LAW 351 v14 Trial Practice | 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 Trial Practice and Applied Evidence or Patent Trial Practice.

LAW 1245 v00 Trial Practice and Applied Evidence | 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 701-705). The course is designed especially for students who wish to develop some trial experience but lack the time to enroll in a regular litigation clinic and those who wish to improve their understanding of the nuances of the rules of evidence. Note: This course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:
Students will learn how to prepare and present opening statements and closing arguments. In addition, they will learn to prepare and conduct direct examination and cross examination of of a wide variety of witnesses. They will also learn how to impeach and rehabilitate witnesses and how to introduce and oppose the introduction of witnesses. Throughout the course, students will learn how to apply the Federal Rules of Evidence and develop a fuller understanding of those rules.

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

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Evidence: Trial Skills; Trial Practice; or Patent Trial Practice.

Note: Enrollment is limited to J.D. students only.

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. To ensure that late withdrawals do not prevent a student on the wait list from filing 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 (http://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 Advanced Evidence: Trial Skills; Trial Practice; or Patent Trial Practice.

Note: Enrollment is limited to J.D. students only.

This course may require extended classes or extra meetings outside of class to accommodate a mock trial. FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. 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 a later date (Date TBA).

LAW 780 v01 U.S. and International Customs Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20780%20v01)
LL.M Course (cross-listed) | 2 credit hours
As international trade and commerce have increased over the years, customs law has become increasingly more internationalized, important and complex. This course will examine and provide a basic introduction to the rules and principles relating to both U.S. and international customs law. This will include an examination of those rules and principles relating to tariff classification, customs valuation, rules of origin, border enforcement of intellectual property rights and regional trading arrangements. International efforts to facilitate trade and to harmonize and simplify customs laws and procedures will also be examined together with international organizations dealing with customs laws and procedures (such as the World Trade Organization and the World Customs Organization).

Customs authorities are the guardians of national borders. The role of customs authorities in combating terrorism and criminal activity and in securing and safeguarding national borders will also be examined.

No prerequisites.

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

LAW 3050 v00 U.S. Employment Taxes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203050%20v00)
LL.M Course (cross-listed) | 1 credit hour
Introductory course on the workings, issues and challenges of U.S. Employment & Unemployment Taxes at the Federal, State and Local levels. This course will explore what Employment Taxes and Unemployment Taxes are, a brief history, and the role they play in government funding and in the day-to-day living of individuals. Other topics to explore in the course are: Worker Misclassification (independent contractors vs. employees), “Gig Economy” (Uber, Lyft, etc.), so-called “Jock Taxes” (including discussions on Away Games and "Michael Jordan’s Revenge"), "Nanny Taxes", Multistate nonresident withholding, SUTA dumping, Employment Tax Crimes and Penalties, and Payroll Taxes in M&A transactions.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 9, 2023 through Thursday, January 12, 2023, 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 962 v03 U.S. Export Controls and Economic Sanctions
LL.M Course (cross-listed) | 2 credit hours
Understanding and dealing with U.S. export control and sanction laws have become increasingly important skills for lawyers advising clients who compete in the global economy, including manufacturers, service enterprises, financial institutions, and companies licensing their technology abroad. This course surveys the federal laws and implementing regulations governing the export and re-export of goods, services, technology and software from the United States or by persons subject to U.S. jurisdiction, the extraterritorial reach of re-export controls, prosecution strategies, restrictions on dealings with or in sanctioned countries, prohibitions against dealing with blacklisted parties, and other sanctions that apply to non-U.S. companies and individuals. We also will examine the policies underlying these rules, which are designed to address ever-changing and developing threats to the United States, including Russian aggression in the Ukraine, the nuclear threat posed by Iran, civil war in Syria, missile development in North Korea, and conventional military tensions between the United States and China.

The course is designed to impart the practical skill sets you will need to use and understand the various complex regulatory systems that implement national security rules related to technology and high-tech transfers, including restrictions on release of technology to non-U.S. persons, foreign policy restrictions and licensing requirements. The regulations are implemented under various statutes, such as the International Emergency Economic Powers Act, Trading with the Enemy Act, Arms Export Control Act, and Atomic Energy Act, and regulations issued by various federal agencies, including the U.S. Departments of Commerce, Treasury, State, and Energy and the Nuclear Regulatory Commission. We will address each regulatory regime as well as the limited body of relevant case law.

