# LAW AND OTHER DISCIPLINES

Law is no longer a discrete or autonomous body of knowledge, if ever it was, and the practice of law can no longer be neatly separated from the practice of other disciplines. Law affects and is affected by other disciplines and other professions in at least three ways. First, some other area of knowledge and the disciplines and practices which concern it may at times be the subject of legal control and regulation: for example, legal regulation significantly affects the promulgation of knowledge and expertise in the liberal arts, through constraints on a university's system of promotion and tenure. Second, the expertise provided by another organized body of knowledge may at times be necessary to the resolution of a particular legal issue. The "expert testimony" of a mental health professional, for example, is often central to a judgment of culpability or non-culpability in a criminal law proceeding. And third, law may be the subject matter of another discipline. Thus, the study of law might be sensibly regarded as not only preparation for a profession, but also as a branch of the humanities or the social sciences. If so, then literature, philosophy, cultural studies, economics, history, or sociology might all provide insights into the nature of law.

Some of the interdisciplinary offerings at Georgetown fit neatly into one of the three categories described above, but a number of them address all three sorts of interdisciplinary concerns. What all of these courses share is their interdisciplinarity: all of the courses in this cluster require of the student (and instructor!) a willingness to acquaint him or herself with the tools and basic building blocks of another discipline, whether toward the end of better understanding the law or the idea of law, toward the end of incorporating knowledge gleaned from the other discipline into a legal decision, or toward the end of achieving a just legal or regulatory regime of the discipline in question. It is worth stressing, however, that only a few of the interdisciplinary offerings at Georgetown require specialized knowledge or familiarity with the other discipline as a prerequisite for enrollment in the class. Rather, what is required of the student is simply a willingness to work toward some level of proficiency in the sister discipline, and a willingness to entertain the possibility of applying its insights in arguably novel ways to legal and jurisprudential questions.

## The Legal Regulation of Knowledge and Practice

A number of the interdisciplinary offerings at Georgetown aim to elucidate the ways in which law affects, shapes and perhaps even defines the promulgation of knowledge and practice in some other discipline or profession. Often, the "law" that controls another discipline or profession comes from a wide range of "traditional" subject matters. Thus, the *Law of Cyberspace* looks at the legal regulation, through the law of intellectual property, tort, contract, criminal and commercial law of burgeoning cyberspace activity, and the *Higher Education and Law Seminar* examines the regulation, through constitutional law, antitrust law and the traditional law of tort and contract, of higher education. Similarly, *Health Law and Policy* looks at the legal regulation of the health professions and of medical knowledge through the lens of various areas of law. The *Law of Religion* examines the status of religion in American law.

These seminars and courses share a number of common themes. They all ask, in different ways, and with a different focus, whether traditional legal categories are adequate to suit the needs of the particular discipline or profession. Thus, the course in *Law of Cyberspace* asks whether, for example, the traditional law of contract formation can be adapted to the peculiarities of commerce conducted via the Internet, while the

seminar on *Higher Education and Law Seminar* asks among much else whether traditional malpractice law, contract doctrine, or antitrust law can be suitably employed in the context of higher education, or whether the unique structures and missions of higher education require a more innovative legal regime. They also all examine, again in different ways and some more explicitly than others, the ways in which the legal regulatory regime actually defines as well as restricts the body of knowledge or set of disciplinary practices in questions. The *Law of Religion* similarly examines the impact on religion of its legal regulation. And finally, at least some of these offerings looks at the intersection of law, the discipline in question, and the specifically ethical questions to which the discipline gives rise.

## The Interdisciplinary Study of Law

Georgetown offers a number of seminars and courses designed to enrich our understanding of law by examining the idea of law, particular areas of doctrine, and various legal processes with tools of analysis and insights borrowed from other disciplines. These courses in turn subdivide into two areas: those which examine law as essentially a branch of the humanities, and those which examine law through the lens of economics.

