Complete List of Graduate Courses

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LAW 2058 v00 Academic Legal English I (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %202058%20v00)
LL.M Seminar | 6 credit hours
Academic Legal English is a required course for students enrolled in the Two-Year LL.M. Program. This year-long course is designed to help prepare students for the linguistic and intellectual demands of LL.M. study at a law school in the U.S. The course focuses on enhancing students' language proficiency in the areas of listening, speaking, reading, and writing, with particular emphasis on developing language skills for both understanding legal texts (e.g., judicial opinions, law review articles, and court documents) as well as producing legal texts (e.g., case briefs, "issue spotter" exam answers, and academic papers). Throughout the academic year, students will work closely with course instructors and receive extensive, individualized feedback on their skills development.

Note: This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.

LAW 2092 v00 Academic Legal English II (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %202092%20v00)
LL.M Seminar | 6 credit hours
Academic Legal English is a required course for students enrolled in the Two-Year LL.M. Program. This year-long course is designed to help prepare students for the linguistic and intellectual demands of LL.M. study at a law school in the U.S. The course focuses on enhancing students' language proficiency in the areas of listening, speaking, reading, and writing, with particular emphasis on developing language skills for both understanding legal texts (e.g., judicial opinions, law review articles, and court documents) as well as producing legal texts (e.g., case briefs, "issue spotter" exam answers, and academic papers). Throughout the academic year, students will work closely with course instructors and receive extensive, individualized feedback on their skills development.

Note: This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.

LAW 534 v01 Access to Health Care and Coverage: Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20534%20v01)
J.D. Course (cross-listed) | 3 credit hours
The law governing access to health care has been in flux and in legal dispute in recent years. This course will examine America’s programs for health care access and finance, including employment-based private insurance, Medicare, Medicaid, CHIP, and VA. The course will also examine the enactment, implementation, and litigation of the Affordable Care Act. In addition to these payment systems, the course will also at laws affecting non-comprehensive systems such as emergency rooms, public hospitals, and community health centers. No previous knowledge of health law is required.

Note: The course will not focus on biomedical ethics, medical malpractice, or pharmaceutical regulation.
This is a required course for the U.S. Health Law Certificate.

LAW 3091 v00 Addiction and Mental Health Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %203091%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Addiction and mental health have increasingly become an integral part of the broader policy landscape. This shift has been accelerated by the impact of social issues such as the overdose epidemic, suicide and homelessness. This seminar will explore the framework of laws and policies promoting human rights, dignity, and recovery for people with substance use disorders and mental health conditions. It will highlight systemic and community responses to addiction, mental health, and related social issues as well as the use of litigation, legislation, advocacy and financial incentives as tools for reform.

Discussion will include:

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

Guest lectures and discussion will provide real world case studies on laws and policy reforms impacting addiction and mental health.
**LAW 025 v00 Administrative Law**

J.D. Course (cross-listed) | 3 credit hours
This course considers the constitutional, statutory, and other legal limitations on what government agencies can do and how they can do it. What constraints govern the power of agencies to make law, decide cases involving private parties, and investigate citizens? How much "due process" must government agencies give citizens whose lives they affect; what limits has Congress imposed on the procedures for agency decision making; and to what extent can people call on courts to check what they regard as abuses of governmental power? These are among the questions addressed in the course, which draws together problems ranging from the legitimacy of New Deal institutions to the dramatic procedural innovations of recent federal administrations and problems created by renewed Congressional interest in the details of agency decision making.

**Recommended:** For Professor Nager's section: Prior or concurrent enrollment in Constitutional Law I: The Federal System.

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

**LAW 025 v08 Administrative Law**

J.D. Course | 3 credit hours
Virtually all areas of law today involve a substantial element of administrative law. This course introduces you to the role of administrative agencies and how law and political factors shape their powers and work. This includes materials on how they are empowered and constrained by the Constitution, Congress, presidents, and the courts. We also study ways in which agencies generate law and develop policies. This class coverage includes, among other topics, materials on citizens' abilities to petition, shape, and litigate over agency actions; changing views of presidents' roles and powers over agencies; and statutory factors and doctrine shaping judicial review of agency law interpretation, reasoning, responsiveness, policy shifts, and engagement with science and facts.

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

**LAW 1349 v00 Administrative Law**

J.D. Course (cross-listed) | 3 credit hours
There is no more fundamental course in law school than administrative law. This course introduces you to the modern administrative and regulatory state. You will come to understand both the tremendous power exercised by administrative agencies and the significant constraints (legal and political) under which they operate. You will learn to identify the design features that might make an agency constitutionally problematic, the factors that make one type of decision-making framework more appropriate than another, the prerogatives and limits of agencies in interpreting the statutes they are charged with administering, and agencies' prerogatives and limits in adjudicating facts and exercising policymaking discretion. You will also learn to identify the factors that affect the availability and timing of judicial review of agency action.

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

**LAW 448 v00 Advanced Antitrust Economics and Law Seminar**

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

**Prerequisite:** Antitrust Law (or the equivalent Antitrust Economics and Law).

**Note:** This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1528 v00 Advanced Antitrust Seminar: Antitrust and Intellectual Property
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201528%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
The intersection of antitrust and intellectual property underlies many key debates in contemporary competition law and presents topics of recurring importance. This advanced seminar introduces students to the antitrust/intellectual property interface, including the economics of innovation, the debate over the relationship between the two fields, and the impact of the evolution of that relationship on the antitrust analysis of specific practices. Topics include the economics of innovation, the contemporary debate over “Big Tech,” licensing practices, product design and tying, patent settlements, patent pools, standard setting, the acquisition of intellectual property rights, patent assertion entities, the assertion of IP rights, and antitrust counterclaims in U.S. litigation. Grades will be based on weekly papers written in response to the assigned readings; class participation can increase, but not decrease, the course grade.

Learning Objectives:
Students taking this course will:

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

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

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

LAW 1474 v00 Advanced Civil Rights: The Civil Rights Act of 1964, The Frontiers of Civil Rights Enforcement and the Next Fifty Years
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201474%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
The Civil Rights Act of 1964, growing out of a sweeping grassroots civil roots movement was one of most important pieces of legislation passed in American history. At the time of passage, it was called a “Magna Carta of Human Rights” and during its first fifty years it produced enormous changes in legal doctrine, the workplace, and society. These changes in the legal landscape include disparate impact doctrine aimed at systemic racial discrimination, hostile work environment, religious accommodation, and gender stereotyping. This seminar will examine, from a practitioner's perspective, how social change, evolving ideas of race and gender, globalization, global conflict, and technology will shape the development of this Act (and notions of equality) over the next fifty-years and the legal strategies to navigate this terrain. The course will focus on emerging issues such as coverage of sexual orientation and gender identity, big data and disparate impact, the intersection between criminal justice and employment opportunity, arbitration and privatization of adjudication, the “new” gig economy, migration and human trafficking, and religious pluralism.

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

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

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

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

**Prerequisite:** Constitutional Law I: Individual Rights and Liberties.

**LAW 1387 v00 Advanced Constitutional Law Seminar: Challenges to Liberal Democracies**

This seminar examines the challenges to constitutional democracies from illiberalism, i.e. the concentration of power that relies on elections, limits judicial independence, and abuses the rule of law in the name of the people. Many so-called democracies have serious flaws in their election systems, limited judicial independence, and elected leaders who are not held in check by functioning rule of law processes/checks and balances.

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

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

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

**Prerequisite:** Constitutional Law II: Individual Rights and Liberties.


This two-credit seminar will explore the many constitutional questions raised by the effort to maintain a democracy in the 21st century. We will examine in detail current questions in the law of democracy (particularly free speech and the regulation of campaign finance) as well as the growing conflict between the Constitution and the regulation of economic life.

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

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

**Prerequisite:** Constitutional Law II: Individual Rights and Liberties.
LAW 1648 v00 Advanced Corporate Finance: Quantitative Analysis and Valuation

This two-credit course provides an introduction to basic quantitative analysis techniques in corporate finance. Students will learn the fundamentals of valuation as it relates to a variety of assets, including bonds, stocks, options, and derivatives. Our class discussion will also touch on real problems that students are likely to face in legal practice.

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

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

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

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

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

**Recommended:** Prior or concurrent enrollment in Corporations or Corporate Finance or Business Basics for Lawyers or Business Essentials: A Mini-MBA for Lawyers or Accounting for Lawyers.

LAW 029 v00 Advanced Environmental Law: Climate Change

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

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

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

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

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

This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits for approximately ten hours of project work per week, for a minimum of 11 weeks. Both the seminar portion and the project work will be graded. Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and project components. Regular and punctual attendance is required at all practicum seminars and students are required to devote the requisite number of hours to their project. If a student must miss seminar, project work, a meeting or a deliverable, he or she must speak to the professor as soon as possible (ideally beforehand) to discuss the absence or missed assignment. Unless the professor indicates otherwise, a student with more than one unexcused absence from the practicum seminar (out of 13 total seminar sessions), or one week of unexcused absences from the fieldwork or project work (out of a total of 11 weeks of fieldwork or project work), may receive a lower grade or, at the professor's discretion, may be withdrawn from the practicum course.
LAW 1712 v00 Advanced Evidence (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201712%20v00)
J.D. Course | 3 credit hours
This course will take an in-depth look at issues involving the law of evidence. The topics discussed will likely fall into three categories. This first category concerns constitutional limitations on evidence rules such as the Confrontation Clause, a criminal defendant’s constitutional right to present a defense, and the impeachment of jury verdicts. The second category concerns advanced problems involving character, hearsay, experts, and privileges. The third category concerns the process of proof in civil and criminal cases and will focus on topics such as burdens and standards of proof, evidentiary presumptions, and judicial notice.

Prerequisite: Evidence.

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

LAW 1712 v01 Advanced Evidence Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201712%20v01)
J.D. Seminar | 2-3 credit hours
This course will take an in-depth look at issues involving the law of evidence. The topics discussed will likely fall into three categories. This first category concerns constitutional limitations on evidence rules such as the Confrontation Clause, a criminal defendant’s constitutional right to present a defense, and the impeachment of jury verdicts. The second category concerns advanced problems involving character, hearsay, experts, and privileges. The third category concerns the process of proof in civil and criminal cases and will focus on topics such as burdens and standards of proof, evidentiary presumptions, and judicial notice.

Prerequisite: Evidence.

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

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

LAW 805 v01 Advanced Individual Income Tax and Personal Financial Planning (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20805%20v01)
LL.M Course (cross-listed) | 2 credit hours
The course will examine selected topics of individual taxation that are often relevant when advising high net-worth individuals. The course will include topics such as the Qualified Business Income Deduction; itemized deductions; individual net operating losses; interest expense deductions (Mortgage Interest, Investment Interest, and Interest Tracing); loss limitations (Passive Activity Loss, At-Risk, Excess Business Loss); basic income tax considerations in financial planning; and tax exclusion on gain from the sale of a principal residence. The class will also discuss the alternative income-based tax systems applicable to individuals: Individual AMT, Net Investment Income Tax, and Self-Employment Tax. The class will be beneficial for students that seek to advise high net worth individuals (such as executives, entrepreneurs, or closely held business owners) in financial planning, tax, and estate planning matters.

Prerequisite: Federal Income Taxation (formerly Taxation I).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

LAW 483 v01 Advanced Issues in International Human Rights Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20483%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
This course will examine specific issues in international human rights law drawn from the current decisions of international human rights supervisory bodies. The course will be divided into two halves. The first half of the course will consist of lectures and discussions on seven specific issues as illustrated by cases decided by international jurisdictional bodies. For example, we will examine the decisions of the International Court of Justice (Breard, LaGrand) and the Advisory Opinion of the Inter-American Court of Human Rights (OC-16) on an alien’s right to consular assistance, in the context of the creation of international human rights norms and the problems arising from a multiplicity of international jurisdictions. We will examine the two decisions (Section and Grand Chamber) of the European Court of Human Rights on the Refah Partisi case as regards the compatibility of Islam and democracy in the context of the universality of human rights debate. We will examine decisions of the European Commission and Court of Human Rights and the Inter-American Commission in an attempt to trace the changing definition of “torture” in the context of the Guantanamo detainees case. The second half of the course will be dedicated to the oral presentation of research papers and discussion of these paper topics.

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

**Recommended:** A survey class in Human Rights Law.
Students interested in taking this course should send an e-mail to llmas@georgetown.edu indicating their interest in the course and their previous exposure to U.S. legal writing.

**LAW 036 v08 Advanced Legal Writing for International Business Lawyers**

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

With the increasing globalization of the practice of law, business lawyers today are frequently representing clients in transactions that span different legal systems, cultures, and languages. This course is designed to provide students with practical insight into the cross-border practice of business law and the relevant written and oral skills necessary to effectively communicate in this practice setting.

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

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

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

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

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

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

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

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

**LAW 1532 v00 Advanced Legal Writing for International Business Lawyers**

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

This course is designed to provide students interested in transactional practice with hands-on insight into the cross-border practice of business law by creating a simulated law-firm environment in which students are asked to complete tasks as if they were junior associates.

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

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

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

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

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

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

**Note:** Students may request a withdrawal from an academic advisor through the due date of the final draft of Writing Project #2.
LAW 681 v00 Advanced Online Legal Research (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20681%20v00)
LL.M Seminar | 1 credit hour
This course will build on the research techniques learned in U.S. Legal Research, Analysis, and Writing. It will focus on resources available online, including Lexis, Westlaw and the Internet. The course will prepare students to conduct U.S. legal research either in a legal setting in the United States, or abroad. There will be ample time for questions from the students, so that specific topics of interest to the class can be covered.

Note: The course is graded honors-pass-fail. This class is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree), and enrollment is limited to a small number of students.

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

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

Prerequisite: Federal Income Taxation (formerly Taxation I); Decedents’ Estates or equivalent, or Wills & Trusts; Income Taxation of Trusts and Estates; Estate and Gift Tax; Special Topics in Transfer Tax.

LAW 943 v00 Advanced Private Wealth Planning Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20943%20v00)
LL.M Seminar | 4 credit hours
This course will provide students with a solid grounding in advanced estate-planning techniques and help them build the drafting and client-relations skills necessary to develop and implement a comprehensive estate plan. This course is required for the Certificate of Study in Estate Planning.

The course will be structured in two modules. The first module will introduce students to technical tax regimes (such as the generation-skipping transfer tax) and more complex planning scenarios. Topics covered will include philanthropy and private wealth planning; the role in estate planning of private foundations, public charities, and supporting organizations; charitable giving techniques; planning for family controlled businesses; planning for highly-compensated individuals; and international aspects of private wealth planning.

The second module will consist of a hands-on exercise in developing, drafting, and executing a complex estate plan. Working from a comprehensive fact pattern, students will make in-class presentations about the problem and participate in the development of the estate plan by drafting documents and by commenting on drafts prepared by others. These documents may include legal memoranda, client communications, and analysis of planning alternatives, as well as the will, trust instruments, and organizational documents for charitable entities.

Prerequisite: Federal Income Taxation (formerly Taxation I), Decedents’ Estates or equivalent, or Wills & Trusts; Income Taxation of Trusts and Estates; Estate and Gift Tax; Special Topics in Transfer Tax.

Note: This course is only open to students enrolled in the Taxation LL.M. program, Executive LL.M. in Taxation program, or MSL in Taxation program or students who have been admitted to the joint JD/Taxation LL.M. program by professor permission. Interested students should contact Ellis Duncan via email at ged5@law.georgetown.edu no later than November 15, 2021 for permission to take this class.
LAW 2062 v00 Advanced Scholarly Writing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202062%20v00)
LL.M Seminar | 1 credit hour
The goal of this course is to help you become a better and more confident writer in English. To accomplish this goal, your professor, who has an extensive background in teaching legal English and multilingual writing pedagogy, guides you through the process of writing a law seminar paper. Our method includes studying former students' outlines, drafts, and publications to gain insight into seminar paper expectations. All course assignments map onto your seminar paper, which include: planning your paper writing process; refining your paper topic; conducting academic research; implementing legal writing strategies; drafting documents via an iterative method; gaining understanding of U.S. legal writing culture, which includes learning Bluebook citation style; revising, self-editing, and proofreading. Individual written feedback is provided throughout the course to allow you to learn from your own writing and enhance your skills as a legal English writer.

Note: This course is graded on an honors/pass/fail basis. Students enrolling in Advanced Scholarly Writing must be concurrently enrolled in a two- or three-credit seminar with a research paper requirement of at least 15 pages. To meet this co-requisite, please email Faculty Director, Professor Michelle Ueland (mmu2@georgetown.edu) by Sunday, September 5, 2021. In your message include the name and section number of the seminar that meets the co-requisite requirement. This course is only open to LL.M. students and MLT students.

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

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

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

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

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

Note: This course requires a paper. J.D. students must register for the 3 credit section of the course if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1534 v00 Advanced Topics in Corporate Law: Control and Its Implications (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201534%20v00)
J.D. Course (cross-listed) | 1 credit hour
In a significant minority of public corporations, a single person or entity has the power to choose the directors of the corporation and determine the outcome of stockholder votes. Many private corporations operate with this governance profile. Corporations fitting this profile are described as “controlled.”

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

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

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

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

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

Prerequisite: Corporations.

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

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

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

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

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

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

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

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

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

Prerequisite: Corporations.

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

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

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

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

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

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

Prerequisite: Corporations.

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

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

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

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

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

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

Prerequisite: Corporations.

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

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.
LAW 2094 v00 Advanced Topics in International Humanitarian Law
This seminar is intended to provide students with an interest in international humanitarian law (IHL) with an opportunity to undertake indepth research, and write a substantial paper, on key issues in IHL. Potential topics include thresholds for the application of IHL, the protection of civilians and non-combatants from the effects of conflict, the application of IHL protections to unprivileged belligerents, the standards for detention under IHL, including both permissible duration and treatment, emerging trends regulating the use of lethal force as a first resort under IHL, arms control and IHL (landmines, cluster munitions, autonomous weapons), the application of IHL to cyber "warfare", U.S. interpretation of customary and treaty IHL, the efficacy of IHL in current conflicts in the Middle East and Eastern Europe, and other topics. Building upon a foundation of assigned readings on core IHL topics, the professors and students will tailor classroom work to coincide with the students' research projects. Students will be expected to participate actively in class and to share their own research during the semester with other students.

Learning objectives:
Through a structured process, to develop a scholarly paper on international humanitarian law, we aim to give the student, working closely with the professor, an opportunity to explore his or her topic in depth and to write a paper worthy of publication in a law journal.

Strongly Recommended: Courses in public international law, human rights law or international humanitarian law (the law of armed conflict).

LAW 1602 v00 Advanced Topics in Torts: Products Liability, Guns, and Drugs
This upper level course will cover the law of products liability generally and take a close look at the state of products liability litigation and liability in relation to guns and to opioids. The goal is to combine a survey of the complicated field of products liability law with a sophisticated deep dive into two areas of cutting edge products liability litigation. The first part of the course will familiarize students with major topics applicable to all products manufacturers including: a product distributor's liability for defect-caused harm, allocating responsibility inside and outside the commercial chain of distribution, causation, affirmative defenses, approaches to design defect litigation, and federal preemption of products liability claims. Later in the course, we will examine gun manufacturer liability, currently and prior to the passage of the Protection of Lawful Commerce in Arms Act, which reshaped the landscape of gun litigation. Finally, we will end with a consideration of the growing litigation related to the opioids, litigation inflected by doctrines peculiar to prescription drug manufacturer liability. The final examination will be a self-scheduled 48 hour take home exam. Attendance and participation are crucial to the course, and significant credit will be given to those students who contribute thoughtfully and constructively to class discussion of cases and issues.

LAW 3018 v00 Advocacy in International Arbitration
This course blends mock litigation experiences with class discussion of techniques, strategy, and ethics in international arbitration proceedings. Students directly participate in a series of practical exercises based upon proceedings brought by a foreign investor against a State before the International Centre for Settlement of Investment Disputes (ICSID), including role-playing as litigators and arbitrators. The course emphasizes advocacy in connection with jurisdictional and procedural issues, selecting and challenging arbitrators, limits on the enforceability of awards, and other litigation problems that arise in the globalized environment of international investment and arbitration. There will be a number of oral advocacy assignments throughout the semester. The course grade will be a function of those assignments and class participation.

Recommended: International Law I: Introduction to International Law
Note: Students participate in in-class exercises and are graded on those exercises and productive class participation. Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 127 v00 Advocacy Tools for Public Interest Lawyers (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20127%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course is designed for students embarking on careers in public interest law or policy and explores the many necessary techniques to become highly effective advocates for social change. The purpose of the class is to help class participants develop creative advocacy approaches and learn to think beyond litigation and other traditional legal strategies to meet key client and societal goals. In particular, the course will: 1) explore how coalition building, grassroots organizing, and public policy advocacy can be used to enhance legal strategies; 2) teach basic public interest advocacy skills, including media relations, fundraising basics, legislative advocacy and lobbying, leveraging data and research, social marketing and public opinion, and cutting-edge digital strategies; and 3) introduce students to dynamic experts in relevant issue areas, from lobbyists to communications experts. Using compelling case studies and background reading materials, students will have the opportunity to use multiple advocacy tools to tackle real-life social problems on the local and national levels. Grades will be based on the extent and quality of class participation and written assignments.

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

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

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

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1632 v00 Aggregate Litigation: A Global Perspective (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201632%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
In a world of mass production, mass harm often follows. A defective product might injure numerous consumers; a false report might mislead multiple investors; and a discriminative practice might impact a large number of employees. In such cases, litigation by each individual plaintiff might prove ineffective, and often impractical. To resolve this problem, legal systems have devised various forms of aggregate litigation and collective redress procedures. This introductory course discusses the key characteristics of these procedures, using a comparative framework. Class actions and alternative collective redress regimes in the U.S., Canada, Australia, Israel and Europe will be studied, and the potential for multi-national aggregate litigation, in a single or in multiple forums, will be explored.

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

LAW 369 v01 AIDS Law and Ethics Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20369%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course examines the social, legal, political, and ethical controversies surrounding the HIV/AIDS pandemic in contemporary society. It covers both domestic and international law and policy. The course is divided into several parts. Part I covers the role of social movements and mobilization in the response to HIV/AIDS. Part II, AIDS in the Courtroom, covers the major court cases related to HIV/AIDS in the United States and in key countries around the world like South Africa, India and Brazil that provide important comparative perspectives to understand the power of law. These cases demonstrate the social impact of AIDS – the effect of litigation on social institutions, constitutional law, and interpersonal relationships. Part III, Rights and Dignity, examines the role of international human rights, privacy, and discrimination. Part IV, Policy, Politics, and Ethics, covers a wide range of the most contentious debates of the HIV/AIDS pandemic, including testing, named reporting, civil and criminal confinement, sex work, drug law and policy, LGBT rights, and gender. The final Part, Governance and Financing, examines the absence of political leadership, the international trade system which militates against access to affordable treatment in low- and middle-income countries, the systems of financing for HIV in the U.S. and around the world, and the ethics of international collaborative research. The AIDS pandemic has reached deeply into all major spheres of modern life – e.g., law, medicine, economics, and politics. The pandemic has transformed society and restructured ethical values. This course provides an account of the major themes of the pandemic during the last three decades and offers an analysis of contemporary and future policy.

Mutually Excluded Courses: Students may not receive credit for this seminar and the course, AIDS Law and Ethics.

Note: This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1107 v00 Analytical Methods

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 to 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 3025 v00 Antitrust Economics and Law

LL.M Seminar (cross-listed) | 1 credit hour
Globalization has inevitably forced lawyers, public health professionals, health care professionals, and anthropologists alike to rethink the traditional approaches and methods relied upon within their disciplines. As international borders continue to disappear and countries and people throughout the world become increasingly interconnected and interdependent, public health threats can easily become global in scale and can only be properly addressed through multidisciplinary efforts at global, national, and local levels. Time and time again, the implementation of sound public health measures has proven difficult in communities when local culture and ideology are not considered or properly understood. As governments and international organizations increasingly rely on the law as a fundamental tool for solving critical health problems, it is of the utmost importance that the laws and regulations that they adopt with the aim of protecting and advancing population health, as well as their implementation, properly reflect the social and cultural context of those affected.

Through the analysis of case studies from various areas of global health (including non-communicable diseases, infectious diseases, climate change and health, and gender and health), this course aims to underscore the importance both of incorporating anthropological methods into the practice of global health law and of utilizing a multidisciplinary approach when addressing global health challenges.

Recommended: Prior enrollment in Global Health Law and any coursework in public health, public health law, and cultural anthropology.

Note: This class will meet on the following Summer 2017 Wednesdays: 6/21, 6/28, 7/5, 7/12, and 7/19.

LAW 038 v02 Antitrust Economics and Law

J.D. Course (cross-listed) | 4 credit hours
This course covers the major federal legislation and doctrine in the field of antitrust law with a primary focus upon governmental efforts to promote competition. Emphasis is placed upon the growing role of economic analysis and trends in judicial interpretation relating to the coordination, monopolies, mergers and joint ventures, as well as evolving legal standards, including the role of decision theory in setting legal standards.

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

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

Mutually Excluded Courses: Students may not receive credit for both this course and Antitrust Law.
LAW 038 v01 Antitrust Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20038%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course covers the major federal legislation in the field of antitrust law, with a primary focus upon governmental efforts to promote competition, including Sections 1 and 2 of the Sherman Act, and Section 7 of the Clayton Act. Emphasis is placed upon the growing role of economic analysis and other modern trends in judicial interpretation, with an emphasis on understanding the means by which courts determine whether unilateral and collaborative business conduct is pro-competitive or anticompetitive, regardless of the particular statutory provision at issue.

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

LAW 038 v50 Antitrust Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20038%20v50)
J.D. Course (cross-listed) | 3 credit hours
This course covers the major federal antitrust statutes and related federal agency guidelines, with a primary focus on government efforts to protect and promote competition through the Sherman Act, the Clayton Act, and Section 5 of the Federal Trade Commission Act. Emphasis is placed on the growing use of economic analysis and other modern trends in judicial interpretation of these statutes, and on recent case law addressing vertical and horizontal restraints, monopolization, and mergers.

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

LAW 1396 v00 Antitrust Law Seminar: Case Development and Litigation Strategy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201396%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course explores the process of raising and defending against antitrust challenges. Through a series of contemporary case studies, we will examine the resolution of antitrust disputes, focusing on the substantive strategies and procedural tools available to the litigants. In the context of these case studies, we will discuss criminal indictments, plea agreements and the DOJ's leniency policy, sufficiency of pleading, presumptions and burdens of proof, rules of evidence (including the use of expert evidence), dispositive pretrial motions, class actions and class action settlement strategies, temporary restraining orders and preliminary injunctions, treble damage judgments, interlocutory and final appeals, and Supreme Court review. There will be no exam, but a paper will be required.

Prerequisite: Antitrust Law or Antitrust Economics and Law.

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

LAW 3113 v00 Appellate Advocacy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203113%20v00)
LL.M Seminar | 2 credit hours
Appellate Advocacy is a required course for students enrolled in the Two-Year LL.M. Program. The focus of this course is to teach students the analytical and rhetorical skills to advocate on behalf of clients. Building on the research and writing skills acquired in U.S. Legal Research, Analysis, and Writing in the Fall semester, students research and write an appellate brief about a simulated case. As part of this legal writing project, students also meet with law librarians to learn more about legal research and citation. Students submit a first draft of the appellate brief and meet with faculty individually to discuss revision and editing strategies for the final draft. At the end of the semester, students argue the case before a panel of judges.

Note: This class is mandatory for, and restricted to, to students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.
LL.M Seminar (cross-listed) | 2 credit hours
Commercial and investment arbitration have gained increasing importance in Latin America. The last decade has seen, on the one hand, substantial amendments in the arbitration laws of the region and, on the other, an increase in the claims by investors under bilateral investment treaties and free trade agreements. But is there a Latin American arbitration? Is there a common approach to arbitration by the different countries in the region? Have the countries in the region simply adopted international standards and rules, or is there a Latin American contribution to the development of arbitration? Is there a Latin American way of conducting arbitration or rather an increasing adoption of practices and rules more akin to common law traditions? How can lawyers trained in the common-law tradition work in arbitrations subject to the laws of Latin American countries and located in Latin American venues? What have been the effects of the so-called “constitutionalization” of arbitration? Is there a uniform approach of Latin American countries to arbitration under investment treaties? Is there a trend to expand the relevance of local law in investment claims and to insist in the Calvo doctrine? Do human rights or rights of indigenous communities play a role in investment disputes? Where is the debate as to whether the existing investment treaties and the arbitration rules reflect the dominant interests of capital-exporting nations? What have been the defense strategies of Latin American states?

Learning goals for the course:

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

Recommended: Prior course work in copyright law.

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

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

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

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

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

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

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

The course is worth 1 credit.

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

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

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.
LAW 030 v00 Asian Law and Policy Studies Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20030%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This is a research seminar in which students will present their current research on Asian law and policy at the end of seminar classes where we consider the various areas of law and development which have led to the economic dynamism of the Asia-Pacific region. The impact of the Asia-Pacific region on the world market and global economic activity is substantial and continues to grow. In addition, the conspicuous success and some spectacular failures of Asian nations in legal and economic development have prompted suggestions that the experience of these nations may provide models (both positive and negative) for other developing countries and regions. The seminar will explore—in connection with the role of law and legal institutions—the interaction of social change, economic growth, and legal development in East and Southeast Asia. Specific topics will depend on the research interests of the participants, but will include capital formation, financial regulation, transnational trade and investment, intellectual property, land reform, environmental protection, worker protection, human rights, and similar private and public law issues. The first few classes will introduce elements of development economics relevant to law and development.

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

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

LAW 050 v00 Aviation Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20050%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course encompasses most aspects of air transportation, including airport and air traffic control liability, air carrier liability in the carriage of passengers and cargo domestically as well as internationally under the Montreal Convention and economic and safety regulation of domestic and international air transportation. The course also includes contributions by practitioners in the field.

LAW 2028 v01 Assisted Reproductive Technologies and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202028%20v01)
LL.M Seminar (cross-listed) | 2-3 credit hours
This 2 or 3 credit seminar will provide an overview of the underlying and competing laws and policies arising from the assisted reproductive technologies (ARTs) that continually make front page news. Since the 1980 opening of the country’s 1st IVF clinic amidst protests and pickets, courts and legislatures have struggled to create laws and policies in response to continually evolving reproductive advances. Topics will include: the legal status of the IVF embryo in the context of procreative rights; embryo cryopreservation, storage, disposition and mix-ups; legal implications of advances in egg freezing, reproductive genetics and oncofertility; posthumous reproduction; egg and sperm donation; traditional/genetic and gestational surrogacy; unique issues for single and same-sex couples, including the rapidly changing impact of same-sex marriage; and professional standards, economic and regulatory aspects of the ARTs.

