

LITIGATION AND THE JUDICIAL PROCESS

Traditionally, the law school courses most relevant to someone contemplating a career as a litigator have been the courses focusing on the "law" applied by courts in a litigation setting courses such as civil and criminal procedure, evidence, federal jurisdiction, and conflict of laws. Knowledge of those subjects is of course important to a litigator, and Georgetown offers a full array of such courses.

In addition to knowing the law, however, an effective litigator must develop skills in the areas of factual analysis, written and oral argument, and effective communication, as well as a sense of drama and artistry. Until relatively recently, law schools offered virtually no formal training in how to try a case in court. New attorneys were forced to develop litigation skills on their feet, often at the expense of their first few clients. During the past twenty years, this situation has changed considerably. Although in-court experience continues to serve an essential role in a new litigator's training, a student can gain a solid foundation in these skills through clinical courses and from the numerous practice oriented courses and seminars. Georgetown has been a leader in this evolving field, and the Law Center offers an extraordinary range of opportunities to study litigation and the judicial process in a clinical setting, or in simulation seminars such as Trial Advocacy, Negotiations, and Appellate Practice.

Finally, although one's image of a litigator may be predicated on the great courtroom dramas of our time (actual and fictional), many civil litigators rarely try a case in court. Much litigation takes place before administrative fact-finding bodies. While criminal trials do take place in the courts, many criminal cases are resolved by dismissal or pleas of guilty. Most civil and criminal litigation involves pre-trial work: investigation, drafting a complaint or motions, discovery, briefing and arguing pre-trial motions. Countless cases are won or lost without ever empaneling a jury – often because they are settled out of court or resolved on summary judgment. Thus, the skills one needs as a litigator are not limited to trial skills. Perhaps the two most important skills one can develop are legal writing and case planning. One may improve writing skills either by taking legal writing courses or by taking seminars (in whatever subject areas that interest you) in which you write a paper. Planning skills are best developed in clinics and in seminars that stress analysis of problems requiring a legal solution.

J.D. Courses

Evidence, Federal Courts and the Federal System, and Conflict of Laws: Choice of Law are essential building blocks for any practitioner. No litigator can function effectively without an in-depth understanding of how the rules of evidence govern the presentation of facts to a judge or jury. A course on Federal Courts provides necessary background on the constitutional and statutory concepts that define and limit the roles played by the federal and state judiciary in our system of government. Conflict of Laws addresses how courts resolve multistate or multi-nation disputes, including issues such as jurisdiction, choice of the governing law, and recognition and enforcement of judgments rendered by the courts of other states or nations.

Administrative Law is also an important course offering. Because a substantial amount of trial and appellate work occurs before

administrative agencies, it is useful to have a thorough understanding of their operations and procedures.

Those interested in international practice are strongly advised to take *Conflict of Laws: Choice of Law* and the clinic *Center for Applied Legal Studies*, where students represent applicants for political asylum.

Beyond these courses, students should take whatever courses interest them. Litigators may be generalists, taking on whatever issues present themselves, or specialists, developing an expertise in particular areas of the law. In this sense, every course taken in law school helps to develop a litigator by introducing substantive areas of the law and refining analytical skills. Thus, students should take courses that inspire them and not feel compelled to take specific substantive courses unless they are of interest and further their particular educational goals.

J.D. Seminars and Clinics

Learning to litigate is best done through real or simulated litigation experiences where a student can receive intensive, personal feedback from an experienced practitioner. A student interested in becoming a trial lawyer should be certain to take at least one intensive trial practice course, where the real or simulated case work includes learning how to draft complaints and motions, how to deliver opening statements and closing arguments, how to conduct direct and cross examination, and how to introduce exhibits into evidence. The courses most focused on providing this kind of experience include: *Civil Litigation Practice, Trial Practice, Trial Practice: Working with Expert Witnesses, Presentation Skills for Lawyers Seminar*, or any of the clinics that focus on trial practice, the *Criminal Justice Clinic, the Domestic Violence Clinic, Juvenile Justice Clinic, and Housing Advocacy Litigation Clinic at Rising for Justice, Law Students in Court Division*.

Students whose interest lies primarily in appellate work should consider taking at least one practice oriented course in appellate advocacy, such as the *Appellate Practice Seminar* and the *Appellate Litigation Clinic*. Students with a particular interest in the U.S. Supreme Court should consider taking *Supreme Court Seminar*.

Other seminars, skill offerings, and clinics may be important because of the particular area of substantive law they address. Those interested in public interest work should certainly take *Constitutional Law II*, and may wish to enroll in any one of the Law Center's public interest litigation-oriented clinical programs, and should also consider seminars such as the *Homelessness, Poverty, and Legal Advocacy Seminar, Housing Today: Lawyering Affordable Housing Seminar, and Poverty Law and Policy Practicum*.

As mentioned above, students interested in international practice should consider taking the *Conflict of Laws: Choice of Law*, where students examine the issues related to litigating cases involving persons or event connected with more than one nation, and the *Center for Applied Legal Studies*, where students represent applicants for political asylum.

Students who wish to focus on criminal litigation should, at a minimum, enroll in *Criminal Law* and either *Advanced Criminal Procedure, Advanced Criminal Procedure and Litigation, or Federal White Collar Crime*. They may continue to pursue this interest through course work in the *Advanced Evidence: Supreme Court and the Constitution Seminar, Role of the Federal Prosecutor*, and either the *Criminal Justice* or *Juvenile Justice Clinic*, where students represent adult and juvenile defendants in local criminal cases. (Students interested in criminal litigation should also consult the cluster on "Criminal Law and Procedure" above.)

Many specialized civil practice courses also exist. The *Class Action Law and Practice Seminar* focuses on the class action device as an attempt to resolve disputes on an aggregate basis. *Civil Litigation Practice* is a year long, four-credit seminar that brings students through the entire course of a civil trial. In the fall semester, the seminar covers, using a core model case, initial interviews, fact analysis, drafting claims and defenses, and civil discovery. In the second semester, the model case is carried to trial. Students may not receive credit for this seminar and the *Patent Trial Practice* or *Trial Practice*.

Other offerings in civil practice include the *Advanced Evidence: Supreme Court and the Constitution Seminar*, *Intellectual Property Litigation: Pretrial Skills*, *Patent Trial Practice*, and several clinical programs, including the *Domestic Violence Clinic*, which focuses on domestic violence litigation; the *Civil Rights Clinic*, *Communications and Technology Law Clinic (IPR)* and *Environmental Law and Justice Clinic (IPR)*, which focuses on communications, environmental and civil rights cases; and *Law Students in Court*, which focuses on landlord/tenant cases.

Georgetown's course offerings in the area of litigation and the judicial process are numerous and varied, and include the largest and most diverse clinical education program in the country. Students who would like to explore further how to choose or prioritize among these courses should feel free to consult any professor who teaches in this area.

Search Litigation and the Judicial Process Courses (https://curriculum.law.georgetown.edu/course-search/?cluster=cluster_22)

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

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

LAW 032 v00 Advanced Criminal Procedure (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 032 v00>)
J.D. Course | 2 credit hours

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

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

Recommended: Evidence and Criminal Law.

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

LAW 032 v03 Advanced Criminal Procedure and Litigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 032 v03>)
J.D. Course | 2 credit hours

This course addresses the law, strategy, and ethical considerations of criminal procedure and litigation beginning with the decision to commence an investigation and/or charge through sentencing. Topics to be explored will include the prosecutorial decision to charge, representation (e.g., conflicts) of and compensation (e.g., forfeiture) by client issues, grand jury practice, immunity and plea negotiating, discovery, motions practice, prosecutorial and defense misconduct, selected trial issues, and sentencing. Materials for this course will include court opinions, pleadings from actual cases, Department of Justice manuals and policies, and news and law articles. The course may be organized around an actual case from its investigation inception, through pre-trial motions and discovery, to trial and verdict.

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

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

LAW 1712 v00 Advanced Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1712 v00>)

J.D. Course | 3 credit hours

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

Prerequisite: Evidence.

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

LAW 1712 v01 Advanced Evidence Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1712 v01>)

J.D. Seminar | 2 credit hours

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

Prerequisite: Evidence.

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

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

J.D. Seminar | 3 credit hours

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

Prerequisite: Evidence.

LAW 1089 v00 Advanced Evidence: Trial Skills (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1089 v00>)

J.D. Skills | 2 credit hours

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

Prerequisite: Evidence.**Strongly Recommended:** Trial Practice.**Mutually Excluded Courses:** Students may not receive credit for both this class and Trial Practice and Applied Evidence. Students may take this course and Trial Practice.**Note:** FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.**LAW 040 v01 Advanced Patent Law Seminar** (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 040 v01>)

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

This advanced seminar presumes knowledge of patent law fundamentals and examines various specific topics, including the Hatch-Waxman Act, patent administration, claim interpretation, the doctrine of equivalents, the experimental use privilege, and comparative and international patent law. Students will write papers on some specific aspect of patent law, not limited to those topics covered in class.

Prerequisite: Patent Law or equivalent experience.**Note:** Enrollment in the LAWG section of the seminar is restricted to students in the Technology Law and Policy LL.M. and the Master of Law and Technology programs.**LAW 1534 v00 Advanced Topics in Corporate Law: Control and Its Implications** (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1534 v00>)

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

In a significant minority of public corporations, a single person or entity has the power to choose the directors of the corporation and determine the outcome of stockholder votes. Many private corporations operate with this governance profile. Corporations fitting this profile are described as "controlled."

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

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

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

Learning Objectives:

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

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

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

No student will be permitted to drop this course after January 16, 2025. Failure to drop the course by January 16, 2025 will result in a withdrawal. No student may withdraw from this class without permission from the professors.

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

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

This course will explore corporate litigation in the Court of Chancery in the context of mergers, acquisitions, and other transactional structures.

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

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

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

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

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

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

Prerequisite: Corporations.

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

Add/Drop and Withdrawal Policies

No student will be permitted to drop this course after January 24, 2025. Failure to drop the course by January 24, 2025 will result in a withdrawal. No student may withdraw from this class without permission from the professors.

LAW 1535 v00 Advanced Topics in Corporate Law: Management Misconduct (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1535 v00>)

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

Through the lens of Delaware law, this course will review the roles of the board of directors, senior officers, and stockholders in overseeing a corporation, monitoring management conduct, and promoting compliance. The course will consider the director's duty of oversight, its origins, and how it has evolved. The course will examine whether senior officers owe a similar duty of oversight, or whether different duties apply. We will delve deeply into the derivative action, which is the primary enforcement mechanism through which stockholders can address management misconduct. As part of this effort, we will explore the various stages of the derivative action and consider its strengths and weaknesses.

As its source materials, the course will examine recent derivative lawsuits.

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

Learning Objectives:

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

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

Prerequisite: Corporations.

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

Add/Drop and Withdrawal Policies

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

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

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

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

LAW 1107 v00 Analytical Methods ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1107 v00](https://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 (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1167 v00>)

J.D. Seminar | 2 credit hours

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

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

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

Learning Objectives:

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

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

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

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

LAW 567 v00 Animal Protection Law (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 567 v00>) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

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

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

FIELDWORK: Students will work closely with the Humane Society of the United States' in-house legal team to find new and creative ways to ensure that all animals receive the legal protections they deserve. As part of the fieldwork, students will work on a wide variety of cases, petitions, and proposed legislation in state and federal courts, agencies and legislatures throughout the country, including actions to protect endangered species and other wildlife, to curb unscrupulous breeding of and cruelty to companion animals, to improve the treatment of animals used in research, and to prevent the systematic mistreatment of animals in industrial farms. The docket is extensive and interdisciplinary, and involves cases being pursued jointly with other public interest groups, including environmental protection, consumer protection, public health, labor, and sustainable agriculture organizations.