### Law and Humanities

Law and Humanities offerings all aim to place law in the context of our cultural history. There are also several specialized seminars that look to literature and other art forms for insight into the role of law in history and in contemporary life, and also look to literary and cultural theories for a greater understanding of the humanistic processes by which we write, read and interpret legal texts. Other offerings seek an enriched appreciation of the idea of law in western culture by examining arguments about law and legalism propounded by major political and moral philosophers.  Additional Law and Humanities offerings are described under the Jurisprudence and Legal History heading of this publication.

### Law and Economics

Lastly, a number of course and seminar offerings at Georgetown look systematically at law, legal doctrine and jurisprudence using the tools of economic reasoning. The *Economic Reasoning and the Law* course both applies economic reasoning to legal problems, and addresses the strengths and limitations of the "law and economics" jurisprudential movement.

Students who want to pursue economic analysis beyond these offerings should consider applying for the *Law and Economics Workshop*. The workshop meets weekly for a year. At most meetings outside speakers present a paper on an issue touching on law and economics. Students are responsible for preparing brief weekly memoranda that discuss and question the presented papers.

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Who should take interdisciplinary courses? Students with prior training in or a strong interest in the related discipline or profession, such as medicine or computers, might obviously find an interdisciplinary offering concerning that discipline of great interest, whether or not he or she intends to return to the profession after law school. Students interested in pursuing an academic career in law would be well advised to take *at least* one offering from the "law and economics" curriculum and one from the "law and humanities" field, as well as courses in legal history and jurisprudence.

Even beyond students with specialized interests or training, or with legal-academic aspirations, however, it is our belief that all students would be well advised to fit at least one interdisciplinary offering, and hopefully more than one, into their curriculum at some point in their legal education, for at least two reasons. First, familiarity with other disciplines is an obvious necessity in some areas of practice. While the smattering of specialized knowledge that comes with one course in law school will obviously not sustain a practice, a lawyer unintimidated by the *prospect* of familiarizing herself with the conceptual tools of other disciplines and professions will have an enhanced ability to use her own legal expertise in a meaningful way, where those disciplines intersect with law. It makes sense to develop the confidence as a student that the requisite level of mastery of another discipline is indeed possible. Second, and independent of particular career aspirations or goals, all lawyers serve or ought to serve both the felt, contingent needs of people who seek legal counsel or are affected by the law's reach, and the more inchoate yearnings of all of us for a just society. The teachings of other disciplines, and particularly the teachings of both the sciences and the humanities, can guide the lawyer in her attempt to provide a service for others, and can give some meaning to her quest for justice through law.

Anyone searching for definitive answers in the humanities or social sciences to the deep questions regarding the meaning of law will no doubt be disappointed. But the systematic study of these questions using the tools and insights of other disciplines can provide a fresh approach and can instill a confidence that the quest is a meaningful one. Equally important, it can acquaint the student with a community of peers who are equally committed to the intellectual work. That community, in turn, is one with whom a lawyer may remain fruitfully engaged through the course of her professional life -- an interaction which, as much as any other professional activity, may provide that life with its less material but more lasting rewards.

Search Law and Other Disciplines Courses (http://curriculum.law.georgetown.edu/course-search/?cluster=cluster_20)

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

**Learning Objectives:**

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

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

**LAW 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 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 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

**LAW 1536 v01 Bioethics and Social Justice** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201536%20v01)

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

This seminar explores legal, ethical, and social issues raised by developments in health, medicine, and the biological sciences at the U.S. and global levels. It first provides an overview of the normative theories that inform the development of the field of bioethics, as well as connects these theories to legal and social dynamics that continue to shape discussions of equity and justice, including on the global stage. It then uses several in-class simulations to explore the practical challenges—both legal and ethical—that arise for counsel practicing in this field. The simulations are designed for students to "step into the shoes," as it were, of different actors, from in-house counsel at an academic medical center to the United States Ambassador to the United Nations, to gain practical insight into real-world situations. This seminar will be especially informative for students looking to obtain a practical view into how the law interacts with ethical dilemmas in health, medicine, science, and politics.

**Learning Objectives:**

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

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

**LAW 1468 v00 Business and Financial Basics for Lawyers** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201468%20v00)

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

This course covers basic business concepts that are useful across many areas of legal practice. First, it introduces financial accounting, with a focus on understanding and using financial statements. Second, it deals with core financial concepts, such as the time value of money, risk versus return, and methods for valuing assets. Third, the course discusses the basic categories of financial instruments: debt, equity, and derivatives. Although these topics all inevitably involve numbers, mathematical complexity is kept to a minimum. Much of the reading consists of excerpts from case law, which illustrate business concepts and their relation to legal practice.