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

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

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

LAW 050 v01 Aviation Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20050%20v01)
J.D. Course (cross-listed) | 2 credit hours
This course, taught by practitioners in the field, covers contemporary and cutting-edge aviation topics such as international commercial aviation, aviation security, and the integration of unmanned aircraft systems (i.e., drones) into the national airspace. The course material will encompass most aspects of aviation law, including the law of international civil aviation, the economic and safety regulation of air transportation, aircraft registration and certification, aircraft accidents, airport law, government immunity from tort liability, and airline liability for the carriage of passengers and cargo domestically and internationally under the Montreal Convention. Students are exposed to a range of materials, including cases, treaties, executive agreements, and regulations, with a view towards imparting practical skills that can be applied to any field of law.
LAW 054 v01 Bankruptcy and Creditors’ Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20054%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course is a general introduction to bankruptcy law. The course begins with a brief analysis of various state laws that relate to or are directly incorporated into the bankruptcy law. Judicial and statutory liens, execution, garnishment, debtors’ exemptions, and fraudulent conveyances are reviewed. The course then moves to a consideration of the Bankruptcy Code. Topics include: initiation of bankruptcy proceedings; the automatic stay; property of the bankruptcy estate; the debtor’s avoiding powers, including preferential transfers and fraudulent conveyances; secured, priority, and unsecured creditors’ rights; debtors’ exemption rights; the discharge of debt; liquidation under Chapter 7; and rehabilitation plans under Chapters 11 and 13.

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

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

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

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

LAW 3015 v00 Basic Principles of Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203015%20v00)
LL.M Seminar (cross-listed) | 0 credit hours
This zero-credit pass/fail course is designed to provide students with an understanding of the basic principles of finance and accounting in order to enhance their study of tax or business law. The course is intended to provide students with little or no prior background in finance and accounting with an introduction to the core concepts, the essential vocabulary, and the basic tools of these two subject areas. The course is designed to equip students with a basic primer of topics relevant to a range of business law courses. Accordingly, it covers subjects such as the time value of money, the distinction between debt and equity, the role of risk in valuing financial assets, and how assets and liabilities are described in accounting materials such as balance sheets and income statements.

Mutually Excluded Courses: Students may not receive credit for this course and the J.D. course Demystifying Finance.

Note: This zero-credit course is delivered via distance education to all students. There is no live class session. This course is required for all Tax LL.M and Executive Tax LLM students.

LAW 104 v02 Behavioral Law and Economics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20104%20v02)
J.D. Course (cross-listed) | 1 credit hour
The economic analysis of law has predominated much of legal analysis for the past few decades. Within this framework, rational choice theory has taken central stage as the key model used in order to predict human behavior. In recent years, however, researchers both in economics and in psychology have demonstrated that people systematically deviate from the predictions set forth by the rational choice model. The goal of this course is to incorporate these findings into legal analysis. In doing so we will first examine traditional economic analysis of law in the areas of property, contracts and torts, and then explore how the conclusions of this analysis are altered when behavioral insights are incorporated into it.

Learning Outcome Goals:

Primary Goals

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

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

Secondary Goals

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

Note: Laptop computers are not permitted in class without the permission of the instructor.
Learning Objectives:

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

Prerequisite: Prior or concurrent enrollment in Securities Regulation.

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

Learning Objectives:

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

Note: Withdrawals are permitted up until the last class for this specific course.
LAW 3038 v00 Biosecurity and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203038%20v00)

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

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

LAW 056 v00 Biotechnology and Patent Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20056%20v00)

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

This course examines a variety of legal and policy issues associated with the intellectual property protection available to biotechnological innovations, with an emphasis on patents.

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

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

Prerequisite: Patent Law or patent law experience.

Note: J.D. students must register for the three-credit section of the course if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. A take home exam is required for the two-credit section.

LAW 1175 v01 Borders and Banishment Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201175%20v01)

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

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

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

There are no prerequisites. All students are welcome.

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

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

FIRST AND SECOND CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
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LAW 1468 v00 Business and Financial Basics for Lawyers
This course covers basic business concepts that are useful across many areas of legal practice. First, it introduces financial accounting, with a focus on understanding and using financial statements. Second, it deals with core financial concepts, such as the time value of money, risk versus return, and methods for valuing assets. Although these topics all inevitably involve numbers, mathematical complexity is kept to a minimum. Much of the reading consists of excerpts from case law, which illustrate business concepts and their relation to legal practice.

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

LAW 370 v02 Business and Human Rights in the Global Economy
A robust and often contentious debate over these issues culminated in the development of the U.N. Guiding Principles on Business and Human Rights (the "UNGPs") under the leadership of Special Representative John Ruggie. These Principles establish a framework for considering the respective roles of governments and corporations and outline core concepts of human rights due diligence and effective remedy. In doing so, the UNGPs also inform and to some extent refocus efforts that have emerged over the past 20 years to address these governance gaps and have brought together stakeholders from business, labor, civil society, the investment community, and academia.

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

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

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

Among the questions the course will examine are:

• Which human rights standards are most relevant to business?
• What are the appropriate linkages between business policies and practices and the promotion of human rights?
• Which business and human rights approaches are emerging as "best practices" and perhaps even as recognized norms?
• What tools to support those are being used by governments and corporations?
• Who are the principal stakeholders and what are their roles and objectives?
LAW 058 v03 Business Planning Seminar

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

Prerequisite: Corporations; Federal Income Taxation.

Recommended: Corporate Taxation.

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

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

LAW 3060 v01 Business, Human Rights and Sustainability

LL.M Course | 1 credit hour

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

Regardless of being industry, sector specific or multi-stakeholder in nature, the regulation, de-regulation, policy, practice and ever growing global litigation in this new field of practice is multifaceted, dynamic, interactive, complex and challenges business leaders, markets and even lawyers to think outside the box in order to address a challenging relationship between business, markets and society. This is where business strategy meets risks. Or instead, this is where risks eat a business strategy. As a result, business leaders, shareholders and their advisors are now required to integrate a 3D internal and external view and assessment on how to address, prevent, mitigate and remediate the social and environmental impacts (risks) of private sector operations in complex environments and with a collaborative and systems thinking approach.

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

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

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

Litigation, a growing movement towards mandatory human rights and environmental due diligence and reporting requirements and other types of social demands are challenging companies to be very purposeful and accountable on how they address the environmental, social and governance negative impacts (for some) or violations (for others) of their
LAW 1710 v00 Campaign Finance 101 (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201710%20v00)
J.D. Course | 1 credit hour

Mark Hanna is famous for saying: “There are two things that are important in politics. The first is money and I can’t remember what the second one is.” The late Supreme Court Justice Robert Jackson remarked about the Supreme Court: “We are not final because we are infallible, but we are infallible only because we are final.”

This course considers money in American politics, and the Supreme Court’s key role in deciding what limits may be placed on campaign financing and what cannot. It also evaluates the political effects of U.S. campaign finance law, as constrained by the Court, in policy areas including incumbency and competition, corruption, and political equality. No background in political science is required, but this course is likely to be of greatest interest to those who pay attention to American politics and policy.

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

**Note:** This course will meet from 9:00 a.m. - 12:15 p.m. in Fall 2020 on the following Fridays and Saturdays: 10/16, 10/17, 10/23 and 10/24.

**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 1037 v01 Catholic Social Thought and the Law Seminar: The Work of Pope Francis (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201037%20v01)
J.D. Seminar (cross-listed) | 2 credit hours

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

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

LAW 3022 v00 Challenges in National Security Law: A Seminar for Mid-Career LLMs (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203022%20v00)
LL.M Seminar | 2 credit hours

This course is intended to introduce mid-career LLM attorneys to the substance, process, and practice of national security law at the national level. It mimics the structure of the longer three-credit "Managing National Security" course in structure, but defers in two important ways. First, it focuses on legal policy at the national level, e.g., instead of considering the law of armed conflict at a tactical level and strategic level, the focus is on how Presidents make use of force decisions. Second, it assumes mid-career knowledge of the law. Thus, there is less survey of the material and substantive law and more discussion of contemporary issues and challenges, geared toward preparing mid-career lawyers to meet the substantive and ethical challenges of senior billets. In this way, the classroom will almost be "flipped."

Requirements: The grade will be based on class participation (50%) and a 10-20 page paper (50%) addressing a procedural or legal issue of national security importance. In addition, students will be required to meet at least once with the professor to discuss their career path and goals.

**Prerequisite:** The seminar is limited to LLM students who have practiced or will practice in the field of national security law, e.g., judge advocates, USG attorneys, NGO attorneys. Thus, while there are no course perquisites per se, a mid-career knowledge of law and process is assumed.

**Mutually Excluded Courses:** Mutually Excluded Course: Students may not receive credit for both this course and Managing National Security.

**Note:** Please contact the professor for permission to enroll in the course.
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.

Recommended: International Law I: Introduction to International Law.

Note: This seminar requires a paper. Students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.
**LAW 1040 v01 Civ Tech: Digital Tools and Access to Justice** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201040%20v01) (Project-Based Practicum)

J.D. Practicum (cross-listed) | 4 credit hours
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In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of their professors. This project-based practicum course will expose students to the varied uses of computer technologies in the practice of law, with an emphasis on technologies that enhance access to justice and make legal services more affordable for individuals of limited means. Students will participate in a two hour/week seminar and carry out 10 hours/week of project work under the direction of the course professors.

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

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

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

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

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

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

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

**LAW 1725 v00 Co-ops and Sustainable Communities Seminar: Alternatives to Corporate Capitalism** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201725%20v00)

J.D. Seminar | 3 credit hours
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Cooperatives are people-centered enterprises democratically owned and operated by their members to realize a common goal. These organizations are democratic and put long standing values before profits.

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

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

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

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

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

**Note:** This seminar counts for 3 credits. All members of the seminar are required to write a number of short reaction posts on Canvas discussion boards. Students are also required to write a research paper fulfilling the Upper Class Legal Writing Requirement.
LAW 379 v00 Commercial Law: Domestic and International Sales Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20379%20v00)
J.D. Course (cross-listed) | 4 credit hours
Sales is an advanced course in contracts that builds upon the basic first-year offering and focuses on the planning and regulation of sales transactions under Article 2 of the Uniform Commercial Code. The course also covers international sales governed by the U.N. Convention on Contracts for the International Sales of Goods (CISG). Major topics include the methodology and scope of the UCC and CISG, allocating the risk of loss; warranties; breach; excuse for non-performance; warranty disclaimers and remedy limitations; rejection, revocation, and cure; anticipatory repudiation and the right to demand adequate assurances; and techniques of statutory analysis. Class discussions will analyze problems that deal with these topics.

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

LAW 379 v01 Commercial Law: Sales and Leases (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20379%20v01)
J.D. Course (cross-listed) | 2 credit hours
Sales and Leases is an advanced course in contracts that builds upon the basic first-year offering and focuses on the planning and regulation of sales and lease transactions under Articles 2 and 2A of the Uniform Commercial Code. The course also covers international sales governed by the U.N. Convention on Contracts for the International Sales of Goods (CISG). Major topics include the methodology and scope of the UCC and CISG, allocating the risk of loss; warranties; breach; excuse for non-performance; warranty disclaimers and remedy limitations; rejection, revocation, and cure; anticipatory repudiation and the right to demand adequate assurances; remedies; and techniques of statutory analysis. Class discussions be centered on problem sets that deal with these topics.

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

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

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

Recommended: Prior or concurrent enrollment in administrative law, regulatory law or international law.

LAW 3120 v00 Communicating Public and Global Health Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203120%20v00)
LL.M Seminar | 1 credit hour
This interdisciplinary course applies communications theories and approaches to the fields of public and global health law. Many stakeholders, including law-makers, public health experts, regulated industries, health and human rights advocates, and the public, offer unique perspectives and narratives on health-related legal and policy interventions. Through class discussions and participatory exercises, we analyze the tensions that emerge between public health objectives and other legal rights and interests, such as freedom of speech, freedom of movement, and individual autonomy. We explore how different stakeholders approach health issues, including tobacco control, healthy diets, sexual and reproductive health and infectious disease outbreaks, and how these different approaches inform health law and policy-making and the adjudication of contested issues.

The course is designed to teach substantive health law knowledge and practical skills, including legal reasoning, communication, and advocacy. Our analysis and discussions will draw on a wide range of materials, including public information campaigns, advertisements, media, communications theories, and legal scholarship. Students will be assessed based on class participation (20%) and presentation of a case study in small groups (80%)

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

LAW 200 v01 Communications Law: Law and Policy in the Internet Age (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20200%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
The advent of the Internet has spawned massive leaps in technology and the way Americans use communications services to reach that technology. This course examines how courts, legislatures, and regulatory agencies react to constant change in communications technologies. We will focus on specific technological advances to explore the way legal, economic, social, and technological forces shape and are harnessed by legal systems faced with challenges to the status quo. The course will draw on leading communications law cases, statutes, and FCC and FTC actions. Students will explore the legal and lobbying battles raging today in Washington and across the world that are fueled by technological change, in areas such as net neutrality, privacy, broadband subsidy, competition, and spectrum policy. We will try to focus in particular on questions currently before the courts, the FCC and Congress. The goal is to deepen each student’s understanding of major communications law topics, to determine if a comparison of these topics reveals a set of common legal, policy, and political reactions to technological change, and to provide future policymakers with the tools to respond to change more effectively.

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

Learning Objectives:

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

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
**LAW 091 v11 Comparative Constitutional Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20091%20v11)

J.D. Course (cross-listed) | 3 credit hours
How do we lose (and save) a constitutional democracy? How are constitutions designed? Can constitutions exist without constitutionalism? What is an authoritarian constitution? What influences a constitutional transition? Is it possible to have an unconstitutional constitutional amendment? What forms of judicial review can courts employ? How do courts across the world interpret constitutions? Are courts or legislatures better protectors of constitutional rights? Can constitutions be employed abusively?

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

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

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**LAW 091 v10 Comparative Constitutional Law Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20091%20v10)

J.D. Seminar (cross-listed) | 2-3 credit hours
How to lose and save a constitutional democracy? How to prevent democratic backsliding? How to design a constitution? Can constitutions exist without constitutionalism? What is an authoritarian constitution? How do constitutions transitions and change occur? What forms of judicial review do courts employ? Is it possible to have an unconstitutional constitutional amendment? How do courts across the world interpret constitutions? Can constitutions be employed abusively?

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

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

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

**Note:** This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
Corporate governance has received a considerable amount of attention worldwide. More than a decade ago, the global financial crisis clearly demonstrated that poor corporate governance practice could have disastrous consequences not only for the companies and shareholders but also for the capital or financial markets and the economy as a whole. The recent global health crisis has heightened an urgent need for more sustainable corporate governance rules and practices which, in turn, can help clearly distinguish the line between ownership and control in the company, balance the interests of shareholders, board members, and other stakeholders, and ensure their accountability towards the society as a whole. As such, local rules and recommendations are now supposed to improve corporate productivity at the same time as more sustainable businesses.

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

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

**Prerequisite:** Corporations.

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

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

### LAW 828 v01 Comparative Corporate Governance

LL.M Course (cross-listed) | 1 credit hour
Course Objective and Rationale:

LAW 079 v07 Comparative Law: Focus on EU and US

J.D. Course (cross-listed) | 2 credit hours
This course consists of an introduction to legal comparison based on an inquiry into European private law. The course is divided into two parts. The first part presents the functions and aims as well the methods of comparative law in general. After an overview of the legal systems in the world, the course provides a comprehensive introduction to the basic features of the civil law system as contrasted with the common law tradition in Europe and in the United States. It also shows how some of the differences between the two systems are being dealt with by new instruments such as the Vienna Convention on Sales, the UNIDROIT Principles of International Commercial Contracts and the Principles of European Contract Law. While the course focuses on substantive law issues, in the fields of contract and tort, it also examines some structural issues — such as the court systems, the education of lawyers and the role of judicial review. The second part of the course aims at providing an analysis of the trends towards denationalization of private law in Europe as it results from the impact of EC legislation on national law. Special attention is devoted to the link between private law and the formation and the functioning of markets, particularly the Single Market in Europe, but also to the cultural and linguistic obstacles that come up in the process. Overall, the course aims at providing a practical introduction to issues of European law faced by American lawyers, and the use of foreign law to advocate change in U.S. law. Further it will show how legal comparison is a means for thinking about the law in broader terms.

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

**Note:**
This course will meet on Mondays and Wednesdays on the following dates: 1/19, 1/24, 1/26, 1/31, 2/2, 2/7, 2/9, 2/14, 2/16, 2/24 (Monday classes meet), 2/28, 3/2 and 3/7.

### LAW 1723 v00 Comparative Law: Law and Society in the Middle East Seminar

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

Scholars located in the Middle East will be invited to Zoom in their participation.
**LAW 2066 v00 Comparative Legal Systems** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202066%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202066%20v00))

LL.M Seminar | 2 credit hours

**Note:** Departmental permission to Enroll, please contact Kirsten Schaetzel with any questions at kas256@law.georgetown.edu. This Class is Restricted to Students Enrolled in the Extended LL.M. with Certificate in American Legal English. This course is graded on a pass/fail/honors basis.

**LAW 2030 v01 Comparative Reproductive Technologies and "Reproductive Tourism"** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202030%20v01](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202030%20v01))

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

The use of reproductive technologies—and crossing national borders to obtain them—has become a burgeoning multi-billion dollar, international industry. While the desire to have children may be universal, legal protections and restrictions on access to reproductive technologies vary immensely from country to country, and often reflect conflicting cultural and religious values.

This seminar will examine the fundamental elements of ART law and practice so that students have a foundation to explore and compare a diverse number of legal systems’ approaches to selected reproductive technologies with a particular emphasis on the legal implications for “cross-border reproductive care” ("reproductive tourism"). Other topics will include: comparative access to and affordability of IVF, egg and sperm donation, and surrogacy; reproductogenetics; treatment for same-sex couples; professional liability; and embryonic stem cell research (as it intersects with egg donation and the use of IVF embryos). Guest lectures will provide a medical and an ethical perspective to broaden an understanding of the legal and policy challenges in this unique field.

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

**LAW 757 v01 Comparative Tax Law** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20757%20v01](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20757%20v01))

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

Provides an introduction to the study of comparative tax law. The coverage is broad, touching on many countries and types of taxes, as well as the general legal framework for tax law and tax procedure. Emphasis is on the income tax and, to a lesser extent, value added tax. Focus is on underlying structural differences in legal systems, including constitutional issues, judicial interpretation of tax laws, judicial and legislative anti-avoidance doctrines, different approaches to defining income, alternative systems for taxing corporations and shareholders, and problem areas in the VAT (including international services and e-commerce). The student completing this course will have a basic understanding of how to approach foreign tax law, and tools to better understand the tax system in the student’s own country.

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

**LAW 791 v00 Complex Derivative Transactions: Structure and Usage** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20791%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20791%20v00))

LL.M Course | 2 credit hours

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

**Prerequisite:** Prerequisites: Regulation of Derivatives

**LAW 950 v01 Complex Securities Investigations** ([http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20950%20v01](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20950%20v01))

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

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

**Recommended:** Criminal Justice (or Democracy and Coercion) or Criminal Procedure or a course in White Collar Crime
LAW 1384 v00 Computer Programming for Lawyers: An Introduction
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201384%20v00)
J.D. Course (cross-listed) | 3 credit hours
This class provides an introduction to computer programming for law students. The programming language taught may vary from year-to-year, but it will likely be a language designed to be both easy to learn and powerful, such as Python or Javascript. There are no prerequisites, and even students without training in computer science or engineering should be able successfully to complete the class.

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

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

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

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

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

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

Waitlisted students who enroll in this course after the first class meeting should contact Professor Ohm (ohm@law.georgetown.edu) for instructions on how to access the missed course recordings and the mandatory problem sets due before the second class meeting on Tuesday, September 7. Students admitted off the waitlist who do not complete the problem sets due before the second class session on September 7th will be dropped from the course. No student will be admitted to this course after the end of add/drop on 3 pm on Tuesday, September 7, 2021. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. This course will meet twice each week. There will be 1 one-hour lecture with all enrolled students, with the second hour of weekly course content delivered asynchronously. Later in the week there will be a second class session consisting of one-hour lab sections broken into small groups of 15.

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

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

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

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

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

Note: Students should be prepared to dedicate a significant amount of time to this class over the course of the weekend outside of the scheduled class hours.
LAW 309 v00 Congressional Investigations and the Modern Government Inquiry

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

This course will focus on the scope and contours of Congress’s oversight and investigative authority, how it has evolved over time, and key similarities/differences in relation to other types of government investigations. Specifically, it will examine the interplay between congressional investigations and the separation of powers between the Legislative, Judicial, and Executive branches of government, as well as how such investigations can impact private actors. Topics covered will include, among others:

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

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

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

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

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

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

LAW 309 v02 Congressional Investigations Seminar

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

This seminar deals with Congress’ powers to conduct oversight and investigations of the Executive branch. This seminar will cover the scope of Congressional inquiries and investigations, Congress’ subpoena powers, grant of immunity powers as well as hearing and rulemaking powers, the use of select committees, the GAO, and other special investigative techniques. The course will examine the use of prehearing depositions, rights of witnesses, preparation of witnesses, the role of the press and the interaction between Congress and prosecutorial functions including investigations conducted by special and independent counsel statute. In addition to the traditional use of lectures, class discussions and outside speakers, the course will be built around mastering the subject matter and surfacing ethical issues by working on complex problems. Students will be expected to work in small groups on contemporary issues to simulate the work of Committee members, Committee Staff, White House Counsel Staff and members of the news media.

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

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

LAW 309 v03 Congressional Investigations Seminar

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

This seminar explores the range of issues involved in congressional investigations, with special attention paid to the differing perspectives of the major players, both inside and outside of Congress, in a congressional investigation. Congressional investigations involve a unique interplay of legal and political issues. Legal issues -- involving such matters as the rights of private institutions and private citizens who may be implicated in a congressional investigation, the legal and political ability of the Executive Branch to resist congressional probes, the authority of the Judicial Branch to interfere with or limit the conduct of congressional investigations, and the relationship of congressional investigations to related criminal and civil inquiries conducted by other governmental entities -- must be factored into the political calculus of the contending political forces involved in a congressional investigation. Political determinations -- which underpin such issues as the scope and duration of an investigation or whether witnesses should be interviewed, deposed or called to testify live at a hearing -- may have significant legal ramifications. This seminar will address these issues at both the practical and the theoretical levels. As part of the course, class members will be asked to participate in mock problems concerning different aspects of the process.

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

Mutually Excluded Courses: Students may not receive credit for both this seminar and Congressional Oversight of the Executive Branch or Congressional Investigations and the Modern Government Inquiry.
LAW 1486 v00 Congressional Oversight of the Executive Branch

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

“Quite important as lawmaking is vigilant oversight of administration.”

“The informing function of Congress should be preferred even to its legislative function.”

Woodrow Wilson

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

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

COURSE OBJECTIVES:

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

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

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

LAW 1486 v01 Congressional Oversight of the Executive Branch

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

“Quite important as lawmaking is vigilant oversight of administration.”

“The informing function of Congress should be preferred even to its legislative function.”

Woodrow Wilson

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

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

Learning Objectives:

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

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

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

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

**LAW 1724 v00 Conservative Jurisprudence Seminar**

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

The course will introduce students to the writings of the main conservative legal theorists, their contribution to modern legal theory and participation in modern legal theoretical debates. Students will read about the internal debates within the legal conservative movement by focusing on the split between libertarians and traditionalists within the movement including debates regarding “originalism” and “textualism” as conservative interpretive approaches to the law.

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

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**LAW 822 v00 Consolidated Returns**

LL.M Course | 2 credit hours

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

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

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

Learning goals for Professor Spann’s section

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

Learning goals for Professor Lenhardt’s section

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

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

- Historical development of constitutional law, the U.S. Supreme Court, and other legal institutions;
- Major themes and broad concerns of U.S. constitutional law;
- Jurisprudential considerations in legal analysis, including major theories of constitutional interpretation;
- The influences of political institutions in constitutional law;
- The role of the Supreme Court as ultimate interpreter and guardian of the Bill of Rights.

Note for Professor Shulman’s section:

- The course will explore the scholarly debate surrounding originalism as a theory of constitutional interpretation. There will be some consideration of prominent criticisms of originalism, but the class will mostly focus on the internal developments and debates within the originalism literature. Topics will include the normative justifications for originalism, the role of precedent within originalism, the interpretation/construction distinction, and the relationship between originalism and judicial deference.

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

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

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

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

This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1101 v00 Consumer Advocacy: Public Health Regulation of Tobacco and Personal-Care Products (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201101%20v00) (Fieldwork Practicum) | J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course will focus on federal regulation of tobacco and personal-care products by the Food and Drug Administration (FDA) under the Food, Drug, and Cosmetic Act and how public interest groups advocate greater protections for consumers. Students will participate in a two-hour/week seminar and carry out either 10 or 15 hours/week of fieldwork as interns with one of two national consumer and environmental health organizations: the Campaign for Tobacco-Free Kids or the Environmental Working Group. (Two pass/fail credits will be awarded for 10 hours/week of fieldwork, and three pass/fail credits will be awarded for 15 hours/week of fieldwork.)

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will utilize legislative and administrative materials as well as case law to become familiar with the processes by which the federal government regulates tobacco and personal-care products, and to critique both the statutory framework and FDA’s performance in protecting consumers. The 2009 Tobacco Act created a new regulatory regime very different from the FDA’s existing authority to regulate other products within its jurisdiction. Examination of the agency’s initial steps to carry out this responsibility provides a chance for students to understand how a federal agency responds to a legislative mandate requiring innovative action to address a major public health problem.

On the other hand, FDA has minimal authority to regulate personal-care products, raising real concerns for consumer protection. The course will also touch on related topics such as the role of the Federal Trade Commission in the regulation of trade practices, the Freedom of Information Act, the legislative process and the interaction of federal and state regulation.

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

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

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

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

Note: LL.M. students must seek professor permission to apply.

Evening students who work during the day are encouraged to reach out to the professors to determine whether this practicum course would be compatible with their schedules.

This is either a four or a five credit course, depending on the number of fieldwork hours/week. Two credits will be awarded for the two-hour weekly seminar and either two credits (for 10 hours/week) or three credits (for 15 hours/week) for the fieldwork. The fieldwork will be conducted over a minimum of 11 weeks, to be arranged with the faculty members. Students will have the ability to choose the credit option that best fits their schedules. However, the fieldwork must be completed during normal business hours. All students will initially be registered for a total of four credits, which is the two-credit seminar plus the two-credit fieldwork credits.

LAW 1270 v00 Consumer Debt and Bankruptcy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201270%20v00) | J.D. Seminar (cross-listed) | 3 credit hours

Over the past fifty years, American households have increasingly relied on borrowing to make ends meet. For most families, growth in household debt has outpaced growth in wages. Credit fills the gap between stagnant incomes and rising expenditures. As a result, many families struggle under unmanageable debt obligations.

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

STUDENT LEARNING OUTCOMES

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

• Demonstrate knowledge of the key laws governing consumer debt and bankruptcy and of the recurring debates related to policymaking in this field

• Research and master the existing literature on a topic in the field of consumer debt and bankruptcy, and make an original contribution to it

• Evaluate and critique arguments presented in the course readings and other legal scholarship

• Communicate ideas and arguments in an organized fashion, both orally and in writing

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
Consumer spending drives the economy. This course studies the system of consumer finance—the way in which consumers consumption is financed. The course focuses on four themes: the empirical state of household finances; the psychology and sociology of consumer finance; the business of consumer finance; and the regulation and political economy of consumer finance. The course is structured around the jurisdiction of the new Consumer Financial Protection Bureau: bank accounts and savings vehicles; payment systems; consumer credit; consumer financial advice; and some insurance products. Specific topics to be covered include conspicuous consumption, behavioral economics, operational costs and underwriting, credit reporting, mortgages, credit and debit cards, checking and savings accounts, fringe banking products, the unbanked, debt collection, consumer financial information, and the powers of the CFPB.

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

Franchise law is a combination of contract and statutory law and is heavily influenced by trademark, antitrust and other areas of business law. Franchise agreements tend to be lengthy multi-year trademark licensing agreements. Because franchising involves distribution of goods and services, antitrust and other competition law considerations must be taken into account. Franchising is also regulated at both the federal and state level. Many franchise sales are regulated by state and federal disclosure requirements, analogous to SEC requirements.

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

Learning Objectives:

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

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

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-...
LAW 110 v03 Copyright Law
J.D. Course (cross-listed) | 3 credit hours
This course examines the law of copyright and its role within the overall framework of intellectual property law. Topics covered include the subject matter requirements for copyrightability; the rules that govern determination of authorship, the rights that copyright law confers on authors and the limitations and exceptions to those rights; the rules governing indirect liability of intermediaries and liability for circumvention of technological protections; and the scope of copyright preemption.

Learning goals for this course:

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

LAW 110 v07 Copyright Law
J.D. Course (cross-listed) | 3 credit hours
This course examines copyright law, providing a basic understanding of its objectives and principles. Topics covered include subject matter requirements for copyrightability; rules that govern determination of authorship; rights copyright law confers on authors; rules governing indirect liability of intermediaries and liability for circumvention of technological protections; and scope of copyright preemption. The course will also consider the tensions between copyright holders and technology that threatens traditional content business models.

LAW 114 v05 Corporate Finance
J.D. Course (cross-listed) | 4 credit hours
This course will provide students with a foundation in the financial and legal aspects of a business' capital structure. It is designed to put students in a position to collaborate on and communicate regarding corporate finance matters with clients and other stakeholders such as bankers, investors and regulators. The course covers many of the subjects included in a business school finance class (e.g. discounted present value, valuation of risk, financial statement analysis, the capital asset pricing model and, most importantly, business valuation), while emphasizing the legal aspects of the capital structure, including the contractual and statutory regimes governing bonds, loans and other debt instruments, convertible securities and preferred and common equity. Other on- and off-balance sheet financing instruments will also be considered including leases, derivatives and structured products. The course concludes with two units applying the principles covered in the first part of the course—mergers and acquisitions and financial restructurings and reorganizations.