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

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

Recommended: Administrative Law.

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

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

This course is suitable for evening students who can attend the weekly seminar and conduct 10 hours of fieldwork/week during normal business hours. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The fieldwork must be completed during normal business

LAW 1396 v00 Antitrust Law Seminar: Case Development and Litigation Strategy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1396 v00>)

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

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

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

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

LAW 049 v06 Appellate Courts and Advocacy Workshop (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 049 v06>)

J.D. Seminar | 2-3 credit hours

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

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

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

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

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

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

LAW 049 v07 Appellate Courts and Advocacy Workshop (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 049 v07>)
J.D. Seminar | 3 credit hours

The Appellate Courts and Advocacy Workshop combines a substantive review of key appellate litigation doctrines concerning appellate jurisdiction, standards of review, issue preservation, and other topics, with an intensive advocacy component, including motion and brief writing. The course considers each stage of the appellate litigation process, beginning with a general overview, moving to the various bases for appellate jurisdiction in the federal courts, then discussing standards of review, and other doctrinal issues, and then concluding with an intense review of the anatomy of an appellate brief. We will also briefly consider U.S. Supreme Court practice. Students considering judicial clerkships after graduation often find this course useful.

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

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

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

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

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

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

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

Note: This course will enroll via waitlist.

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

LAW 504 v01 Appellate Courts Immersion Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 504 v01>)
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/qpilvkhk5xhu464afeypnv1e5e9aw9s/>).

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

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

LAW 504 v00 Appellate Litigation Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 504 v00>)
J.D. Clinic | 14 credit hours

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

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

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

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

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

LAW 044 v02 Appellate Practice Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 044 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20044%20v02))
J.D. Seminar | 3 credit hours

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

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

Mutually Excluded Courses: Students may not receive credit for this course after they have enrolled in or completed the Appellate Litigation Clinic or the Appellate Courts Immersion Clinic. Students may receive credit for this course and may subsequently enroll in one of these clinics.

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

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

LAW 611 v22 Brand Protection Strategy in a “Privacy First” Era: Mitigating IP Risks Simulation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v22>)

J.D. Seminar | 1 credit hour

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

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

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

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This optional, elective course is for first-year J.D. students only. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 1816 v00 Breaking Privilege: An In-Depth Analysis of Privilege Issues in the Context of Civil Litigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1816 v00>)

J.D. Seminar | 1 credit hour

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

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

Note: UPPERCLASS WEEK ONE COURSE: This course will meet for one week only on the following days: Monday, January 6, 2025 through Thursday, January 09, 2025, 6:00 p.m. - 10:00 p.m. This course is offered on a mandatory pass/fail basis and will not count toward the 7 credit pass/fail limit for J.D. students.

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

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

J.D. Seminar | 1 credit hour

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

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

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

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

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

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

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

LAW 500 v00 Center for Applied Legal Studies (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 500 v00>)
J.D. Clinic | 12 credit hours
See the Center for Applied Legal Studies website (<https://www.law.georgetown.edu/experiential-learning/clinics/center-for-applied-legal-studies/>) for more detailed information about the clinic.

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

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

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

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

J.D. Seminar | 3 credit hours

Discovery is an essential aspect of civil litigation. It is the primary way a party may gather evidence for a case. In discovery, a party determines the merit of their—and equally important, their opponent's—case. Each decision made during discovery will determine what evidence you will have available to you, what evidence you will be forced to provide, and how much this exploration will cost your client.

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

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

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

Prerequisite: Civil Procedure or Legal Process and Society.

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

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

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for an available seat, if any, in the class. Because the success of the course depends on pairings and each student playing an assigned role in every class, unexcused absences and/or lateness will be noted and will negatively impact a student's grade in the course. Students may not withdraw from this class after the add/drop period ends without the permission of the professor and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the course would cause significant hardship for the student.

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

J.D. Clinic | 10 credit hours

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

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

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

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

Note: Laptops may not be used during class sessions.

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

J.D. Clinic | 8 credit hours

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

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

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

LAW 060 v00 Civil Litigation Practice ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 060 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20060%20v00))

J.D. Seminar | 4 credit hours

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

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

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

Prerequisite: Prior or concurrent (Fall 2024) enrollment in Evidence.

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

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

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. Students may not withdraw from this class after the add/drop period ends without the permission of the professor. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course's in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.

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

J.D. Clinic | 12 credit hours

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

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

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

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

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

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

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

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

Learning Objectives:

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

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

LAW 528 v01 Communications and Technology Law Clinic (IPR) (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 528 v01>)

J.D. Clinic | 10 credit hours

Please see the Communications and Technology Law Clinic (IPR) website (<https://www.law.georgetown.edu/experiential-learning/clinics/communications-technology-law-clinic-ipr/>) for more detailed information about the program.

For registration-specific supplemental materials, please see the Communications and Technology Law Clinic (IPR) PDF (<https://georgetown.app.box.com/s/33m1gfup0irzm1077b8rm7s9pvb4ed23/>).

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

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

LAW 1098 v00 Complex Litigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1098 v00>)

J.D. Course | 4 credit hours

This course will focus on complex procedural issues that arise in modern litigation. The overall focus of the course is on multi-party, multi-jurisdictional disputes and the increased regulatory role that courts play in the system of dispute resolution. The first part of the course will focus class actions, including the requirements for class certification, judicial review of class settlements, the impact of the Class Action Fairness Act on class action practice (CAFA), and the intersection of class actions and contracts for arbitration of disputes. Considerable time will also be spent on multi-district litigation (MDL) practice including the modern development of bellwether trials; the unique aggregation problems that arise in the context of international disputes; the strategic choices available to lawyers handling complex cases, and the strategic and economic dynamics of settlement.

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

LAW 084 v04 Conflict of Laws (Private International Law) (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 084 v04>)

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

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

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

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

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

Recommended: Constitutional Law

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 9:00 a.m. - 12:20 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

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

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

J.D. Seminar | 1 credit hour

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

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

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

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This optional, elective course is for first-year J.D. students only. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class

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

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

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

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

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

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

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

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

J.D. Clinic | 14 credit hours

Please see the Criminal Defense & Prisoner Advocacy Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/criminal-defense-prisoner-advocacy-clinic/>) for more detailed information about the program.

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

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

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

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

J.D. Clinic | 14 credit hours

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

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

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

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

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

J.D. Course | 3 credit hours

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

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

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

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

J.D. Seminar | 2 credit hours

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

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

Note: This course will enroll via waitlist.

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

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

For all practical purposes, nearly every substantially-sized legal matter presents critical challenges that require attorneys to embrace and understand how to handle significant volumes of data and documents and to advise clients on the security risks threatening that information. Today's lawyers need to be prepared to handle the increasing levels of vital threats and risks posed against their clients and their data.

This hands-on seminar will take students through an exciting, practical exploration of the ways in which the use of powerful technology-based tools is fundamentally transforming the practice of law as we know it. Data and information security as concerns are creating a 'new normal' in terms of how lawyers can be best prepared to help their clients, through an important understanding of technology-based solutions, to augment traditional legal representation.

In this course, we will examine some fascinating dynamics of the legal practice, as shaped by 'information as risk' as a new fundamental principle, with a focus on the importance of handling those concerns and evaluating how they could impact client risks and affect case outcomes.

This seminar will visit an expansive range of subtopics including data forensics, data analytics, cyber security, data privacy, Internet of Things, deep/dark web, social media, cloud computing, structured and unstructured data, and the emerging roles of lawyers as data and information-risk experts.

From an exploration of essential electronic discovery principles through non-traditional evidentiary concepts, for in-house, government, and outside lawyers alike, this seminar will prepare students to enter the job market with an enhanced understanding of what organizations require of lawyers, especially from technology and information-risk advisory perspectives.

Through a series of lectures and demonstrations that will feature industry-recognized experts, this seminar will provide valuable insights that will illuminate the fascinating interplay of technology and law, with particular focus on how case outcomes can be shaped by leveraging an understanding of data, security, and technology.

Recommended: Evidence; Civil Procedure (or Legal Process and Society).

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

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

J.D. Seminar | 1 credit hour

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

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

The goals/student learning objectives for this course include:

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

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

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This optional, elective course is for first-year J.D. students only. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November**

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

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

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

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

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

This seminar will provide students with a ring side seat in the arena of judicial decision-making. Students will not only have the benefit of reading 13 trial judges’ stories, but they will also have the opportunity to dialogue with each author who will appear in the class that focuses on her/his story.

Learning Objectives:

By analyzing thirteen poignant stories written by trial judges who struggled with difficult cases, seminar participants should come away with valuable insights about the litigation process and the art of judging. Hopefully too, students will become enthused and empowered to become effective trial advocates and perhaps judges. Besides reading 13 stories written by judges about real life difficult cases, each student will select a judge and interview that jurist about his or her decision making process in a tough case or class of cases. The semester will culminate with students drafting a paper describing not only the issues requiring judicial decision, but also how the interviewed judge sets about deciding those issues.

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

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

J.D. Clinic | 10 credit hours

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

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

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

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

LAW 528 v03 Environmental Law and Justice Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 528 v03>)

J.D. Clinic | 10 credit hours

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

For registration-specific supplemental materials, please see the Environmental Law and Justice Clinic PDF (<https://georgetown.app.box.com/s/dz21lrqnc7zvtivy2g6meoxsrn52ppk/>).

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

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

LAW 165 v01 Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v01>)

J.D. Course | 4 credit hours

This course studies the rules of evidence and the reasons underlying these rules. Included are the subjects of relevance, examination of witnesses, privileges, expert testimony, admission and exclusion of evidence, writings, the hearsay rule and its exceptions, presumptions and scientific evidence, among other subjects relating to the regulation of proof at trials.

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

LAW 165 v04 Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v04>)

J.D. Course | 4 credit hours

This course is a study of the Anglo-American rules of proof, focusing on the Federal Rules of Evidence. The scope and function of the rules are examined against the backdrop of problems arising in the trial of issues of fact. Topics include relevance, impeachment, character evidence, hearsay and its exceptions, lay opinion and expert testimony, the best evidence rule and authentication.

Grades based on take-home exam (70%) and 3 quizzes. The two best quizzes are counted toward 30% of grade.

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

Note: Laptops may not be used during class sessions.

In Fall 2024, class will meet for three hours each week, with fourth hour of weekly course content delivered asynchronously.

LAW 165 v07 Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v07>)

J.D. Course | 3 credit hours

This course is devoted to creating in the students a thorough understanding of the Federal Rules of Evidence. While cases interpreting the rules will be studied, emphasis will be placed on creating in the students such a familiarity with these Rules that the students will be able to invoke them instinctively in the mere seconds a lawyer has to object to evidence. Understanding of each rule will be developed by the students applying each Rule to realistic problems. The professor, who was a judge, will attempt to create a courtroom in the class room and to teach the knowledge that a lawyer must have to try a case competently and in accordance with the Federal Rules of Evidence.

Learning Objectives:

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

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

LAW 165 v09 Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v09>)

J.D. Course | 4 credit hours

This course will examine the rules of evidence with a particular focus on how these rules are practically applied by litigators in the courtroom. The course will focus primarily on the Federal Rules of Evidence, with additional consideration given to recent developments in constitutional law. Topics covered in this course will include relevance, hearsay (and its many exceptions), expert evidence, lay and expert opinion, character evidence, and impeachment of witness. We will consider these rules pragmatically with an eye toward crafting the most effective arguments for an audience of judges.