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

**LAW 1552 v00 Business, Capitalism, and Society** (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

**Note:** WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 8, 2024, through Thursday, January 11, 2024, 1:30 p.m. - 5:30 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; 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 1620 v00 Campaigning for Public Office** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201620%20v00)

J.D. Seminar | 2 credit hours

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

**LAW 1040 v01 Civ Tech: Digital Tools and Access to Justice** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201040%20v01) (Project-Based Practicum)
J.D. Practicum (cross-listed) | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This project-based practicum course will expose students to the varied uses of computer technologies in the practice of law, with an emphasis on technologies that enhance access to justice and make legal services more affordable for individuals of limited means. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

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

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

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

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

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

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

**Note:** THIS 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 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. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 28, 2022 at 3:00 p.m.** After that point, students must receive permission from both the course professor <u>and</u> 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 1384 v00 Computer Programming for Lawyers: An Introduction**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201384%20v00)
J.D. Course (cross-listed) | 2 credit hours
This class provides an introduction to computer programming for law students. Students will learn to code in Python, a language which is both easy to learn and powerful. There are no prerequisites, and even students without training in computer science or engineering should be able successfully to complete the class.

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

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

This class will consist of weekly lectures, in which students will review concepts from their weekly reading and writing code in collaboration with the professor. There will also be weekly labs, in which students will go over issues they might be having with the problem set and work in small groups with their TA.

Students will be required to complete problem sets between class meetings. To obtain a passing grade, students must complete problem sets, participate in class sessions, and demonstrate that they have learned the assigned skills.

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

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

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

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit 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 enrolled in only one small lab section. In preregistering for this course, students should select the section that best meets their schedule in terms of the one-hour lab session.

**LAW 1499 v00 Computer Programming for Lawyers: Intermediate**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW
%201499%20v00)
J.D. Course | 3 credit hours
This class builds on Computer Programming for Lawyers: An Introduction by introducing students to intermediate-level concepts of computer programming and computer science relevant to legal practice. The students in this course will serve as the Teaching Assistants for the introductory course, which will always be taught concurrently. In addition, students in this course will complete at least one substantial programming term project.

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

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

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

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

**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students should contact Professor Ohm at (ohm@law.georgetown.edu). Priority will be given to students who express interest at least one month before classes start.

**Withdrawal Policy:** Students in Computer Programming: Intermediate serve as Teaching Assistants (TAs) to students enrolled in Computer Programming for Lawyers: An Introduction. Because the introductory class cannot operate without a minimum and stable number of TAs, it is essential we ensure a fixed enrollment for the intermediate class, by adopting special rules for dropping the class. A student enrolled in Computer Programming for Lawyers: Intermediate may drop the class no later than 3pm on Monday, August 7, 2023 and only by notifying Professor Ohm in writing.

**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.

**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 1690 v02 Economic Analysis of Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201690%20v02)

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

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

**LAW 1337 v00 Empirical Analysis for Lawyers and Policymakers Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201337%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar is intended to help students become better consumers of empirical work in the law and social sciences. By the end of the semester, students should: (1) understand the basics of some common empirical methodologies; (2) see how empirical work can inform public policy; and (3) have a better sense of the limits and problems inherent in empirical work.

Each week, we will cover one or more policy-relevant empirical papers that students will be expected to read. Students will submit a 1-2 page analysis of an assigned paper before class. Each paper will introduce students to a particular empirical methodology, or show how it might be applied in a particular policy setting.

Topics will be drawn from a variety of areas, including criminal law, education, health, development, and labor. For example, we might study questions like: what is the impact of education on earnings? How do 401(k) plans affect people's savings decisions? How does a change in the minimum wage affect labor supply? Do minimum drinking ages reduce drunken driving deaths? What are the benefits and limits of randomized controlled trials?