Prerequisite: Corporations.

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

Mutually Excluded Courses: Students may not receive credit for this course and Corporate Finance: Quantitative Analysis and Valuation.

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

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

Prerequisite: Corporations.

Recommended: Securities Regulation and/or Corporate Finance.
LAW 1742 v00 Corporate Governance, Risk Management, and Compliance Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201742%20v00)
J.D. Seminar | 2-3 credit hours
Every day, corporations must assess the legal consequences of many fearsome possibilities. Some involve garden-variety business risk: Will a bank’s trading desk make a big bet that goes wrong? Others involve major changes to the business environment: Are the company’s assets particularly vulnerable to harm due to cyberattacks or climate change? And some deal with the company’s own legal compliance: Will employees lose their way and engage in illegal business? In this course, we will take a detailed look at the role of law and lawyers in governing these risks.

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

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

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

LAW 848 v00 Corporate Income Tax Law I (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20848%20v00)
LL.M Course (cross-listed) | 2 credit hours
Examines the federal income tax effects of certain basic transactions involving corporations and their shareholders. Principal subjects covered include corporate formation and capital structure, distributions to shareholders, redemptions and liquidations. Major emphasis is upon Internal Revenue Code Sections 301-362 and related Treasury Regulations.

Prerequisite: Federal Income Taxation (formerly Taxation I).
Recommended: Corporations.

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

LAW 850 v00 Corporate Income Tax Law II (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20850%20v00)
LL.M Course (cross-listed) | 2 credit hours
Continues the study of provisions of the federal income tax law applicable to corporations and their shareholders. Detailed study is given to corporate reorganizations under Subchapter C, including acquisitions, divisive reorganizations, and recapitalizations; the treatment of boot; the basis provisions; the assumption of liabilities; and related matters. Consideration also is given to carryovers of corporate tax attributes, including restrictions applicable to loss corporations.

Prerequisite: Federal Income Taxation (formerly Taxation I).
Recommended: Prior or concurrent enrollment in Corporate Income Tax Law I.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. courses, Corporate Taxation (formerly Taxation II) or Corporate Tax Planning in Practice: Structuring and Negotiating the Deal.
This seminar will consider issues related to the purpose of a corporation and its obligations to its stockholders and the larger group of stakeholders, the fiduciary duties of corporate directors in the context of ESG, agency issues associated with differing interests of stockholders and management, the role of the SEC and other regulators in corporate ESG matters, considerations of investors focused on ESG issues and their ability to influence corporate ESG actions, and the impact of ESG considerations on corporate performance and profitability. We will also consider particular ESG issues and how corporations have addressed them. There is no textbook for the seminar. Readings will include legal, academic and general articles and materials on the subjects being covered.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 121 v05 Corporations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20121%20v05)
J.D. Course (cross-listed) | 3 credit hours
This is a basic course in business corporations. This course explores the governance structure of the corporation and the fiduciary obligations of directors and officers, with a particular focus on the nature of the public corporation. Topics studied may include: the role of shareholders in contrast with the role of directors and officers, the issues surrounding transactions in corporation control, and the procedural problems in stockholder derivative suits. Policy questions such as federal-state jurisdiction, the nature of the corporate governance system, the role of the corporation in modern society, and the role of the lawyer in corporate matters may also be included.

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

Note: For students enrolled in Professor Sale's Corporations course: Students should keep their schedules open for the full Monday and Wednesday 9:00 am - 11:00 am block to accommodate one or more rescheduled classes that the professor anticipates needing to schedule.

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

This course covers the practical aspects of organizing and operating various types of business entity, as well as the policy considerations relating to their governance and to the roles of large businesses in society. It covers choice of entity, including the attributes of partnerships, limited liability companies, and corporations; the process of forming different types of entity; and the nature and limitations of limited liability associated with corporations and limited liability companies. It considers planning and structuring different types of entity; including capital structure and governance mechanisms. The course pays particular attention to the practical and policy considerations of governance in the large, public company as well as the fiduciary obligations of officers and directors. In order to provide a basis for understanding cases related to liability for breach of fiduciary duty, students will be exposed to the procedural aspects of derivative suit litigation. In connection with the major policy issues in corporation law, students will discuss the role of the lawyer in advising business clients. Other topics studied may include insider trading and transactions in corporation control.

LAW 121 v08 Corporations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20121%20v08)
LL.M Course | 3 credit hours
Students should note that Corporations is a prerequisite for Advanced Corporate Law, Comparative Corporate Law, Corporate Finance, Securities Regulation, Business Planning Seminar, and corporate law seminars.

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

Prof. De Amicis' course will presume familiarity with the basic vocabulary and fundamental concepts of corporate law and focus on salient divergent features of US corporate law.

Note: This section is for foreign-educated LL.M.s only. J.D. students and LL.M. students who received their law degrees in the U.S. MAY NOT register for this course.

This course does count towards the Securities and Financial Regulation specialization credits for foreign-educated attorneys.

LAW 121 v09 Corporations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20121%20v09)
LL.M Course | 3 credit hours
Students should note that Corporations is a prerequisite for Advanced Corporate Law, Comparative Corporate Law, Corporate Finance, Securities Regulation, Business Planning Seminar, and corporate law seminars.

This is a basic course in business organizations with a primary focus on corporations and including a brief examination of limited liability companies. Throughout the course, students will consider the role of lawyers in corporate matters. Brief coverage is given to factors bearing on choice of organization, including process of corporate formation, corporate privileges and powers, corporate capital structure, and limited liability. Close examination is given to the governance structure of the corporation and the obligations of directors and officers. The particular nature of the public corporation is explored. Topics studied may include stock trading by corporate insiders, transactions in corporation control, the procedural problems in stockholder derivative suits, and judicial disregard of the corporate form.

Note: This section is for foreign-educated LL.M.s only. J.D. students and LL.M. students who received their law degrees in the U.S. MAY NOT register for this course.

This course does count towards the Securities and Financial Regulation specialization credits for foreign-educated attorneys.
LAW 790 v09 Criminal Law Across Borders (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v09)  
J.D. Course | 3 credit hours  
International criminal law studies a grim but important subject: the prosecution of war crimes, crimes against humanity, genocide, and aggression. These are “core crimes” tried by tribunals like the International Criminal Court (ICC) and the tribunals for Rwanda, Sierra Leone, former Yugoslavia, and elsewhere. In addition, we will study the extraterritorial application of domestic criminal law to address crimes of transnational character such as terrorism, torture, and international money laundering. Along with the substantive law on these issues, we examine procedural law on topics such as extradition and immunity from prosecution. The course will also examine the problems confronting international criminal justice today, including the political backlash against accountability. Finally, we will spend some time on alternatives to criminal prosecution such as truth and reconciliation commissions. The aim of the course is to introduce students to basic doctrines of international criminal law, as well as doctrines concerning the extraterritorial application of U.S. criminal law. It also provides an overview of the work of international criminal tribunals and the challenges they face. The course combines law, policy, and history.  

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

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

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

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

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

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

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

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

This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1610 v00 Criminal Practice Seminar: White-Collar Crimes in a Transnational Context (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201610%20v00)

J.D. Seminar | 2 credit hours
This seminar explores white-collar criminal practice in the transnational context. “Transnational” cases generally involve the potential application of one or more country’s laws to alleged criminal activity that crosses borders. We begin by introducing students to the general differences in the legal structures, concepts of criminal law, and varied standards for corporate and individual liability, that apply in civil and common law systems. We will study the substantive U.S. law that is implicated in many transnational prosecutions and learn when U.S. law applies extraterritorially. The substantive provisions we study may include proscriptions on corruption, fraud, money laundering, tax evasion, data breaches/hacking, or violations of economic sanctions. We will explore the tools available for obtaining evidence abroad, as well as some of the national laws and regulations that impact transnational investigations. Some of the challenges we will explore are regulations regarding data privacy, employment laws, national security/state secret laws, and blocking or economic protection statutes. At the conclusion of the class, we will consider a number of case studies that illustrate issues companies face in attempting to forge a global resolution among regulators and prosecutors from different countries. These include managing competition between sovereigns, joint and parallel national investigations, and the division of penalties.

Learning Outcomes

This course, as its title suggests, is designed to expose students to important issues they will face in the transnational practice of law. One of our goals, then, is very practical: to give students information they will need to be successful practitioners in this area.

Another goal is to challenge students to take a step back and think about larger questions: When criminal conduct crosses borders, which sovereign should prosecute? Should U.S. criminal law extend as far as it does? Is it fair or efficient to permit multiple countries to address such conduct criminally? Should expedited evidence-gathering tools be available to both the defense and prosecution? What liability rules would best serve the purposes of punishment?

Like all writing seminars, the class also seeks to enhance students’ ability to conduct legal research, capacity to engage in critical thinking, and prowess in communicating effectively, in writing and in class.

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

LL.M Seminar (cross-listed) | 2 credit hours
This course examines the life cycle of a criminal tax case, including the warning signs that a civil tax case may be referred for criminal investigation, applicable privileges, potential defenses, the opening of an administrative investigation, sources of information, authorization of a grand jury investigation and prosecution, best practices in plea negotiations, trial strategies, sentencing, and collateral and civil tax consequences. The course also will address current priorities of IRS Criminal Investigation and the Department of Justice, and cases pulled from the headlines.

Prerequisite: Federal Income Taxation (formerly Taxation I)

Recommended: Tax Practice and Procedure, Criminal Law and Procedure

LAW 982 v00 Cross-Border Commercial Regulation: Aviation and Maritime Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20982%20v00)

LL.M Seminar (cross-listed) | 2 credit hours
This seminar examines U.S. and international law applicable to aviation and maritime services worldwide. It includes the transportation of both passengers and cargo by air as well as sea. It reviews the evolution and progress made in international law liability conventions (Warsaw, Montreal 1999, Athens 2002) that are applicable to passengers and cargo involved in air as well as sea transport and mishaps/disasters. It examines the emerging applicability of both environmental and security laws and treaties in this area. In the context of public international law, the seminar focuses on the 1944 Chicago Convention and the evolution of restrictive bilateral air transport agreements into the current system of bilateral and multilateral open skies agreements that govern the movement of most passenger as well as cargo airlines of all nationalities throughout the world. The sometimes inconsistent application of U.S. and E.U. competition laws and policies is studied, particularly as they currently govern the developing practices of code sharing among international airlines and comparable global alliances among shipping lines. Also examined are the legal as well as economic (and practical) consequences of these alliances. Finally, the seminar examines the area of aircraft hijacking and the steps the international community has taken to meet these threats.

Recommended: Conflict of Laws: Choice of Law; International Law I: Introduction to International Law (for foreign-educated students, knowledge of these topics from home country study or practice is sufficient.)

LAW 807 v00 Cross-Border Transactions in Latin America (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20807%20v00)

LL.M Seminar (cross-listed) | 1 credit hour
The course is designed to give students an overview and practical insight on the legal aspects of doing business with or investing in Latin America. The course will focus on Mexico, but will also address legal issues associated with doing business in Central and South American countries. Topics will be discussed from the perspective of U.S. investors doing business in the region, and will cover the legal implications of cross-border distribution, licensing and joint venture arrangements, acquisitions and direct investments, labor planning and creditor rights.

Recommended: Contracts, Corporations, and International Business Transactions.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 1615 v00 Cryptocurrencies, Initial Coin Offerings and the Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201615%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will examine cryptocurrencies like Bitcoin, Ether and Ripple's XRP, and their possible roles as commodities, payment instruments and investments. It will also explore "Initial Coin Offerings" ("ICOs")—fundraises by startups identifying technology-based problems and proposing the sale or financing of technology-based solutions.

Cryptocurrencies and ICOs have recently attracted more attention—and investment dollars—than early stage venture capital. However, governmental authorities around the world worry that they are under-regulated (or unregulated), pointing to a recent spate of fraud, market volatility, and potential money laundering associated with virtual transactions. This seminar will explore the regulatory framework for digital currencies and payments, and examine the evolving reforms and regulatory efforts arising in the sector. The course will cover topics including the differences between key cryptocurrencies; the varying regulation of cryptocurrencies and ICO tokens as "commodities" vs. "securities;" the mechanics of an ICO; and money laundering and bank secrecy laws.

Prerequisite: A course in securities, banking, or derivatives, one of the following or similar courses: Advanced Studies in Federal Securities Regulation; Derivatives Regulation; Federal Banking Regulation: Modern Financial Institutions and Change; Financial Regulation and Financial Crises; Federal Regulation of Financial Institutions; Initial Public Offerings; Securities Regulation; or Securities Regulation of Financial Institutions and the Securities Markets.

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

LAW 1645 v00 Cultural Appropriation Seminar: Innovation or Theft? (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201645%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Innovation thrives on borrowing from creators past and far-flung. When does cultural exchange cross the line into cultural misappropriation or theft decried as "cultural appropriation"? Notably, today's cultural wars increasingly turn on intellectual property claims, with calls for attending to the legal and ethical implications of dominant cultural creators taking and profiting from the innovations of disadvantaged and minority creators. From claims of copyright in dance moves sold on the blockbuster video game Fortnite, to the use of trademark law to upend the Washington Redskins' mascot and name, to social movements #reclaimthebindi and #mycultureisnotyourcouture, diverse citizens contest ownership and authorship of our common culture. Is yoga the cultural property of India, the common heritage of mankind, or the copyright of Bikram Choudhury? What are the repatriation obligations of museums today? Is all music theft? What is the relationship between cultural appropriation, colonialism, and white supremacy? Is property an appropriate legal institution for addressing conflicts over culture? This seminar considers the particular role of intellectual property, including copyright, trademark, patent, and design patent, in promoting free cultural exchange, albeit on fair terms in a global marketplace of ideas marked by sharp differences in power, wealth, and knowledge. The seminar seeks to facilitate respectful and meaningful intercultural dialogue about identity, recognition, and semiotic and distributive justice.

There are no prerequisites or recommended prior courses, although some familiarity with intellectual property will be helpful.
LAW 3074 v00 Current Challenges to Investor-State Dispute Settlement (ISDS) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203074%20v00)
LL.M Course (cross-listed) | 1 credit hour
In light of the current debate on ISDS and the many criticisms voiced against the current system, this course will first briefly recall (i) the origins of and reasons for ISDS and (ii) its current legal framework. It will then proceed to a detailed review of (iii) criticisms expressed against the existing system, such as the lack of consistency of decisions, the lack of transparency of the process, and the lack of legitimacy and accountability of the system and of the arbitrators. It will examine (iv) whether these criticisms are justified, whether and why they matter for international trade and commerce, peaceful international relations, justice and the rule of law. On this basis, the course will then explore (v) reform options, some of which are currently envisaged by policy-makers and others which still need to be conceived. As a result of this exploration, the students will finally seek to design (vi) a roadmap for possible reform.

Learning Objectives:

Competencies: Revisiting fundamental notions of arbitration in light of current criticisms against investor-state arbitration.

Skills: Investigate merits of criticisms and come up with solutions discussing their pros and cons.

Strategies: Draw up possible reform plan.

Strongly Recommended: Commercial arbitration and/or investment arbitration course.

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

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

LAW 1633 v00 Current Developments in International Taxation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201633%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
In 2017 the United States enacted a historic tax reform package that represents the most significant change to the U.S. international tax regime since 1986. Four years later, significant changes to that new system are being proposed. Meanwhile, at the multilateral level, the Organisation for Economic Cooperation and Development (OECD) has proposed major changes to the mechanisms for coordinating different countries’ assertion of tax jurisdiction over income earned cross-border, in order to shift some taxing rights to market countries and impose a globally agreed minimum tax on corporate income. The minimum tax proposals interact significantly with the existing U.S. international tax regime, as well as with the more recent U.S. proposals.

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

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


Note: J.D. students may take the seminar pass/fail by professor permission only.

LAW 1640 v00 Current Issues in National Security Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201640%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course explores the legal implications of some of the most challenging issues affecting national security, encompassing both conventional and non-conventional threats. Topics include: domestic and international legal authorities; the law of electronic surveillance; resumption of the nuclear arms race and the weaponization of space; technology and national security (artificial intelligence, cryptocurrency); and cyber threats to national security. The course concludes with discussions on the U.S. national security decision-making process and the ethical dimensions of national security policy.

Note: The last class will be April 3, 2019.
LAW 2038 v00 Current Issues in Tax Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202038%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This colloquium will offer students an opportunity to examine current tax policy issues in depth and at an advanced level, with discussions led by policymakers, economists, and other tax experts. The course will discuss various current and recent legislative proposals at a detailed level and examine the economic, tax policy, and political considerations underlying the decisions that have been made in each proposal. This will include infrastructure, wealth tax, cross-border tax, consumption taxes and other politically salient tax policy topics. It will explore the economic and policy literature surrounding the issues of economic welfare and competitiveness. The course will also examine issues such as tax expenditures, debt vs. equity, cost recovery, and various tax incentives. Reading materials generally will be supplied and will include economic and tax policy papers, legislative proposals, and technical explanations. The course is intended to be highly interactive with students discussing design and policy issues with leading experts in the field. The grade for this course will be based primarily on papers that students submit addressing policy topics discussed by the guest speakers. Useful class participation will be taken into account as a plus in determining the final grade. There will be no final exam.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 014 v01 Current Issues in Transnational (Private International) Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20014%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar provides an introduction to the increasingly important field of private international law as well as an opportunity to explore in depth specific issues now under active consideration in the various international and regional organizations working on the development, codification and harmonization of private international law. Beyond the "classic" questions of jurisdiction, choice of law, judicial assistance and enforcement of judgments, we will explore such substantive topics as international sale of goods, cross-border consumer protection, secured transactions, international securities law, international intellectual property, transport of goods by sea, transnational leasing law, dispute settlement mechanisms, international family law (including international adoption, abduction and enforcement of child support and family maintenance), international privacy and data protection, and even wills and trusts in their cross-border contexts. All students will be expected to choose a topic and to research and to present key findings and recommendations to the class.

This course requires a paper and an oral presentation. It is open to J.D. and LL.M. students. For J.D. students who choose the 3 credit "writing seminar" option, the objective will be to research and write analytical papers of publishable quality on discrete topics of current importance in transnational practice. Students will be required to satisfy the WR requirement including (1) selection of a paper topic approved by the professor, (2) submission of an outline, followed by feedback from the professor, (3) submission of a draft paper of at least 6,000 words exclusive of footnotes, followed by feedback from the professor, and (4) submission of a final paper of at least 6,000 words exclusive of footnotes, incorporating the professor's suggested revisions. The paper must use legal forms of citation, where appropriate.

Learning goals for this course:
Familiarity with substance of "Private International Law"; ability to research effectively in the field; to write coherently and present conclusions orally; to understand relationship between international and domestic law.

Recommended: International Law I.

Note: This course requires a paper. Students must register for the 3 credit section of the course if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.
**LAW 2043 v01 Current Topics in International Investment Arbitration**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202043%20v01)

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

International investment arbitration is a fast moving field, with new issues rapidly becoming pivotal to legal practice. This weekly seminar will delve into the cutting-edge topics that promise to make a mark on the field. For the 2021 edition of the course, these hot topics will include, among others, fundamental reform to the international investment dispute resolution system (ISDS), the problem of corruption allegations, and the role of human rights in investment disputes. The goal of this course is not only to inform students about these emerging issues, but also to give students the analytical tools needed to thrive in a field defined by rapid change.

The course will not rely on a casebook, but instead will use awards and articles to further its goal of exploring emerging issues. Students are expected to read all of the materials and be prepared to engage in active discussion in each class. Twenty-five percent of the grade will be based on class participation, twenty-five percent on participation in formal in-class debates during the last week of class, and fifty percent on a final paper (on an issue of the student’s choice) to be submitted at the end of the seminar. As this is a class on questions for which there are few clear answers, there will be no final exam.

**Strongly Recommended:** It is recommended that students have completed a course in commercial or investment arbitration prior to the seminar, or otherwise have some experience in arbitration.

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

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

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**LAW 1127 v00 Cyber and National Security: Current Issues Seminar**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201127%20v00)

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

This seminar will examine legal and policy issues related to cybersecurity – that is, hacking and other intrusions on global computer and communications networks. The primary focus will be the national security implications of cybersecurity and the current challenges that senior lawyers, policymakers, and the private sector face in addressing those issues. The course will look at international and U.S. domestic law and will examine cyber issues both from the perspective of (1) the U.S. government entities that seek to use cyber tools to further military and other national security aims, and (2) the many government and private sector actors who must defend against the use of these tools use by others. The goal of the course is to introduce students to the complex legal and policy issues that senior national security decision-makers must address and to provide insight into the practical challenges they present. The focus of the class is law and policy, not technology. You do not need a technical background to take the course.

**Recommended:** International Law and/or national security related course.
LAW 1409 v00 Cyber Threats and Technological Insecurity: Emerging Legal, Policy, and Operational Challenges (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201409%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar will focus on significant legal, operational and policy issues arising from evolving global cyber threats and related technological issues, such as the Darkweb, encryption, and cybersecurity. The course will be taught by two instructors who work as federal prosecutors and policy advisors and collectively have hands-on experience investigating cybercrime, providing guidance to law enforcement investigators on technology issues, participating in the interagency policy process, developing and evaluating legislative proposals, and training foreign law enforcement partners. While the course will focus on challenges to federal law enforcement, it will also include in-depth perspectives from other significant stakeholders. Throughout the seminar, students will gain expertise in the legal framework and technical background that is necessary for effective advocacy — whether from a policy or litigation perspective — on the most challenging and controversial issues at the intersection of cyber threats, technology and security.

The course will consist of four components:

1. Technology and Threat Landscape. The current cybersecurity threat landscape, with a necessary focus on technological architecture and recent permutations.
2. Legal Framework. The relevant constitutional and statutory legal framework attendant to combatting cybercrime and technological threats.
3. Operational Case Studies. How cybercrime investigations are currently conducted, with a focus on tactics and practical considerations.

Grading will be determined primarily based on a final paper. Significant weight will also be given to an in-class presentation and class participation.

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

Note: Laptops may not be used during class sessions.

LAW 2052 v00 Cybersecurity Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202052%20v00)
LL.M Course (cross-listed) | 2 credit hours
This interactive lecture course will explore various legal and policy issues related to enabling a safe and secure Internet and protecting government and private sector networks. The topics to be discussed include relevant U.S. legal authorities, cybersecurity roles and responsibilities of government agencies, private sector cybersecurity risk management, information sharing, Internet governance, and the application of international law to nation state activity in cyberspace. Lectures by the professor and occasional guests with relevant expertise will be used to stimulate class discussion. Students will be assigned a reflection assignment following each of a number of in-class table top exercises. There will be a four-hour take-home exam that must be completed during the first week of the exam period.

LAW 3066 v00 Cybersecurity Law & Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203066%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This seminar will serve as an advanced LL.M. seminar covering topics in cybersecurity law and policy, with a focus on national and homeland security, military, intelligence law and international aspects. The seminar format is a combination of lecture and class discussion. This seminar is intended to serve as a complement to Cybersecurity Law, and students are welcome to take both courses. Grading will be based on a combination of short and/or medium length papers, active class participation and a final class presentation.

Recommended: Prior coursework in national security law highly recommended.

LAW 459 v01 Deals: The Economics of Structuring Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20459%20v01)
J.D. Course (cross-listed) | 4 credit hours
This course examines how attorneys and other professionals create value through transaction engineering. The course is organized in two parts. The first part of the course studies various barriers to transacting, including collective action problems, information problems, risk and uncertainty, and contracting over time, and a range of responses grounded in game theory, contract theory, and decision theory. The second part studies a series of real transactions. Students will be divided into work groups, each of which will be responsible for selecting and presenting a transaction to the class. Grades will be based on an individual problem set, the group presentation, and a take-home final examination.

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

Prerequisite: Corporations.

Recommended: Prior or concurrent enrollment in Securities Regulation.
LAW 969 v00 Derivatives Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20969%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Derivatives, including virtual currencies, are a large, dynamic and rapidly evolving part of the world’s financial markets. The size and importance of these markets alone would make derivatives regulation a worthy part of law school study, particularly for those interested in financial markets. Add to that a significant change in the regulatory framework on a scale unseen since the 1930’s and it is clear that there has never been a better time to study the legal issues and operational challenges for market participants. This course will focus on the regulation of derivatives under the Commodity Exchange Act, as amended by Dodd-Frank, and as implemented by the Commodity Futures Trading Commission. This course is designed as a “Derivatives 101” equivalent, providing a broad overview of the regulation of derivatives. No prior knowledge of derivatives is required to succeed in this course. The course will include an in-depth look at the new regulatory requirements and issues with respect to (i) market transparency and integrity, such as preventing market manipulation, disruptive trading practices, and so-called excessive speculation; (ii) the increasing use of automated trading systems and high-frequency trading in commodity markets; and (iii) the interplay between Congress, the federal market regulators, and the entities subject to financial market regulation. Students will be presented with the same questions of law confronting attorneys advising entities trading in derivatives markets, regulators, and the courts.

LAW 847 v00 Developing & Financing Infrastructure Projects (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20847%20v00)
LL.M Course (cross-listed) | 3 credit hours
This course will use recent transactions involving infrastructure projects (domestic and international) to illustrate the legal techniques and financial issues involved in project development and financing. The course will address case studies involving energy projects, telecom, toll roads, mining, ports, airports, other infrastructure and professional sports facilities. Class discussion will include analysis of how project risk analysis is done and review of key documents used to develop, construct and finance projects. Students will participate in simulated contract negotiation and drafting exercises representing designated parties to a transaction. Coverage will include different sources of financing, including banks, capital markets, ECAs and multinational entities. There will be both a final examination (open-book) and a short drafting exercise that will be graded. Classes 11/12 will be a Special Negotiation Workshop, for which the class will be divided into groups to negotiate a financing term sheet for a model transaction. Depending on pandemic conditions, this may take place during regular classes, or may be done in person on a specified Saturday from 8am-1pm.

The required course textbook is:

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

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

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

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1704 v00 Digital Taxation Seminar
This course will introduce students to the debates surrounding the taxation of the so-called digital economy. Over the past few years, several countries have introduced new taxes that are intended to target “digital companies,” including Google, Apple, Facebook, and Amazon (or “the GAFAs,” as they are known in Europe). In response to at least one such tax, President Trump and the U.S. Trade Representative have threatened to impose tariffs. This seminar will set out the background to these debates and provide a greater context to these taxes, introducing students to debates within the United States about sales taxes and debates both inside and outside the United States about the future of the international tax system. Readings will focus on the general question of whether the digital economy can be separated from the rest of the economy as well as specific proposals to tax the digital economy from individual countries, the European Union, and the OECD. Students in the two-credit section will be required to submit eight response papers of 3-5 pages, and a maximum of six students will be permitted to take this as a three-credit class in which they will also write a writing requirement paper.

**Prerequisite:** Federal Income Taxation.

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

LAW 830 v00 Disclosure Under the Federal Securities Laws
This course examines the disclosure requirements under the Securities Act of 1933 and the Securities Exchange Act of 1934 and related regulations. Disclosure requirements will be examined in the context of registered offerings as well as exempt offerings. The duty to disclose, the concept of materiality, the principles of integrated disclosure and the line item disclosure requirements of SEC regulations will be discussed. The regulatory treatment of forward looking disclosures, selective disclosure and disclosure of non-GAAP information also will be addressed. Topics will include special disclosure issues arising in connection with IPOs, periodic reporting and proxy solicitations. Regulatory developments and SEC practice and procedures will be covered, along with practice tips. Although the applicable regulatory framework will be reviewed, prior completion of a securities regulation course is recommended.

**Strongly Recommended:** Securities Regulation.

LAW 847 v01 Developing & Financing Infrastructure Projects
This course will use innovative transactions involving domestic and international projects to illustrate the legal techniques and financial issues involved in project development and financing. The course will address case studies involving power projects, telecom, toll roads, mining, ports, airports, and other infrastructure and facilities. Class discussion will include analysis of how project risk analysis is done and review of key players and documents used to develop, construct and finance projects. Coverage will include different sources of financing, including banks, capital markets, and multilaterals, as well as recent market trends, such as social impact investing. There will be both a final examination (open-book) and a short drafting exercise that will be graded.

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

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

LAW 3061 v00 Discussion Skills for International Lawyers
This course is required for students in the Two-year LL.M. Program. This semester-long course will focus on speaking and listening skills necessary to succeed in law classes in the United States, and students will complete a variety of assignments that will help develop their oral communication skills to participate in class. At the beginning of the semester, students will be evaluated on their listening and speaking skills and will be provided with an individualized pronunciation plan that address problematic sounds and intelligibility issues unique to each person. Thereafter, class time will be spent working on the articulation of individual sounds, word and sentential stress, and intonation. Students will also practice listening strategies to aid in the comprehension of a variety of American English accents they may encounter in the U.S. Finally, students will read texts related to current legal topics and practice the essential skills of being a good discussion facilitator and participant in a seminar class setting. 

**Note:** This course is restricted to students enrolled in the Extended LL.M. with Certificate in Legal English. This course is graded on an honors-pass-fail basis.
LAW 3082 v00 Dispute Settlement in International Trade: A Comparative Examination of WTO, Regional & Bilateral Systems  
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203082%20v00)

LL.M Course (cross-listed) | 2 credit hours
This course involves an in-depth look, in a seminar-type setting, at different state-to-state dispute settlement systems in the international trade area. Although the principal focus will be WTO dispute settlement, the course will also examine the new or re-invigorated mechanisms in regional agreements (e.g., RCEP, CPTPP) and bilateral trade and investment agreements of the United States (USMCA, CAFTA) and the EU (Korea FTA, CAl with China).

It will also look at the special case of the UK/EU TCA, and at investor-state dispute settlement, which is currently subject to significant reform proposals, as a point of comparison with state-to-state mechanisms. In addition to examining the treaty provisions themselves, the course will involve the close reading of arbitral decisions, as a medium to examine real-world systemic issues regarding dispute settlement, such as the function of terms of reference, approaches to treaty interpretation, confidentiality, coherence between different bodies of international law, the role of precedent, standard of review, the scope of appellate review, implementation and compliance, and remedies. At the same time, students will gain familiarity with some of the leading substantive issues in international trade law.

Recommended: Background in international trade law and in public international law generally.

Strongly Recommended: A introductory course in international trade law is strongly recommended.