Learning Objectives:

1. Students will analyze case law, including a close reading of cases and apply that law to fact
2. Students will assess advocacy strategies by comparing the usefulness of different arguments in the courtroom
3. Students will practice making and responding to objections with the goal of being able to quickly make such arguments in the courtroom
4. Students will understand the policy arguments underlying the Rules of Evidence with the goal of being able to more fully understand their purpose.

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

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. on Thursday, November 7, 2024.

LAW 165 v10 Evidence (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 165 v10>)

J.D. Course | 4 credit hours

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

Learning Objectives:

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

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

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. on Thursday, July 11, 2024.

LAW 1945 v00 Evidence Stories (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1945 v00>)

J.D. Seminar | 1 credit hour

This seminar will delve into the background and scope of classic Evidence Law cases, with an emphasis on the interwoven relationship between the facts, the law, and the people involved. Systemically important cases alter the legal landscape, but every case comes from some context—somewhere, some social facts, some people, some dispute. Normative issues, including those related to equality and inequality based on characteristics such as race, class, and sex, abound. The *raison d'être* of this course is to peel back the curtain on Evidence Law classics to better see all that. The more you put into this course, the better everyone's experience will be. I hope and expect to learn from you, as well as to help you widen your knowledge of evidence law.

Prerequisite: Evidence.

Note: This seminar will meet in Spring 2025 on Fridays and Saturdays, 10:00 a.m. - 1:20 p.m. on the following dates: 1/24, 1/25, 1/31 and 2/1.

LAW 178 v02 Federal Courts and the Federal System (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 178 v02>)

J.D. Course (cross-listed) | 3-4 credit hours

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

Recommended: Constitutional Law II: Individual Rights and Liberties.**LAW 178 v03 Federal Courts and the Federal System** (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 178 v03>)

J.D. Course | 4 credit hours

This course addresses the constitutional and statutory provisions, as well as the jurisdictional doctrines and concepts, that shape and limit the role played by the federal courts in our governmental system. Representative topics include Congressional power to curtail federal jurisdiction, limitations on the ability of the federal courts to enjoin state court proceedings, federal common law, the Eleventh Amendment/state sovereign immunity, federal habeas corpus, and the prerequisites for Supreme Court review of state court judgments. The primary emphasis of the course is on a critical analysis of these jurisdictional doctrines, although some time is spent on litigation aspects.

LAW 1166 v00 Federal Litigation Practice: Litigating Challenges to Federal Agency Decisions (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1166 v00>)

J.D. Seminar | 3 credit hours

The majority of civil cases involving the federal government arise from challenges to agency decisions ranging from contractor selection by government procurement officials to project approvals by both civilian and military agencies under various regulatory schemes implementing the nation's laws, such as health, finance, and environmental laws. This class will provide students with the opportunity to learn in a variety of factual contexts how to litigate federal cases challenging agency decision-making on the administrative records prepared by agencies to support their decisions. Each class will focus on a particular stage in the litigation process. Students will be given reading and related litigation exercises that will be carried out in class. The class will culminate in filing a motion for summary judgment on the administrative record.

Over the course of this class, students will present three oral arguments to the professor, who will role-play as the presiding judge, based on briefing from real district court cases. The arguments will simulate as closely as possible real world federal court hearings. Some arguments will be recorded so that students may review their oral argument performance. Professor Jones will provide students with critique and feedback after each oral argument, with the goal of improvement by each student over time.

This class is designed for students who are interested in gaining practical experience in litigation for or against the federal government. Through this course, you should:

- Understand the basic stages of litigating federal cases involving federal agencies;
- Become familiar with key administrative law concepts and how those concepts apply in a litigation setting;
- Refine critical reading skills, including recognizing rules, facts, and analyses that are both helpful and harmful to your client's interests;
- Understand how crucial facts are in litigation, and how to tie those facts to a legal argument that benefits your client;
- Demonstrate an ability to translate detailed arguments presented in legal briefs to clear, concise, and persuasive oral arguments before the court;
- Gain experience presenting arguments orally in a formal, courtroom-like setting;
- Demonstrate an ability to engage in effective legal analysis and advocacy through polished, readable, and concise written product;
- Practice how to research, analyze, and write about legal issues under time constraints.

Prerequisite: Civil Procedure (or Legal Process and Society).**Recommended:** Administrative Law.**Note:** This course is only open to J.D. students.

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

LAW 1631 v00 Federal Practice Seminar: Contemporary Issues ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1631 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201631%20v00))

J.D. Seminar | 2 credit hours

This seminar will explore selected topics in Civil Procedure, Federal Courts, and Administrative Law in depth. The seminar will focus on topics that have recently gained attention in the Supreme Court or that may arrive in the Supreme Court in the near future. Each class will relate to only one or two such topics. Examples of possible topics include 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 1110 v00 Government Enforcement Investigations: A Study at the SEC ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1110 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201110%20v00))

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 1527 v00 Habeas Corpus Post Conviction Practicum (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1527 v00>) (Project-Based Practicum)

J.D. Practicum | 5 credit hours

In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This practicum will combine policy and litigation, focusing on the doctrinal law and lawyering skills necessary to effectively litigate writ of habeas corpus cases and is more appropriate for 3L students with a little more experience. Students will participate in a two hour/week seminar and carry out 15 hours/week of project work under the direction of the course professors.

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

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

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

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

Recommended: Prior coursework or other experience in criminal procedure is recommended but not required. Due to the challenging nature of habeas law, it is recommended that students wait until their third year to enroll in this course.

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

Note: This course is open to JD students only. THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students must submit a resume/CV and a statement of interest in the course to Professor Christian

LAW 1028 v00 Health Care Fraud and Abuse Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1028 v00>)

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

One-fifth of the U.S. economy centers around health care industry sectors. This seminar examines criminal, civil and administrative tools used by federal and state enforcement authorities to police the U.S. healthcare system. We will focus on cases brought under federal and state False Claims Acts (FCA), the Anti-Kickback Statute (AKS), Stark laws, Federal Food Drug and Cosmetic Act (FDCA), and Foreign Corrupt Practices Act (FCPA). The seminar provides a survey of the enforcement activities of the U.S. Department of Justice (DOJ), the Office of Inspector General at Department of Health and Human Services (OIG), and state Medicaid Fraud Control Units (MFCUs) in matters against pharmaceutical and medical device manufacturing companies, physicians, hospitals, clinical practices, nursing homes, laboratories, and others. The seminar materials thoroughly cover the statutes, safe-harbors, and regulations that govern the health care industry. We will also discuss risk mitigation strategies and compliance program best practices across industry sectors to provide insight into the impact enforcement has on (1) clinical decision-making, (2) costs to providers, payers, and patients, (3) patient safety, and (4) quality of care. In an effort to maintain a broad perspective with the diverse and frequently changing legal landscape in the area, in addition to the case book, materials discussed and presented in this course draw from news reports, trade publications, and U.S. government agency materials.

The class requires a paper of approximately 20-25 pages in length.

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

LAW 627 v00 Health Justice Alliance Law Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 627 v00>)

J.D. Clinic | 10 credit hours

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

For registration-specific supplemental materials, please see the Health Justice Alliance Law Clinic PDF (<https://georgetown.app.box.com/s/22tlc4jtqfdyhbl67hpy0apefekppz7w/>).

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

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

LAW 220 v02 Homelessness, Poverty, and Legal Advocacy Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 220 v02>)

J.D. Seminar | 2 credit hours

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

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

Each student is required to participate in or observe an advocacy-related activity (e.g., attending a Council hearing or community meeting or training) on an issue relevant to the course.

In lieu of one research paper, students will develop a portfolio of written materials to advance an advocacy strategy centered around a substantive topic of the student's choosing. The portfolio will include: strategic advocacy plan; sign-on or "dear colleague" letter; advocacy letter; fact sheet; testimony; social media materials; outreach materials and a plan for a community meeting.

Learning Objectives:

Our objective is for students to gain an understanding of the complex legal and social issues that intersect in homelessness, as well as the different ways lawyers can address such issues. We want students to think "outside the box" of a traditional law practice and become familiar with other tools that can help clients achieve their goals. Students will learn about the considerations that go into developing an advocacy strategy and how to prepare the materials needed to implement that strategy, crafting advocacy messages for varied audiences and decision-makers.

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

J.D. Clinic | 7 credit hours

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

For registration-specific supplemental materials, please see the Rising for Justice (Housing Advocacy and Litigation Clinic) PDF (<https://georgetown.app.box.com/s/vvniitm9nzgfyzm89mrlzt5iyqqs3e/>).

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

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

LAW 1294 v00 Information Technology and Modern Litigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1294 v00>)

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

This course builds upon the reality that what a lawyer must know about the influence information technology has had on litigation cuts across the traditional boundaries between law school courses and will deal universally with the impact information technology has had on the management and trial of criminal, civil and administrative cases.

The course will deal with all the topics usually encompassed in so-called e-discovery, such as the meet and confer responsibility, format of production, claw back of privileged information, Rule 502 of the Federal Rules of Evidence, and preservation and sanctions. There will be a particular emphasis on the science of technology assisted review and its relationship to the reasonableness search and the implicit certification a lawyer makes under Rule 26(g) the Federal Rules of Civil Procedure by producing electronically stored information in response to a demand for it.

Throughout the course there will be practical exercises such as mock meet and confer or drafting and responding to a letter demanding the preservation of electronically stored information. The course will attempt to equip students with the practical ability to handle a case involving electronically stored information from its conception to trial.

Finally, the course will deal with the often ignored implications of electronically stored information for criminal cases. The manner in which law enforcement gathers information will be examined with a heavy emphasis on the constitutional implications of the collection of large amounts of data by law enforcement.

Recommended: Prior or concurrent enrollment in Evidence.

LAW 1929 v00 Integrated Advocacy for Social Justice ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1929 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201929%20v00))

J.D. Seminar | 1 credit hour

Few social change organizations continue to rely as heavily on litigation as once was the case. Instead, even the primary litigation-oriented legacy groups such as the NAACP LDF and the ACLU have explicitly adopted multi-dimensional, integrated advocacy strategies, that draw on litigation, legislation, administrative and policy advocacy, as well as on a variety of strategic communication models, community organizing and non-state institutional targets. This course will introduce students to the core skills necessary for the integrated advocacy approach to lawyering for social justice.

The course will be built around a case study involving litigation of constitutional and/or statutory civil rights claims in an anti-discrimination case. The class will begin by collaborating on the outline of a litigation strategy to address the problem in the case study and then delve more deeply into the integration of multiple modes of advocacy using skills including mapping, media, and engagement with non-legal institutional venues. Students will gain experience in framing, the use of narrative, and consideration of different modes of legal work.

Note: UPPERCLASS WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025, 1:30 p.m. - 5:30 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

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

LAW 1931 v00 Integrated Advocacy for Social Justice (Week One Teaching Fellows) ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1931 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201931%20v00))

J.D. Seminar | 1 credit hour

Week One Teaching Fellows work with faculty to facilitate the first-year Week One simulation courses offered in January. Fellows will work in teams of two to six fellows for their specific Week One class. The description of the course is available on the Curriculum Guide here ([https://curriculum.law.georgetown.edu/course-search/?keyword=law %201929%20v00](https://curriculum.law.georgetown.edu/course-search/?keyword=law%201929%20v00)). Teaching Fellows receive 1 pass/fail credit toward their Spring course load.