Toward the end of the semester, students will be asked to write an 10-12 page paper that analyzes in detail an empirical paper of their own choosing. If there is time, students will be asked to present their analysis to the class in a final presentation.

Grades will be based on the short 1-2 page analyses, the 10-12 page final paper and presentation, and classroom participation.

**Recommended:** Some background in statistics or econometrics is helpful but not required. More important is a willingness to engage with unfamiliar material and a deep interest in learning.

**LAW 530 v00 Federal Legislation Clinic** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20530%20v00)
J.D. Clinic | 10 credit hours
Please see the Federal Legislation Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/federal-legislation-clinic) for more detailed information about the program.

For registration-specific supplemental materials, please see the Federal Legislation Clinic PDF (https://georgetown.app.box.com/s/rtxa9wd6240fjk7zanfuiq6zm4e6bpzy).

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

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

**LAW 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 1792 v00 Law and Authoritarianism** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201792%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
Three decades after the end of the Cold War, authoritarianism remains a major political force across the world. This seminar considers the relationship between authoritarianism and law. It mixes theoretical works with historical and contemporary case studies, drawing on insights from social science, political philosophy, and law. The course will address: the roles of constitutions, courts, lawyers, and legal activists in authoritarian societies; the growing use of digital technologies by autocratic governments; authoritarianism's challenges to American and international law; and the relationship between law and democratic erosion. This course is intended to be inviting to all students, and does not assume any specific knowledge of foreign legal systems.

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

**LAW 276 v01 Law and Economics Workshop** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20276%20v01)
J.D. Seminar | 2-3 credit hours
The Law and Economics Workshop is a research workshop. In a majority of the class sessions, outside speakers (typically faculty members from other institutions) will present their current work in the field of law and economics. The specific topics considered will vary depending on the interests of the speakers, but the general focus will be the application of economic concepts and tools to legal and regulatory issues. Other class sessions will focus on selected basic topics in law and economics, including methodology commonly used in law and economics scholarship. Students are responsible for preparing brief weekly memoranda that discuss and question the presented papers.

*Course Objective and Learning Outcomes*: The objective of the course is to expose you to current research in the field of law and economics in order to enhance your ability to: (i) employ economic and statistical analysis and reasoning to make effective legal and policy arguments; (ii) comprehend technical economic and statistical analysis and interact with economic and statistical experts; and (iii) analyze, critique, and engage in academic legal writing.

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

**LAW 289 v05 Law and Literature Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20289%20v05)
J.D. Seminar | 2 credit hours
This course will examine literary texts that engage important questions related to justice theory, criminal law, and public policy decisions. These text range from canonical works (Antigone, Merchant of Venice) to 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 Othered 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 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 1470 v00 Law and Rhetoric Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201470%20v00)

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

This seminar explores the interaction between law and rhetoric.  It begins by examining a variety of rhetorical methods or perspectives for evaluating how language persuades legal audiences.  Weekly assignments include posting a short response to the reading.  Students will also be assigned to working groups that present on and lead discussion of the assigned reading for one class during the semester.  To satisfy the writing requirement, students will select one or more rhetorical perspectives to analyze and evaluate a legal artifact—judicial opinion, trial or appellate brief, oral argument transcript, etc.—of their choice. Students should leave this course with a broader understanding of how language functions in the law, a better appreciation for its power, and the ethical implications for lawyers in their role as advocates.

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

**Note:** Professor permission is not required.

**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 1426 v00 Medical Malpractice Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201426%20v00)

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

This seminar focuses on the empirical literature on medical malpractice, medical malpractice litigation, and tort reform. We will cover physician and institutional liability, health care quality and medical error, the economics of litigating medical malpractice cases, the market for representation, the causes of malpractice crises, and the effect of the reforms that have resulted (and been proposed).