LAW 1501 v00 Doing Business in Europe: Basics of Private International Business Law  
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201501%20v00)

J.D. Course (cross-listed) | 1 credit hour
This course will provide an overview of the European legal landscape from the perspective of an external, i.e. non-EU – typically: a US – entrepreneur. Special attention will be given to the field of private international law, comprising notably adjudicatory jurisdiction and conflict of laws. We hope to inspire class participants to develop essential skills and methods, which, if followed-up with independent further research, should eventually enable them to give legal advice on transatlantic business.

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

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

J.D. Seminar (cross-listed) | 2 credit hours
As any judge who has served on a busy trial court can attest, there are many assignments where the cases come at you so hard and fast that there is barely time to step into the box and take your stance before the next one comes zooming in. And that is true of the “easy” cases. In addition, there are cases where the judge has to wrestle with a problem so complex, or so emotionally draining, as to test the fortitude and impartiality of even the most competent and experienced jurists. These might be called “go to the mountain top” cases.

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

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

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

Learning Objectives:

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

Prerequisite: Civil Procedure (or Legal Process and Society) or Criminal Justice (or Democracy and Coercion) or Criminal Procedure.
**LAW 160 v04 Drafting Contracts** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20160%20v04)

LL.M Seminar | 2 credit hours

This course introduces foreign-educated LL.M. students to the principles, processes, and techniques for drafting contracts in the United States, but with a cross-border, multi-country setting. Students will develop skills in reading and interpreting a contract and will thereby better understand the function of its component provisions. Students will learn how to draft contract provisions with precision and clarity. Among the topics covered will be: the structure of the contract, representations, covenants, conditions, allocation of risk, incentives, stipulative provisions, remedies, enforceability, and applicable law. The course will address the lawyer's role in deal-making, including the negotiation of the contract's terms and related ethical and practical aspects of transactional practice. Some attention will be devoted to characteristics of U.S. legal culture that contribute to the distinct features of its contracts.

**Note:** The course is graded pass-fail. This class is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

Section 13 is 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 160 v06 Drafting Contracts** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20160%20v06)

LL.M Seminar | 2 credit hours

This course introduces foreign-educated LL.M. students to the principles, processes, and techniques for drafting contracts in the United States, but with a cross-border, multi-country setting. Students will develop skills in reading and interpreting a contract and will thereby better understand the function of its component provisions. Students will learn how to draft contract provisions with precision and clarity. Among the topics covered will be: the structure of the contract, representations, covenants, conditions, allocation of risk, incentives, stipulative provisions, remedies, enforceability, and applicable law. The course will address the lawyer's role in deal-making, including the negotiation of the contract's terms and related ethical and practical aspects of transactional practice. Some attention will be devoted to characteristics of U.S. legal culture that contribute to the distinct features of its contracts.

**Note:** The course is graded pass-fail. This class is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

**Note FOR THE SUMMER 2021 SECTION:** The professors will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University's COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

**LAW 919 v00 Drafting Partnership & LLC Agreements** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20919%20v00)

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

This course applies practical approaches to assist students in understanding the tax and business arrangements of joint ventures, limited partnerships, and limited liability companies, ranging from the common to the complex. The course also presents and analyzes the drafting techniques necessary to actually implement such arrangements by concentrating on the tax and business provisions in term sheets and limited partnership/limited liability company agreements.

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

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

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

**LAW 1102 v00 Drug Law and Policy Seminar: A Critical Perspective on the War on Drugs in the Americas** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201102%20v00)

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

This seminar will explore the policy of prohibition on drug production, distribution and consumption that embodies the long-standing hemispheric “war on drugs”. It will examine the legal regime that underpins current policies on drug trafficking (international, transnational and domestic regulations) related to criminalization but also to arms’ sale and money laundering. We will reflect on the economic and social consequences that drug-trafficking prohibition has had in countries and communities situated on different sides of the global drug trade. Our focus will be primarily on the United States, Mexico and Colombia. The seminar will explore the dominant “law and order” criminalization paradigm and contrast it with other potential approaches that focus on public health and economic development. We will conclude by considering a range of potential policy alternatives to the current model.

**Note:** This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1347 v00 Economic Regulation of Energy
J.D. Seminar (cross-listed) | 2 credit hours
This seminar will address the principles of economic regulation of energy production, transportation, and delivery. Energy drives the economy, and the substantial investment required to produce, refine, transport, and deliver energy brings with it significant government regulation. We will focus primarily on economic regulation of energy at the Federal level, with some discussion of parallel state regulatory schemes and federal-state jurisdictional issues. The starting point is an understanding of the physical aspects of energy—the different sources of energy and the practical aspects of extraction, refining, transportation, and delivery to users—and the application of economics and antitrust law to understand the rationale for extensive federal and state regulation of energy industries.

The seminar will consider early steps to regulate private industry for the public good, introducing students to principles of economic regulation, including dealing with natural monopolies, requiring certificates or permits for energy facilities, balancing the need for industry to attract capital with rate-payer protection through cost-of-service ratemaking, assuring “just and reasonable” rates and terms and conditions of service, preventing undue discrimination, relying on competitive market forces as a substitute for regulation (light-handed or market-based regulation), and partial deregulation. Key Federal agencies to be examined are the Federal Energy Regulatory Commission (FERC) and the Department of Energy. We also will touch on parallel issues at the state level, efforts to diversify energy sources and reduce environmental impacts, state-federal conflicts, and enforcement programs.

The seminar will include a practical in-class exercise where students will prepare and present argument in a mock hearing setting. Schedules permitting, there will be a visit to FERC and discussion with senior officials. There is a writing requirement, but no examination. Students will prepare a mid-term legal memorandum and a final course paper that addresses a significant legal or policy energy topic. Grades will be based on class participation and the two written submissions.

There are no prerequisites, although prior or concurrent enrollment in Administrative Law is helpful. This seminar does not fulfill the Upperclass Legal Writing Requirement.

Recommended: Prior or concurrent enrollment in Administrative Law is helpful, but not required.

LAW 1673 v00 Effective Human Rights Advocacy in Polarized Environments Seminar
J.D. Seminar (cross-listed) | 2 credit hours
Human rights advocacy can be an uphill battle, even in the best of times. And these are not the best of times. Progress is possible, but the problems we tackle need serious, hard-nosed strategies and activists with the skills to execute them. In this course we will explore and analyze key elements of successful human rights advocacy campaigns—goal-setting, messaging/communications, coalition-building, resource allocation—and develop the practical skills advocates need, especially in today’s politically polarized environment, to win.

The course will be grounded in real-world examples. We will explore and evaluate different theories of social change and study how those work (or don’t) in practice. Each week we will do a deep dive into a different element of successful campaign strategy.

Student Learning Goals: As a result of completing this course, students will be able to draft a strategic campaign plan for an issue or policy campaign. Students will learn how to evaluate advocacy strategies and how to choose which advocacy techniques are likely to succeed in which contexts. Students will be exposed to leading experts in human rights advocacy, including staff from human rights organizations, congressional offices, messaging and communications experts, litigators and veteran human rights campaigners. Students will develop the analytical and practical skills necessary to build a successful campaign strategy.

In addition, students will be alerted to opportunities for participating in human rights activities and events outside of class. Students interested in a career in human rights will gain a richer understanding of the theories of change and the portfolio of advocacy tactics used successfully by practitioners in the field.

LAW 195 v05 Election Law: Voting, Campaigning and the Law
J.D. Course | 3 credit hours
This course examines federal and state law regulating the conduct of elections and the financing of campaigns. Included are aspects of federal and state constitutional law on speech, association, and equal protection; and particularly problems of apportionment, gerrymandering, race-conscious districting under the Voting Rights Act, and barriers to voting. With respect to campaign finance, we consider how much and what kinds of legal regulation are constitutionally appropriate regarding parties, candidates, independents, political action committees, corporations, unions, and individuals.
LL.M Seminar (cross-listed) | 2 credit hours
From meme trading to cryptocurrencies to climate change disclosure, U.S. financial services regulatory issues are increasingly generating headlines. How do regulators address new and emerging issues? What happens when those issues do not fit neatly into the existing framework? This course will provide an overview and practical insights into how U.S. financial services regulation continues to evolve and adapt to address new challenges.

The course begins by describing how different pieces of the U.S. financial services regulatory framework fit together - including the roles of particular agencies and their varying missions - in order to set the stage for later classes. It will also introduce themes that will be explored throughout the course, such as tensions between investor protection and the facilitation of economic growth, and areas where there are both gaps in regulation and conflicts between regulators over who is responsible for certain products and activities.

The course is designed to make complex concepts accessible and to appeal to students new to financial services regulation, but also to be useful to those with prior coursework in securities regulation. Each segment will begin with an overview of a topic area followed by an exploration of current issues. For instance, the segment on the regulation of financial advice will begin by identifying the roles of the relevant players - including broker-dealers, investment advisers, and self-regulatory organizations - and then will delve into current debates, such as efforts to harmonize business conduct standards through Regulation Best Interest and the opportunities and dangers of app-based trading.

As another example, the segment on investment companies will first describe different types of funds - such as mutual funds, exchange-traded funds (ETFs), and private funds - and will then explore current issues such as the emergence of ESG investing and the exposure of individual investors to exotic types of assets and strategies.

The course will similarly explore other topics including: struggles to regulate cryptocurrencies and digital assets; similarities, differences, and tensions between securities and futures regulation; debates over how to expand private offerings while protecting Main Street investors; the financial crisis of 2008 and the failure to understand the risks created by combining asset-backed securities and derivatives; historic struggles to separate investment and commercial banking; and current efforts to protect the financial system from systemic risk, including concerns related to cybersecurity and business continuity.

As in previous iterations of this course, the professors will bring in guest speakers from government, law firms, and the financial services industry.

Grading: The course is structured to provide maximum support to ensure that students develop familiarity with the themes and questions raised in the course. Grading is based on class participation, a short practical assignment, and a final paper. To help with class participation, the professors will assign a question to each student ahead of each class to help focus discussion. Students will also work with the professors to choose a practical assignment that implements the concepts explored in class (such as making a slide presentation or writing a 1-2 page comment letter in response to a proposed regulation).

**Strongly Recommended:** Securities Regulation, which may be taken prior to this class or concurrently.
**LAW 1337 v00 Empirical Analysis for Lawyers and Policymakers Seminar**

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

This seminar is intended to help students become better consumers of empirical work in the law and social sciences. By the end of the semester, students should: (1) understand the basics of some common empirical methodologies; (2) see how empirical work can inform public policy; and (3) have a better sense of the limits and problems inherent in empirical work.

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

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

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

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

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

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**LAW 3011 v00 Employee Benefits Practicum**

LL.M Seminar (cross-listed) | 4 credit hours

This course will focus on the practical application of ERISA principles as applied to qualified and non-qualified retirement plans, health and welfare plans and executive compensation. Students will draft plan documents and summary plan descriptions; review employee communications; draft memos and responses to participant inquiries; conduct legal research; conduct due diligence with respect to employee benefits in corporate transactions; negotiate and draft the asset purchase provisions of corporate transactions; negotiate and draft vendor contract provisions; review Securities & Exchange filings with respect to employee benefit plan footnotes and executive compensation disclosures; review the principles of employee benefits in bankruptcy; review principles of labor law as it impacts employee benefits in collective bargaining; review the avoidance and management of ERISA litigation; consider the legal ethics with respect to representing various parties in an ERISA dispute; and other practical considerations in dealing with employers, government agencies, participants, insurance companies and other vendors and plan sponsors.


If you do not have any experience or knowledge about employee benefits, you need Professor approval to take this class.

**Mutually Excluded Courses:** Survey of Employee Benefits Law

**Note:** Required for the Employee Benefits Certificate.

Course open to J.D. students who possess significant ERISA experience and only with professor permission - no exceptions. Interested students should contact Ellis Duncan via email at ged5@law.georgetown.edu between August 1 - August 30, 2021 for permission to take this class.
LAW 3004 v00 Employee Benefits: Executive Compensation (http://curriculum.law.georgetown.edu/course-search/?keyword=LA W%203004%20v00)
LL.M Course (cross-listed) | 2 credit hours
This class will focus on the tax aspects associated with nonqualified deferred compensation, including the tax doctrines of constructive receipt and economic benefits, as well as the three different income tax regimes set forth in section 409A, section 457A and section 457(f), and the employment tax regime under section 3121(v). In addition to exploring the various rules and the Federal tax consequences under these and other Code sections, including sections 162(m), 280G and 4960, consideration will be given to the tax policy issues driving the varying treatment and the design, drafting and implementation of many types of executive compensation arrangements, including equity compensation awards, traditional nonqualified deferred compensation plans, SERPS, excess benefit plans, rabbi trusts and top hat plans. This class will also provide an introduction to the registration and reporting requirements under the Securities Act of 1933 and the Securities Exchange Act of 1934, respectively, regarding executive compensation arrangements.

Prerequisite: Federal Income Taxation (formerly Taxation I).

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

Note: This course is required for the Employee Benefits Certificate.

This course is open to J.D. students by professor permission. Interested students should contact Ellis Duncan via email at ged5@law.georgetown.edu between August 1 - August 30, 2021 for permission to take this class.

LAW 3005 v00 Employee Benefits: Qualified Retirement Plans (http://curriculum.law.georgetown.edu/course-search/?keyword=LA W%203005%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course addresses the basic structure, operation, and requirements for establishing and maintaining tax-qualified pension, profit-sharing, and 401(k) plans under section 401(a) of the Internal Revenue Code and related provisions of ERISA, including plan document, coverage, accrual, vesting, nondiscrimination requirements, taxation of distributions and related fiduciary obligations.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for this course, Retirement Plan Qualification Requirements, Retirement Plans - Design and Taxation, or Retirement Income: Taxation and Regulation.

Note: This course is required for the Employee Benefits Certificate

This course is open to J.D. students by professor permission. Interested students should contact Ellis Duncan via email at ged5@law.georgetown.edu between August 1 - August 30, 2021 for permission to take this class.

LAW 1290 v00 Energy and Environment Seminar: Hydraulic Fracturing (http://curriculum.law.georgetown.edu/course-search/?keyword=LA W%201290%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar will examine the many policy and legal implications of the explosive growth of hydraulic fracturing, which has dramatically increased U.S. oil and gas production through the application of new drilling technology. As a foundation for this examination, the seminar will begin with the nuts-and-bolts of fracturing technology, how it differs from conventional production methods and what environmental impacts it can cause. The seminar will then focus on how fracturing is reshaping the U.S. energy production map and affecting energy prices and markets domestically and internationally. The seminar will then address a set of case studies that bring into focus key areas of legal and policy debate. Areas to be covered include: Is the science sufficient for policymakers to make thoughtful decisions to authorize or ban fracturing? What should the federal and state roles be in regulating fracturing and how much authority to control fracturing exists at the federal and state levels? Should individual cities and towns be allowed to ban fracturing or should that decision be made by states for all their communities? Is increased production of natural gas due to fracturing a positive or negative development from the perspective of addressing the global warming threat? In addition to writing papers, students will be divided into teams that will prepare classroom presentations about how key states have grappled with the challenges posed by hydraulic fracturing.

Prerequisite: Prior enrollment in at least one of the following courses: Environmental Law or Energy Problems Seminar: Climate Change and Other Energy Issues or Energy Regulation: A Practical Approach (formerly Economic Regulation of Energy).
LAW 1472 v00 Energy Law and Policy [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201472%20v00]
J.D. Seminar (cross-listed) | 2 credit hours
This course will present the framework for the governance of energy production, distribution and use in the United States, and provide a foundation for future coursework on these subjects. While the course will focus primarily on U.S. law, it will address some international subjects and examples. Topics will include the evolving U.S. fuel mix and market dynamics, utility restructuring and grid modernization, roles of state and federal governments, the role of different policymakers and regulatory bodies in overseeing U.S. energy systems, relevant environmental laws, and emerging policy issues. There are no prerequisites, although experience with administrative law or environmental law would be beneficial.

**Learning Objectives:**

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

**Recommended:** Administrative Law, Environmental Law.

LAW 142 v02 Energy Problems Seminar: Climate Change and Other Energy Issues [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20142%20v02]
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar considers economic, political, and legal aspects of current problems in the petroleum, natural gas, electrical, nuclear, coal and alternative energy industries with particular focus on global warming and the impact of climate change policies on energy use in the United States and abroad. In addition to the connection between global warming and energy, the seminar will examine: (1) the nexus between U.S. energy policy and Middle East wars and diplomacy; (2) the future of energy deregulation; (3) tensions between state and federal efforts to address energy issues; and (4) the problems and prospects of introducing new fuels and fuel sources, including nuclear, hydrogen, and renewables, into the U.S. and world economies. As these subjects sweep across the entire economy, they touch upon several fields of law: administrative law, antitrust, constitutional law, environmental law, oil and gas law, public utility regulation, and international law (both public and private).

**Note:** This seminar requires a paper. Students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.
LAW 1347 v01 Energy Regulation: A Practical Approach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201347%20v01)

J.D. Seminar (cross-listed) | 2 credit hours
This seminar focuses on the practical application of core and extended legal principles applicable to the electric, natural gas, and oil transportation industries. We will address challenges associated with the formation and implementation of energy policy by examining regulatory reforms and judicial decisions that continue to shape investment and operations. Taking a holistic approach that embraces financial, technological, and environmental factors, we will explore efforts to enhance the touchstones of fairness, efficiency, reliability, adequacy, and enforcement in domestic energy industries.

Several key statutes form the framework of federal energy law, including the Federal Power and Natural Gas Acts. We will extend a survey of the organic development of these statutes to the policy framework the Federal Energy Regulatory Commission has devised to achieve national goals. Foundational constitutional guideposts such as the Commerce Clause and Federalism will frame discussions while cost of service ratemaking, market-based rates, and market manipulation, with case examples and attendant legal principles, will be introduced. Diverse doctrines such as Mobile-Sierra and Chevron, among others, are considered to explore their impacts in areas such as wholesale price formation and agency initiatives, respectively.

By discussing norms of agency practice, we help students gain insight into current and evolving practices and legal developments along the production-transmission-distribution continuum. A special emphasis is placed on environmental considerations and technical innovation. Introduction and analysis of smart grid, demand response, low carbon goals, and other growing initiatives will be presented to connect recent regulatory preoccupations to new challenges. Concepts such as cost causation and undue preference will be studied in contemporaneous contexts to convey the dynamics of rapidly evolving technologies, industry economics, and politics. In sum, the seminar’s emphasis on the practical application of energy law concepts will help students spot issues and assess controversies in the energy sphere.

The seminar will include two practical oral exercises, wherein students will prepare and present argument or negotiation positions in a mock setting and receive feedback on performance. The second exercise will be graded. There is no final examination; students will write a final paper on an energy law topic of their choice. Schedules permitting, there will be a visit to FERC and discussion with Commission staff. Grades will be based on class participation, the second practical oral exercise, and the final paper.

This seminar does not fulfill the Upperclass Legal Writing Requirement.

LAW 2009 v01 Energy Trading and Market Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202009%20v01)

LL.M Seminar (cross-listed) | 2 credit hours
Energy markets are dynamic and growing rapidly, creating new business opportunities and legal challenges not only for traditional energy companies such as utilities, pipelines, natural gas producers and independent power producers, but also for newer market entrants including investment banks, demand response providers, smart grid and renewable energy companies, storage providers, hedge funds, and large industrial and commercial consumers of natural gas and electricity. The course will focus on the economic regulation of physical energy markets by the Federal Energy Regulatory Commission (FERC), primarily the regulation of transmission, price and competition in the electric and natural gas markets. We will examine six main areas: (i) restructuring and deregulation under the Federal Power Act and Natural Gas Act; (ii) the current model of energy market enforcement and compliance derived, in large part, from securities market regulation; (iii) the legal, regulatory and market responses to ongoing challenges, including market based pricing, market structure and the prevention of market manipulation and market power abuse; (iv) foundational laws and policies governing energy markets and non-discriminatory transmission by wire and pipeline of the electricity and natural gas commodities; (v) “hot topics” such as carbon pricing in organized wholesale electricity markets, the shale gas revolution, the impact of subsidies for certain resources, pipeline and electric transmission infrastructure development and cost allocation, and integrating demand resources and renewables; and (vi) the constant interplay among Congress, federal and state energy regulatory agencies and market participants. Students will gain an appreciation for the legal and market challenges confronted by market participants. Some sessions will feature guest lecturers. There will be no final examination. Instead, each student’s grade will be based on a final paper that takes a position on a key legal or policy issue and defends that position persuasively, two quizzes during the semester, and class participation.

LAW 715 v01 English for International Lawyers (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20715%20v01)

LL.M Seminar | 1 credit hour
This class gives students an introduction to the United States and its legal system. After studying the history of the crafting of the U.S. Constitution, students are given an overview of the American legal system and relevant guidelines relating to case reading and the language of the law.

Note: This Class is Restricted to Students Enrolled in the Two-Year LL.M. with Certificate in Legal English. This course is graded on an honors-pass-fail basis.
This course will explore legal and business issues that arise in connection with the development, production and exploitation of entertainment product, with a primary focus on theatrical motion pictures, television and digital content. Topics will include contracts and contractual relations in the entertainment industry; individual and publicity rights; protection of literary material; the protection of ideas; representation of clients in the entertainment industry; issues raised by exploitation of entertainment works in the distribution chain; the roles of agents, managers and creative executives; and so-called “backend” participation accounting. We will explore how digital innovation and technology has dramatically transformed the production and distribution of content and how relevant law, public policy and business principles apply to this industry (including the role of copyright and antitrust throughout the history of the business). The class will strive to emphasize real-world lawyering and how to advance a client’s interests through careful business analysis, the crafting of contract language and legal interpretation.

Class participation is encouraged and will form some part of the grade.

**Recommended:** Copyright Law and/or Trademark and Unfair Competition Law.

This two-credit course will focus on the processes and challenges of entrepreneurship and the legal and strategic roles that a lawyer plays as an advisor to early-stage and rapid-growth companies. Topics will include: the entrepreneurial mindset, capital formation, resource management, forecasts and projections, leadership and team building, the entrepreneur-attorney relationship, leveraging intellectual capital and related growth strategies. Students will work in teams on mid-term assignments and a final assignment that will include analyzing a business plan. The goal of these exercises is to develop the skills that are essential to the evaluation of business plans and strategic growth of companies and to build an advisory skill set. Guest speakers will include entrepreneurial leaders, accountants, investment bankers and others involved in the entrepreneurial advisory process. Students who are interested in representing and advising entrepreneurs and start-up companies or in becoming entrepreneurs themselves will benefit from this class. This class also will be beneficial for JD/MBA joint degree students.

**Prerequisite:** Corporations.

**Recommended:** Corporate Taxation (formerly Taxation II).

**Mutually Excluded Courses:** Students may not receive credit for both this course and Entrepreneurship: Scaling a Business from Inception to Exit or Entrepreneurship: The Lifecycle of a Business.
The course takes a real-world approach to learning, leveraging heavily off the extensive experience of the Professor, who has successfully executed two entrepreneurial ventures, as well as guest speakers with particular expertise in certain topics covered by the course and a simulation group exercise involving a real-life start-up scenario. This perspective should help prepare students for the real-life challenges – and rewards – of engaging in entrepreneurship and business building. This course is aimed at law students who are interested in participating in an entrepreneurial venture at some point in their career, whether in a business or legal role (i.e., as internal or external advisor). To be clear, it is a business class, not a traditional law class, although legal issues will be highlighted and addressed throughout, as they would be if taught to business students since business and legal issues are always closely intertwined. The primary objective of this course is to give students an understanding of and appreciation for the primary and critical steps in the lifecycle of a start-up, from inception to raising capital to scaling/business execution to exit.

At the end of the class, students will understand how to, among other important topics:
- start and structure a business with the right team and idea;
- draft an effective business plan and raise capital from different sources;
- build a collaborative company culture and infrastructure for scalability; and
- exit the business while maximizing value.

The goal is to give students an understanding of and appreciation for the primary steps in the lifecycle of a start-up, from inception to raising capital to scaling/business execution to exit.

Students will gain an appreciation for the practical requirements and challenges (and rewards) of starting and building a business, as well as the attendant legal issues at each step in the start-up process.

LAW 1617 v00 Course Goals / Student Learning Outcomes:

- At the end of the course, students will:
  - understand the lifecycle of a start-up from inception to exit,
  - understand the primary steps in the lifecycle of a start-up,
  - understand the critical steps in the lifecycle of a start-up,
  - understand the legal issues that arise at each step in the lifecycle of a start-up,
  - understand the potential contributions of non-legal environmental discourses and strategies to legal argument, and the potential contributions of law to non-legal discourses and strategies.

Recommended: Corporations.

Mutually Excluded Courses: Students may not receive credit for this course and Entrepreneurship and the Law: Evaluating Client Business Plans and Growth Strategies or Entrepreneurship: Scaling a Business from Inception to Exit.

LAW 1702 v00 Environmental Advocacy Seminar

In a warming world, environmental advocacy is more important than ever. This course explores an array of discourses – from art, literature, and religion, to science, economics, and law – and an array of strategies – from direct action, to community building, to lawsuits – environmental advocates might embrace in pursuing their cause. We will explore the potential contributions of non-legal environmental discourses and strategies to legal argument, and the potential contributions of law to non-legal discourses and strategies. A basic aim of the course is for students to see the possibility that progress on environmental protection might come through discourses other than law and through strategies other than lawsuits, while also appreciating the profound role law has played (for good and ill) in shaping the environment we have today. To give this rather sprawling subject a tangible core, the focal point for our discussions throughout the course will be the protection of forests and trees.

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

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

LAW 1277 v00 Environmental Dispute Resolution Seminar

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

Prerequisite: Environmental Law.

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

1. Develop a Working Definitions of Environmental Justice
2. Key Questions to be Addressed
   • What is the “environment”?
   • What are environmental problems or issues addressed by the law?
   • What is environmental law?
   • What are methods for environmental problem identification, analysis, and resolution?
3. Applications of existing environmental laws and remedies to resolve such problems.
4. Identification of inadequacies of such laws and remedies and their equitable enforcement.
5. Identification of current reform proposals to address such inadequacies.
6. Creative environmental legal problem solving by students that addresses inadequacies of current law and its enforcement.
   • What are methods for environmental justice problem identification, analysis, and resolution? How to identify and/or address environmental justice issues in an area of interest to you (e.g., an issue arising in your hometown or other area that is significant to you).
7. Understand the specifics of Environmental Justice:
   • Federal and selected state constitutional rights and remedies
     • Equal protection
     • Due process (substantive or procedural)
     • Express environmental protection rights under selected state constitutions
     • Substantive rights to environmental quality
   • Federal Statutory Rights and Executive Actions
     • Title VI of the Civil Rights Act of 1964 and implementing regulations.
     • Other federal civil rights statutes and regulations, e.g., Fair Housing Act
     • Federal Executive Order 12898 on Environmental Justice and federal agency policies and procedures to implement the Executive Order.

Learning Objectives:

The following outcomes are identified for this course.

1. Develop a Working Definitions of Environmental Justice
2. Key Questions to be Addressed
   • What is the “environment”?
   • What are environmental problems or issues addressed by the law?
   • What is environmental law?
   • What are methods for environmental problem identification, analysis, and resolution?
3. Applications of existing environmental laws and remedies to resolve such problems.
4. Identification of inadequacies of such laws and remedies and their equitable enforcement.
5. Identification of current reform proposals to address such inadequacies.
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   • What are methods for environmental justice problem identification, analysis, and resolution? How to identify and/or address environmental justice issues in an area of interest to you (e.g., an issue arising in your hometown or other area that is significant to you).
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   • Federal and selected state constitutional rights and remedies
     • Equal protection
     • Due process (substantive or procedural)
     • Express environmental protection rights under selected state constitutions
     • Substantive rights to environmental quality
   • Federal Statutory Rights and Executive Actions
     • Title VI of the Civil Rights Act of 1964 and implementing regulations.
     • Other federal civil rights statutes and regulations, e.g., Fair Housing Act
     • Federal Executive Order 12898 on Environmental Justice and federal agency policies and procedures to implement the Executive Order.

Strongly Recommended: Prior or concurrent enrollment in Administrative Law.
LAW 146 v10 Environmental Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20146%20v10)
J.D. Course (cross-listed) | 3 credit hours
Between New Year’s Day in 1970 and December of 1980, Congress enacted virtually all of our major federal environmental statutes. To this day, these laws form the core of this country’s approach to addressing environmental problems. All of the laws aim to achieve cleaner water, air, and land, while at the same time taking very different approaches to doing so. This course will introduce you to the major federal statutes on environmental protection, including but not limited to the Clean Air Act, the Clean Water Act, and the Superfund law. You will come to understand the basic regulatory goals and mechanisms of these laws. You will also learn how one might choose among these goals and mechanisms in fashioning environmental policy. Ideally, you will come away with an informed judgment about how far we have come in protecting the environment and how far we still have to go.

Recommended: Administrative Law or a first-year elective on legislation and/or regulation.

LAW 2077 v00 Environmental Lawyering (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202077%20v00)
LL.M Seminar | 1 credit hour
This course will explore the many aspects of practicing environmental law – across media (water, land, air, and the energy sector), across levels of government (local, state, federal, international), and across scales (local land use to global climate change). It will also expose students in our specialized Environmental and Energy LL.M. to many aspects of legal practice. For example, students will be introduced to litigation, client counseling, advocacy, rule-making and policy-making for environmental and energy attorneys. Throughout the semester, students will be introduced to several members of the Georgetown environmental law faculty and leading practitioners and will form a community among students in our Environmental & Energy Law LL.M. degree program. The course is organized as a seminar in which students are expected to write reflective essays informed by our readings and to participate actively in discussions. The grade will be based on class participation and reflective memos, memos with extra weight given to a final summary memo. The course meets every two weeks over lunch throughout the fall semester.

Note: This course is required for the Environmental & Energy Law LL.M. program and is restricted to LL.M. students admitted to that program.

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.

LAW 156 v01 Environmental Research Workshop (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20156%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours
Students in this class will have an opportunity to produce publishable scholarship and learn how to comment on the scholarship of eminent scholars in the field. The class will introduce you to some of the best academic scholars in environmental law who will present a work-in-progress for you to comment on. The centerpiece of the course is a series of workshop meetings at which a scholar presents a work-in-progress followed by commentary on that work by a representative from one of the three branches of government with major responsibilities related to environmental law or policy making in Washington, D.C. The class’s structure gives enrolled students a unique opportunity to participate in that exchange.