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

Fellows then attend all of the classroom sessions during Week One and assist in facilitating discussion and small-group work of first-year students. For example, fellows may moot students as they prepare for a mock oral argument or client presentation, or play the witness in a key witness interview. Fellows also meet and consult regularly with faculty during the course to discuss student progress and course logistics.

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

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

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

This course is open to upper-class J.D., LL.M., and S.J.D. students. J-1 international students must consult with an international student advisor before enrolling in this course. Please email lawcentervisa@georgetown.edu. UPPERCLASS WEEK ONE COURSE. This course will meet on the following days: Monday, January 6, 2025 through Thursday, January 9, 2025 during the classroom meeting times for the course to which the fellow has been assigned. Additionally, teaching fellows will meet with their professors once in early December 2024 and once in early January 2025 (Dates TBD). Professors may schedule alternative and/or additional trainings as needed. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. This course does **not** count toward the Experiential course requirement. ATTENDANCE AT ALL CLASS SESSIONS AND FELLOW TRAININGS IS MANDATORY. After accepting an offer, the student may drop the course ONLY with the permission of the professor. Permission is granted only where remaining enrolled in the course would cause significant hardship to the student.

LAW 293 v01 Intellectual Property Litigation: Pretrial Skills ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 293 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20293%20v01))
J.D. Seminar | 2 credit hours

The objective of this course is to help students develop the skills necessary to handle intellectual property disputes in the federal courts and administrative agencies. By focusing on pretrial activities, the course provides the opportunity to examine a dispute from its beginning, including the types of investigations and filings that are made and consideration of alternative forums, through discovery and the filing of a summary judgment motion. By covering this period of the litigation cycle, students will have the opportunity to develop both written and oral skills necessary for a trial lawyer. The emphasis on the pretrial aspects of a case is beneficial because most new associates spend far more time in their first few years dealing with these aspects of litigation than they do participating in actual trials. The course includes practice in drafting pleadings, discovery and motions, as well as the opportunity to hone oral skills through taking discovery depositions. Because this course focuses on pretrial activities, it also is a good companion course to the patent trial advocacy course, which focuses on the trial phase of a proceeding.

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

Mutually Excluded Courses: Students may not receive credit for both this course and Civil Litigation Practice, Civil Discovery in Federal Courts or Civil Litigation Practice: From the Complaint to the Courthouse Steps.

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

LAW 520 v00 International Women's Human Rights Clinic ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 520 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20520%20v00))
J.D. Clinic | 10 credit hours

Please see the International Women's Human Rights Clinic website (<https://www.law.georgetown.edu/experiential-learning/clinics/international-womens-human-rights-clinic/>) for more detailed information about the program.

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

LAW 1106 v02 Judicial Review of Military Justice Proceedings: Current Issues and Constitutional Perspectives ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1106 v02](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201106%20v02))

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

This seminar will address the relationship between courts-martial and civilian judicial proceedings, focusing on the allocation of responsibilities in the military justice system to commanders, judges, and lawyers. Specific topics will include the contemporary debates regarding sexual misconduct and combat-related offenses. The assigned readings will utilize materials available on the internet, including judicial decisions, legislative and regulatory materials, and law review articles. The seminar paper will take the form of a draft judicial opinion based upon topics covered in the course. The seminar is designed for students interested in national security, judicial review, and the constitutional allocation of legislative, executive, and judicial powers.

Learning Objectives:

- Identify the key features of military legal practice, the distinctions between military and civilian jurisprudence, and the primary factors considered by Article III courts in reviewing cases arising in the military justice system.
- Assess the impact of congressional legislation and oversight, as well as the role of the President in the military justice system.
- Enhance research skills through analysis of briefs and source materials.
- Enhance writing skills by preparing a judicial opinion.

Recommended: Constitutional Law I and either Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Note: This seminar will be held on the following days, 1:00 - 4:20 p.m.: February 7, 8, 21, and 22. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

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

LAW 394 v02 Jury Trials in America: Understanding and Practicing Before a Pure Form Democracy (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 394 v02>)

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 532 v02 Juvenile Justice Clinic (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 532 v02>)

J.D. Clinic | 9 or 14 credit hours

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

For registration-specific supplemental materials, please see the Juvenile Justice Clinic PDF (<https://georgetown.app.box.com/s/5v4uu9vv9av47yj57sq6uvq9ia5pzqgv/>).

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

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

LAW 1179 v01 Modern Litigation Theory and Practice Seminar (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1179 v01>)

J.D. Seminar | 2 credit hours

This seminar focuses on modern issues related to litigation and dispute resolution as well as the role of private enforcement in our overall system of divided government. In particular, the seminar will dedicate discussion to the doctrinal and litigation history that produced our present litigation landscape, questions of policy and theory that cut across class actions and other litigation alternatives, and questions regarding the role of private enforcement, the judiciary, and the rule of law in our system of government.

The seminar will integrate guest speakers that include some of the leading practitioners, judges, and scholars in the country.

This seminar is intended for students who wish to pursue advanced, in-depth study of our system of litigation and private enforcement. Civil Procedure (or Legal Process and Society), torts, and contracts are pre-requisites.

Students will write short response papers on the readings, which—depending upon the particular reading—will be assigned either weekly or bi-weekly.

Prerequisite: Civil Procedure (or Legal Process and Society), Contracts and Torts.

LAW 1429 v00 Patent Appeals at the Federal Circuit (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1429 v00>)

J.D. Seminar | 3 credit hours

This seminar will teach you the mechanics, strategy, and process of filing, briefing, and arguing a patent appeal before the United States Court of Appeals for the Federal Circuit, from the initial notice of appeal through requests for rehearing. We will also provide an in-depth look at the Court, common issues that arise during appeals, and best practices for crafting effective briefs and presenting oral argument. In lieu of an exam, each student will write a shortened appellate brief and present oral argument before a panel of appellate judges and/or practitioners, for an invaluable hands-on opportunity to practice the skills and theories we discuss. As part of the process, we will also meet with you one-on-one to provide feedback on your draft briefs, which will total between 6,500 and 7,500 words and are intended to fulfill the upper-level writing requirement.

Prerequisite: Patent Law; Civil Procedure or Legal Process and Society.

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

LAW 334 v00 Patent Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 334 v00>)
J.D. Seminar (cross-listed) | 3 credit hours

This course introduces students to the elements of a typical patent trial through mock trial experiences and classroom demonstration and discussion. Topics to be covered include: developing a persuasive and comprehensive theme for your case; opening statements; direct and cross examination techniques; impeachment and rehabilitation of witnesses; qualifying and examining expert witnesses; laying the proper foundation for the introduction of evidence and using exhibits in examination to help present technical information; closing arguments; and preparing for and presenting arguments at Markman Hearings. The course will also introduce students to the use of current computer graphics and information technology in trial. The course will be taught using hypothetical fact patterns common to patent litigation. During the semester students will receive individual feedback on their individual performances.

Prerequisite: Evidence; Patent Law.

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

LAW 358 v00 Presentation Skills for Lawyers: An Experiential Workshop to Practice Core Skills (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 358 v00>)

J.D. Skills | 2 credit hours

This experiential workshop offers a unique combination of exercises, assignments, and readings. The purpose of the class is threefold: 1) to develop your skill as a presenter; 2) to enhance your confidence as a presenter and your desire to present; and 3) to practice leadership skills to increase the likelihood that others will turn to you to present.

The class involves three sets of core skills.

1) The first set of core skills concerns getting ready to present something to someone. These are leadership skills that involve deep listening and asking powerful questions. There are two reasons listening and inquiry skills are important. First, the great presenter understands the needs of their audience. The skillful presenter avoids making assumptions. They ask first. They do their homework about who, what, and why. They get context so they can tailor their presentation to deliver value. Second, the people who have the power to choose you to present need to trust you. They need to feel you understand them and their issues. They need to feel connected to you. If you ask powerful questions and genuinely listen to understand others, you are going to build trust and connection. You will enhance the likelihood you get a chance to present.

2) The second set of core skills concerns presentation stagecraft. This is what most people think of when they consider a “presentation skills class.” In this class, you will practice core “stand up” skills so that you develop your ability to:

- Speak directly to a person (don’t wash); make eye contact on each phrase; work the room.
- Talk loud and slow, enunciating clearly (but not self-consciously).
- Speak in short sentences in the active voice (avoid interrupting phrases).
- Take a breath - have a beat - between your phrases (avoid running on).
- Vocally drive through to the end of your phrases (avoid trailing off at the end).
- Stand up straight (aligned), pulling from the top of the back of your head (avoid hunching).
- Be open (avoid crossing arms or feet) with a strong base (avoid hip popping, foot rolling).
- Be physically calm in between gestures (avoid fidgeting, swaying, pacing, or twisting).
- Control your hands (letting them rest calmly at your sides or clasping them at your belly).
- Gesture broadly, getting your elbows out from your body (avoid “dinosaur hands”).

In addition to these presentation skills, we will also cover designing graphics, presenting with PowerPoint, boards, and props, Zoom stagecraft, and curating your appearance.

3) The third set of core skills concerns rehearsal and feedback. Great presenters try stuff out and get feedback from others about what’s working and what’s not. Most lawyers don’t rehearse or ask for feedback. Many think that presenting is about being the smartest person in the room. This class is not about being the smartest person in the room. It is about you making time for rehearsals and integrating feedback. It is about developing your growth mindset. It is about practice.

In sum, this class will enhance your skill as a presenter and the likelihood others ask you to present.

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

LAW 1493 v00 Prison Law and Policy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1493 v00](https://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 1550 v00 Prosecuting Sex Crimes and Vindicating Constitutional Rights ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1550 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201550%20v00))

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

This course is a practice-based seminar that will examine gender-based violence, and more specifically sexual violence, as a criminal civil rights issue. While anyone can be a victim of sexual violence, the vast majority of victims are women, including transwomen. This is particularly true in the law enforcement misconduct context, where men are more often the victims of physical assault, and women are more often the victims of sexual assault. But unlike excessive force cases that may be captured on video or witnessed by fellow officers or civilians, sexual assaults often occur in secluded locations with no one to bear witness.

This course will address how to vindicate the constitutional rights of sexual violence victims through effective investigation, and where the evidence permits, prosecution of offenders. Through the lens of law enforcement-committed sexual misconduct and real-life case examples, this course will begin with a victim's account, and then determine how to build a case from that initial account.

Learning Objectives:

- Debunk the fallacies surrounding sex crimes investigations that inadvertently affect objectivity and derail investigations, thereby leading to more objective, purpose-driven investigation.
- Employ best practices when conducting trauma-informed interviews and trial preparation, by understanding the impact of trauma on a victim's ability to recount their assault and how the science behind trauma informs best practices to elicit a detailed account, and ultimately build a strong case.
- Learn to effectively use the Federal Rules of Evidence (specifically Rules 608, 609, and 412) to protect a victim's account from unfair impeachment.
- Learn to effectively develop corroborative evidence pursuant to Rules 413, 404(b), and 801(d)(1)(B).
- Develop a purpose-driven investigation that corroborates the victim's account while foreclosing common defenses in sex crimes trials.

Recommended: For J.D. students, prior or concurrent enrollment in Criminal Justice and Evidence are recommended, though not required.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Prosecuting Sexual Violence: Applying Research to Practice (Fieldwork Practicum).

LAW 1244 v00 Prosecuting Sexual Violence: Applying Research to Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1244 v00>) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This practicum course will provide students with the experience, knowledge, and analytical skills to identify and apply the criminal laws, evidentiary and procedural rules, and case law relevant to the prosecution of sex crimes. Students will participate in a two hour/week seminar and also undertake 10 hours/week of fieldwork at AEquitas.