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

**LAW 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:** 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 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 several policy themes. Recent projects include:

- *Community equity* – Combat gentrification and displacement in low-income communities of color, develop a community support fund, develop a community resilience hub.
- *Health and food* – Organize a consortium to improve working conditions in university food supply chains, expand access to oral health services, reinvent a better food chain for institutions (universities, hospitals, schools, and shelters), analyze social determinants of health (housing, food security, etc.) for state health officials.
- *Labor and human rights* – Organize a consortium to improve working conditions in university food supply chains (same as health above), protect worker rights in global supply chains for the FIFA World Cup and other mega-sporting events.
- *Trade and climate* – Develop mutually supporting climate and trade policies, develop options for international cooperation on climate policies through "climate clubs," recommend strategies to decarbonize steel production without violating WTO rules, and identify strategies for reducing greenhouse gas emissions while preserving manufacturing jobs.

Please see the Policy Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/the-policy-clinic-climate-health-food-human-rights-and-trade-harrison-institute) for more detailed information about the program.

For registration-specific supplemental materials, please see the Policy Clinic PDF (https://georgetown.app.box.com/s/s6zpvb37lpc1cza3m5uk4ifv18akcst9).

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

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

**LAW 1894 v00 Race and Democracy in the Nation's Capital Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201894%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Emblematic of the ongoing tensions between America's expansive democratic promises and its enduring racial realities, Washington often has served as a national battleground for contentious issues, including slavery, segregation, civil rights, the drug war, and gentrification. But D.C. is more than just a seat of government. The city has a rich history of local activism as Washingtonians of all races have struggled to make their voices heard in an undemocratic city where residents lack full political rights.

Tracing D.C.'s massive transformations—from a sparsely inhabited plantation society into a diverse metropolis, from a center of the slave trade to the nation's first black-majority city, from "Chocolate City" to "Latte City"—the course offers students an opportunity to experience the city in which they have decided to attend law school at a deep and meaningful level. The historical narrative explored during the course is peppered with unforgettable characters, a history of deep racial division, but also hope, resilience, and interracial cooperation.

Students will develop a critical legal framework for understanding the role of law in shaping the racialized democracy of America. They will do so by engaging law cases touching on  segregation, disenfranchisement, urban renewal, and the drug war—all ways in which the law was weaponized to disproportionately impact Black people in Washington, D.C. Students will write a final paper of at least 4,000 words on a topic related to the reading, themes, and learning objectives of the class.

**Learning Objectives:**

- Gain familiarity with the geography, history, and current issues defining city politics, economy, and culture
- Acquire analytical tools to frame and understand the dynamics of race, politics, and power in the nation's capital

**LAW 1389 v00 Racial Capitalism and American Law Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201389%20v00)

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

This course explores the ways in which American law is implicated in histories of racialized differentiation, subordination, expropriation, and exploitation.  Beginning with histories of colonial settlerism, native dispossession, and black bondage, this course will explore the distinctly racial character of capital accumulation, in the United States and now globally. We continue 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:** 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 1196 v00 Religion, Morality and Contested Claims for Justice Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201196%20v00)

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 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 collaboratives. Large corporations also build and sell their own datasets to government agencies, along with powerful technologies -- like face recognition and automated license plate readers -- which operate on that data.

This surveillance infrastructure has been built over the course of the last 30 years, for the most part without any oversight or accountability, let alone transparency to the public. At the same time as we seem to be arriving at a moment of socio-political consensus about the need to fundamentally rethink our most brutal systems of social control, we are also on the verge of the total suffusion of these other invisible systems of coercion in our lives.

In this fieldwork practicum, students will be placed at one of several non-profit organizations working to expose and mitigate the impact of mass surveillance on historically marginalized communities. Potential hosts include national, regional and local organizations that focus on surveillance as an aspect of mass deportation 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 1526 v00 The Law of Autonomous Vehicles** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201526%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Autonomous vehicles are roiling industries as diverse as retail, food delivery, trucking, and personal transportation. Although there is a rising consensus that autonomous, networked cars could save tens of thousands of lives, there is a similar consensus that they also will create tens of thousands of accidents that human drivers would not. Although the technology for autonomous vehicles is already on the roads, the law, ethics, and policy governing these machines is late evolving. This course will examine alternatives for regulating autonomous vehicles, including topics such as which parties should bear responsibility for the actions of autonomous vehicles, how theories of responsibility will change over time, as well as the appropriate modes and agencies of regulation. Paper required.