Students can fulfill their upper level writing requirement with an opportunity to produce substantial, publishable legal scholarship on a topic related to environmental or natural resource law, broadly defined, and receive three credits for their efforts. Students who elect to take the course for only two credits will write three papers of no more than five pages each commenting critically on the work of three of the visiting scholars and present those comments orally at a class session to the scholar.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 754 v01 Epidemiology for Lawyers
Increasingly, lawyers and policymakers are confronted with the need to evaluate scientific research about causes of good or ill health. Should the family of a person who was exposed to asbestos and later died of lung cancer sue? At what level should mercury in tuna violate regulatory standards? What measures can be employed to control the spread of an Ebola outbreak or to prevent obesity? Will mandatory quarantines save lives if a bioterrorist releases anthrax in a major city?

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

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

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

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

Note: Not intended for MPH students. No prior knowledge of Epidemiology is assumed.

WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 1:30 p.m. - 4:50 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waithlisted 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 833 v00 Estate Planning: Estate and Gift Tax
Covers the principal federal income tax rules applicable to trusts and estates, including simple and complex trusts, grantor trusts, charitable trusts and income in respect of a decedent. The use of problems for illustrative purposes, planning points, and other practical considerations are emphasized in the course.

Prerequisite: Federal Income Taxation (formerly Taxation I), Decedents' Estates or equivalent, or concurrent enrollment in Wills & Trusts. This course is taught at an advanced level, and it is strongly recommended that students have completed Income Taxation of Trusts, Estates, and Beneficiaries and a J.D. course in Estate and Gift Tax, or possess equivalent practice experience.

Note: Class will meet for two hours each session, with 10 hours of course content delivered asynchronously.

The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.

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

LAW 868 v00 Estate Planning: Income Taxation of Trusts, Estates and Beneficiaries
Covers the principal federal income tax rules applicable to trusts and estates, including simple and complex trusts, grantor trusts, charitable trusts and income in respect of a decedent. The use of problems for illustrative purposes, planning points, and other practical considerations are emphasized in the course.

Prerequisite: Federal Income Taxation (formerly Taxation I), Decedents' Estates or equivalent, or concurrent enrollment in Wills & Trusts.

Recommended: Completion of a J.D. course in Estate and Gift Tax or equivalent practice experience. Students are advised to do some background reading in this area if they have not previously taken a course in Estate and Gift Tax.

Note: Class will meet for two hours each session, with 10 hours of course content delivered asynchronously.

The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.

Withdrawals are permitted up until the last class for this specific course.
LAW 825 v00 Estate Planning: Special Topics in Transfer Tax (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20825%20v00)
LL.M Seminar | 2 credit hours
This course supplements the two estate planning courses taught earlier in the fall semester, Income Taxation of Trusts, Estates, and Beneficiaries and Estate and Gift Tax. Like those courses, it is required for the Estate Planning Certificate and is a prerequisite for the Spring estate planning course, Advanced Private Wealth Transfer Seminar. This course addresses four areas of special concern in wealth planning: the distinction between common law and community property principles; valuation and business succession issues that arise in complex wealth planning; international aspects of wealth planning; and the generation skipping transfer tax or GST. Students will be evaluated primarily on the basis of a written paper; class participation and assigned short written exercises will also be given weight in determining the final grade.

Prerequisite: Federal Income Taxation (formerly Taxation I), Decedents’ Estates or equivalent, or concurrent enrollment in Wills & Trusts; Income Taxation of Trusts, Estates, and Beneficiaries; Estate and Gift Tax.

Note: Class will meet for two hours each session, with 10 hours of course content delivered asynchronously.
Withdrawals are permitted up until the last class for this specific course.

LAW 3009 v00 Ethics in International Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203009%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
This course will consider ethics principles governing the conduct of counsel, arbitrators and expert witnesses in international commercial and investment arbitrations. Topics will include recent developments in the IBA Guidelines on Conflicts of Interest in International Arbitration and the IBA Guidelines on Party Representation in International Arbitration, other soft law instruments such as the ABA/AAA Code of Ethics for Arbitrators in Commercial Disputes, national law regulation of the conduct of arbitrators and counsel in international arbitrations, ethics requirements included in international arbitration rules and ethics requirements for witnesses in international arbitrations, as well as recent ethics-related jurisprudence from ICSID, arbitral institutions and various national courts.

Learning objectives:
This course has the following goals:

- To enable the student to identify fundamental differences between the ethics obligations of principal participants (arbitrators, counsel and witnesses, particularly expert witnesses) in international arbitrations (involving participants from a multiplicity of States and legal systems and a forum intended to be perceived as neutral and thus largely outside the influence of the particular national legal systems of the parties) and the ethics obligations of principal participants in national judicial systems.
- To identify the complex regulatory, choice of law and legal culture problems involved in identifying the sources and content of ethics obligations of participants in international arbitrations in light of the diversity of legal and national cultures involved and to compare and contrast with the sources and content of ethics obligations of participants appearing in national courts.
- To identify possible remedies for breaches by participants in international arbitrations of their ethics obligations (if any) and to compare and contrast with remedies in national courts.

My objective will be to enable students, by the end of the sessions, to be able to:

- describe the subject areas covered (or not covered) by ethics responsibilities for principal participants (arbitrators, counsel and witnesses) in international arbitration
- describe how those areas may differ in sources and content, when compared with national court systems,
- recognize and explain reasons why the ethics responsibilities of participants in international arbitration differ from the ethics responsibilities of similar participants in national court systems,
- describe important uncertainties with respect to ethics obligations of those participants, and
- apply that learning to advise clients and counterparties on complying with those responsibilities or, when the nature of those responsibilities are uncertain, how to manage the arbitral process in light of those uncertainties.

Recommended: Prior or concurrent course in international commercial or international investment arbitration.

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

The required paper for the course is selected from a list prepared by the professor. The paper is too short to be used for other writing requirements in a degree program. This course is mandatory pass/fail.
LAW 2042 v01 Ethics in Tax Law
LL.M Course (cross-listed) | 2 credit hours
This course provides students with an opportunity to consider and address the ethical issues that attorneys frequently encounter in different kinds of modern-day tax practice, either tax planning or controversy. Such contemporary issues relate to conflicts of interest, evidentiary privileges and confidentiality duties, tax return preparer penalties, tax opinion standards, tax shelters, federal-court petitions for injunctive relief and for review under the Administrative Procedure Act, and rules governing disciplinary proceedings. To help students to grapple with these issues, both individually and in collaboration with fellow students, this course will provide a legal framework and tools to analyze and address the tax lawyer's legal and professional obligations under the American Bar Association's Model Rules of Professional Conduct, as adopted by state disciplinary authorities, Treasury Department Circular No. 230 (the regulations governing practice before the Internal Revenue Service), and the Internal Revenue Code's penalty provisions.

Prerequisite: For J.D. students only: J.D. students who wish to enroll in this course must first complete a Professional Responsibility course.

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

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

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 10, 2022, through Thursday, January 13, 2022, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed between January 21 and January 28, 2022. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
Tax harmonization within the European Union is very difficult to achieve. Most legislative measures of the European Union in this area require the consensus of all 27 member states. The only real engine of harmonization seems to be the European Court of Justice (ECJ). The ECJ itself cannot harmonize the tax systems, however, the Court can force the member states to open their tax systems for tax competition within Europe. The judgments delivered by the ECJ are most of the time very surprising, even to experts.

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

Prerequisite: Students need to have taken a basic income tax course - either about the US tax system or about the tax system of another country.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 29th through Friday, February 5th, 2021.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

If the British constitutionalism epitomises the continuity across the eleven centuries of its monarchy, both the devolution of powers in Scotland and Northern Ireland affirmed in the last decades and the Human Rights Act 1998 (not to mention Brexit) have challenged a perfectly seamless flow of constitutional coherence. How have these events changed British constitutionalism?

Despite the beheading of King Louis XVI in 1793, French constitutionalism has in fact been identified with a recurring monarchical feature: even the law, that became the expression of the popular will once the yoke of the ancien régime was thrown off, acquired the same omnipotence that used to be conferred to the crown and was subsequently removed from any constitutional adjudication for a long time. Is it possible to recognize this monarchical feature also in the 1958 Fifth Republic Constitution and, if so, where?

What about the discontinuity between the German Weimar Constitution, adopted in 1919 after the deposition of King Wilhelm II, and the 1949 Basic Law? What part did fear of the past play in the drafting of the new German constitutionalism and in setting an example of efficiency and human dignity? Are there any similarities between the German and the U.S. constitutional patriotism?

What about the move in Spain from the national unity imposed by Generalissimo Franco's long tyranny to the 1978 asymmetrical regionalism? Did Catalonia's efforts towards independence comply with the Spanish constitutional norms? And what about the transition of Eastern European countries from socialism to (illiberal) democracy?

Finally, a part of the course will be devoted to the discussion of some judgments issued either by domestic European constitutional courts or the European Court of Human Rights (ECtHR): these cases will constitute the basis for a comparison with the U.S. constitutionalism during the classes co-taught with Justice Sonia Sotomayor, with special reference to how judicial review is performed, the relationship between the judiciary and other branches, the countermajoritarian difficulty, the judicial and hermeneutical techniques adopted, the recurrence of analogous petitions before the courts, and the possible cross-fertilisation among them.
LAW 816 v00 European Union Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20816%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This two-credit course aims to give students a comprehensive introduction to European Union law in the context of ongoing economic and political challenges facing the 28-country bloc – notably, the shadow of Brexit. The first half of the term covers the foundations of EU law, laying out key legal and political themes and principles associated with European integration and surveying the succession of treaties that have led to today’s Union. Next the course examines key features of the EU judiciary and perspectives on the EU legal order from the Court of Justice and national constitutional courts, followed by consideration of the EU’s increasingly important fundamental rights framework and a look at EU citizenship. The second half of the course covers in turn the basics of the EU’s internal market arrangements, data protection and associated law enforcement and security issues, and the law governing the external relations of the Union, before concluding with a look at legal issues stemming from Brexit and the prospects for the EU’s future.

Overall this survey offers a compressed look at the constitutional, administrative, human rights, economic, security and foreign relations law of the European Union, making comparisons to U.S. law as appropriate. The emphasis throughout is on institutional aspects and the relationship between different actors within the EU and between the Union and its member states. The required basic text is Robert Schütze, *An Introduction to European Law*, 2nd edition (Cambridge University Press, 2015).

Students will be assessed by a mid-term exam, a final paper of approximately 8-12 pages, and class participation.

**Mutually Excluded Courses:** Students may not receive credit for both this seminar and European Law and Policy in Times of Crisis.

LAW 816 v08 European Union Law: Foundations and International Reach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20816%20v08)
J.D. Seminar (cross-listed) | 2 credit hours
What does the difficult divorce between the United Kingdom and the European Union demonstrate about the centrality of EU law to British life? Why has a new European privacy regulation become a centerpiece of U.S. technology companies’ efforts to rebuild trust in their global products? What authorities, and constraints, bind EU agencies and courts when they confront U.S. multinationals or U.S. government security and surveillance programs? What legal tools can “Brussels” deploy to respond to challenges from Moscow and rein in EU member states that stray from the rule of law? How is the EU adapting to – and precipitating – new worldwide trade and investment trends, including the retreat from investor-state dispute settlement?

This two-credit survey tackles such questions in the course of providing a comprehensive introduction to the scope and operation of the law of the European Union. The first half begins by focusing on the key legal and political dimensions of European integration and the main features of the succession of treaties that have led to today’s Union. We then examine the EU judiciary and its relationship to national constitutional courts, followed by consideration of the EU’s increasingly important fundamental rights and citizenship framework. In the second half, we turn to the EU’s internal market arrangements, the law governing its economic and other external relations, and data privacy and associated security issues. Brexit and other political and institutional developments are addressed throughout the term.

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

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

**Learning Objectives:**

- Understanding the historical and current context in which European integration has evolved, the legal fundamentals and doctrines that underpin the European Union, and the nature of the relationship between EU institutions and Member States.
- Understanding general structure and specific instruments of EU primary and secondary law, including the text of essential articles in the EU Treaties, as well as how to identify and work with a variety of EU law source materials.
- Connecting and applying legal understandings to current/ongoing political developments involving the EU, member states and third countries, including by producing a professional-caliber legal research memorandum on an EU law topic of personal interest.

**Mutually Excluded Courses:** Students may not receive credit for both this seminar and European Law and Policy in Times of Crisis.
LAW 3001 v00 Evidence (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203001%20v00)
LL.M Course | 3 credit hours
This course provides a general survey of the rules of evidence and the reasons underlying these rules with a particular emphasis on the Federal Rules of Evidence.

Included are the subjects of relevance, examination of witnesses, privileges, expert testimony, admission and exclusion of evidence, writings, the hearsay rule and its exceptions, and scientific evidence, among other subjects relating to the regulation of proof at trials.

The course, taught by a former federal judge who was also a prosecutor, will focus on the actual problems confronted in trials when evidence is offered at those trials. The course intends to equip students with the practical working knowledge that can be used to try a case competently.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Evidence.

Note: This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 193 v03 Federal Banking Regulation: Modern Financial Institutions and Change (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20193%20v03)
J.D. Course (cross-listed) | 4 credit hours
Banking Regulation today is at the cutting edge of federal power and regulatory experimentation. The financial collapse of 2008 was a near-death experience for federal banking regulators. We approach the subject with an intense focus on the dynamics of three critical pieces of the recent financial crisis: first, the development and growth of private markets for financial products; second, experimental regulatory strategies for controlling private risk taking and its effects on the integrated global financial system; third, the reemergence of areas of unique forms of hybrid power that combines private markets and government regulation.

This course examines the regulation of financial intermediaries. The stated goal of regulation is to ensure systemic stability and to pursue consumer protection. We will ask how well the balance between systemic stability and consumer protection had been maintained before the crisis of 2008. The course is devoted to federal regulation of banks, bank holding companies, financial holding companies and their affiliates. Topics include restrictions on activities of banks, holding companies and their affiliates, the history of and policy rationales for geographic restrictions on banking; special antitrust regulation of banks, debates about the role of capital adequacy requirements, community reinvestment requirements, bank supervision, and failed banks. With the market and legal changes of the past decade, the traditional market barriers between commercial banks and other financial institutions were largely dismantled. We will ask, did the federal response to the crisis produce a new paradigm for financial regulation? If it did not, why not?

The global financial crisis of 2008 provides a fertile laboratory for examining the fractured financial regulatory system, and the proposals for reform. The course will examine selected topics from the legislative agenda for reforming the financial regulatory system. These topics include among others, the role of subprime home mortgage lending and mortgage-backed securities in creating systemic risk, the consumer regulatory responsibilities of the Federal Reserve. We will identify some questions arising from the role of private credit rating agencies and securitizations in precipitation the financial collapse. and the competing claims of fairness, executive compensation and systemic risk, global financial responses.

The course begins with the basic overview of concepts applicable to financial intermediaries and ends with an assessment of the framework for future reform. We will pay special attention to the role of predatory consumer lending in sparking the collapse of banks. We will look at the fate of proposals to create a Consumer Financial Protection Agency, with independent rule making authority.

Mutually Excluded Courses: Students may not receive credit for both this course and Financial Services: Regulation in the Age of Disruption or Banking and Financial Institutions Regulation or Financial Regulation and Financial Crises.

Note: All students are expected to attend class regularly.
LAW 193 v05 Federal Banking Regulation: Modern Financial Institutions and Change (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20193%20v05)
J.D. Course (cross-listed) | 4 credit hours
Regulation of financial institutions today is at the cutting edge of federal power and regulatory experimentation. The financial collapse of 2008 was a near-death experience for federal banking regulators. We approach the subject with an intense focus on the dynamics of three critical pieces of the recent financial crisis: first, the development and growth of private markets for financial products; second, experimental regulatory strategies for controlling private risk taking and its effects on the integrated global financial system; third, the reemergence of areas of unique forms of hybrid power that combines private markets and government regulation.

This course examines the regulation of financial intermediaries. The stated goals of regulation is to ensure systemic stability and to pursue consumer protection. We will ask how well the balance between systemic stability and consumer protection had been maintained before the crisis of 2008, and whether post-crisis reform has done a better job. The course is devoted to federal regulation of banks, bank holding companies, financial holding companies and their affiliates. Topics include restrictions on activities of banks, holding companies and their affiliates, the history of and policy rationales for geographic restrictions on banking; special antitrust regulation of banks, debates about the role of capital adequacy requirements, community reinvestment requirements, bank supervision, and failed banks. With the market and legal changes of the past decade, the traditional market barriers between commercial banks and other financial institutions were largely dismantled. We will ask, did the federal response to the crisis produce a new paradigm for financial regulation in the United States, Europe, and the rest of the world? Where it did not, why not?

Mutually Excluded Courses: Students may not receive credit for both this course and Financial Services: Regulation in the Age of Disruption or Banking and Financial Institutions Regulation or Financial Regulation and Financial Crises.

Note: All students are expected to attend class regularly.

LAW 178 v03 Federal Courts and the Federal System (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20178%20v03)
J.D. Course | 3 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 the governmental process. Representative topics include Congressional power to curtail federal jurisdiction, limitations on the ability of the federal courts to enjoin state court proceedings, federal common law, state sovereign immunity, federal habeas corpus, and the prerequisites for Supreme Court review of state court judgments. The primary emphasis of the course is on a critical analysis of these jurisdictional doctrines, although some time is spent on litigation aspects.

LAW 3007 v00 Federal Environmental Litigation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203007%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This seminar will focus on the several types of federal environmental litigation including: civil enforcement litigation, project approval litigation, citizen suits, Superfund cost recovery litigation, toxic tort litigation, and litigation related to the appeal of a rule-making decision.

The purpose of the course is to deepen the students’ understanding of certain types of federal environmental litigation and to provide practical hands on litigation experience. The classes will include lectures on the substantive legal issues associated with these areas of litigation together with a practice exercise either in class or a courtroom setting to give students the opportunity to put the substance they learn into practice.

Students will be asked to draft a civil enforcement complaint based on a set of documents identifying a Clean Water Act violation. In the project approval litigation segment and/or the citizen suits segment, students will be given the opportunity to argue in a courtroom setting a motion for a preliminary injunction. In the segment on Superfund cost recovery litigation, the students will have the opportunity to argue a motion to dismiss in a courtroom setting. The segment on toxic tort litigation will explore the legal difficulties in proving liability and will give students the opportunity to examine the issues associated with getting relevant information into the trial record as evidence. The students will also have the opportunity to argue before a mock 3-judge panel in a Circuit Court of Appeals courtroom a rulemaking appeal.

Grading in this course will be based primarily on the brief on the environmental rule that will be the subject of mock court of appeals argument together with class participation. In addition, we will ask the students to prepare an outline for each oral argument and to submit the outlines for grading.

Prerequisite: for J.D. students: Civil Procedure (or Legal Process and Society).

Recommended: for LL.M. students: Prior enrollment in Civil Procedure or a course focused on federal court jurisdiction. Also prior enrollment in Environmental Law and Administrative Law.


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

LAW 421 v02 Federal Income Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20421%20v02)
LL.M Course | 4 credit hours
This is an introductory course in federal income taxation which considers the principles and policies of the Internal Revenue Code regarding the taxation of individuals and businesses. Major topics include the definition of income, deductions and exclusions, assignment of income, accounting, and issues of timing. Emphasis is placed on the use of the Internal Revenue Code and administrative and judicial material.

Mutually Excluded Courses: Students may not receive credit for this course and the graduate course, U.S. Income Tax: Policies and Practices.

Note: This section is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree) pursuing the Taxation LL.M. degree.

This course will require a mid-term and final exam administered by the professor.

LAW 722 v02 Federal Limitations on State and Local Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20722%20v02)
LL.M Course/Seminar (cross-listed) | 2-3 credit hours
As an instrument of federalism, the U.S. Constitution plays a vital role in defining state and local governments’ taxing powers. In some instances this is accomplished by express Constitutional provisions; in others, by express or implied grants of authority to the legislative, executive or judicial branches of government. This advanced state and local tax course will explore and analyze Constitutional provisions that limit (and sometimes expand) state and local taxing powers. It will include a historical review of Supreme Court jurisprudence that underscores the inherent complexities and tensions precipitated by the intersection of federalism and the underlying goals embodied within the Commerce Clause, Equal Protection Clause, Import-Export Clause, Privileges and Immunities Clause, and Supremacy Clause, among others. The course also will explore how issues of federalism have shaped various Federal statutory enactments, as well as pending pieces of federal legislation. For example, it will analyze how federalist tensions and statutory dynamics were balanced in a proposed congressional bill concerning state and local tax incentives. Additionally, the course will explore the impact of Treaties and international trade laws, as well as their related enforcement mechanisms, which continue to spawn new issues implicating the States’ powers to tax.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Note: Students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.
LAW 635 v00 Federal Money: Policymaking and Budget Rules (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20635%20v00)
J.D. Course (cross-listed) | 3 credit hours
Ostensibly neutral budget rules have come to dominate Federal policymaking; indeed, the budget procedure is arguably more crucial to a proposal’s success in the Congress or the Administration than a majority of the votes or the support of a Cabinet member. Unfortunately, the budget process is poorly understood by most observers, advocates and even the Members of Congress themselves. This course will survey the fundamentals of budget process and the uses and abuses of it. Topics will include Federal grants funding, entitlement spending, “tax spending,” and “off-budget” spending, as well as the budget aspects of current controversies such as health reform, tax policy, Social Security, defense spending, and economic stimulus spending.

Note: No accounting or budget background is needed.

LAW 765 v00 Federal Taxation of Bankruptcy and Workouts (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20765%20v00)
LL.M Course (cross-listed) | 2 credit hours
Provides a basic background in tax issues that arise under the Bankruptcy Code. The course will emphasize the treatment of tax claims in bankruptcy and the litigation of tax liabilities in bankruptcy court. Additionally, the course will cover the tax consequences that can flow from transactions while a case is pending under Title 11 or when a taxpayer engages in an insolvency workout. This includes discharge of indebtedness, carryover of net operating losses, and corporate reorganizations in bankruptcy cases. The focus is on Chapter 11 proceedings and corporate debtors. However, there will be some discussion of the tax effects on individuals and partnerships.

Prerequisite: Federal Income Taxation (formerly Taxation I).
Recommended: Prior or concurrent enrollment in Corporate Income Tax Law I or Corporate Taxation (formerly Taxation II).

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

The class will conclude with a take home examination.

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

Recommended: Criminal Law and Evidence.

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

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.

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

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

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

Recommended: Criminal Law.

Note: Students may take this course and Advanced Criminal Procedure, but it is not recommended.
LAW 271 v00 Finance of Real and Personal Property (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20271%20v00)
J.D. Course (cross-listed) | 3 credit hours
This general survey course covers the basic elements of financing commercial real estate and income-producing assets, with an emphasis on income-producing commercial real property. The financing concepts covered include the basic elements and techniques of financing, the lender-borrower relationship, and the role of capital markets in financing of commercial real property and other assets. The emphasis is on large commercial real estate financing transactions. Substantial attention is given to mortgages/deeds of trust, indentures and other security devices, priority rights between lenders and occupancy tenants, pre-foreclosure enforcement rights, post-foreclosure redemption and deficiency limitations, prepayment and defeasance, leasing as a method of financing, alternatives such as joint ventures, mezzanine loans and preferred equity, and creditor’s rights. Attention is also given to the basic economics of commercial financings, tax advantages of depreciable investment property, yield and cash flow analysis, loan syndications, special purpose entities, nonrecourse “carve-out” guaranties, environmental laws, recording and title insurance, the broker’s role, resolution of troubled/defaulted financings, construction loans, and purchase and sale agreements. This course will review complex financing techniques and will not emphasize math, but rather practical understandings and concepts involving the business and legal framework for financing real and personal property.

Mutually Excluded Courses: Students may not receive credit for both this course and Introduction to the Capital Markets and Financing of Income-Producing Property.

LAW 271 v01 Finance of Real and Personal Property (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20271%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course introduces the basics of secured commercial debt financing transactions through which businesses borrow funds to finance the acquisition of real and personal property. We will first cover the basic lending transaction, followed by an examination of the laws governing secured transactions by considering, in parallel, real property mortgages and personal property security interests under Article 9 of the Uniform Commercial Code. In doing so, we will consider the creation and perfection of liens, maintaining their perfection, lien priority and the exercise of remedies following a borrower’s default. We will also consider other property financing techniques and issues including leasing, mezzanine and subordinated debt, personal property security interests outside the UCC and the impact on lending and borrowers of loan syndications and securitization. The course will not emphasize math, instead focusing on practical understandings and concepts involving the business and legal framework for financing real and personal property and the role of lawyers in such transactions.

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

Mutually Excluded Courses: Students may not receive credit for both this course and Introduction to the Capital Markets and Financing of Income-Producing Property.

LAW 2040 v00 Financial Derivatives Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202040%20v00)
LL.M Course | 2 credit hours
Examines the income tax issues associated with the taxation of financial products found in the modern securities markets. The course will involve discussion of products resulting from the unbundling of traditional securities, such as stocks and bonds, into their separate components; the recombination of unbundled pieces of traditional security interests into new financial products; and products, such as swaps, caps, collars, and floors, which allow the hedging of, or speculation in, the risks associated with commodity prices, interest rates, and currency exchange rates. Class participation is expected.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Note: DISTANCE STUDENTS REGISTER FOR CRN#: 35369. This course is open to both on campus and distance students. However, only students enrolled in the Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, and the MSL programs may take this course on a distance basis. All resident LL.M. students may not enroll in this course on a distance basis.
LAW 3000 v00 Financial Holding Companies (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203000%20v00)
LL.M Course (cross-listed) | 2 credit hours
For a number of years, commercial banks, thrift institutions, insurance companies, broker-dealers, and investment advisers have searched for the optimal organizational structure in which to conduct their various financial services activities. Some of those efforts also involved using a particular structure, such as forming a holding company affiliate or an operating subsidiary, for only through that particular structure could the bank or bank holding company exercise a specific power (i.e., engage in a specific activity such as selling insurance or underwriting securities). With the passage of the Gramm-Leach-Bliley Act in November 1999, the structuring alternatives increased and have become been compressed, at the same time, depending on which particular financial services activity is the focus of the inquiry, and several new powers (such as merchant banking) became available to financial holding companies for the first time while others (such as the activities a domestic bank holding company can engage in off-shore) have just become available on shore for banks as well for operating subsidiaries of banks. The activities of unitary thrift holding companies were not curtailed, but only financial services firms were allowed to become owners of thrift institutions. Finally, state-chartered banks that are not members of the Federal Reserve System wishing to engage in non-banking activities as a principal continue to enjoy special status under the Federal Deposit Insurance Act.

This seminar will survey the statutory, administrative, and litigation background behind the development of securities brokerage, and securities underwriting powers and insurance agency and insurance underwriting powers for the banking industry, and the development of deposit-taking and consumer-lending activities for the securities and insurance industries, culminating with an in-depth focus on the provisions in the Gramm-Leach-Bliley Act respecting electing to be a financial holding company subject to the jurisdiction of the Federal Reserve Board as the “umbrella” Federal functional regulator and the effect those provisions had in “causing” the Financial Crisis in 2008-2009.

Recommended: Prior or concurrent enrollment in Securities Regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and Financial Products in a New Regulatory Environment.

Note: DISTANCE STUDENTS REGISTER FOR CRN#: 29091. This course is open to both on campus and distance students. However, only students enrolled in the Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, and the MSL programs may take this course on a distance basis. All J.D. students and resident LL.M. students may not enroll in this course on a distance basis.

LAW 2044 v00 Financial Market Reform and Innovation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202044%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course examines the ever-evolving regulation of financial markets, institutions, and innovative financial products. We will evaluate the emerging regulatory issues and reform of over-the-counter derivatives markets, analyzes changes to federal banking laws (including systemic risk regulations, new capital and margin requirements, resolution authorities and the Volcker Rule), and explores enhanced consumer protection rules. The course will also explore advances in financial technology (commonly referred to as ‘FinTech’), specifically virtual currency. We will examine how virtual currencies are used by financial market participants and evaluate major developments in the regulation of virtual currencies, such as Bitcoin, Ether, Ripple, Litecoin, and others.

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

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

Another aim of the course is skills-oriented. By participating in class discussions and preparing and presenting the Comment Letter Group Project, I hope you will hone your skills in speaking fluently and comfortably about legal issues. The Comment Letter Group Project is designed to give you real-world experience/exposure to what regulatory lawyers actually do in private and government practice in the financial services space. I want students to be able to identify an issue, think critically about how to solve it, employ legal reasoning to defend their approach, and practice legal writing. My specific expectations for the comment letter project are set out in the “Comment Letter Group Project” section of syllabus.
LAW 193 v04 Financial Regulation and Financial Crises

The global financial crisis of 2008 resulted in massive human suffering—9 million unemployed in the U.S. alone, and millions lost their homes. It also fundamentally altered financial regulation and American politics and reshaped social and economic dynamics—for example, the crisis led to the formation of the Tea Party, contributed significantly to political polarization and increased economic inequality.

In 2020, the coronavirus pandemic, which has caused even greater human suffering, triggered economic and financial consequences that almost led to another financial crisis. The reforms implemented after 2008, as well as the implementation of emergency programs used in 2008, were likely the reasons we did not have another financial crisis.

Why did the 2008 crisis happen? Why, throughout our history, have we periodically experienced financial crises? What does this history teach us about the adequacy of financial regulation, and whether regulatory failures contribute to financial crises?

We will begin by briefly reviewing the historical development of the United States banking industry, and the regulatory structure governing it, to get an appreciation of the economic and political forces that have shaped the regulation of our financial system. This will include reviewing past financial crises—the Panic of 1907 and the Great Depression and the responses to them, including the development of the Federal Reserve System, deposit insurance and other major reforms.

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

We will then turn to the pandemic, and look at its economic and financial consequences. Why was there a risk of another financial crisis? Did the reforms of 2008 help prevent a crisis? How was the government’s emergency response to the financial stresses similar to or different from the 2008 response?

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

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

**Strongly Recommended:** Corporations.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. courses: Accounting Concepts for Lawyers; Accounting for Securities Lawyers; or Basic Accounting Concepts for Lawyers.