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will learn about the prosecution of sex crimes. Rape and sexual assault laws are complex and evolving. The crime of rape originated as a crime against property – not against a person. While these laws have evolved, they still retain vestiges of their archaic origins, resulting in inconsistency and variability in sex crime terminology and elements from state to state, as well as other anomalies. This course is designed to inform students' evaluation, preparation, and litigation through a course-long review of a complex sexual assault case file. It will also address the prevalence and perpetration of sexual violence in the United States and will explore the commonalities and differences in the barriers to effectively responding to these cases in the United States and abroad. This practicum course will provide students with the experience, knowledge, and analytical skills to identify and apply the criminal laws, evidentiary and procedural rules, and case law relevant to the prosecution of sex crimes. Students will be exposed to research related to victim behavior, sexual violence perpetration, medical and health issues, and forensics in sexual violence cases in their seminar readings, discussion, and fieldwork. Students will be provided with opportunities to apply the relevant research, court rules, and case law to the course case file. The students' fieldwork will be complemented weekly by a review of relevant case law and literature, class discussion, lectures by the lead faculty member and guest lecturers, and mock pre-trial and trial exercises. Students will develop an understanding not only of the applicable laws but also of common challenges that arise when investigating and prosecuting these crimes. Topics such as alcohol-facilitated sexual assault, violence against sexually exploited women, commonly co-occurring crimes, prosecutorial decision-making, marital rape, issues of force and consent, and more will be studied.

FIELDWORK: In the two-credit, mandatory pass-fail, fieldwork portion of the practicum, students will undertake 10 hours of fieldwork/week at AEquitas, where each student will be supervised by an Attorney Advisor. Students will be expected to assist AEquitas Attorney Advisors with daily tasks of providing technical assistance to prosecutors and allied professionals and to prepare for trainings. Technical assistance requests span the continuum and include but are not limited to: information on experts, legal research (statutory and case law based), policy guidance, and more.

Students will also work in pairs to complete a semester-long project related to AEquitas's work, focusing on sexual assault prosecution and advocacy. Projects may include:

- Utilizing technology to enhance the prosecution of these cases, such as developing a public service campaign to raise awareness of issues related to prosecution and sexual assault and/or creating short podcasts on relevant topics that feature AEquitas Attorney Advisors and other justice system experts, etc.
- Developing sample briefs
- Analyzing relevant laws
- Peer review of colleagues' work

The fieldwork portion of this class will also include a writing competition

LAW 611 v21 Public Speaking For Lawyers (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v21>) J.D. Seminar | 1 credit hour

When lawyers speak professionally, they are often engaging in some form of public speaking. This is true inside the courtroom but equally true in non-litigation settings—whether negotiating the terms of a business transaction, mediating an informal dispute, appearing before legislatures, city councils or municipal boards; pitching ideas to colleagues, clients, or potential clients; speaking to lay groups about various matters of legal controversy, or conducting media interviews for any variety of reasons.

This course examines best practices for public speaking from both theoretical and practical perspectives. Through a series of small group exercises and an 8-10 minute persuasive speech on a law-related topic to be given by each student at the end of the week, students will learn how to develop a skill-set essential for building confidence and success to speak in public in any form of law practice. This course is not for students who have participated in debate or other public speaking activities or competitions. Students will take part in providing feedback to classmates.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 8, 2024, through Thursday, January 11, 2024.

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This optional, elective course is for first-year J.D. students only. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 27, 2023 at 3:00 p.m.** After that point, students must receive permission from both the course professor and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 1936 v00 Public Speaking for Lawyers (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1936 v00>)

J.D. Seminar | 2 credit hours

In this interactive course, we will examine best practices for public speaking from both theoretical and practical perspectives and how they relate to effective lawyering. During the semester, students will engage in a series of small-group exercises and prepare and deliver oral presentations on law-related topics. Students will develop methods for preparing to speak in a variety of settings (e.g., client presentations) and strategies for coping with performance anxiety. Students will also have ample opportunity to improve and build confidence in their public speaking skills as they prepare to enter law practice. Students will take part in providing feedback to classmates.

Mutually Excluded Courses: Students may not receive credit for this course and the first year Week One course by the same title.

Note: This course is not aimed at students who are already comfortable speaking in public as a result of participating in debate, moot court, etc.

LAW 1352 v00 Pursuing Fraud Against the Government: A Model of Complex Civil Litigation (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1352 v00>)

J.D. Seminar | 3 credit hours

Since the 1980s, the Federal False Claims Act ("FCA") has been the United States' primary civil mechanism to stem, recover for, and punish fraud against government programs and in government contracting. It provides for both treble damages and additional statutory penalties. It also establishes a public-private partnership in which whistleblowers are empowered to work alongside or in the name of the United States to prosecute fraud. In return, they receive a portion of the recovery and attorneys' fees. The FCA has proven so successful in uncovering fraud and recovering tax payer dollars that a majority of states have passed similar statutes. As a result, FCA litigation is a particularly salient example of the complex civil litigation found throughout federal and state courts. It can involve allegations of nationwide fraud requiring extensive discovery, made on behalf of multiple plaintiffs, including multiple independent sovereigns, and for which the potential recovery risks bankrupting the defendant.

This course will use the allegations, discovery, and trial testimony from actual FCA suits to introduce students to the intricacies of and strategic considerations presented by this and other complex civil litigation. The course will follow the development of FCA suits from the under seal investigation of the case through trial with a special focus on utilizing and defending against discovery and driving cases to early resolution. Students will draft portions of complaints, proposed orders, discovery requests, motions, and jury instructions. Class time will be used to critique student work product and strategize responses so that students will be exposed to both defense and plaintiff perspectives and understand the tradeoffs faced by litigants in multi-party suits. Students will also hear from practitioners, including mediators and judges, to understand the techniques they employ and what motivates their decisions. The goal is that at the end of the course students will have experience with all of the tools of complex civil litigation, an understanding of how to take a case from complaint to trial, a familiarity with the central legal doctrines underlying FCA actions, exposure to private-public interest practice, and an appreciation for working with the government and other co-parties.

Students will be evaluated based on their written work product and class participation.

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

Recommended: Prior or concurrent enrollment in Evidence.

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

LAW 611 v06 Questioning Witnesses In and Out of Court ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v06](https://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 Professors Williams and Brightbill:

Students will develop a stronger understanding through experiential learning of the role of questions in litigation, with specific focus on witness interviews, depositions, direct examinations, and cross examinations.

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

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This optional, elective course is for first-year J.D. students only. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors and Assistant Dean for Experiential

LAW 611 v25 Regulating Online Speech in the Age of Social Media ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v25](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v25))
J.D. Seminar | 1 credit hour

In the age of social media, private companies have unprecedented power to shape and control the visibility and content of speech circulating online. This course is designed to introduce students to the legal principles that shape their decision making, from the First Amendment to Section 230, as well as to highlight areas where the absence of binding law gives way to a spectrum of policy considerations for companies to balance and apply. In each class, students will step into the shoes of social media platforms, policy makers, and advocates, using real-world scenarios to gain an understanding of the law and policy shaping the current landscape of online speech governance.

Through this course, students will:

- # Develop and sharpen lawyering skills, including crafting and analyzing arguments
- # Gain knowledge in the areas of law relevant to online speech governance
- # Come to understand and be able to deploy policy arguments that shape online speech governance in the absence of binding legal principles
- # Engage in effective problem-solving when collaborating in groups
- # Identify and appreciate ethical considerations related to the effects of online speech governance on vulnerable communities

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

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This optional, elective course is for first-year J.D. students only. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when remaining enrolled in the course would cause significant hardship for the student. Students who are enrolled but do not attend the first class session will be withdrawn from the course.

LAW 1814 v00 Reimagining the Role of the Public Defender ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1814 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201814%20v00))

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

The course is designed to provide students with an opportunity to critically examine the criminal legal system and the role of public defenders within it. Students will be exposed to models of practice that challenge the notion that a public defender is simply a cog in an unjust system. Students will learn how public defenders can effectuate systemic change while securing the best outcomes for their individual clients.

The course will include readings that analyze the injustices perpetuated by the criminal legal system and their root causes. Through these readings and class discussions, students will analyze how facially-neutral laws and policies are the underpinning of a racist, classist, and unjust system. Case law and sample legal pleadings will show how public defenders have successfully challenged these systemic issues through individual client representation.

The course will also rely on presentations by directly-impacted individuals who will share their experiences with the criminal legal system, their experiences being represented by public defenders, and their struggles for justice within the system.

Overall, the course is designed to challenge existing perceptions of public defense and allow students an opportunity to learn about and explore the many ways that a public defender can challenge the injustices of the criminal legal system.

Course Goals/Learning Outcomes:

The objective of the course is to provide students with a nuanced understanding of what it means to be a public defender within a racist, classist, and otherwise unjust criminal legal system. Students will develop an understanding of the traditional role of a public defender, potential shortcomings of the traditional approach, and how the role of a public defender can be expanded to more directly challenge the systemic issues within the system. By focusing on historical injustices in the system (e.g. racism, police brutality, prison conditions), students will learn how public defenders can both zealously represent their individual clients while also challenging systemic issues. Students will analyze the historical and systemic injustices perpetuated by the criminal legal system while also learning practical litigation strategies used by public defenders to effectively effectuate change.

In line with Institutional Learning Outcome 8, this course will provide students with a practical understanding of how the criminal legal system operates. This understanding will allow students to think critically about how a criminal legal system touted as a neutral arbiter of justice is in practice a perpetrator of systemic racism, classism, and inequality.

Prerequisite: Criminal Justice, Constitutional Law

Recommended: Criminal Law, Evidence

LAW 268 v01 Remedies in Business Litigation ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 268 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20268%20v01))

J.D. Course | 3 credit hours

This course will explore the law and practice of remedies, the concrete outcome of every litigated case. The rules governing the availability, scope, and interaction of the major remedies — compensatory damages, injunctions, declaratory judgments, restitution, and punitive damages — will be examined in commercial settings. The focus is therefore on remedial responses to violations of rights in tangible and intellectual property, exchange-based rights such as breach of contract and fraud, and marketplace rights against improper competitive conduct. Particular attention will be given to the basic concepts underlying remedies law and the policy influences of moral philosophy and economic analysis. In addition, the course will cover the practical and strategic aspects of seeking and resisting judicial relief, including quantification of monetary awards. The reading includes a "behind-the-scenes" case study illustrating how remedies issues are litigated, as well as a classroom visit with an expert witness. Students considering practice in business litigation, as well as students who intend to pursue a transactions practice (where prospective remedies are often lurking in the background), will find the course valuable.

Learning Objectives:

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

Strongly Recommended: First-year courses in contracts, torts, and civil procedure.

Mutually Excluded Courses: Students may not receive credit for both this course and the former course, Commercial Remedies.

Note: This course will meet every Tuesday and A-week Thursdays from 11:10 a.m. to 1:10 p.m. The A-week Thursdays in Spring 2025 are 1/16, 1/30, 2/13, 2/27, 3/20, 4/3, and Tuesday, 4/22 (Thursday classes meet).