In addition, the course will address multilateral export control regimes, the role they play in shaping U.S. trade laws, the impact of new regimes (such as those under the Chemical Weapons Convention) and the direction of U.S. export controls and sanctions policy in response to the changing threats. We will focus on the U.S. Government’s use of embargoes and other economic sanctions to achieve national security and foreign policy goals of target countries. This course also will provide the skill sets necessary to communicate effectively with licensing agencies and the Defense Department regarding key issues of agency jurisdiction and classification and how these issues affect direct investment in the United States as regulated by the Committee on Foreign Investment in the United States.

The course also will focus on the enforcement environment, including the trend of ever-increasing fines, the use of extradition, and imprisonment. We will discuss defense strategies and the potential for global settlements with the Departments of Justice, State, Treasury, and Commerce.

Finally, the course will emphasize developing the working knowledge necessary for hands-on practice and problem-solving in this field. In addition, the course will provide skill sets to assess proposed legislation and regulations in depth, as well as advocacy skills related to legislation and rulemaking.

Recommended: Administrative Law; International Law I.

LAW 986 v01 U.S. International Inbound Tax
LL.M Course (cross-listed) | 2 credit hours
Concentrates on the U.S. taxation of foreign persons and foreign investments in the United States. The course covers the U.S. taxation of passive and business income of nonresident aliens and foreign corporations, the source rules, the principles and application of U.S. tax treaties, special rules governing foreign investment in U.S. real estate and other business, cross border financing transactions, the base erosion and anti-abuse tax, and tax planning possibilities involved in the foregoing.

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

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course International Tax Law or U.S. Taxation of International Transactions.

Note: Required for U.S. trained students pursuing the Certificate in International Taxation.

LAW 756 v01 U.S. International Outbound Tax
LL.M Course (cross-listed) | 2 credit hours
Concentrates on the U.S. taxation of U.S. persons and businesses earning income outside of the United States. The course examines, in depth, U.S. taxation of the international operations of U.S. multinational corporations. It covers the recently enacted GILTI rules, the Foreign Tax Credit provisions, Subpart F, repatriation, and overall strategic tax planning, including the significant new U.S. international tax rules and other changes introduced by the 2017 Tax Cuts and Jobs Act.

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

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. 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 1282 v00 Urban Laboratory: Land Use Planning Law in Practice
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201282%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Washington, DC, is undergoing its greatest physical and social transformation of the past half century. Students will engage with legal and planning issues of current real estate developments, analyzing issues of planning, zoning, historic preservation, environmental and other laws that are shaping the transformation. They will work in cooperation with students in Georgetown’s program in Urban and Regional Planning to study and participate in real planning efforts, involving projects such as the redevelopment of Union Station and of the air rights over I-395. Students will write short analytic papers, some of which may be comments submitted to regulatory agencies. Some classes will be held at Georgetown’s School of Continuing Studies or replaced by Saturday field trips.

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

LAW 1458 v00 Use of Force, National Security, and Human Rights Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201458%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
The struggle to respect and ensure universally recognized and protected human rights while also protecting national security raises important and complex legal and policy challenges across a range of issues from the "war on terror" to climate change. This course will address current issues at the intersection of national security and human rights, with an emphasis on the novel and complex questions about the nature of conflict, national security threats, and the place of human rights in the context of the struggle against transnational terrorism after 9/11. These questions are especially salient with regard to state use of force, which involves the deployment of violence against individuals, as well as their seizure, detention, and trial.

In general terms, the current legal approach to dealing with these issues tends to present decision makers with a binary framework that was created with the assumption that conflict between states is the primary threat to international peace and stability. The absence of armed conflict is presumed to constitute peacetime, when human rights law requires that states deal with threats to the peace through law enforcement operations in which lethal force may be used only as a last resort, and exercising physical control over individuals is strictly constrained. Movement from peacetime to war occurs when states use armed force against one another, or when the use of force between non-state organized armed groups (against one another or against a state) reaches sufficient intensity and duration. During this period, the traditional paradigm assumes that international humanitarian law (IHL) largely governs state conduct, and that the demands of human rights law must be adapted to the IHL regime.

International terrorism by non-state actors presents challenges to reliance on this binary peacetime-wartime framework. One possible response is to regard terrorist violence as presumptively occurring during peacetime, which means that terrorism must be addressed under a law enforcement paradigm, which is governed by human rights law. Some critics, however, argue that the scale of destruction inflicted by international terrorist attacks is more akin to wartime damage than domestic criminal activity, and that law enforcement is insufficiently flexible to permit preventive operations. They argue that that international terrorists therefore should be treated as engaged in armed conflict that triggers the application of IHL.

Rules governing the use of force under IHL, however, run the risk of being excessively permissive when applied in settings that do not involve segregated battlefields but terrorists embedded in large civilian populations whose behavior is not unambiguously hostile. Service members are also being increasingly required to carry out activities more akin to law enforcement when undertaking operations amidst these local populations. One response to this is a call for greater incorporation of human rights principles into armed conflict operations in some settings.