**Recommended:** Property (or Property in Time), Torts (or Bargain, Exchange and Liability), and Criminal Law.

**LAW 1875 v00 The Law of Open Source Software** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201875%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
In this course, students will explore the relationship between open source software (OSS) and the law. OSS refers to a type of software whose source code is made publicly available, allowing anyone to view, use, modify, and distribute the software freely. Open source software makes up our digital infrastructure that we all use today across various industries, from web development and operating systems to AI and machine learning. Open source software is increasingly used to develop popular AI applications like ChatGPT, Stable Diffusion and Midjourney.

This accessibility and openness encourage collaboration, innovation, and transparency, but also bring to the fore different harms that interact with the law. Indeed, many scholars, regulators, and entrepreneurs are concerned about how the open source nature and rapid adoption of such collaborative models interacts with harms such as discrimination, misinformation, bias and more. As the legal profession grapples with the increased role of OSS, students should be familiar with questions of legal compliance, intellectual property, contract and liability issues, data privacy and security, and ethical considerations as they relate to OSS.

This is a student-initiated seminar, which is student-led and supervised by a faculty member. This seminar is organized by Esther Tetruashvily and Ashwin Ramaswami and supervised by Professor Paul Ohm.

**Note:** This is a student-initiated seminar and is run by students under the supervision of the professor. This seminar is mandatory pass/fail.

**LAW 496 v01 The Mind and the Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20496%20v01)

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

Developments in neuroscience and the psychological study of cognition and emotion are transforming our understanding of the mind. These developments have large implications for law and lawyering. They challenge some of civil and criminal law's central premises - about people's rationality, free choice, and consistency over time. This course will examine some of these challenges, and it will weigh the law's possible responses. Legal topics to be explored will include health and safety regulation, the idea of the reasonable person, intent and culpability, mental disability, and the roles of revenge, regret, and other motives in civil and criminal justice. Other themes, relevant to lawyering and to the management of conflict, will include the psychology of negotiation, the nature of intuition and judgment, and the roles of trust and social norms. The course will also consider the causes and control of violence and extremism, as well as the use of emerging neuroscience technologies for legal and national security purposes.

**LAW 610 v00 Week One Teaching Fellows** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20610%20v00)

J.D. Seminar | 1 credit hour

Week One Teaching Fellows work with faculty to facilitate the first-year Week One simulation courses offered in January. Fellows 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 (https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations). Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

Teaching Fellows 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.  In addition, because of the significant responsibilities each Week One course requires, students enrolled in the Human Rights Advocacy in Action project-based practicum course may not concurrently enroll in a Teaching Fellow course.

**Note:** THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students must complete the online Week One Teaching Fellows Application Form which will ask students to, among other items, identify the Week One courses for which they would like to serve as a Teaching Fellow. A resume and a 1-page statement of interest must be provided, as well. The Application Form will be made available to students in September 2023. If you have any difficulty accessing the application or have questions about the application process, email lawexp@georgetown.edu.

This course is open to upper-class J.D., LL.M., and S.J.D. students. WEEK ONE COURSE. This course will meet on the following days: Monday, January 8, 2024 through Thursday, January 11, 2024 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 2023 and once in early January 2024 (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 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. The class is not about
organizational or systemic change, but is solely focused on individual
skill building. The class is peer-driven and students will work in teams
and receive feedback from peers on papers and oral exercises. Students
will also reflect both individually and with the group on what you expect
from your career and develop strategies for achieving those goals.
Topics include:  self-advocacy, career pathing, navigating organizational
politics, and networking. There will be distinguished guest speakers,
who will share their experiences. perspectives, and advice. These
conversations will be supplemented with cases and readings about
women leaders, as well as a review of the current state of empirical
evidence about the status of women as leaders.

<u>Course Goals/Student Learning Outcomes:</u>

• 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 30, 2023 and only by notifying Professor
Sale (has75@georgetown.edu) in writing.  After August 30 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.

# Full-time and Visiting Faculty

Gregg Bloche
J. Peter Byrne
James V. Feinerman
Brian Galle
Neal K. Katyal
Naomi Mezey
John Mikhail
Sherally Munshi
Michael Pardo
Hillary Sale
Neel Sukhatme
Joshua Teitelbaum