LAW 950 v01 Securities and Financial Fraud Investigations ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 950 v01](https://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 941 v01 Securities Litigation and Enforcement ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 941 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20941%20v01))
J.D. Course (cross-listed) | 2 credit hours

This course will examine the enforcement of the federal securities laws by the Securities and Exchange Commission, the Department of Justice and through private litigation, primarily class actions. It will examine the causes of action under the securities laws and their elements, including concepts of materiality, falsity, causation (loss and transaction), reliance, scienter and damages. It will cover specific procedural requirements such as pleadings and class certification, the economic aspects of securities litigation, including the efficient market hypothesis and event studies as well as issues raised by the recent Supreme Court jurisprudence such as *Dura*, *Tellabs*, *Morrison*, *Halliburton II*, *Omnicare*, *Salman*, and *Goldman Sachs*. It will also cover the dynamics of securities litigation, including the role of the Securities and Exchange Commission, trial advocacy issues, settlement and indemnification. It is our expectation that during the semester, each student will have the opportunity to make an appellate oral argument before the class in a case raising a securities law issue. One of the goals of this course is to enable the student to become an effective member of a litigation team in a firm representing a party in securities litigation.

Recommended: While there are no prerequisites for this course, courses in Corporations and Securities Regulation are recommended.

LAW 611 v05 Social Intelligence in the Practice of Law: Dealing Effectively with Clients, Colleagues, and Opposing Counsel ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 611 v05](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v05))
J.D. Seminar | 1 credit hour

This skills-based simulation course will introduce students to the essential skills of social intelligence needed in all forms of a law practice—including law firms, government agencies, corporations, nonprofits, and solo practice. Students will learn about emotional intelligence and the factors that affect their abilities to interact with clients, co-workers, and opposing counsel. Students will study neuroscientific and psychological research that illustrates how basic brain function and other factors, such as strong emotion, influence how a person makes decisions. With this knowledge, students will develop strategies to improve their own decisions and to interact effectively with clients, colleagues, and opposing counsel as they engage in various types of decision-making. Using a combination of lecture, discussion, videos, skills exercises, and simulations of legal practice scenarios, this course will emphasize concrete, practical tools to increase students' effectiveness in managing themselves and their interactions with others. The course will equip students to effectively communicate with others, present information in a persuasive light, recognize and address their own internal biases, and deal with interactions they may find difficult. Students completing this course will have developed a solid grasp on how to address the wide variety of interpersonal dynamics that commonly arise in the legal arena.

Learning Objectives:

The main objectives of this course are to increase students' awareness of the substantial role of social intelligence in the practice of law and to provide students with concrete skills to effectively handle day-to-day interactions. Students will learn research-based skills and strategies from the fields of neuroscience, the study of emotions and emotional intelligence, negotiation, and communication. As they learn theory, students will have the opportunity to practice techniques for harnessing these dynamics in professional interactions commonly involved in the actual practice of law. The simulations will emphasize positive strategies for dealing with common interpersonal interactions in a legal practice: lawyer–client, lawyer–opposing counsel, and lawyer–colleague. At the end of the course, students will have an improved ability to effectively communicate and negotiate, present information in a persuasive light, recognize and address internal biases, and deal with interactions they may find difficult—skills that talented legal minds need to become great counselors at law.

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

This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students. This optional, elective course is for first-year J.D. students only. Details regarding the registration process will be provided to students during the fall semester via email, information sessions, and on the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information, please see the Week One website (<https://www.law.georgetown.edu/experiential-learning/simulations/first-year-week-one-simulations/>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Monday, November 25, 2024 at 3:00 p.m.** After that point, students must receive permission from both the course professors and Assistant Dean for Experiential Education to drop the course. Permission will only be granted when

LAW 1729 v00 Special Topics in Litigation: Representing Foreign Clients in U.S. Courts (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1729 v00>)

J.D. Seminar | 2 credit hours

Your phone rings. It is your Colombian client, and he has just been wronged! He needs your help to bring this bad-actor to justice. But not all of the relevant conduct took place in the United States, and you are not a Colombian lawyer. Where do you begin? Do you bring a claim in a Colombian court? Do you file suit in the United States? Does it make a difference? What causes of action can you bring? What law governs? If you do bring suit abroad, can you get information from the United States? As globalization in business increases, the need for cross-border litigators equally increases.

This simulation course, taught around a hypothetical fact pattern, is designed to be a hands-on introduction to initiating and defending against a cross-border litigation. Students will become familiar with topics unique to cross-border litigation, such as what law applies to your client's claim, where can you bring this claim, and how to obtain discovery in the United States for a legal proceeding abroad. Students will learn practical skills such as factual investigation, legal drafting and reasoning, and oral advocacy.

The course is divided into three parts: **Part I** will focus on initiating a cross-border litigation, including the strategy motivating where to file and what to allege. The course will begin by giving students an opportunity to interview their "client" and gather factual information to support their client's potential claims. At which point, the class will be divided into two groups. Group 1 will decide to file their claims in the United States and prepare a Complaint seeking a preliminary injunction while Group 2 will decide to file their claims elsewhere, but still use the U.S. Courts to help with discovery, and prepare a 1782 Application.

Part II of this class will focus on defending against the initiation of a cross-border litigation. Group 2 will prepare a Motion to Dismiss Group 1's Complaint, and an opposition to the preliminary injunction, while Group 1 will prepare an opposition to Group 1's 1782 Application.

Part III of this course will focus on oral advocacy. Each student will be required to give an oral argument related to either the Motion to Dismiss the Complaint or the 1782 Application.

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

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

Attendance Is Mandatory At All Class Sessions. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Due to the nature of this course, it is essential to finalize enrollment after the first class session. As such, students have until 9:00 a.m. on Wednesday, January 17, 2024 to drop the class without penalty. After January 17 at 9:00 a.m., a student who wishes to withdraw from this course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the course would cause significant hardship for the student.

LAW 1397 v00 Street Law: Criminal Justice and Human Rights (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1397 v00>) (Project-Based Practicum)

J.D. Practicum | 5 credit hours

Please see the Street Law website (<http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/street-law-program/>) and this video (https://m.youtube.com/watch?v=wq9fk_eeMNA&feature=youtu.be) for more information about the course.

OVERVIEW: Street Law Criminal Justice and Human Rights is a project-based practicum where Georgetown Law students teach practical law courses at D.C. public high schools (day students) or the DC Jail (evening students). Enrolled law students develop and refine critical lawyering skills, including legal research and writing, time and project management, public speaking, and the capacity to engage diverse audiences in a low-risk, high-reward environment. Street Law instructors help the local community better understand the law, identify how it impacts them, and develop legal and analytical skills. In short, Street Law instructors have a tangible impact on the lives of local residents.

The fall curriculum focuses on the purpose of laws and legal reasoning, negotiations, criminal justice, and human rights. A lesson plan bank is provided to all Street Law instructors. The course capstone is a human rights "mini" mock trial where the high school students perform as lawyers and witnesses and compete against other Street Law classes. This practicum allows law students to gain invaluable lawyering skills while actively giving back to the local community. Guiding students through the semester is a remarkable and unforgettable experience.

SEMINAR: The seminar uses interactive instruction to explore law and legal concepts, classroom management, lesson planning, and student assessment. Law students have time to collaborate with their peers and also gain access to additional lessons they can use in their classes. Outside of the seminar, faculty provide intensive support and collaborate with each student to support their learning and growth.

PROJECT WORK: The placements are determined primarily by the law students' schedules. Law students spend at least 10 hours/week preparing for and teaching a practical law course. Law student instructors have the primary responsibility for instructing and grading their students. Street Law faculty and fellows observe each law student instructor and conduct post-observation debriefs at least three times per semester.

Regular and punctual attendance is required at all practicum seminars, field placements, and scheduled events. If a student must miss a seminar, a Street Law event, or project work, the student must speak to the Street Law faculty as soon as possible to discuss the absence. Unless Street Law faculty indicate otherwise, a student with more than one unexcused absence from the practicum seminar or one week of unexcused absences from the fieldwork or project work may receive a lower grade or, at the professor's discretion, may be withdrawn from the practicum.

ORIENTATION: A three-day orientation is held from Tuesday, August 20, through Thursday, August 22. During orientation, law students will experience the student-centered teaching methodology they will use in their own classes and have a chance to practice facilitating lessons before entering the classroom. **Attendance at the orientation is mandatory.** Evening division students should contact the Street Law faculty to discuss orientation schedule conflicts.

MEETING INFO

Thursdays, 3:30 to 5:30 p.m.

ENROLLMENT INFORMATION: Students enroll in this course via GU Experience (<https://guexperience.georgetown.edu/>). Students are

LAW 1398 v00 Street Law: Mock Trial Advocacy ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1398 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201398)) (Project-Based Practicum)

J.D. Practicum | 4-5 credit hours

Please see the Street Law website (<http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/street-law-program/>) and this video (https://m.youtube.com/watch?v=wq9fk_eeMNA&feature=youtu.be) for more information about the course.

OVERVIEW: Street Law Mock Trial Advocacy is a project-based practicum course where Georgetown Law students teach a mock trial advocacy course at DC public high schools (day students) or the DC Jail (evening students). Enrolled law students develop and refine critical lawyering skills, including legal research and writing, time and project management, public speaking, and the capacity to engage diverse audiences in a low-risk, high-reward environment. Street Law instructors help the local community better understand the law, identify how it impacts them, and develop legal and analytical skills. In short, Street Law instructors have a tangible impact on the lives of local residents.

The spring semester focuses on trial and litigation skills. Street Law instructors prepare their students to compete in a mock trial tournament. The law students develop a thorough understanding of trial procedure, law, and practical advocacy skills. This practicum allows law students to actively give back to the local community while gaining invaluable lawyering skills.

SEMINAR: The seminar uses interactive instruction to explore law and legal concepts, classroom management, lesson planning, and student assessment. Law students have time to collaborate with their peers and also gain access to additional lessons they can use in their classes. Outside the seminar, faculty provide intensive support and collaborate with each student to support their learning and growth.

PROJECT WORK: The placements are determined primarily by the law students' schedules for the semester. Law students will work at least 10 hours/week preparing for and teaching a practical law and trial advocacy course. Guiding high school students through the mock trial process is remarkable and unforgettable. Law student instructors are responsible for instructing and grading their students. Street Law faculty and fellows observe each law student instructor and conduct post-observation debriefs at least three times per semester.

Regular and punctual attendance is required at all practicum seminars, field placements, and scheduled events. If a student misses a seminar, a Street Law event, or project work, they must speak to the Street Law faculty as soon as possible to discuss the absence. Unless the professor indicates otherwise, a student with more than one unexcused absence from the practicum seminar or one week of unexcused absences from the fieldwork or project work may receive a lower grade or, at the professor's discretion, may be withdrawn from the practicum course.

ORIENTATION: A three-day orientation is held from Tuesday, January 7, through Thursday, January 9, 2025. During orientation, Law students will experience the student-centered teaching methodology they will use in their own classes and have a chance to practice facilitating before entering the classroom. **Attendance at the orientation is mandatory.** Evening division students should contact the Street Law faculty to discuss orientation schedule conflicts. Attendance at this orientation is mandatory for students who have not already taken the Street Law: Criminal Justice and Human Rights practicum in the fall semester.

MEETING INFO

Thursdays, 3:30 to 5:30 p.m.

ENROLLMENT INFORMATION: Students enroll in this course via GU

LAW 1174 v00 Supreme Court Institute Judicial Clerkship Practicum ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1174 v00](https://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 courts to Supreme Court advocates in virtually every case the Court hears each Term. Each moot court panel is composed of five "Justices," professors or practitioners with experience in Supreme Court and appellate advocacy. This practicum will enable eight J.D. students to function as "law clerks" who will help prepare "Justices" to serve on SCI moot court panels. Students will participate in a two hour/week seminar and carry out five hours/week of project work under the direction of the course professor.