There is a pressing need to develop legal concepts to guide operations that blend human rights and national security concerns in a way that does justice to the distinctive nature of many conflicts in the contemporary world. Some commentators and scholars argue that we should eschew the legal categories of human rights law and IHL and focus on forms of regulation that involve highly contextual assessment of the complex competing considerations at stake in particular situations. Others argue that traditional legal categories establish important presumptions, and that human rights law in particular is more flexible about the use of force than many observers realize. Still others suggest that we should consider a new third category to guide the use of force that draws on elements of both law enforcement and armed conflict. This course will assess these and other positions in the debate, with the aim of exploring how best to respond to the challenges that international terrorism and other forms of non-traditional state violence pose for the aim of exploring how best to respond to the challenges that international terrorism and other forms of non-traditional state violence pose for the
Note: Individual Rights and Liberties. Strongly Recommended: Class participation is critical and counts as 25% of your grade.

Recommended: Courses that cover Communications Law, Entertainment Law, and Antitrust.


Note: Gamers wanted!

LAW 1477 v00 Video Games in the 21st Century: Creativity and Innovation in Action (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201477%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course is devoted to current legal and policy issues specifically relevant to the video game industry, a business sector that generated over $43 billion in revenue in the United States, and over $120 billion worldwide, in the last year alone. In class, we will look at video games as both software and audiovisual works and examine how intellectual property, contracts, and the Internet help shape and drive their creation and distribution. Current issues in First Amendment jurisprudence, communications law, international trade, privacy, and the online marketplace will be discussed. A wide range of novel issues associated with new developments in media and technology, (i.e. esports, virtual reality, location-based gaming, and artificial intelligence) will be highlighted. This class will show how video games, which combine innovation with creativity, and are considered subjects of both commerce and art, continue to contribute to American life and culture.

Class participation is critical and counts as 25% of your grade.

LAW 1647 v00 Warren Court Legal History Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201647%20v00)
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 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 1515 v01 Water Law Seminar
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
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. More information, including course descriptions, are available on the Week One website. Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

Teaching Fellows meet at least twice (see below for information regarding meeting dates) with their faculty in advance of Week One to review the course topic, goals, and simulation structure, and to receive training on their role (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.

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 in the latter half of June 2022. 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. WEEK ONE COURSE. This course will meet on the following days: Monday, January 9, 2023 through Thursday, January 12, 2023 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 2022 and once in early January 2023 (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 1686 v00 White Collar Criminal Practice: International Scandal Investigations

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 important interview questions for the client, and creating a strategic research and defense plan.

Note: UPPERCAL CLASS WEEK ONE COURSE: This will meet on the following days: Monday, January 9, 2023 through Thursday, January 12, 2023. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students.

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

LAW 1687 v00 White Collar Criminal Practice: International Scandal Investigations (Week One Teaching Fellows)

The Teaching Fellows for the White Collar Criminal Practice: International Scandal Investigations Week One simulation course will work with Professors DeLaurentis and Coleman to facilitate this course, which is offered in January. The description of the course is available on the Curriculum Guide (https://curriculum.law.georgetown.edu/course-search). Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

Teaching Fellows will meet at least twice with Professors DeLaurentis and Coleman in advance of Week One to review course topics, goals, simulation structure, and to 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.

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.

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 in the latter half of June 2022. 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. WEEK ONE COURSE. This course will meet on the following days: Monday, January 9, 2023 through Thursday, January 12, 2023 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 where remaining enrolled in the course would cause significant hardship to the student.
LAW 1465 v00 Women and Leadership Seminar [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201465%20v00]

J.D. Seminar | 3 credit hours
This course focuses on women and leadership. You will develop skills for teams, teamwork, self-advocacy, navigating organizational politics, and networking. You will also focus on your own personal leadership style. We will learn from notable leaders who will share their experiences and advice with the class. These conversations will be supplemented with cases and readings about women leaders, as well as a review of the current state of empirical evidence about the status of women as leaders. You will also reflect both individually and with the group on what you expect from your career and develop strategies for achieving those goals.

Course Goals/Student Learning Outcomes:

• Develop self-advocacy tactics and styles.
• Develop critical and strategic thinking skills.
• Improve communication skills, both oral and written.
• Develop team and collaborative skills.