LAW 545 v01 Financial Restructuring and Bankruptcy

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

**Mutually Excluded Courses:** Students may not receive credit for this course and Bankruptcy or Bankruptcy and Creditors’ Rights.
LAW 193 v01 Financial Services: Regulation in the Age of Disruption
(J.D. Course (cross-listed) | 2 credit hours)
This two-hour lecture and discussion course covers regulation of financial services providers, from traditional banks to fintech innovators, investment banks, payment providers and data aggregators. The course offers an overview of the history of banking in the United States and an introduction to the bone structure of the business -- the balance sheet, the role of insured deposits, and the purpose of capital and liquidity. We then study the regulation and supervision of these institutions, including rules designed to promote safety and soundness, privacy and cybersecurity, consumer protection, and international consistency. We examine the 2007-09 Global Financial Crisis -- its causes and effects and how it transformed modern-day regulation -- and its implications for subsequent economic crises like the COVID-19 pandemic. Grades in this course are determined by the final take-home examination.

Recommended: Prior or concurrent enrollment in Administrative Law and Corporations.

Mutually Excluded Courses: Students may not receive credit for both this course and Federal Banking Regulation: Modern Financial Institutions and Change, or the LL.M. course, Financial Regulation and Financial Crises.

LAW 2088 v00 Financial Statement Accounting for Tax Consequences
(LL.M Course | 1 credit hour)
This course is important for the aspiring tax professional who desires to better understand and communicate with business decision makers concerning the consequential effects of transactions and how they will be reflected in the financial statement disclosures or tax related accounts found in the income or balance sheet. This course is important for the person who wants to best position themselves for job opportunities with some of the single largest U.S. and global employers of tax professionals (e.g., the Big-4 accounting firms) who place a premium on LL.M. (Tax) applicants with a basic understanding of the financial statement impact of various taxable events, which are important to many of their clients and the services they provide.

This one-credit pass/fail course is comprised of four conceptual modules: the first three modules focus on income based taxes; and, the fourth, non-income based taxes. The income tax modules are designed to first explain and illustrate the financial statement accounting rules applicable to a wide range of frequently encountered taxable events; and, secondly, illustrate how the financial accounting consequences arising from those events can drive the actions of business decision makers in a direction that may appear counterintuitive from a tax perspective only. Contemporary topics facing today's decision makers will be selected for this course, and will be explained and illustrated through assigned readings, classroom examples, and case studies.

The first of the income tax modules, Basic Accounting Concepts, will offer the uninitiated a high level overview of the conceptual cornerstones that drive most of the significant accounting questions related to taxation. Further, this first module will define and illustrate the concept of "deferred taxation", which is the financial statement mechanism used to reconcile the differing rules governing the recognition of transactions for financial statement and tax statement purposes; and, most frequently, where the accounting differences between US GAAP and IFRS arise. Other topics explained and illustrated herein will include: permanent differences; temporary differences involving deferred tax assets, deferred tax liabilities and the impact of changing tax rates; uncertain tax positions; undistributed profits of foreign subsidiaries; net operating losses; and, related financial statement disclosures.

The second income tax module, More Advanced Accounting Concepts, will drill down on other select topics where disparate financial statement standards exist between US GAAP and IFRS. Among the topics included in this module are: share-based payments; foreign non-monetary assets and liabilities; intercompany transfers of assets remaining within the group; tax basis and intention of management for settling assets/liabilities; the "initial recognition exemption"; and, the measurement of deferred taxes when different tax rates apply to distributed and undistributed profits.

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 5:45 p.m. - 9:05 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 29th through Friday, February 5th, 2021.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal.
LAW 1744 v00 FinTech and Financial Democratization Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201744%20v00)

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

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

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

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

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

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

LAW 1442 v00 FinTech Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201442%20v00)

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

Technology-driven disruption has upended many industries – retail, entertainment, transportation, to name just a few – and now we are seeing it redefine financial services. The rise of FinTech is perhaps the most interesting industry transformation to study from a legal perspective because of the way it impacts complex financial services regulations. Regulatory frameworks that were created decades ago are being challenged by the rise of Internet and mobile-driven financial services providers. This course will hone in on a few areas where the US financial regulatory structure is being challenged by technological innovation and may require fresh thinking.

Financial services can be broken down into three distinct subsectors:
1) Insurance; 2) Retail Banking; and 3) Investment/Advisory Banking. This course will focus on how technology is transforming both retail and investment/advisory banking. Retail banking law was designed for a world of brick and mortar banks that accepted deposits and leveraged those deposits to provide commercial and personal loans. Investment/advisory banking law was designed for a world of a relatively small number of sophisticated investors. This traditional schema is being transformed, rapidly.

The smartphone is replacing the retail bank as the method by which a small business or consumer conducts their day-to-day banking activity. A 2015 report by Goldman Sachs found that 33% of millennials do not think they will need a traditional bank in the next five years. In fact, 73% of millennials reported that they are more excited about new offerings in the financial services space from the likes of Google, Apple and Amazon.

Moreover, in the financial services industry lines are blurring — financial tech companies are expanding financial services ecosystems and traditional financial services companies are expanding their digital capabilities. New business models are being created that leverage the data and capabilities afforded by the Internet, and seemingly diverse industries ranging from telecom to traditional banks are competing over similar financial services activities.

Crowdfunding, mobile payments, online lending, robo-advisors, and Bitcoin are new phenomena that challenge existing regulatory structures. The SEC, Treasury Department, Office of Comptroller of Currency, Financial Industry Regulatory Authority, Federal Deposit Insurance Commission, Federal Reserve Bank, Consumer Financial Protection Bureau, and Federal Trade Commission are just a few of the regulatory bodies that are increasingly exploring FinTech developments. Moreover, the courts have been faced with challenges to several federal and state laws that were written before modern technological innovations took hold and challenged existing concepts of Federalism. This class will focus in on these particular challenges, will question existing regulatory bodies, approaches and standards, as well as discuss the practicalities of alternative regulatory structures and rules.

The class will proceed in 4 parts. Part 1 will be an introduction to retail banking law and disruptions that are occurring due to FinTech. Part 2 will be an introduction to investment/advisory banking law and disruptions that are occurring due to FinTech. Part 3 will address cross-cutting horizontal disruptions. And, finally Part 4 will involve a high-level assessment of regulatory structures and approaches for FinTech. After this course, students should have a strong baseline knowledge of the myriad of legal and policy issues that exist in the FinTech arena.
LAW 1660 v00 First Amendment Law in a Digital Age

J.D. Course | 2 credit hours
How should we think about the First Amendment in today's world? From social media and the radical changes in the news industry, to increasing calls for censorship and retribution in light of identity politics, the issues at the core of freedom of the press and free speech and have never been more prominent. Despite historic protections for speech, platforms potentially protected by the First Amendment can be used by foreign actors to undermine and destabilize democratic systems and by insurgent organizations to radicalize and recruit members. Yet does this give the government, and the Courts, the right to remove content from these sites? It would be hard to find an age in which Free Exercise of Religion and the Establishment Clause were more relevant than today.

Although the expressive rights in the amendment have attracted the most attention, moreover, it is the right to petition that the Framers considered one of the most important protections for the people. Traditionally, it surpassed speech, press, and assembly in importance, allowing individuals to seek redress for wrongs and allowing them to generate attention to their concerns. Anti-federalists attacked the Constitution in part precisely for failing to protect this right, which incorporates active political engagement, directed at a particular body of persons, demanding action in response, and not diluted through representative government.

This course provides a primer on First Amendment Law in a Digital Age. It begins with the origins of the First Amendment, examines its evolution, and raises along the way the most pressing questions today that evoke First Amendment concerns. The doctrine is unprepared for a digital age. It will be taught in a more traditional lecture/Socratic style.

LAW 1202 v01 Food and Drug Law

LL.M Seminar (cross-listed) | 2 credit hours
This course will introduce students to the foundational laws and policies governing the production and distribution of foods, drugs and medical devices in the United States, focusing on the Federal Food, Drug, and Cosmetic Act (the "Act") and the role of the Food and Drug Administration in enforcing the Act. The course will cover key concepts and definitions -- e.g., "food," "drug," "labeling" -- and federal statutory provisions designed to assure that such products are not adulterated or misbranded. Students will also receive an overview of the different agencies that have jurisdiction over foods, drugs and devices on the state and federal levels, as well as an introduction to the ways in which such agencies exercise their authority through rulemaking, guidance and enforcement activity.

LAW 1208 v00 Food Law Seminar

J.D. Seminar (cross-listed) | 3 credit hours
This seminar introduces students to the laws and regulations that govern our food. The seminar will primarily cover law at the federal level, including but not limited to such topics as the legal definition of food, rules on food labeling, standards for food safety, and regulation of genetically modified organisms. Beyond the law itself, we will consider the scientific, economic, and ethical principles implicated by legal decisions concerning food.

Prerequisite: Administrative Law or the first-year course, Government Processes, or the first-year electives, The Regulatory and Administrative State, Congress and the Administrative State, Legislation and Regulation, or The Regulatory State.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
This course focuses on the evolution of U.S. foreign intelligence collection, taking into account the history and evolution of the law as well as the pressing and difficult questions posed by technology. Discussion will draw on Georgetown Law Library’s Foreign Intelligence Collection, which houses nearly 100 declassified FISC/FISCR opinions and 300 orders in the public domain, as well as the more than 130 FISA-related cases in ordinary Article III courts. The course emphasizes the NSA, FBI, CIA, and NCTC targeting, querying, and minimization procedures and the required annual reporting, as well as special reports detailing prominent use of FISA authorities in investigations during the 2016 Presidential election. The class will examine other intelligence collection conducted under Executive Order 12333, National Security Letters, SIGINT and DoD Directives, Attorney General Guidelines, and other associated documents, providing students with a comprehensive understanding of foreign intelligence law. It will pair a deep understanding of the different forms of intelligence collection with constitutional and statutory law. With the advent of the Internet of Things, next generation social media, 6G networks, artificial intelligence and machine learning, the landscape is about to again shift. Accordingly, the course will delve into new and emerging technologies, looking at how they fit—or fail to fit—current law.

**LAW 1745 v00 Foreign Intelligence Law**

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

The 20th century witnessed swift expansion of the U.S. national security infrastructure. In the aftermath of Pearl Harbor and faced by an existential threat, institutions tasked with protecting the country sought to collect information about potential threats both at home and abroad. The Church and Pike Committees and Rockefeller Commission subsequently uncovered widespread domestic surveillance programs, prompting Congress to pass the 1978 Foreign Intelligence Surveillance Act (FISA) and to create specialized courts to oversee applications for electronic surveillance. Congress expanded the Court’s remit in 1994 to include orders for physical search, and again, in 1998, to authorize the use of pen register and trap and trace devices, (capturing the numbers dialed and the calls received), as well as to collect certain business records. The attacks of 9/11 led to significant programmatic and statutory changes to FISA, as well as parallel foreign intelligence collection instruments and regimes. With the advent of new technologies, the system is now beset by myriad questions with critical constitutional, statutory, and regulatory implications.

This course will use a mixture of case studies and more conventional course materials to examine the role that the law and lawyers play in making U.S. foreign policy and addressing related challenges, with a particular focus on legal innovation. The course lectures will address lawyers’ roles in the inter-agency policy-making process and models of legal decision-making and how they intersect with bureaucratic process. The case studies, which may include the following, will periodically feature guest speakers who were actively involved in the cases being discussed:

- The 1979 Iran Embassy hostage crisis, the negotiation of the Algiers Accord, and the establishment of the Iran-U.S. Claims Tribunal;
- The 1988 Lockerbie bombing and its aftermath, leading up to the 2003 agreement to normalize U.S.-Libyan relations;
- The establishment of U.N. sanctions regimes following the 9/11 attacks, and the manner in which they were implemented by U.N. member states;
- The Development Fund for Iraq established by the United Nations and United States following the 2003 invasion of Iraq, and the manner in which it was used to help Iraq navigate its economic normalization; and,
- The 2015 Joint Comprehensive Plan of Action (JCPOA) relating to Iran’s nuclear program, and the manner in which it interacted with relevant sanctions and other legislation.

Recommended: Familiarity with foreign relations or international law is recommended.

**LAW 3069 v00 Foreign Policy Challenges and the Law**

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

This course will explore foreign direct investment in the United States from the national security perspective through an analysis of the Executive Branch inter-agency body known as the Committee on Foreign Investment in the United States (CFIUS). Students will review the evolution of CFIUS from the Exon-Florio amendment, to the Committee as it exists today, including, but not limited to, the relevant authorities, policy implications, case law, and transactional risk analysis frameworks upon which CFIUS. The course will also examine current events in the national security space to determine how those events have informed recent legislative action taken by Congress with respect to CFIUS and how those legislative changes are implemented by the committee in regulation.

Recommended: National Business Law, National Security Regulation, National Security Law and the Private Sector
This is an advanced course on constitutional principles bearing on U.S. foreign relations: primarily, separation of powers, federalism and judicial review of Executive acts and congressional legislation. It focuses on some of the most challenging issues that have divided the American polity from the inception of the Republic and continue to do so today, e.g., the allocation of foreign affairs power between the Executive and Congress; the scope of Presidential power to protect the nation in times of danger; and the proper role of the courts in deciding legal issues relating to national security. We will study historical materials that inform the legal arguments on both sides of current controversies over Presidential and Congressional power and discuss foreign relations issues under judicial review in 2020. We also study the power to make treaties and executive agreements, the Supremacy clause and application of customary international law by U.S. courts.

**Recommended:** There are no prerequisites, but familiarity with basic principles of U.S. government is important.

**Mutually Excluded Courses:** Students may not receive credit for this course and the J.D. courses, Constitutional Aspects of Foreign Affairs Seminar or U.S. Foreign Relations and National Security Law.

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

This course addresses the constitutional issues that arise in the conduct of U.S. foreign relations. Topics include: Congress’ power to legislate with respect to foreign relations; the respective roles of the President and Congress in initiating and conducting war and other uses of force; the President’s power to conduct diplomatic relations; the scope of the power to make and enforce treaties and other international agreements; the status of treaties and customary international law as United States law; the role of the States in foreign relations; and the role of the courts in foreign relations.

**Prerequisite:** Constitutional Law I: The Federal System.

**Mutually Excluded Courses:** Students may not receive credit for this course and the J.D. upperclass course, Constitutional Aspects of Foreign Affairs Seminar, or the graduate course, Foreign Relations Law.

**LAW 002 v04 Foundations of American Law**

A Law School Seminar | 2 credit hours

This course introduces foreign-educated LL.M. students to the basics of American law and to the special dynamics of the U.S. legal classroom before they begin a full schedule of classes in the Fall semester. Students will learn about the U.S. legal system, common law reasoning, and contemporary legal issues in the United States. This course will teach common law development and the judicial process through a study of traditional law school subjects, including criminal procedure, corporations, contracts, and constitutional law.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Introduction to U.S. Legal Systems.

**Note:** This course is only open to foreign-trained LL.M. students who will be starting the LL.M. program in Fall 2019. This class is graded on a pass/fail basis.

**LAW 3121 v00 Foundations of American Law in the Digital Age**

A LL.M Seminar | 2 credit hours

This course introduces students in the Masters of Technology Law and Policy degree program to the dynamics of the law school classroom and surveys key concepts from the first-year law-school curriculum that are relevant to upper-level technology-related courses. The format of this course will be a combination of Socratic-style questioning, lecture, and discussion.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Foundations of American Law or Introduction to U.S. Legal Systems.

**Note:** This course will be graded on a pass/fail basis and is a required course for the Masters of Law and Technology (MLT) degree. This course is only open to students pursuing the MLT degree.

This course will meet Monday through Friday, August 10 - August 21, from 9:30 a.m. to 12 p.m. This course will also meet for an additional session with the research librarians later in the fall semester on a day and time to be determined. Attendance at all class sessions is mandatory. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. 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 832 v00 Fraud and Fiduciary Duties Under the Federal Securities Laws (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20832%20v00)
LL.M Course | 2 credit hours
A survey of the law of securities fraud with particular emphasis on litigation under Rule 10b-5. Explores the changing standards of fraud under the federal securities laws and the application of those standards to participants in the securities market, such as underwriters, broker-dealers, investment advisers, corporate officers, tender offerors, and persons engaged in insider trading.

Prerequisite: Securities Regulation.

Note: DISTANCE STUDENTS REGISTER FOR CRN#: 13630. This course is open to both on campus and distance students. However, only students enrolled in the Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, and the MSL programs may take this course on a distance basis. All J.D. students and resident LL.M. students may not enroll in this course on a distance basis.

LLAW 196 v03 Free Press (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20196%20v03)
J.D. Course | 2 credit hours
"Congress shall make no law . . .," the First Amendment commands, "abridging the freedom . . . of the press." But Congress, the Executive Branch, and the courts have promulgated a host of laws governing both print and electronic media. This survey of mass media law explores such current topics as prior restraints on publication, defamation, privacy, news gathering liability, media liability for unlawful conduct of third parties, compelled disclosure of sources, and access to information. Practical aspects of representing media clients are examined along with public policy implications of existing legal doctrines and proposals for change. Much of the course is discussion-based, and students will be expected to make meaningful contributions to that discussion, with class participation forming the basis for one-third of the grade for the semester.


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

LAW 3087 v00 Fundamentals of Legal Writing I (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203087%20v00)
LL.M Seminar | 3 credit hours
Fundamentals of Legal Writing is a required course for students enrolled in the Two-Year LL.M. Program. This year-long course is designed to help prepare students for the linguistic and intellectual demands of LL.M. study at a law school in the United States. Specifically, through analysis of authentic legal texts, students will enhance language skills essential for producing persuasive and coherent academic legal texts. During the Fall and Spring semesters, this course will focus on writing strategies (e.g., organizational strategies, stylistic choices, and accurate production of complex grammatical structures) that are characteristic of legal texts law students likely need to produce in law school. Law review articles and other secondary sources provide the primary content for skills development. Throughout the academic year, students will work closely with course instructors and receive extensive, individualized feedback on their skills development.

Note: This class is mandatory for, and restricted to, to students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on a pass/fail basis.

LAW 3089 v00 Fundamentals of Legal Writing II (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203089%20v00)
LL.M Seminar | 2 credit hours
Fundamentals of Legal Writing is a required course for students enrolled in the Two-Year LL.M. Program. This two-semester course is an introduction to U.S. academic legal principles in writing. Through analysis of authentic legal texts (e.g., law review articles, court documents), students learn the characteristics of U.S. legal documents at the whole text, paragraph, and sentence levels. Students apply these principles to their own writing, submitting a number of papers over the course of the academic year. Students work closely with faculty to revise and edit their work and receive extensive, individualized feedback on their skills development.

Note: This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on a pass/fail basis.

NOTE FOR THE SUMMER 2021 SECTION: The professors will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University's COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-discipline) and follow all other safety measures.

LAW 1272 v00 Gender and Sexuality (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201272%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course will provide an introduction to the legal contexts and theoretical debates surrounding sex, gender, sexuality, and their intersections. We will explore the ways by which gender and sexuality have been debated, defined, and redefined in the contexts of gender identity and performance, sexual pleasure, reproductive rights, sexual violence, marriage, family organization, work, and education. In these contexts we will consider the evolution of the law, the discursive effects of law, and the ways feminist and queer theorists have challenged and reimagined prevailing legal rules and cultural norms. In short, the class will probe the ways that law is gendered, sexualized, and raced, and with what overall effects on social institutions and practices.

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

Strongly Recommended: Constitutional Law II.

Mutually Excluded Courses: Students may not receive credit for this course and Sexual Orientation and the Law: Selected Topics in Civil Rights.
In recent years, the U.S. has developed a comprehensive policy framework that recognizes gender equality as a pillar of U.S. foreign policy and international law. This class will introduce and analyze these policies, including the U.S. National Security Strategy; the Women, Peace and Security Act of 2017; the U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally; State Department and USAID policy guidance on gender. We will examine the legal basis for women's human rights, as well as the body of evidence linking women's advancement to development, prosperity, and stability. Issues covered will include gender and economic growth, peace and security, political participation, development, gender-based violence, and international institutions and treaties. This class will feature prominent guest speakers in the field.

In the ensuing decade and a half, prosecutions of corporations for foreign bribery have become perhaps the most important prosecutorial priority for the Department of Justice ("DOJ") and Securities & Exchange Commission ("SEC") and certainly the most financially lucrative U.S. prosecution initiative. Transnational investigations have become a staple of these prosecutions. All 10 of the largest FCPA prosecutions have occurred since 2008; of these, eight have involved foreign corporations.

This course will cover the development of U.S., international, and foreign initiatives against public-official bribery. Because (at least in the US) most of these cases have been resolved without litigation, we will focus on critical, unresolved issues, such as the FCPA's definition of a foreign "instrumentality" and a "foreign official," as well as the scope of U.S. extra-territorial jurisdiction. In addition to addressing the substance of foreign and international laws and conventions, we will explore the critical issues that arise from the growing trend in trans-national investigations and prosecutions, including double jeopardy, res judicata, and international data collection.

We will explore these issues through fact-based, real-world scenarios drawn, in large part, from the "Bonny Island" case, which involved a scheme by four international corporations to bribe three successive Nigerian presidents (as well as a constellation of lower-ranking officials) to secure multi-billion dollar contracts for the construction of an LNG facility in Nigeria. We will use this factual setting to frame class participation and in-class exercises and projects, with the goal of sharpening critical thinking, tackling complex legal questions in concrete factual settings, and honing advocacy skills.

**Learning Objectives:**

We have the following expectations of learning outcomes:

1. We expect each student to achieve mastery of the basic concepts underlying the US Foreign Corrupt Practices Act, including the basic statutory terms, the elements of the various offenses, and the scope of U.S. jurisdiction. In our experience, it is impossible to fully understand and discuss more challenging questions about the scope or application of the statute without mastery of the fundamentals.

2. We expect each student to gain an understanding of the roles and policies of the U.S. enforcement authorities, the Department of Justice and the Securities and Exchange Commission, and the manner in which FCPA cases are investigated, prosecuted, and defended, as well as how the U.S. enforcement agencies would approach a problem and what outcomes are likely to result.

3. We expect each student to gain an understanding of the global enforcement landscape for anti-corruption. Students are expected to achieve a basic understanding of the OECD Convention on Bribery, other international anti-bribery conventions, and the leading state laws, including the Brazil Clean Companies Act, the UK Bribery Act, and the French Sapin II. Students will also gain an understanding of the role of the World Bank and other multi-lateral development banks in the worldwide scheme.

4. We expect students to learn the basic principles of anti-corruption compliance programs, and the manner in which anti-corruption policies impact the prevention, detection, investigation, and prosecution of FCPA cases, as well as violations of similar foreign laws.

5. We expect each student to understand and discuss more challenging questions about the scope of U.S. jurisdiction. In our experience, it is impossible to fully understand and discuss more challenging questions about the scope or application of the statute without mastery of the fundamentals.
LAW 1298 v01 Global Anti-Corruption Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201298%20v01)
J.D. Seminar (cross-listed) | 2-3 credit hours

Objectives and Overview

Addressing corruption has become a global priority. The growing number of high profile cases involving the abuse of public power for private gain has generated moral outrage, particularly at a time of rising inequality. Moreover, there is an emerging consensus that systemic corruption not only undermines a country’s economic performance but can also lead to political instability and armed conflict. The Course will examine the societal impact of public sector corruption and the efficacy of the criminal, regulatory and administrative steps that are being taken to address it, both at the national level and international levels. The Course will be interdisciplinary, focusing on the legal, political, economic and institutional dimensions of this highly complex problem.

Finding a universally accepted understanding of what we mean by “corruption” can prove elusive, and the course will begin by examining how lawyers and social scientists have approached this question. The course will then identify the environments that typically enable corruption to flourish, including natural resource economies and countries that are in economic and political transition. It will also assess the debilitating impact that corruption has on overall economic performance, inequality, poverty, political stability and national security.

Taking into account the above considerations, the course will identify the key ingredients of an effective anti-corruption strategy, emphasizing the importance of a holistic approach that includes not only effective criminalization and prosecution but also comprehensive regulatory and administrative reform. While legal obligations and best practices have been established at the international level that include many of these ingredients, evidence indicates that meaningful change only takes place when domestic conditions for reform are in place, which are often precipitated by a crisis. In that context, the course will include case studies of reform based, inter alia, on the experience of the IMF, taking into account the importance of the domestic practices, including the UN Convention Against Corruption. They will have an open book final exam.

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

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.
This course will examine the development of competition laws around the world, differences in substantive standards among the major enforcement jurisdictions; the role of historical, political, and economic forces that affect those differences; and the possible consequences of those differences. We will start with a basic understanding of U.S., Canadian, and EC competition principles, and then compare and contrast these with the principles applied in developing and transition economies, such as China, Mexico, India, and South Africa. Particular emphasis will be on current issues and trends including the role of antitrust in a digital economy, multi-jurisdictional merger control, and regulation of dominant firm conduct. We will also consider the role of competition policy in economic and political development generally.

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

**LAW 2007 v02 Global Cybercrime Law**

This course will examine the key legal and policy issues associated with cybercrime – i.e., crimes in which computers and the Internet serve as targets, as storage devices, and as instrumentalties of crime – as a global phenomenon. As the Internet has become a truly global medium for commerce and communication, nations are gradually recognizing that new technology can not only expand the reach and power of traditional crimes, but foster new forms of criminal activity as well, throughout the world. The course will adopt an explicitly comparative legal approach to the problem of cybercrime, focusing principally on nations in North America, Europe, and Asia, and address pertinent international legal issues where appropriate. It will first address basic issues in comparative criminal law, as well as background information on computing and Internet technology. It will then address some of the most prominent topics in the substantive law of cybercrime (e.g., pornography and obscenity, "hate speech," cyberstalking, hacking, fraud, intellectual property offenses such as software piracy and economic espionage, and other issues associated with privacy and anonymity on the Internet). It will then turn to major issues in the procedural law of cybercrime (e.g., surveillance technologies such as Carnivore and legal standards for interception of electronic communications). Given the rapid pace of developments in computing and Internet law, the course will incorporate the most current materials available online and in hard copy. Students will be expected to use the Internet for intraclass communications and access to certain course materials, but need not have a detailed knowledge of computing or the Internet.

**Prerequisite:** Criminal Law.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. seminar, Computer Crime Seminar, or the J.D. course, Computer Crime.

**LAW 3034 v00 Global Derivatives Law and Regulatory Policy**

This course explores the global legal and regulatory framework for futures, swaps, options, and other derivatives, with a focus on the ways that technology and innovation are changing how these markets function and are regulated. High-frequency trading (HFT) firms now use algorithmic trading robots to place trades in futures contracts and other financial instruments in fractions of a second, while the markets for futures and other derivatives are witnessing the rise of digital intermediaries – computers and software programs – that perform the role of traditional intermediaries. Likewise, blockchain technology offers the prospect of settling transactions in a manner that is fundamentally different to the financial industry's current approach of using overlapping centralized ledgers. Students will analyze the unique challenges that the increasing use of these and similar technologies present for U.S. and international policymakers, regulators, and market participants. Students will learn the overall structure and key provisions of the US regulatory framework and policy perspectives, which will be compared and contrasted with those of other jurisdictions, such as the EU and its member countries, with an emphasis on how the statute, regulations, and precedent are addressing (or not addressing) issues brought about by technological advances, such as market manipulation by algorithmic robots. Class participation is expected. Students will be graded on one long paper and several smaller writing assignments.

**Recommended:** Securities Regulation.
LAW 1475 v00 Global Governance and Transnational Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201475%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course will explore the role of law in global governance and the global political economy from a transnational perspective. Based on problems and case studies, the course will examine the transnational perspective at play in areas such as investment, trade, development, business transactions, the family, the environment, human rights, labor, and drug trafficking. The course will show how effective lawyers, be they transactional lawyers, activists or regulators understand the mosaic of relevant legal materials and the levers they can use to structure a deal, promote a cause, or influence behavior of relevant actors.

Methodologically, we will explore how the transnational perspective helps us understand and address issues that involve multiple actors (states, corporations, NGOs, indigenous groups), multiple laws (national laws, international agreements, contracts) and multiple jurisdictions (national courts, international tribunals, supra national arbitration panels). We will also explore the limitations of the nation state as the primary source of law, looking at alternative and competing sources of norms such as private self-regulation, global indicators, or community customary laws.

Throughout the course we will reflect on what this perspective contributes to our understanding of global governance, including how new forms of regulation transform the relationship between public interest and private power, and challenge values such as national sovereignty, individual autonomy, traditional practices, distributive justice, and cultural diversity. We will discuss how this transnational perspective may help us see the role of law in structuring power relations and policy choices, pressing us to address important ethical and political questions.

LAW 493 v01 Global Health Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20493%20v01)
LL.M Seminar | 3 credit hours
Global Health Law is the flagship course for Georgetown University Law Center’s O’Neill Institute for National and Global Health Law. This course is open to both Georgetown JD and LLM students and is a compulsory unit in the National and Global Health LLM and the Global Health Law and Governance LLM.

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

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

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

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

**Note:** Required for the Global Health Law LL.M.

Class will meet for two hours each week, with third hour of weekly course content delivered asynchronously.
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.

**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 191 v02 Global Law of Work (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20191%20v02)
J.D. Course | 3 credit hours
The law of work is an increasingly important aspect of the global economy. Knowledge of this subject is useful in representing companies, unions, employees, governments and non-governmental organizations. Themes developed in the course also are central to understanding the relationship between law and globalization more broadly. We will study hard and soft law in the various forms in which it operates trans-nationally, including domestic law with foreign effects; public and private international law, such as human rights and trade law; and private codes of corporate social responsibility. The International Labor Organization (ILO), which is a touchstone in the course, is an especially interesting institutional case study. It is the world’s oldest international organization, with 180 member countries giving it near-universal representativeness, and its inclusion of governing roles for civil society groups – unions and employer associations – makes it unique among international institutions. Attention will be given to subordination of documented and undocumented migrants, women, and child laborers.

LAW 068 v01 Global Revolutions, Civic Activism, and Civil Society (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20068%20v01)
J.D. Course (cross-listed) | 1 credit hour
This class covers the international legal framework for civic activism. We’ll study laws governing protests, social justice movements, and nonprofit organizations. We’ll also examine how civic space is affected by national security, authoritarianism, and digital technology.
We’ll take a global tour, comparing approaches in the US, Europe, Asia, Africa, the Middle East, and Latin America. We’ll discuss current events, play the role of UN Ambassadors, and help countries draft laws.
This class will provide skills and contacts to help you pursue a career in international human rights law. Past classes have spoken with UN officials, a lawyer for a group allegedly engaged in terrorism, and human rights defenders around the world.
Internships are also available for eligible students at ICNL (https://www.icnl.org), which works on the legal framework for civil society and democracy in 100 countries.