SEMINAR: The seminar component of the practicum will explore the role and function of law clerks; the mechanics of writing a useful bench memo and draft opinion; and ethical dimensions of judicial clerkships, including confidentiality and influence. Seminar sessions will also feature guest speakers, including appellate judges and former judicial law clerks.

PROJECT WORK: Each student will be assigned a case scheduled for argument in the February or March sitting, for which he or she will prepare a "bench memorandum." Prior to the moot court, the student will submit the memorandum to the student's assigned moot "Justice" – a Georgetown Law professor or local practitioner who has volunteered to serve on the moot panel – and will meet with the Justice for a "case conference" to discuss the case in preparation for the moot. After attending the moot court, the student will attend the oral argument, read the argument transcript, or listen to the audio recording, and write a postmortem review describing the ways in which the moot resembled and differed from the argument.

Learning Objectives:

Writing, legal analysis, oral presentation, and other skills required to serve as an effective appellate law clerk; sensitivity to ethical issues such as confidentiality and influence on judicial decision-making.

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

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

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

This course may be suitable for evening students who have sufficient flexibility in their day jobs to take time off to attend the weekly seminar (9:50 a.m. - 11:50 a.m. each Wednesday); conduct a case conference with their Justice/professor (roughly an hour, scheduled at the professor's convenience); and observe their assigned moot court (a two-hour session during the working day, scheduled to accommodate the needs of the advocate). THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Students must submit a transcript and Statement of Interest (one page double-spaced), explaining his or her interest in the course to Professor Debbie Shrager (des113@georgetown.edu) by 5:00 p.m. on Wednesday, October 2, 2024. After the October 4 application deadline, students will be admitted into open seats on a rolling basis. Any student who is offered a seat in this course will be directly enrolled in both the seminar and fieldwork components and may not take either component separately. The student will have one week only in which to drop the course. After that time, a student may only drop the course with the

LAW 469 v00 Supreme Court Litigation Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 469 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20469%20v00))
J.D. Seminar | 3 credit hours

This is a three credit course, and class meets for two hours and forty-five minutes each Thursday between 2:45 and 5:30 p.m. The course has five primary aspects:

- First, we will focus on the Supreme Court as an institution and how it differs from other American courts. This will include readings and discussion of topics of longstanding importance, including the certiorari process, merits briefing, the role of amicus briefs, and the Solicitor General's Office.
- Second, we will study in depth several cases being decided this Spring.
- Third, through two short (10-12 pages, double spaced) writing assignments and opportunities for extensive one-on-one discussion and comment, there will be a heavy emphasis on effective legal writing.
- Fourth, we will focus on effective oral advocacy, as practiced in the U.S. Supreme Court, including multiple opportunities to observe and participate in such practice arguments yourself. We will have three extra two hour sessions on Friday afternoons during the term to observe actual moot courts in pending cases conducted by the Supreme Court Institute.
- Finally, we will also spend substantial portions of many classes considering materials addressing events which have occurred over the last half century relating to the Court's role in constitutional interpretation, including how that role has changed greatly within the recent past as a result of changes in the make-up of the Court.

Because that Court itself plays a unique role in our legal system—to identify and resolve important disputed and recurring issues of federal law—the role of counsel in that Court is markedly different in many respects than it is in other appellate courts. These differences are most obvious in the certiorari process, by which the Court identifies the cases it will hear on the merits. That process demands that counsel on both sides persuade the Court that the case at hand either does or does not clearly present a legal issue of such moment and controversy as to demand the Court's attention. We will study the certiorari process, consider at some length the features of a case that enhance or detract from its chances for certiorari, and focus specifically on the tasks of drafting certiorari petitions, oppositions to certiorari, and reply briefs.

After the Court grants review of a case and it forward for decision on the merits, the selective nature of the Court's jurisdiction, and its focus on resolving recurring legal issues rather than simply deciding cases, shapes the lawyer's approach to the case in many important respects. These peculiar aspects of advocacy in the Supreme Court will be discussed in several class sessions dealing with the tasks of drafting merits briefs, including briefs of petitioners, respondents and reply briefs. We will also discuss the role of the amicus briefs and the ways in which they can contribute to the Court's decision.

The unique nature of the Supreme Court's decision making role is substantially reflected in the nature of oral advocacy as it is now practiced at the Court. We will deal with the nature and challenges of oral argument in the Supreme Court beginning with the first class, and then again more intensely in a number of class sessions. In addition to reading secondary sources addressing oral argument in the Court from a variety of perspectives, all students will participate as both advocates and judges in several moot courts of cases being decided by the Court this Spring.

We will also observe and discuss moot court arguments by advocates in upcoming cases in the Court. We will be attending three such arguments in sessions lasting two hours, each to be held on a Friday afternoon.

LAW 418 v00 Supreme Court Seminar ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 418 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20418%20v00))
J.D. Seminar (cross-listed) | 2 credit hours

This seminar examines the Supreme Court as an institution with emphasis on the ways in which the institutional forms and structures of the Court influence the law the Court makes. Topics studied include: appointments to the Court; the Court's jurisdiction and procedures for determining cases it will adjudicate; the internal deliberative process employed by the Justices; and the role of the advocates before the Court. Cases currently pending in the Supreme Court will be studied for illustrative purposes.

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

Strongly Recommended: Constitutional Law II: Individual Rights and Liberties.

LAW 1416 v00 Supreme Court Topics: The Role of Dissenting Opinions ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1416 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201416%20v00))

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

In this course students will learn about the role of dissenting opinions in U.S. appellate courts generally, and the United States Supreme Court in particular, with a special focus on the writings and jurisprudence of the late Justice Ruth Bader Ginsburg. We will also briefly discuss the role dissents play in select foreign jurisdictions. Students will be evaluated based on their active and informed class participation, including a mini-moot during the final class session, and on the quality of their final written product, which will be a 5-10 page paper.

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

Note: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 6, 2025, through Thursday, January 9, 2025, 6:00 p.m. - 9:20 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

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

LAW 858 v00 Tax Practice and Procedure (Litigation) (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 858 v00>)
LL.M. Course (cross-listed) | 2 credit hours

Studies problems and considerations arising in the litigation of federal tax cases before the U.S. Tax Court, District Court, and the Court of Federal Claims, including jurisdictional, procedural, ethical and evidentiary issues. Practical problems of choice of forum, pleadings, discovery, privileges and tax trial practice are surveyed. Considerable attention is given to IRS summons enforcement litigation, privileges, civil collection, levy and distraint, collection due process, criminal tax litigation, and the tax lien and its priorities. Government attorneys, practicing attorneys, and U.S. Tax Court Judges are utilized as guest lecturers on some of the subject matter. This is a comprehensive course covering all aspects of tax litigation.

Prerequisite: Federal Income Taxation.

LAW 1663 v00 The Federal Courts and the World Seminar: History, Developments, and Problems (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1663 v00>)

J.D. Seminar | 2 credit hours

This course investigates the federal courts' role in United States foreign affairs. It is a commonplace that the courts take a backseat to the political branches on issues relating to foreign affairs. But that truism, though generally accurate, obscures more than it reveals, for the federal courts routinely adjudicate cases with significant implications for the United States' relations with the world—as they have since 1789. In this course, we will explore several fundamental questions: What kinds of foreign affair issues have the courts historically addressed? How has the courts' jurisdiction over cases implicating foreign affairs changed over time? How have the courts handled foreign and international law? What impact have separation of powers principles had on the courts' decision-making?

The course is organized thematically; in each two- or three-week unit we will focus on a particular issue, including the foreign affairs background to the establishment of federal courts under Article III of the Constitution; the status of international and foreign law in federal court; foreign states as litigants in federal court; and the reach of the courts' jurisdiction beyond U.S. territory. Each unit will be framed in historical perspective, exploring both the courts' past practice and their modern approach.

This is not a survey course on the law of U.S. foreign affairs; we will not address directly many of the topics that would be covered in such a course—including the allocation of foreign affairs responsibility between the Executive and Congress; the scope of Presidential war power; and treaty-making and executive agreements. Instead, the focus here is squarely on the courts and their interactions with the world.

By the end of the semester, students should be able to do the following:

- Demonstrate a general understanding of the various ways in which the federal courts address issues that have implications for the United States' relations with foreign nations.
- Recognize how the courts' role in foreign affairs has changed over time, and understand what has driven those changes.
- Draw connections between different doctrinal areas and historical periods to develop a broader understanding of the court's role in foreign affairs.
- Critically assess legal and historical scholarship on the courts' role in foreign affairs.
- Respond constructively to classmates' questions, comments, and ideas.

Recommended: Prior coursework in international law, national security, or the federal courts is not required, but interest in such issues is recommended.

LAW 1495 v01 The Role of the State Attorney General ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1495 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201495%20v01))

J.D. Course | 3 credit hours

The office and work of state attorneys general both sit at the intersection of law, politics, and policy. No other legal actor has the same power and responsibility to identify and act in the public interest. Unlike private and other government lawyers, who work subject to ethical rules that defer decision making to agency “clients,” state attorneys general answer directly to the public interest. The course examines decisions by attorneys general that reflect their independent status, which is most often revealed when legislatures, other elected officials, state agencies or the federal government exceed their constitutional or statutory authority. In service to the people of their respective states, today’s state AGs are leading the way on issues from federalism to civil rights to workers and consumers rights to environmental protection to gun violence and more. The state attorneys general work within their respective states, across states in multistate coalitions, and both in cooperation and conflict with the federal government.

Since colonial times, three forces have molded the office of the Attorney General: state constitutions and state government codes, which specify the duties and responsibilities of the attorney general; legislative decrees altering the duties of the attorney general in response to specific state needs; and the personalities and ambitions of those who have served as attorney general. Attorneys general today deal with everything from common law and statutory authority; conflicting legal and policy demands; resource restriction; relationships with outside counsel; and hard-core partisan politics.

The Role of the State Attorney General has these overarching objectives:

- To examine the unique junction of law, policy, and politics at which the state attorney general operates and to consider whether and when each of these does or should feature in a state attorney general’s deliberations and decisions
- To explore issues of law and governance, especially to consider the role of the executive branch in tripartite democratic republics
- To consider how the state attorneys general figure in the current iteration of American federalism
- To showcase in concrete terms the actual workings and work of state attorneys general

The course will cover the day to day challenges faced by attorneys general and their staffs in delivering legal advice to guide state government in a constitutional and ethical manner. The course will also cover the relationship of attorneys general with the federal government, the private bar, and a range of advocacy organizations. It will focus on some of the prominent substantive areas in which state attorneys general work, such as consumer protection, criminal justice, and environmental law. Although each state is unique, the course will demonstrate the congruence that exists among state attorneys general when addressing similar challenges and issues.

The course materials include case materials and court documents, scholarly articles from a variety of sources, and some journalistic coverage. There is no separate text for this course. All materials will be available via a web portal to be designated by the professor.

Students will be evaluated on class participation (15%); the quality of a short writing assignment (20%), due approximately mid-way through the course; and a compact in-class exam (65%). The exam will be closed book. In addition to substantive content, the exam will be assessed according to the quality of the prose and organization of the discussion.

Mutually Excluded Courses: Students may not receive credit for this course and the seminar by the same name.

LAW 1759 v00 Trial Practice ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1759 v00](https://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).