Note:
This course has mandatory attendance at the first class session and all remaining sessions. Participants are expected to participate actively in each class. All participants will submit reaction papers/essays on the assigned materials for some of the classes and complete a team project, including a presentation in the last two weeks of class. 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 24, 2022 and only by notifying Professor Sale (has75@georgetown.edu) in writing. After August 24 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 Worker Rights in the Global Economy Seminar [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20191%20v02]

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 [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20355%20v00]

J.D. Skills | 2 credit hours
This course is designed to familiarize students with the role of experts in litigation. Strategies for the selection and use of experts as well as techniques for discovering the opinions of other parties’ experts will be presented. Particular emphasis will be given to the use of scientific experts in civil litigation. Techniques for direct examination and cross-examination of expert witnesses, and challenging the admissibility of expert testimony, will be reviewed. There will be frequent clinical exercises involving depositions of expert witnesses culminating in an in-court exercise.

Recommended: Prior or concurrent enrollment in Evidence.

Note: This course is open to J.D. students only.
LAW 611 v04 World Health Assembly Simulation: Negotiation Regarding Climate Change Impacts on Health

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 performance. 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 drafting an international agreement pertaining to climate change and global health. They will have the opportunity to conduct research for their assigned country or organization, interview experts, develop strategy, negotiate, receive and incorporate feedback, and draft resolutions, treaties, or other legislative language. Our approach will allow students to go through not merely an academic negotiation exercise but to develop language that might be useful in the real-world context of the World Health Assembly.

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

This optional, elective course is for first-year J.D. students only, who will enroll via the Live Registration process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by Monday, November 28, 2022 at 3:00 p.m. After that point, students must receive permission from the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 872 v00 World Trade Organization: Agreements, Negotiations & Disputes

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

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

This course will survey the problem of wrongful convictions. We will first examine the primary causes of wrongful convictions, including “junk science,” false confessions, prosecutorial misconduct, misidentifications, jailhouse snitches, and ineffective assistance of counsel. Next, we will explore the legal landscape of actual innocence litigation, including habeas corpus, Section 1983, and the lingering question of whether innocence alone is a constitutional basis for relief. Finally, we will consider the moral, ethical, and philosophical implications of wrongful convictions for our justice system, and the difficulty of administering a functioning system while also correcting its mistakes.

Learning Objectives:

1. We hope that, by the end of this class, you will have a working understanding of the most common causes of wrongful convictions and the most common issues that arise when litigating them.
2. We also hope that, throughout the course, you will develop a broader sense for what the fact of wrongful convictions means for our criminal justice system overall, and what if anything we can improve.
3. Finally, we hope that you will develop and demonstrate improved critical thinking, persuasive writing, and oral advocacy through the written and oral components of this class.
LAW 703 v00 WTO & Public International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20703%20v00)
LL.M Course (cross-listed) | 2 credit hours
Since the institution of the WTO’s Dispute Settlement Understanding in 1994, WTO jurisprudence has increasingly addressed disputes involving the interaction between trade related values and other domestic or international policy values. The various WTO instruments that are subject to the discipline of the Dispute Settlement Understanding address the relationships between international trade and other fields such as public health, the environment, intellectual property, and even public morality. The treatment of these issues in the WTO Agreements simultaneously demonstrates the linkages among these fields, and the separation of each from the others. Moreover, many of these “trade-related but not trade” policy areas are covered by other international agreements and understandings, as well as by domestic laws, and are in some cases subject to different judicial or quasi-judicial dispute resolution mechanisms, each applying its own rules of decision. Finally, even within the international trade arena, the proliferation of regional trade arrangements with their own dispute settlement mechanisms presents another potential source of conflict with the jurisprudence of the WTO.

This state of affairs has, since about 1995, given rise to serious concerns over what has been termed the “fragmentation” of international law. Although abstract, the question of whether international law should be viewed as a “system” of law, or merely as an aggregation of rules formed principally by agreements between sovereign states, has become one of more than theoretical interest. The resolution of actual or potential conflicts between various specialized international regimes, as well as between such regimes and domestic legal regimes, has become of increasing practical importance. In many respects, WTO jurisprudence stands at the heart of these developing concerns.

This course will examine the jurisprudence of the WTO through the lens of the issue of fragmentation. Through a close study of relevant decisions and hypothetical disputes, the course will address actual and potential regime conflict issues between the international trade regime and competing norms in the environmental, public health, and intellectual property spheres. It will also address the challenges to the integrity of general international law, and of the WTO regime itself, that are posed by the proliferation of regional trade regimes with their own dispute settlement mechanisms, and by emerging questions about the effect of WTO norms within domestic legal regimes. The course will seek to balance a case-driven approach to these issues with a consideration of the underlying theoretical questions, and will regularly return to the question of the future role of the WTO in the new world order of international law.

Recommended: Prior exposure to WTO law, or concurrent enrollment in a basic course in WTO law.