Learning Objectives:

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

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

Note: Space is limited.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety, or to make suitable alternative arrangements with the professor, may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 750 v01 Global Securities Offerings (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20750%20v01)
LL.M Course (cross-listed) | 2 credit hours
In this course, students will learn how to structure and execute global securities offerings. The course begins with a brief examination of the process of an SEC-registered offering in the U.S., and the ongoing requirements of SEC reporting companies, and then continues by examining how to conduct offerings, both domestically and internationally, outside of SEC registration. Topics include the registration requirements of 5 of the Securities Act, the various exceptions from registration, including Sections 4(a)(1), 4(a)(2) and 4(a)(7) of the Securities Act, the safe harbors pursuant to those exemptions, including Regulation S, Regulation D, Rule 144, Rule 144A, and the changes to certain of those rules and regulations by recent legislation, including the JOBS Act and the FAST Act. In addition to a thorough review of the rules and regulations in the course materials, this course seeks to give students insight into how those rules and regulations are used in practice, and into the mechanics of conducting various types of securities offerings, so that upon completing the course students are better prepared to address these topics in practice. The course was jointly developed by a senior SEC staffer and a private practitioner. Note that there is no pre-requisite for this course.

LAW 1646 v00 Global Tech Law: Comparative Perspectives on Regulating New Technologies (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201646%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
From AI to robots to social media, countries around the world are racing to regulate new technologies. Regulation is the principal mechanism to bring technology within an enforceable ethics framework. Will international competition create a race to the bottom to promote innovation at the expense of consumer protection? How can nations nurture their own Silicon Valleys consistent with their ethical values? We will examine how the same technology—from internet platforms, to algorithms, to drones, to self-driving cars, to smart cities, to sharing platforms—is regulated in various jurisdictions across the world. As countries across the world race to become the world’s leader in artificial intelligence, how are they modifying their laws for a world of automated decision-making? What can countries or states or cities learn from each other? Just as there are technological network layers, there are regulatory layers: What is the proper regulatory layer for any particular technology or activity—the nation, the region, or the globe, or even city or state? In an era of unprecedented technological change, how do we choose to regulate technology is more important than ever.

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

LAW 565 v00 Globalization, Work, and Inequality Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20565%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
A backlash against globalization has emerged in advanced economies as a result of job loss, wage stagnation, precarious work and economic insecurity for the middle class. The liberal globalization of the last three decades is under attack for the unequal distribution of its gains and its failure to provide better opportunities for ordinary working people. Reimagining the global economy will require placing work front and center. This seminar will explore the changing nature of the workplace due to global competition and technological change. It will examine important policy debates about how best to create jobs, improve working conditions, and promote economic growth and wellbeing. We will analyze how a variety of factors, such as new modes of production and technologies, increasing participation of women in the economy, widespread migration flows, increasing global trade and capital mobility, and the rise of informal economies challenge the assumptions underlying traditional labor and employment regulation in both developed and developing countries. We will consider an array of innovative attempts – national, international, transnational, public, private and mixed – to improve workplace conditions and assure employment opportunity consistent with economic growth and stability. We will also inquire about the moral and political commitments associated with various approaches. There are no prerequisites. All students are welcome.

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

LAW 572 v00 Good and Evil Seminar: The Role of Law in Shaping Character and Behavior (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20572%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will explore some extremely thorny moral and psychological issues: why do people behave altruistically or cruelly? What separates the law-abiding citizen from the criminal? Does “character” determine most behavior, or does environment trump character in some—or most—situations? What’s the best way to understand the role law plays in shaping human behavior? Course readings will be drawn from a wide variety of disciplines, including biology, sociology, psychology, and jurisprudence, and we will look at materials that range from studies of adolescent bullying and war-time heroism to stories drawn from the Rwandan genocide and the interrogation rooms at Guantanamo.

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

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

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

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

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

Prerequisite: Prior or concurrent enrollment in Corporations.
Recommended: Federal Income Taxation (formerly Taxation I).

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

LAW 1434 v00 Governing Automated Decisions

J.D. Seminar | 2-3 credit hours
Many important decisions historically made by people are now made by computers. Software influences people’s life chances in a growing range of contexts, impacts access to basic rights, and mediates core mechanisms of justice. Algorithms control access to welfare and healthcare benefits, target citizens or neighborhoods for police scrutiny, inform bail and sentencing decisions, select taxpayers for IRS audit, and grant or deny immigration visas, among a growing list of other key decisions.

The legal standards and accountability mechanisms to govern decisions like these have not kept pace with changing technology. In this seminar, we will explore how automated decisions are made, the unique governance challenges that they pose, and the emerging suite of legal and policy responses to these new challenges. We will focus on automated decisions that wield state power, because it is in these decisions that the unmet need for public understanding, and democratic governance, is most acute.

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

LAW 202 v00 Government Contracts

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

Prerequisite: Contracts (or Bargain, Exchange, and Liability).
**LAW 1110 v00 Government Enforcement Investigations: A Study at the SEC**

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

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

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

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

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

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

**Recommended:** We do not assume students have taken any other classes. Prior or concurrent enrollment in Securities Regulation may give you some familiarity with issues covered in this class, but it is not necessary.

**LAW 1028 v00 Health Care Fraud and Abuse Seminar**

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

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

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

**LAW 206 v03 Health Care Law and Policy**

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

This course is Georgetown Law's introduction to the law and policy of health care provision and financing. No single course can serve as a comprehensive introduction, and this class won’t try. Rather, we’ll consider central themes and selected topics, with an eye toward the larger questions that drive legal, political, and ethical conflict in the health sphere. We’ll begin with some context – the non-medical determinants of health, which have much greater influence on population-wide health than does clinical care. We’ll then turn to the idea of a right to health care, then to the roles of markets and government in making care available and containing medical costs. Next up will be an introduction to the Affordable Care Act, with an eye toward its conceptual framework, its critics’ core objections, and the main problems that it has left unresolved. We’ll examine some of the legal conflicts that have arisen over the ACA, then turn to brief introductions to several other areas of health care law, including medical malpractice, antitrust, and the role of for-profit v. non-profit institutions. We’ll finish with consideration of racial disparities in health care and tension between medicine’s clinical and social roles.

COVID-19 has put a spotlight on our medical care system’s shortcomings, as well as the social inequities that shape Americans’ health and well-being. Our nation’s response to COVID will thus play a substantial role in this year’s edition of the course – as both a matter of national urgency and a window onto these shortcomings.
LAW 2037 v00 Health Information Technology and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202037%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Health care decision-making and innovation are increasingly driven and made possibly by vast stores of data. The importance of data has created an inevitable push-pull dynamic between concerns for confidentiality and demands for medical progress and cost containment. Data is both a privacy risk and a tremendous asset. This course will explore the legal and ethical issues at the intersection of health information, including where data comes from, how it is and should be protected, how it can be used, and risks to its integrity and security. In doing so, this course will cover a range of topics including health information privacy, future use of data assets, and conflicts of interest.

LAW 2076 v00 Health Law and Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202076%20v00)
LL.M Course (cross-listed) | 3 credit hours
Beyond health insurance and the delivery of health care, goods and services related to individual and public health are highly regulated in the United States, and often serve as a basis for international regulations. These goods and services are large and growing part of the U.S. and world economy, with some estimates being that more than one-quarter of U.S. food and medical products are regulated by the FDA alone.
This regulation is carried out directly by a variety of State and Federal agencies (such as the FDA, the CDC, and the NIH) as well as indirectly through the purchasing power of federally financed programs, such as Medicare.

This course will include an introduction to the basic legal and regulatory frameworks within public health and an overview of the Constitutional limits and policy choices that have led to current law. The course will then move to a review of several major fields of regulation. From a high-level, this includes the regulation of health professionals, health systems, and medical or food products impacting human health. The course will then conclude with an examination of several contemporary problems, such as the safe and effective use of human drug products, infectious-disease prevention and control, ethical research practices, and rationing and allocation of limited resources.

The primary objective of the course is to teach students about the regulation of public health at the intersection of state and federal levels, recognizing that such regulatory frameworks often become the template for international policies. Students will be called on to learn the basics of two fundamental statutes—the Public Health Service Act (PHSA) and the Food, Drug and Cosmetic Act (FDCA). Students will also be called upon to follow examples of administrative change under these statutes, each year analyzing a new set of proposed regulations and sub-regulatory guidance documents. By the end of the course, students will be able to describe the major means by which goods and services used in both personal and public health are controlled, as well as areas in which future changes are likely.

Currently, there is no text or case book on this subject. The primary readings will be assigned by the professor.

Note: This is a required course for the US Health Law Certificate.

LAW 3054 v00 Health Rights Litigation Intensive (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203054%20v00)
LL.M Course (cross-listed) | 2 credit hours
This one-week intensive course offers students an opportunity to develop specialist-level knowledge in litigating health-related rights at the national, regional, and international levels.

During the course, globally renowned experts will lecture on a range of topics, including: regulation of private actors; sexual and reproductive health and rights; rights issues arising in health-care settings; approaches to health-care rationing and factors to consider in assessing the equity impacts of judgments; access to medicines and intellectual property; judicial legitimacy in deciding issues with budgetary and policy implications; and judicial effectiveness and impact of judgments.

The course is highly participatory, and uses case-based teaching and group exercises extensively. Students will be evaluated based on their participation in lectures and group exercises throughout the week, as well as their participation in either the moot court competition or the fundraising pitch on the final day of the course.

Recommended: Prior enrollment in International Human Rights; International and Comparative Law on Women's Human Rights; Gender, Sexual and Reproductive Health and International Human Rights Law; O'Neill Institute Practicum: Health and Human Rights

Note: This class will meet on the following Summer 2017 dates: 6/26, 6/27, 6/28, 6/29, and 6/30.
LAW 1700 v00 Healthy Living, Aging, and Dying Seminar: The Legal Determinants of Wellbeing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201700%20v00)

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

This course examines law as a determinant of health throughout the lifecycle, including direct regulation, indirect regulation through the courts, deregulation of legal barriers to health, the authority to tax and spend to influence behaviors, and powers to alter socio-economic, informational, and physical environments. It covers both domestic and international legal and policy strategies.

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

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

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

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

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

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

Description of student learning goals:

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

LAW 311 v01 Higher Education and the Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20311%20v01)

J.D. Seminar | 2-3 credit hours

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

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

Note:

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

LAW 216 v02 Historic Preservation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20216%20v02)

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

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

Recommended: Constitutional Law and/or Land Use Law.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
**LAW 1410 v00 History of Modern Legal Thought** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201410%20v00)

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

Legal thought is influenced by political, intellectual and cultural trends and fashions. The aim of this course is to provide an overview of the history of modern legal thought, in Europe and North America, and link developments in legal thought to political and cultural changes. The first part of the course will focus on the emergence of modern legal thought in continental Europe and England in the last decades of the eighteenth century and the first half of the nineteenth century. Among the topics that will be discussed will be codification, the Historical School of Law, and mid-nineteenth century evolutionary theories of law. Most of the second part of the course will be devoted to the history of American legal thought, discussing late-nineteenth century legal science, early twentieth century anti-formalist approaches, and finally interwar and postwar American legal thought. Grades will be based on class participation and a take-home exam. The course may be taken on a pass/fail basis.

**Note:** This course will meet in Fall 2016 on Wednesdays and Fridays, 9:00 am - 11:00 am on the following dates: 10/5, 10/7, 10/14, 10/19, 10/21 (class will meet from 9:00 am - 12:00 pm), and 10/26.

**LAW 1403 v00 Hot Topics in Antitrust** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201403%20v00)

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

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

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

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

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

**Recommended:** Prior or concurrent enrollment in a basic antitrust course.
LAW 1666 v00 Human Rights and Its Discontents Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201666%20v00)

J.D. Seminar (cross-listed) | 3 credit hours
This two-credit seminar will open a window into the fast-developing world of human genetic engineering. It begins with a review of international and regional efforts to ban or restrict human germline modification (HGM), along with a brief world overview of relevant laws and trends. It then focuses on cutting-edge techniques like CRISPR/Cas9 and organized research efforts, particularly in China, that may nonetheless spark a race to create designer babies within a decade or less, as regulation lags behind technology and human affairs. Next, we examine two more well-established reproductive technologies, mitochondrial replacement and pre-implantation genetic diagnosis (PGD), to identify forces that are likely to guide HGM regulation as relevant technologies become safer and more efficient. We'll study the U.K.’s recent adoption of mitochondrial transfer to reduce birth defects or enhance fertility and then learn about evolving U.S. policy. We'll follow the spread of PGD, initially used to identify embryos bearing genes causing incurable childhood diseases, first to other less serious conditions, then to the creation of “savior siblings” and finally to non-medical uses like sex selection. Then we’ll return to HGM and view a sample of public policy proposals and religious views likely to influence the coming debate. Finally, we’ll close with an introduction to futuristic impulses to implement theoretically limitless improvements to human capabilities, sometimes balanced by the desire to use HGM to improve human moral character and tempered by doubts regarding the moral status to be accorded new HGM creations.

LAW 1621 v00 Human Rights Seminar: The Role of Human Rights Defenders (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201621%20v00)

J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the Inter-American Human Rights System, its impact on the protection of the individual, the strengthening of democratic institutions and the rule of law in the Americas. The course will be divided in two parts. The first part of the course will examine the practice and procedure of the two main institutions of the Inter-American Human Rights System: The Inter-American Commission on Human Rights (IACHR) and the Inter-American Court on Human Rights (IACtHR); including a practical training that will enable students to engage in a lively interaction with the IACHR. The second part will examine the main developments of this regional system's jurisprudence. Specifically, in this part of the course there will be a discussion of the approaches of the Inter-American System with respect to impunity and transitional justice, freedom of expression, the rights of women, indigenous peoples’ rights and the rights of Lesbian, Gay, Bisexual, Trans and Intersex persons. In this section of the course, we will also analyze U.S. engagement with the Inter-American System.

Learning Objectives:

Through this course, students will acquire a strong substantive and practical understanding of the functioning, challenges and opportunities of the Inter-American Human Rights System and how it can be used to protect human rights in the Americas.

Strongly Recommended: Public International Law or International Human Rights Law

LAW 2020 v00 Human Rights and the Inter-American System (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %202020%20v00)

LL.M Seminar (cross-listed) | 2 credit hours
This course will examine the Inter-American Human Rights System, its impact on the protection of the individual, the strengthening of democratic institutions and the rule of law in the Americas. The course will be divided in two parts. The first part of the course will examine the practice and procedure of the two main institutions of the Inter-American Human Rights System: The Inter-American Commission on Human Rights (IACHR) and the Inter-American Court on Human Rights (IACtHR); including a practical training that will enable students to engage in a lively interaction with the IACHR. The second part will examine the main developments of this regional system's jurisprudence. Specifically, in this part of the course there will be a discussion of the approaches of the Inter-American System with respect to impunity and transitional justice, freedom of expression, the rights of women, indigenous peoples’ rights and the rights of Lesbian, Gay, Bisexual, Trans and Intersex persons. In this section of the course, we will also analyze U.S. engagement with the Inter-American System.

Learning Objectives:

Through this course, students will acquire a strong substantive and practical understanding of the functioning, challenges and opportunities of the Inter-American Human Rights System and how it can be used to protect human rights in the Americas.

Strongly Recommended: Public International Law or International Human Rights Law

Note: This course requires a paper. J.D. students must register for the 3-credit section of the course if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1286 v00 Human Trafficking and Modern Slavery in the 21st Century: Legal Perspectives

J.D. Seminar (cross-listed) | 2 credit hours
Slavery has been a phenomenon that has existed since before written history, yet it is only in the last 200 years that efforts to abolish it have gained traction. Today, increasing mobility, global supply chains, and continued social discrimination have created the environment for ongoing human exploitation, even though the formal practice of chattel slavery, or the legal ownership of one human being by another, is illegal virtually everywhere. Indeed, some estimate that there are more slaves today than at any other time in human history. Most recently, efforts to eliminate severe forms of human exploitation are being made under the banner of ending human trafficking (or more formally, trafficking in persons).

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

Learning Objectives:

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

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

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

Mutually Excluded Courses: Mutually Excluded Courses: Students may not receive credit for both this seminar and Human Trafficking in International and Transnational Law.

LAW 3041 v00 Human Trafficking in International and Transnational Law

LL.M Seminar (cross-listed) | 1 credit hour
Human Trafficking is a transnational crime and an international human rights violation. Different forms of human trafficking and the definition contained in article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons will be discussed. The course will focus on the international and transnational legal framework. It provides an analysis of Human Trafficking in International Human Rights Law (e.g. the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and the 1989 Convention on the Rights of the Child), Transnational Criminal Law (e.g. the Organized Crime Convention and the Trafficking Protocol) and International Criminal Law (e.g. trafficking in persons as a crime against humanity in the Rome Statute of the ICC). In particular, the course covers state responsibility for Human Trafficking and obligations to remedy.

Mutually Excluded Courses: Mutually Excluded Courses: Students may not receive credit for both this course and International Trafficking in Persons or the J.D. seminar, Human Trafficking and Modern Slavery in the 21st Century: Legal Perspectives.
LAW 1672 v00 Human Trafficking: A Labor Approach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%201672\%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
Human trafficking has attracted unprecedented attention in the past decade and has been subject to extensive academic inquiry. Despite this, the diverse legal instruments developed to combat human trafficking, as well as the large body of scholarship dedicated to its research, have generally come short in identifying, elucidating, and targeting the profound institutional structures that enable trafficking and that turn this phenomenon into one of the pressing moral and political challenges of today’s global economy. Common anti-trafficking approaches focus on criminalization of trafficking, border controls, and ex-post measures to assist and protect the human rights of victims of trafficking. The assistance provided through these tools reaches an alarmingly small number of individuals, leaving the rest of the traffickers and trafficked population largely unaffected. In this seminar we will study, explore and develop a complementary anti-trafficking approach: a labor approach to human trafficking. The labor approach focuses on market inequalities between employers and employees, and seeks to devise ways to transform the bargaining playing field. Such transformations can occur through traditional unionization of workers or through other means that address structural causes of inequality and worker vulnerability such as regulation of recruiters, developing corporate responsibility to severe forms of exploitation, and guaranteeing rights of workers in labor sectors vulnerable to trafficking through protective legislation.

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

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

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

LAW 3014 v00 ICSID Arbitration: Jurisdiction and Procedural Aspects (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW\%203014\%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course will provide students with a practical understanding of an International Centre for Settlement of Investment Disputes, ICSID, arbitration proceeding from the moment of the submission of a request for arbitration through the issuance of the award and post-award remedies. ICSID is one of the five organizations of the World Bank Group and the arbitral institution most commonly used for the resolution of international investment disputes. ICSID case law has played a major role in the development of modern international investment law.

After a short introduction on the creation of ICSID and its development, students will receive a basic overview of the modern investment treaty regime. The course will then focus primarily on the jurisdictional thresholds that are at the heart of an ICSID arbitration, including the existence of a dispute arising out of an “investment”, nationality requirements, and consent to arbitration under the ICSID Convention. Special procedures, including summary dismissal of the claim under ICSID Arbitration Rule 41(5), provisional measures, intervention of non-disputing parties, such as NGO’s or multilateral organizations in the proceedings, transparency requirements and post-award remedies will also be addressed.

The course may include guest lectures.

Prerequisite: Prior or concurrent enrollment in International Law I.

LAW 037 v00 Immigration Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course will examine the U.S. immigration system through legal and policy perspectives. We will explore the source, scope and constitutional limits of congressional power to regulate immigration; the executive branch implementation of immigration legislation, particularly procedures for entry and removal, and the extent of, as well as constitutional constraints on, Presidential power; and the administrative and judicial review of executive branch action. Close attention will be paid to how membership laws and policies are established and implemented: What laws and policies govern U.S. citizenship? Who is eligible to become a legal immigrant? How are annual admissions numbers set? How and why are family and employment priorities created? How does the U.S. protect refugees? With respect to the arrival of unaccompanied children from abroad, we will consider the laws and policies that govern how the U.S. government treats them. Unauthorized migration will also be examined to understand why some migrants do not use the legal route into the U.S. and what laws and policies the U.S. has in place to deter such unlawful movements at the border and control unlawful presence in the interior. We will analyze the impact of the major 1996 immigration control legislation and its implementation, with particular attention to detention and removal. We will closely examine the role of the Justice Department’s Immigration Courts, with special attention to access to justice issues. We will explore the extraordinary need for, and challenges of, immigration law reform, as well as the particular situation of the Dreamers, children without lawful immigration status brought to and raised in the United States by their parents. Finally, we will assess the various changes implemented by the Trump and Biden Administrations, particularly in connection with the treatment of asylum seekers at the U.S.-Mexico border, the resettlement of refugees from abroad, and the removal of unauthorized immigrants.

LAW 037 v02 Immigration Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20037%20v02)
LL.M Course (cross-listed) | 2 credit hours
This class will cover the constitutional and political framework for the U.S. Immigration System, enforcement and adjudication agencies, immigrants, nonimmigrants, removals and deportations, detention and bond, immigration hearings, judicial review, grounds for removal and inadmissibility, "crimmigration," immigration reform, "Chevron" deference, refugee and asylum status and other international protections. It will also include reading and analyzing major immigration cases like INS v. Cardoza-Fonseca, 480 U.S. 421 (1987) (well-founded fear) and Matter of Kasinga, 21 I&N Dec. 357 (BIA 1996) (female genital mutilation).

Mutually Excluded Courses: Students may not receive credit for both this course and National Security Law Through an Immigration Framework.

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

Note FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

LAW 939 v00 Immunity Under International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20939%20v00)
LL.M Course (cross-listed) | 2 credit hours
The attempted extradition of Gen. Pinochet from the U.K. to Spain to account for torture and disappearances in Chile, a tragic car accident in Washington, D.C. in which a sixteen year old is killed by a Georgian diplomat, the alleged expropriation of your corporate client’s investment interests by a foreign government, a civil lawsuit against President Mugabe of Zimbabwe during a visit to the U.S., a criminal case in Chicago against a foreign consular officer for aiding and abetting a fugitive – such cases bring into sharp relief the operation of international immunities. This mini-course aims to introduce students to the range of jurisdictional immunities recognized by international law and how they are implemented in domestic law. We will cover diplomatic and consular immunity, sovereign (or state) immunity, the immunities accorded to heads of state and government, and the special status of international organizations and their staff and member representatives, including the United Nations, its specialized agencies and individuals on special missions. Increasingly, practicing lawyers (especially those who represent governments and international organizations or who practice in places where embassies, consulates, missions and international institutions are located) need to be familiar with the reach of these rules and doctrines, and the exceptions thereto. Our focus will be on the practical application of the various international conventions, domestic statutes, and judicially crafted rules which define the law of international immunities.

Prerequisite: No prerequisites, but some familiarity with basic international law and the process of civil litigation is strongly recommended.

Strongly Recommended: Introduction to International Law

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

LAW 1032 v00 In-House Counsel: Law and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201032%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course will focus on aspects of the practice of law particular to lawyers serving as in-house counsel in businesses or non-profit organizations, including substantive legal issues and practical considerations relevant to lawyers for whom their employer is their only client. In-house counsel perform tasks that are often different from those performed by outside counsel and have certain advantages over outside counsel as well as different professional responsibility concerns. The seminar will be taught by Russell Stevenson, Jr., who has taught law, been in private practice, and served for twelve years in-house counsel for both public and private business corporations. There will be several guest presentations by general counsel and leading practitioners. The grade for the course will be based on class participation and a research paper. This course is limited to 22 students.

Prerequisite: Corporations and Securities Regulation.

Recommended: Prior or concurrent enrollment in Professional Responsibility.

Mutually Excluded Courses: Students may not receive credit for this course and Corporate Legal Department Practicum.
LAW 854 v00 Income Tax Accounting (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20854%20v00)
LL.M Course | 2 credit hours
Covers accounting methods and accounting periods. The course examines a broad range of subjects concerning the timing of income and deductions under Subchapter E of the Internal Revenue Code. Topics include requests to change methods, inventories (including costing, valuation, and the requirements for maintaining inventories), principles of income recognition, prepaid income, cash equivalency and constructive receipt, special methods involving long-term contracts, depreciation, estimated expenses, prepaid expenses, and expensing versus capitalizing costs. These topics are analyzed from both a technical viewpoint and a tax policy perspective.

**Prerequisite:** Federal Income Taxation (formerly Taxation I), but a knowledge of financial accounting is not necessary for this course.

**Note:** This class, Income Tax Accounting, is required for U.S. trained students pursuing the Taxation LL.M. degree. This class is not required for students trained outside the U.S. Please note that J.D. students MAY NOT register for the section of this course with Professor Smiley.

LAW 854 v01 Income Tax Accounting (Online) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20854%20v01)
LL.M Course (cross-listed) | 2 credit hours
Covers accounting methods and accounting periods. The course examines a broad range of subjects concerning the timing of income and deductions under Subchapter E of the Internal Revenue Code. Topics include requests to change methods, inventories (including costing, valuation, and the requirements for maintaining inventories), principles of income recognition, prepaid income, cash equivalency and constructive receipt, special methods involving long-term contracts, depreciation, estimated expenses, prepaid expenses, and expensing versus capitalizing costs. These topics are analyzed from both a technical viewpoint and a tax policy perspective.

**Prerequisite:** Federal Income Taxation (formerly Taxation I), but a knowledge of financial accounting is not necessary for this course.

**Note:** This class, Income Tax Accounting, is required for U.S.-trained students pursuing the Taxation LL.M., and for U.S. and foreign-trained students in the Executive Taxation LL.M. and MSL Taxation degrees. This class is not required for on-campus Taxation LL.M. students trained outside the U.S.

This is an online-only course, and there are no live on-campus sessions. The class is asynchronous but requires weekly assignment submissions. Only students enrolled in the LLM in Taxation, Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, and the MSL in tax program may register for this course. All J.D. students may not enroll in this course.

LAW 3114 v00 Industry Epidemics: NCDs, Commercial Risk Factors and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203114%20v00)
LL.M Seminar (cross-listed) | 2-3 credit hours
This seminar will examine the role of law and policy in addressing modifiable risk factors that contribute to the rising prevalence of non-communicable diseases (NCDs). Risk factors to be addressed include: tobacco use, unhealthy diets, and the harmful use of alcohol. Materials and discussions will probe questions such as: What are the best regulatory practices to deal with NCDs risk factors? How do transnational corporations contribute to the spread of non-communicable diseases? How different international legal regimes come into play in addressing risk factors? What are the opportunities and challenges of using law & policy to address NCDs’ commercial risk factors? Throughout this course we will have opportunities to consider how law and policy shape contemporary legal discussions related to NCDs, such as tobacco plain packaging, alcohol sponsorship, childhood obesity, commercial speech and food labelling, and targeted marketing strategies.

The course will take a global approach grounded in constitutional law and different international legal regimes (WTO, Human Rights Systems – Regional & Universal—, among others). The course will explore how the rise in NCDs prevalence in both developed and developing countries is mainly driven by transnational corporations, globalization and foreign direct investment. Additionally, case studies will explore a variety of examples from jurisdictions spanning the United Kingdom, South Africa, and Latin American countries, including taxes to discourage consumption of unhealthy products, laws restricting advertising and promotion, and laws and policies to promote access to information to consumers.

Students will be equipped with an understanding of specific issues, such as the role of law compared with policy, the strengths and weaknesses of different regulatory strategies and the role and responsibilities of the relevant industries in promoting the right to health. After exploring a series of foundational themes and issues through the first half of the course, the remainder will focus on in-depth case studies and experiences in regulating the risk factors from a comparative perspective and future challenges.

This seminar requires attendance and participation in seminar discussions, preparation for class, writing response posts, and the submission of a final paper (for those taking the course for three credits) or leading a class discussion (for those taking the course for two credits).

**Course goals:**

- Understanding of the various risk factors contributing to non-communicable diseases (NCDs).
- Understanding of various models of regulation of NCDs risk factors.
- Understanding of complex risk factors regulatory issues across various constitutional systems and international legal regimes.
- Understanding the interaction between regulation of NCDs risk factors and issues like gender and freedom of speech.
- Understanding the role of transnational corporations in the increased prevalence of NCDs.
Russian interference in the 2016 U.S. election, the spread of misinformation related to the COVID-19 pandemic, and the threat of deep fakes have all increased government – and public – attention on the national security threats posed by both State and non-State actors use of information and disinformation. Whether referred to as propaganda, psychological operations, influence operations, or information warfare, States have used information to further their national security interests for many years.

While these activities are not new, cyber capabilities and modern communications technologies have increased both their reach and effectiveness. The use of data to micro-target audiences via social media, leveraging hacked and leaked information, the dissemination of non and misattributed messages to a mass audience, and the potential use of deep fakes all challenge current policy approaches and existing legal norms. This class will examine the U.S. domestic legal and policy challenges related to the use of information and disinformation as an instrument of national power.

### Learning Objectives

The learning objectives for the course are for students to:

1. Become familiar with how States use information as an instrument of national power, to include past use of propaganda and modern use of disinformation.
2. Appreciate how cyber capabilities have transformed the use of information by States, and the increased threats to national security posed by these activities.
3. Gain an understanding of the domestic and international law governing State informational activities, including the limitations faced by the US Government imposed by the Constitution and US federal law.
4. Understand the role of, and rules applicable to, private actors in monitoring and controlling online communication.
5. Understand how to analyze the different information activities and the applicable legal regimes.

### Recommended: International Law course
LAW 342 v05 Information Privacy Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20342%20v05)  
J.D. Course (cross-listed) | 3 credit hours  
This course serves as an introduction to the field of "information privacy law." The goal of the course is to equip students with the vocabulary, legal toolkit, and conceptual knowledge to enter the this rapidly-expanding area of law as a practitioner, an academic, or something in between. The course will trace the development and meanings of privacy in American law from the famous 1890 Harvard Law Review article "The Right to Privacy" by Samuel Warren and Louis Brandeis to the modern problems of privacy in the information age. Particular emphasis will be placed upon modern policy problems involving privacy, including privacy and the media, Fourth Amendment law, health privacy, Internet privacy, FTC regulation, emerging technologies, the problems caused by government and private-sector databases, and the prospects of federal privacy reform in 2021. The focus of the course is on US law, but we will necessarily examine the internationalization of the field, including the European General Data Protection Regulation (GDPR) and the "Right to Be Forgotten." Attendance and participation are essential.  
Note: Please note that laptop computers are not permitted in class.