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

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

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

LAW 351 v01 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v01>)

J.D. Seminar | 2 credit hours

This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives for Professors Last and Howard:

During the course, you will learn to develop a persuasive case theory, structure and deliver opening statements and closing arguments, and conduct effective direct and cross-examinations. You will also learn how to lay proper foundations to admit exhibits and other evidence at trial and to object to your opponent's exhibits, evidence, and arguments. By the end of the course, you should have developed a sense of your personal courtroom style, an understanding of courtroom mechanics, and an appreciation of what it means to be a trial lawyer. Our goal is for you to have developed useful, basic advocacy skills to begin your legal careers.

Learning Objectives for Professor McKenzie and Morgan:

Through this course, you will learn to develop a persuasive case theory, to structure and deliver opening statements and closing arguments, and to conduct effective direct examinations and cross-examinations. You will also learn to introduce exhibits in court, develop expert testimony, and make objections. A principal goal of this course is to help you to develop a courtroom style that reflects your personality and that is credible and persuasive. By the end of the course, you should develop a sense of your personal courtroom style, an understanding of courtroom mechanics, and an appreciation of what it means to be a trial lawyer.

Learning Objectives for Professors Williams, Glick, and McCarrick:

Students will develop an understanding of the trial process, from its foundational principles and processes through the mechanics of jury selection, opening statements, witness examinations, and closing arguments.

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

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Evidence: Trial Skills; Civil Litigation Practice; Patent Trial Practice; and Trial Practice and Applied Evidence.

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

Note for Professors Williams, Glick, and McCarrick's course: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. To ensure that late withdrawals do not prevent a student on the waitlist from filling a course opening, students may not withdraw from this class after the add/drop period ends without the permission of the professor. Note for Professors Durham and Poteat's course: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the

LAW 351 v06 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v06>)

J.D. Seminar | 2 credit hours

This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:

This is a practical course. The objective is to have students acquire the basic skills for trying a case including making an opening statement and a closing argument and doing direct and cross examination.

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

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Evidence: Trial Skills; Civil Litigation Practice; Patent Trial Practice; and Trial Practice and Applied Evidence.

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

LAW 351 v07 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v07>)

J.D. Seminar | 2 credit hours

This course is taught by two adjunct professors, one of whom is a sitting trial judge. Both professors have extensive litigation and trial experience and currently instruct law students and lawyers through the National Institute of Trial Advocacy (NITA) to be effective trial advocates. The classroom is just a few blocks from the Law Center campus. Students will be learning "on their feet" in a DC SUPERIOR COURT courtroom, which provides a unique opportunity to practice the art of trial advocacy. This course blends practical and rigorous exercises culminating in a mock trial, with regular class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Instructors in this course emphasize many different trial aspects, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. Guest lecturers present demonstrations in the use of technology in a trial courtroom. The course is designed especially for students who wish to obtain some trial experience but lack the time and interest to enroll in a litigation clinic. Note: Some sections of this course may require an extended class or extra meetings outside of class to accommodate the mock trial as a final exam. Come join us!

Prerequisite: Evidence.**Mutually Excluded Courses:** Students may not receive credit for both this course and Advanced Evidence: Trial Skills; Civil Litigation Practice; Patent Trial Practice; and Trial Practice and Applied Evidence.**Note:** This course is only open to J.D. students.

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

LAW 351 v08 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v08>)

J.D. Seminar | 2 credit hours

This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:

In this practice-oriented course, students try three civil cases. Students act and are treated as counsel, and work with motions in limine, jury selection, opening statements, direct and cross-examination of lay and expert witnesses, demonstrative evidence, and closing arguments. The course emphasizes jury persuasion, exhibits, courtroom tactics and demeanor, and adapting to trial judges of varying demeanors. Students not assigned as trial counsel serve as witnesses and jurors. Proceedings are conducted pursuant to the Federal Rules of Civil Procedure and Evidence.

Students are assigned to teams, but a student's final grade will be based upon that individual's presence, punctuality, preparation, participation, and performance, with emphasis upon the progress observed throughout the semester. Students are encouraged to set and share personal goals to facilitate assessments throughout the semester. Assessments are necessarily subjective, with preparation, participation, performance, and progress weighted most heavily. Lack of participation is the greatest detriment to a "good" grade, because it makes preparation and progress difficult to perceive. Students may be given mid-semester feedback upon request.

This Section is for the student who (a) wants to experience trial practice in a true-life setting; (b) is a self-starter wanting to learn actively, through doing, not passively, through "how to" lectures; (c) is able to stay in role, as a lawyer or witness, and to hold questions or comments until the trial exercise has completed; (d) is able to give and receive constructive criticism; and (e) understands the value of learning through a group's exchange of ideas.

Prerequisite: Civil Procedure (or Legal Process and Society) and Evidence.**Recommended:** Concurrent enrollment in a professional responsibility course.**Strongly Recommended:** Prior enrollment in a professional responsibility course.**Mutually Excluded Courses:** Students may not receive credit for both this course and Trial Practice and Applied Evidence or Patent Trial Practice.**Note:** This course is only open to J.D. students.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor. J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. on Thursday, November 7, 2024.

LAW 351 v12 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v12>)

J.D. Seminar | 2 credit hours

This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use video as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

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

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

LAW 351 v13 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v13>)

J.D. Seminar | 2 credit hours

This course blends rigorous mock trial experiences with class discussion of trial techniques, strategy, and ethics. Students directly participate in a series of trial practice problems as witnesses and attorneys. Some sections use videotape as an aid to the learning process. Different instructors in this course emphasize different problems, including jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain some trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:

The purpose of this course is to orient students with the basics of trying a civil or criminal case. We will cover topics such as developing the theme of the case, picking a jury, opening statements and closing arguments, direct and cross examinations, witness preparation, proffers of evidence, handling exhibits, the use of expert witnesses, and the use of jury instructions. The goal is prepare students to prepare and try cases in state and federal courts.

Strongly Recommended: Evidence.

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

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

LAW 351 v14 Trial Practice (<https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 351 v14>)

J.D. Seminar | 2 credit hours

This course is taught by two adjunct professors who have extensive trial and litigation experience and years of instructing law students and lawyers to be effective trial advocates, both having served as former Assistant United States Attorneys, and with Prof. Sharpe having served as the Presidentially appointed U.S. Attorney for the District of the Virgin Islands. This course blends class discussions of trial techniques, strategy, and ethics with rigorous on-your-feet exercises culminating in a mock trial. Students will implement their skills by participating in a series of mock trials, where they will act as witnesses and attorneys. Various trial challenges will be addressed in this course, including those involved in jury selection, motions and discovery practices, opening statements, direct and cross examination, handling exhibits, expert testimony, making and opposing objections, and closing arguments. The course is designed especially for students who wish to obtain trial experience but lack the time to enroll in a regular litigation clinic. Note: Some sections of this course may require an extended class or extra meetings outside of class to accommodate the mock trial as a final exam.

Prerequisite: Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Evidence: Trial Skills; Civil Litigation Practice; Patent Trial Practice; and Trial Practice and Applied Evidence.

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

J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. on Thursday, July 11, 2024.

LAW 1245 v00 Trial Practice and Applied Evidence ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1245 v00](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201245%20v00))

J.D. Skills | 3 credit hours

This course is a traditional "Trial Practice" course with an additional credit hour to permit examination of the nuances of how some key aspects of the Federal Rules of Evidence are applied in a courtroom setting. The class combines rigorous civil and criminal mock trial exercises, demonstrations, and class discussion to enable students to develop both trial skills and an increased understanding of evidentiary rules. The course focuses on opening statements, direct and cross examination, making and opposing objections, handling exhibits, expert testimony, impeachment and rehabilitation, and closing argument. In addition, the course includes detailed examination and application of the rules of evidence regarding hearsay and hearsay exceptions (FRE 801-807), character and impeachment (FRE 404-406 and 607-609) and other issues, such as methods of refreshing recollection (FRE 612) and the use of prior statements by witnesses (FRE 613). There will also be exercises on opinions and expert testimony (FRE 701-706). The course is designed especially for students who wish to develop some trial experience but lack the time to enroll in a regular litigation clinic and those who wish to improve their understanding of the nuances of the rules of evidence. Note: This course may require extended classes or extra meetings outside of class to accommodate a mock trial.

Learning Objectives:

Students will learn how to prepare and present opening statements and closing arguments. In addition, they will learn to prepare and conduct direct examination and cross examination of a wide variety of witnesses. They will also learn how to impeach and rehabilitate witnesses and how to introduce and oppose the introduction of witnesses. Throughout the course, students will learn how to apply the Federal Rules of Evidence and develop a fuller understanding of those rules.

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

Mutually Excluded Courses: Students may not receive credit for both this course and Advanced Evidence: Trial Skills; Trial Practice; or Patent Trial Practice.

Note: Enrollment is limited to J.D. students only.

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. To ensure that late withdrawals do not prevent a student on the wait list from filling a course opening, students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1245 v01 Trial Practice and Applied Evidence ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 1245 v01](https://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201245%20v01))

J.D. Skills | 3 credit hours

This course is a traditional "Trial Practice" course with an additional credit hour to permit examination of the nuances of how some key aspects of the Federal Rules of Evidence are applied in a courtroom setting. The class combines rigorous mock trial exercises, demonstrations, and class discussion to enable students to develop both trial skills and an increased understanding of evidentiary rules. The student will learn all aspects of trial practice, including opening statements, direct and cross examination, making and opposing objections, handling exhibits, expert testimony, impeachment and rehabilitation, and closing argument through the experience of a single mock case. In addition, students will learn how to apply the Federal Rules of Evidence, including but not limited to hearsay, impeachment, opinion testimony, and refreshing recollection. The course is designed especially for students who wish to develop some trial experience but lack the time to enroll in a regular litigation clinic and those who wish to improve their understanding of the nuances of the Federal Rules of Evidence.

Learning Objectives:

- Conduct Direct and Cross-Examination of Witnesses
- Formulate and Respond to Evidentiary Objections
- Introduce Exhibits and Object to the Introduction of Exhibits
- Prepare Opening Statement and Closing Arguments (including Rebuttal Argument)

Prerequisite: Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice or Civil Litigation Practice.

Note: Enrollment is limited to J.D. students only.

This course may require extended classes or extra meetings outside of class to accommodate a mock trial. J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. on Thursday, November 7, 2024.

LAW 355 v00 Working with Expert Witnesses ([https://curriculum.law.georgetown.edu/course-search/?keyword=LAW 355 v00](https://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 and trials. Strategies for the selection and use of experts as well as techniques for discovering the opinions of other parties' experts will be presented. Particular emphasis will be given to the use of scientific and economic experts in civil litigation. Techniques for direct examination and cross-examination of expert witnesses, and challenging the admissibility of expert testimony, will be reviewed. There will be frequent clinical exercises involving depositions of expert witnesses culminating in an in-court exercise.

Recommended: Prior or concurrent enrollment in Evidence.

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

Full-time and visiting Faculty

Kevin Arlyck
Emily Chertoff
Kathleen Claussen
David D. Cole
John M. Copacino
Deborah Epstein
Eduardo Ferrer
Aderson Francois
Maria Glover
Michael Gottesman
Erica Hashimoto
Kristin Henning
David Hyman
Neal K. Katyal
David A. Koplow
David J. Luban
Naomi Mezey
Wallace J. Mlyniec
Jonathan T. Molot
Laura Moy
Julie Rose O'Sullivan
Michael Pardo
Tanina Rostain
Paul F. Rothstein
Philip G. Schrag
Abbe Smith
David A. Super
John Thomas
Carlos M. Vázquez
David C. Vladeck
Stephen Vladeck
Daniel Wilf-Townsend
Brian Wolfman