LAW 1294 v00 Information Technology and Modern Litigation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201294%20v00)  
J.D. Seminar (cross-listed) | 2 credit hours  
This course builds upon the reality that what a lawyer must know about the influence information technology has had on litigation cuts across the traditional boundaries between law school courses and will deal universally with the impact information technology has had on the management and trial of criminal, civil and administrative cases.  
The course will deal with all the topics usually encompassed in so-called e-discovery, such as the meet and confer responsibility, format of production, claw back of privileged information, Rule 502 of the Federal Rules of Evidence, and preservation and sanctions. There will be a particular emphasis on the science of technology assisted review and its relationship to the reasonableness search and the implicit certification a lawyer makes under Rule 26(g) the Federal Rules of Civil Procedure by producing electronically stored information in response to a demand for it.  
Throughout the course there will be practical exercises such as mock meet and confer or drafting and responding to a letter demanding the preservation of electronically stored information. The course will attempt to equip students with the practical ability to handle a case involving electronically stored information from its conception to trial.  
Finally, the course will deal with the often ignored implications of electronically stored information for criminal cases. The manner in which law enforcement gathers information will be examined with a heavy emphasis on the constitutional implications of the collection of large amounts of data by law enforcement.  
Prerequisite: Civil Procedure (or Legal Process and Society).  
Recommended: Prior or concurrent enrollment in Evidence.

LAW 773 v00 Initial Public Offerings (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20773%20v00)  
LL.M Course (cross-listed) | 2 credit hours  
The course will be a "soup to nuts" securities offering course, focusing on the legal aspects of conducting an IPO for a U.S. issuer on a Form S-1 and advising the issuer about its future responsibilities as a newly public company. Young lawyers entering a securities practice often find that their knowledge of securities-law principles does not always prepare them for day-to-day challenges of practice in this area. This course is designed to fill those gaps by providing students with an understanding of the securities offering process as well as the tools and skills needed to perform tasks required to work on securities offerings.  
The major topics that will be covered include laws relating to securities offerings, listing on the New York Stock Exchange, underwriters and liabilities, underwriting agreements and the agreement among underwriters, financial statements, accounting issues, comfort letters, the securities act registration process (including the SEC comment and review process), law firm opinions and post-closing reporting obligations. The course will also provide an in-depth analysis of certain sections of the Form S-1, including the Management's Discussion and Analysis of Financial Condition and Results of Operations section and the risk factors section.  
Prerequisite: Corporations; Securities Regulation.
LAW 223 v02 Insurance Law: Litigation and Regulation
This course focuses on the law of insurance, the insurance of business, and the business of insurance. Questions concerning property and casualty insurance, including insurance for mass torts, product liability, directors’ and officers’ liability, and natural disasters are examined. The obligations of insurance companies to conduct their business according to state and, to some extent, federal regulation and the law of insurance bad faith are explored. Particular types of coverages that will be studied include homeowners insurance, comprehensive general liability (CGL) insurance, excess and umbrella insurance, D&O insurance, and property insurance (including business-interruption/lost-profits insurance). Students will develop sophisticated skills in analyzing the applicability of insurance to complex loss situations, the duties of insureds and insurance companies, and the ethical questions faced by lawyers sometimes caught in between.

Note: The course does not address life, disability, or health insurance, or ERISA.

Learning Objectives:
In this course, you will learn:

1. Business context and objectives for insurance transactions.
2. How to parse and interpret insurance-policy language.
3. How property-casualty insurance responds to "real world" situations, involving losses to property including from natural disasters, mass tort claims, shareholder claims, and other situations.
4. How courts and law makers create incentives for insurance companies to act in positive ways. This includes questions of insurance company "bad faith" or good faith, the obligation of an insurer to accept a reasonable settlement offer from a plaintiff, obligations of insurers to provide lawyers to defend the insured and the ethical limits on the role of the lawyer, including when the lawyer is selected by the insured rather than the insurance company.
5. Through reviewing excerpts from briefs, students will gain a better appreciation of how to articulate insurance-law points and make appropriate argument.
6. The reading material introduces the wide variety of relevant sources that may assist lawyers, such as cases, articles/treatises, attorneys-general opinions, bar-association ethics opinions, and actual insurance policies.

Prerequisite: Torts (or Government Processes), Civil Procedure (or Legal Process and Society), and Contracts (or Bargain, Exchange, and Liability).

Recommended: Corporations.

LAW 233 v01 Intellectual Property and Medicines
This course examines the special legal and policy issues arising from the use of intellectual property rights in the pharmaceutical and biotechnology fields. The course will cover: (1) U.S. case law impacting intellectual property, patents, trademarks and copyrights in the pharmaceutical and biotechnological arts; (2) the interplay of the regulatory approval process for therapeutic and diagnostic products with intellectual property rights; (3) the Hatch-Waxman Act and its impact on how patent rights for pharmaceuticals are procured and enforced; and (4) major legislative developments affecting the use of intellectual property rights in the drug, biotechnology and medical device fields, such as the Biologics Price Competition and Innovation Act of 2009 and the America Invents Act of 2011. Other topics may be included depending on current judicial or legislative developments. A background in biologics or pharmaceuticals is not required, although completion of a basic patent law or a food and drug law course is recommended.

Students will have the option of taking this course for either two or three credits. The three credit option will require a paper that satisfies the upperclass legal writing requirement in compliance with Law Center regulations. The two credit option will require completion of several shorter legal writing samples on student-selected or assigned topics.

Strongly Recommended: Prior or concurrent enrollment in a basic patent law course or food and drug law course is highly recommended.

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

LAW 226 v00 Intellectual Property in World Trade
The knowledge, technological inventions, creative works and accumulated experience and expertise of the professional workforce increasingly drives the global economy. Unlike physical capital, this intellectual capital cannot readily be confined to the territorial setting of its origin. The development of cohesive norms to protect intellectual properties on a global basis has thus proven to be an enormous challenge. This course considers this effort by addressing the core international agreements governing intellectual property; norms and norm-making in the international intellectual property rights system; dispute settlement and the enforcement of rights; and tensions arising between intellectual property rights and distinct legal and cultural values.

Mutually Excluded Courses: Students may not receive credit for this course and International Intellectual Property and Development and the graduate course, International Protection of Intellectual Property Through the WTO.
LAW 905 v00 Intelligence Reform and the Modern Intelligence Community

This course is an introduction to intelligence law as discussed in the context of changes to the Intelligence Community. The course focuses on changes to the law made in response to reviews and reports conducted following the attacks of September 11, 2001, and how those changes have been implemented in policy and practice. Students will examine legislative efforts to enhance information sharing and intelligence collection, such as the creation of the Director of National Intelligence, the modernization of the Foreign Intelligence Surveillance Act, and more recent proposals to reform surveillance laws and policies in the context of global discussions of privacy and civil liberties. In addition, the course will address complexities faced by national security lawyers in protecting classified information, and providing legal advice on intelligence operations, including domestic intelligence activities.

Recommended: Prior or concurrent enrollment in International Law I.

LAW 2056 v00 Intensive Legal English Program

Intensive Legal English Program (no credits)

Instructors: Andrew Kerr, Julie Lake, Almas Khan

Intensive Legal English Program (non-credit) consists of a three-week intensive written and oral communication skills curriculum. The curriculum focuses on English language skills needed to succeed in the LL.M. program. Students will enhance their daily, academic and professional English skills, as well as their understanding of U.S. legal culture.

This program is limited to 20 students. The faculty has a wide range of practical and academic experience and will work closely with students in classroom instruction and individual conferences four days a week and planned excursions in the Washington, DC area one day a week. The small class size, high faculty-to-student ratio and pre- and post-program assessments will allow each student to receive individualized feedback and attention to work toward his or her professional and academic goals in the use of legal English. Upon successful completion of the program, students will receive a Certificate in Professional Legal English.

Questions: Contact the Legal English Program Director, slep@law.georgetown.edu

Prerequisite: Prerequisite: Foundations of American Law

LAW 2085 v00 International Agreements

The course begins by examining what is an international agreement under international law and distinguishes such agreements from other arrangements between States or international organizations that constitute political rather than legal commitments. Since there is interplay between domestic and international law in the operation of international agreements, it is important to understand how both systems of law work. To provide a domestic law framework, the first half of the course focuses on the treaty law of the United States. It addresses such matters as applicable Constitutional provisions, factors bearing on the decision as to the form in which a particular international agreement will be concluded and the respective roles of the Executive, the Senate, the Congress, and the courts concerning the conclusion, termination, and interpretation of international agreements. Students from other countries are encouraged to explain how their domestic systems handle similar issues, thus permitting the addition of a comparative element to the domestic law discussion. The second half of the course is devoted primarily to the international law rules reflected in the 1969 Vienna Convention on the Law of Treaties to which more than one hundred countries are parties and which is in most respects regarded as representing customary international law. In addition to the Convention, the course materials for the second half include recent cases decided by the International Court of Justice or by treaty-based arbitral tribunals and examples of important developments concerning the law of international agreements that have taken place since the entry into force of the Vienna Convention in 1980.
LAW 2079 v00 International and Comparative Antitrust Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202079%20v00)
LL.M Course (cross-listed) | 2 credit hours
More than a hundred countries have enacted competition laws and modeled their laws either on the U.S. or on the EU system. This course will focus on the U.S. and the EU antitrust regimes by comparing and contrasting their principles and procedures. Some other jurisdictions at the center of the international antitrust arena, such as China and Brazil, will also be discussed. This course will start with an overview of the institutional design and of the substantive standards applied by the FTC/DOJ in the U.S. and by the European Commission in the EU, and will then delve into various areas of antitrust law, with particular emphasis on cartels, horizontal and vertical restraints, abuse of dominance, and mergers. This course will also examine process and procedures in the U.S. and the EU, and consider practices that facilitate international cooperation in antitrust investigations.

Learning objectives:

Students attending this course (i) will receive an overview of the international dimension of the various areas of antitrust law (horizontal agreements; monopolization/abuse of dominance; mergers); (ii) will learn to compare and contrast antitrust principles and procedures of the two systems (EU and U.S.) that most have influenced antitrust laws and institutions around the world; (iii) will familiarize with new actors and current challenges of the international antitrust arena. As a result, students will learn how to navigate multi-jurisdictional antitrust matters.

Prerequisite: For J.D. students: Antitrust Law or Antitrust Economics and Law. Prerequisite for LL.M students: None, although it is recommended that LL.M students have some previous coursework or work experience in competition law in the U.S. or another jurisdiction.

LAW 230 v00 International and Comparative Law on Women's Human Rights (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20230%20v00)
J.D. Course (cross-listed) | 2 credit hours
In many parts of the world, women are discriminated against, abused, treated as property, and even murdered because they are women. But today, there is a substantial body of international and regional human rights law that can be used to change the national laws that permit these practices or fail to protect women against them. In addition, many countries have begun to give women equal rights in many fields. Thus, there is now a body of human rights and comparative law that advocates can use to advance equal human rights for women.

This course provides students with an overview of that law. It introduces them to the many forms of discrimination and violence women still face and teaches them about the major human rights treaties that can help women achieve equality with men. These include the Convention on the Elimination of All Forms of Discrimination against Women; the International Covenant on Civil and Political Rights; and the regional human rights treaties from Africa, the Americas, and Europe. Students study the work of the human rights bodies that measure state compliance with these treaties, including their guidelines and case law on issues affecting women. The course also examines comparative law on human rights issues such as sex-based discrimination in employment, inheritance, and family law rights, domestic violence and female genital mutilation, polygamy and its impact on women and children, and women's lack of reproductive rights.

National court decisions from countries in both common law and civil law jurisdictions show how courts are using international and regional human rights law to help resolve domestic law issues. As some issues pose difficult conflicts between women's right to equality with opposing assertions of religious and cultural rights to discriminate, the course also examines how human rights bodies resolve those conflicts and asks how they should be resolved.

Note: For J.D. Students: Students Enrolled in the International Women's Human Rights Clinic must take this course as a pre- or co-requisite, but it is also open to other J.D. students and to LL.M. students.

LAW 882 v00 International Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v00)
LL.M Course (cross-listed) | 2 credit hours
Examines United States, foreign, and international law and practice relating to international commercial and investment arbitration, including the U.S. Federal Arbitration Act, the New York Convention on the Recognition and Enforcement of Arbitral Awards, the ICSID Convention, the UNCITRAL Arbitration Rules, and the arbitration rules of major arbitral institutions such as the ICC, the AAA and the LCIA. The course focuses on the procedural law applicable to and the practical aspects of arbitration. It will cover such topics as enforcing arbitration clauses, conducting arbitration proceedings, judicial oversight of arbitration, choice of law, enforcing and setting aside awards, and particular issues arising in arbitrations against sovereigns.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); International Business Transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and International Commercial Arbitration, Introduction to International Commercial Arbitration, International Arbitration, or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course)
LAW 882 v08 International Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20882%20v08)
LL.M Course (cross-listed) | 2 credit hours
Examines United States, foreign, and international law and practice relating to international commercial arbitration, including the U.S. Federal Arbitration Act, the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, and the arbitration rules of major arbitral institutions such as the ICC, JAMS, the ICDR, etc. The course focuses on the procedural law applicable to and the practical aspects of arbitration. It will cover such topics as enforcing arbitration clauses, conducting arbitration proceedings, judicial oversight of arbitration, choice of law, enforcing and setting aside awards as well as drafting dispute resolution clauses.

**Recommended:** International Law I: Introduction to International Law (or the equivalent International Law I); International Business Transactions.

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Commercial Arbitration, Introduction to Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

LAW 3021 v00 International Arbitration and the New York Convention (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203021%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
The New York Convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards is generally considered as the most important legal cornerstone for international business arbitration. It is also acclaimed to be the most successful international convention in international private law. The New York Convention provides for the international enforcement of arbitration agreements and arbitral awards. There are now 156 Contracting States and more than 1,800 court decisions interpreting and applying the Convention. The course will analyze and compare the most important ones of those decisions. It will offer a unique insight in treaty design, statutory enactments, varying court approaches, and the practice of international arbitration. The course materials will be made available at www.newyorkconvention.org.

**Recommended:** Any course in international arbitration.

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

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waisted 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 3036 v00 International Arbitration Colloquium (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203036%20v00)
LL.M Seminar | 4 credits in total credit hours
This is a year-long class restricted to students in the International Arbitration Scholars program. The course counts as one credit in the Fall, and three credits in the Spring (students will be enrolled for both semesters and will receive one grade for the class at the end of the Spring semester. Withdrawals are permitted up to the last day of class of the Fall semester, but withdrawal from the colloquium will also result in withdrawal from the Scholars program.) During the Fall semester, Scholars and faculty will meet for informal meetings to get to know each other and to be introduced to the arbitration community in Washington. Scholars will also meet individually during the Fall semester with Professor Whitesell and/or their faculty advisor to propose their research idea, present an outline and get feedback on the outline.

During the Spring semester, the Colloquium will meet on a weekly basis as a class. Spring classes will be a combination of student presentations, and specific topics presented by invited experts. Over the course of the Spring semester, class members will present their research to the group, with each class member presenting twice during the semester (once during the beginning of the semester to present their projects in the early stages, and once during the later part of the semester to present their near-final papers). The Scholars will also meet during the Spring on an individual basis with their advisors as they work to finalize their paper into publishable quality.

**Note:** Enrollment is limited to International Arbitration Scholars.

LAW 3035 v00 International Arbitration from the Arbitrator’s Point of View (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203035%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
The course deals with “International Arbitration from the Arbitrator’s Point of View”. It describes the arbitrator’s role at each stage of the proceeding, the various relationships that exist and the legal, procedural, practical and even psychological issues that may arise.

The course starts from the proposal and selection of the arbitrator and ends with the notification of the award. Topic covered include: who may be an arbitrator; the first contact and the conflict check; the launching of the proceedings; relations with counsel and the parties’ representatives; the relationship among arbitrators; relations with experts; the conduct of the proceedings and, in particular, the hearings; deliberations and the decision; drafting of the award; the relationship with the institution; and the relation with the media.

The course will include both interactive lectures and some practical exercises.

**Recommended:** Prior or concurrent enrollment in an arbitration course.

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

**Note:** This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.
Withdrawals are permitted up until the last class for this specific course.

Withdrawal from an academic advisor in the Office of Academic Affairs. A student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session may request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session may request a drop by contacting the Office of the Registrar. All enrolled students must attend each class session in its entirety to remain eligible to be admitted to the program. Waitlisted students must be in attendance at the start of the first class session in order to remain enrolled. Failure to attend the first class session in its entirety may result in a withdrawal.

LAW 3019 v00 International Arbitration in Asia

This course will examine how international disputes are resolved through arbitration in Asia. With the expansion of trade and investment, integration of global markets and the increasing complexity of transactions, international disputes inevitably arise. International arbitration has become the preferred means in Asia by which to resolve cross-border disputes, providing a critical pillar to the stability of international business and financial architecture. The emergence of Singapore, Hong Kong, Seoul and Beijing, among others, as hubs for arbitration offers alternatives to traditional centers such as London, Paris, Geneva or New York. With innovative arbitral institutions such as the Singapore International Arbitration Centre, Hong Kong International Arbitration Centre, China International Trade and Economic Arbitration Commission and Korean Commercial Arbitration Board, a wealth of case law and a mixture of common and civil law jurisdictions, an understanding of the commercial and investment arbitration practice in Asia should help practitioners and students interested in arbitration and Asia.

Main Textbook: The Developing World of Arbitration: A Comparative Study of Arbitration Reform in the Asia Pacific (Hart)

Additional Material to be provided.

Prerequisite: International Arbitration or International Commercial Arbitration

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

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

LAW 1758 v00 International Arbitration in the Middle East

This course will examine the history of arbitration in the Middle East and its evolution from the Islamic era, through the early colonial twentieth century's oil & gas arbitrations, to the modern-day proliferation of commercial and investor-State arbitration cases. The classes will draw upon a wide range of materials including law journal articles, arbitral awards, regional treaties, domestic arbitration laws and court decisions to discuss and provoke debate over core topics in the international arbitration field, such as the impact of Sharia law on the arbitration process; the internationalization of contract-based disputes; the contribution of the Iran-US Tribunal to the development of international investment law; the role of consent to arbitration contained in domestic laws; attribution and State responsibility in the context of the Arab Spring, enforcement of arbitral awards in the region; and the rise of inter-Arab investment arbitration through the investment treaty of the Organization of Islamic Conference.

This course is designed for students, young scholars, and practitioners who are interested in understanding the unique features of arbitration theory and practice in the Middle East, and appreciating the legal and cultural context within which the current arbitration practice in the region has developed. The course will also provide practical insights and commentary on domestic arbitration regimes of selected countries, and arbitration rules and processes of some of the region's arbitral institutions, including CRCICA, DIAC, DIFC-LCIA, ADGM-ICC, BCDR, and SCCA.

Learning Objectives:

Students will:

- Better understand the origins of the concept of arbitration in Islam, and the role that Sharia law plays in today's arbitration process in the Arab world.
- Develop familiarity with the arbitration practice and its evolution in the region through the lens of landmark cases involving Arab States and assess the contribution of these cases to the overall development of the international arbitration field.
- Gain knowledge of the protections and guarantees afforded to investors by regional treaties and domestic investment laws of Arab countries, including dispute resolution clauses that refer to international arbitration.
- Identify some of the legal challenges faced by investors when attempting to enforce a foreign or international arbitral award in the Middle East.
- Develop familiarity with some of the major regional arbitral institutions and their common structures and procedural rules.

Note: Withdrawals are permitted up until the last class for this specific course.
LAW 802 v01 International Assistance for Global Health

LL.M Course (cross-listed) | 1 credit hour
The overall objective of this course is to explore the present and potential role of international human rights law – and the right to health in particular – in international assistance for global health.

During the first class, we will discuss the recent history and present practice of international assistance for global health. We will discuss tensions between the objectives of development and relief, and between the objectives of promoting 'health security' and equity in global health. During the second class, we will explore the concept of equity in global health: how it is central to several definitions of global health, what the practice of international assistance for global health should look like, if the predominant objective of that assistance were equity. During the third class, we will examine the meaning of the right to health, the freedoms and entitlements it generates and the corresponding national and international responsibilities. During the fourth class, we will discuss if and how the right to health can be used to modify/improve the practice of international assistance for global health, taking into account that such assistance serves other objectives as well.

Strongly Recommended: Completion of coursework in the area of international human rights law.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.

LAW 914 v00 International Banking in the United States

LL.M Seminar (cross-listed) | 1 credit hour
Foreign banks have established a major presence in the United States during the last four decades and have acquired substantial market share during that period. In response, the regulation of foreign banks has likewise experienced significant change and growth. This is reflected in law firm practice as advising foreign banks is now a significant component of the financial institutions practice of major U.S. law firms.

This course will analyze the conceptual framework and the laws and regulations governing the U.S. operations of foreign banks, including how foreign banks may enter, operate and expand in the United States. This will include an analysis of the Dodd-Frank Act’s prudential standards for systemic foreign banks in the United States as well as of the International Banking Act and the Bank Holding Company Act. In addition, the course will examine the supervision and enforcement scheme that the U.S. government applies to foreign banks and assess the evolving standards that apply to them, including capital standards under the Basel Capital Accord. Finally, this course will review emerging conflict of law issues that arise in the international banking context and the increasing extraterritorial reach of U.S. laws.

For students to understand the basic conceptual and legal framework that applies to foreign banks in the United States. This understanding allows a student to then select and analyze a topic of interest for purposes of the class paper.

Recommended: J.D. students may take this course after they have completed their first year.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal.
LAW 955 v00 International Bankruptcy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20955%20v00)
LL.M Course | 2 credit hours
This course deals with the issues presented when a business with assets or debts in more than one country is seeking to restructure its financial obligations. The course will cover new Chapter 15 of the United States Bankruptcy Code and will also examine business bankruptcy developments in other countries.

Note:
The first day of this consortium class will be on Tuesday, January 19. Since the beginning of classes at Georgetown has moved to January 25, Georgetown students are required either to participate live in the January 19th class or to view the recording of the class before the January 26 class session. The second class session will meet as scheduled on Tuesday, January 26th. The last class will meet Tuesday, April 13th. Live attendance on March 16th (during Spring Break) is optional, but students will be required to watch the class recording.

Withdrawals are permitted up until the last class for this specific course. This course is co-taught by Professor Neureiter from Georgetown Law and Professor Lapowsky from Penn Law. Professor Neureiter will provide the Zoom link for the course. Students at Georgetown will be able to see and hear the lecturer and direct questions to him. There will be class during Georgetown spring break; however, that class session will be taped and Georgetown students will review the tape individually, or may review it together at a mutually agreed date and time. Please LL.M. Academic Services if you have any questions about the course format or content (LLMAS@georgetown.edu). Note: Students must attend all classes at Georgetown Law unless otherwise noted. This course is mandatory pass/fail.

LAW 3105 v00 International Business Compliance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203105%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course addresses the critical role of legal compliance in conducting international business. It will explore how compliance law, based on theories and principles of corporate governance and risk management and applied in the context of substantive laws, is used to develop systems of deterrence management. Topics will include: the history and development of compliance, risk management, specific areas of compliance such as information/data security, anti-corruption law, economic sanctions, and financial sector regulations, and particular challenges related to global compliance.

At the end of the class, students should be capable of: understanding how a global company assesses and manages risk and the key elements of an effective global compliance system; the relationship between corporate culture and compliance; how compliance enforcement functions both within a company and externally; the compliance function and the roles of lawyers and compliance officers; basic concepts in several areas of compliance law such as data security, economic sanctions, financial regulation, and anti-corruption law; recognizing third party risks a company may face; and understanding particular problems that face global companies and how the law is developing to harmonize across borders.

Course requirements include class participation, a short paper along with class presentation, and a two hour open-book take-home exam.

Recommended: Previous enrollment in corporations/business organizations or other business transactions course.

LAW 863 v00 International Business Litigation and Federal Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20863%20v00)
LL.M Course (cross-listed) | 2 credit hours
The course explores issues common to litigation in U.S. courts arising from cross-border business transactions, including venue, jurisdiction, service of process, choice of law questions, discovery, evidence from abroad, privilege and ethical considerations, and the recognition and enforcement of foreign judgments in U.S. courts. The course covers the resolution of disputes in litigation, as well as in arbitral proceedings, and through regulatory and other internal investigations, and explores issues such as the Foreign Corrupt Practices Act.

Mutually Excluded Courses: Students may not receive credit for both this course and International Civil Litigation (LAW/G/J 734); the J.D. course, International Civil Litigation (LAW/G/J 013); and Cross Border International Litigation and Conflicts of Law (formerly International Conflict of Laws) (LAW/G/J 735).
LAW 876 v04 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v04)
LL.M Course (cross-listed) | 3 credit hours
This three credit course is an introductory survey of legal issues that arise in connection with international business transactions. Subjects covered include: (1) laws and treaties involved in cross-border business transactions; (2) core international business transactions, including international sales and letters of credit, non-establishment (agency, distribution, contract manufacturing, franchising, licensing) and establishment (branch, subsidiary, joint venture) forms of doing business, equity and debt/project finance transactions, and mergers and acquisitions; (3) fundamental legal concepts such as choice of law, choice of forum, jurisdiction, investment protection (expropriation), anti-corruption and competition regulation, and dispute resolution, focusing on litigation and arbitration, (4) the transfer and protection of intellectual property, and (5) corporate social responsibility.

The learning outcomes for this International Business Transactions course include: (1) basic knowledge and understanding of (a) substantive and procedural laws concerning international business transactions, and (b) the role of private and public international law in the conduct of international business; and (2) international legal analysis and reasoning, problem solving, professional skills, and written and oral communication in the context of international business transactions.

Recommended: International Law I: Introduction to International Law; a course in Finance or Securities Regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and International Business Transactions and International Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law.

LAW 876 v07 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v07)
LL.M Seminar (cross-listed) | 2 credit hours
An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Emphasis is given to the actual practice of international law. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border financings (including letters of credit and bank financings), and international investments including project finance. Litigation topics will be related to the transactional issues covered and will include a special emphasis on contract rights and remedies, choice of law, choice of forum, and international arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I).

Mutually Excluded Courses: Students may not receive credit for this course and International Business Transactions and Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law.

LAW 876 v10 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v10)
LL.M Course | 3 credit hours
An introductory survey course examining transactional and litigation issues faced by international businesses. The goal of this course is to familiarize students with the broad scope of issues affecting international business prior to the students choosing other courses for further specialization and to introduce students to analytical tools used by lawyers who advise on matters related to international business. Emphasis is given to the actual practice of international law. Topics will include the international sale of goods (including letters of credit), international contract issues, cross-border financings (including letters of credit and bank financings), and international investments including project finance. Litigation topics will be related to the transactional issues covered and will include a special emphasis on contract rights and remedies, choice of law, choice of forum, and international arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I).

Mutually Excluded Courses: Students may not receive credit for this course and International Business Transactions and Dispute Resolution or the J.D. courses, International Business Transactions or International Economic Law.

LAW 876 v11 International Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20876%20v11)
J.D. Course (cross-listed) | 4 credit hours
This four-credit survey course studies the major legal issues arising in international business, trade and investment activity, taught from a practical, problem-oriented approach. The focus of the course is on the law and practice that is different when business, trade or investment takes place across an international boundary. The principle areas of coverage are: 1) the movement of goods, including the Convention on Contracts for the International Sale of Goods (CISG), contracts for transportation, and financing, including the law of letters of credit, 2) problems of international investment and the transfer of intellectual property, including the international law governing patents, trademarks, copyrights and trade secrets, 3) national and international rules for dealing with imports and exports, including export controls and sanctions and trade remedies (antidumping, countervailing duty and safeguards), 4) public international law disciplines that arise in connection with anti-corruption efforts and norms of corporate social responsibility, and 5) international dispute resolution, including investment arbitration, trade disputes at the WTO, and private international commercial litigation issues, including choice of law and forum issues.

Mutually Excluded Courses: Students may not receive credit for this course and International Business Transactions and Trade Law or International Economic Law or the LL.M. course, International Business Transactions.
LAW 882 v03 International Commercial Arbitration (http:// curriculum.law.georgetown.edu/course-search/?keyword=LAW %20882%20v03)  
J.D. Seminar (cross-listed) | 2 credit hours  
This course presents an introduction to international commercial arbitration. It examines the nature of arbitration, the procedures used in international arbitration (both institutional and ad hoc) and the enforcement and setting aside of arbitral awards. The course will also cover drafting arbitration agreements, the law applicable to arbitrations (including the New York Convention, the ICSID Convention and various institutional rules), challenges to arbitration, multi-party arbitrations, jurisdiction, preliminary or interim measures and selection of the arbitral tribunal. The course also provides an introduction to arbitration between investors and states. Grades will be based primarily upon short papers addressing current issues in international arbitration.

Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. seminars International Commercial Arbitration, Introduction to International Commercial Arbitration, or International Arbitration; or the CTLS seminar, International Commercial Arbitration Seminar.

LAW 882 v05 International Commercial Arbitration (http:// curriculum.law.georgetown.edu/course-search/?keyword=LAW %20882%20v05)  
LL.M Course | 2 credit hours  
International commercial arbitration is often the preferred means by which sophisticated international businesses resolve their disputes. This course offers a study of arbitration as a dispute resolution process for international trade and business disputes. Students will learn about ad hoc and institutional arbitration, the authority of arbitral panels, enforcement of agreement to arbitrate, challenging arbitrators, procedure and choice of law in arbitral proceedings, and enforcement of international arbitral awards. The course focuses on commercial arbitration as an international practice and not on arbitration under any particular national system.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); International Business Transactions.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. seminar, INTERNATIONAL COMMERCIAL ARBITRATION SEMINAR (CTLS COURSE).

LAW 882 v06 International Commercial Arbitration (http:// curriculum.law.georgetown.edu/course-search/?keyword=LAW %20882%20v06)  
LL.M Course | 1 credit hour  
In today’s global economy, parties to cross-border commercial transactions increasingly choose to resolve their disputes through international arbitration. This course provides students with an understanding of the law and practice of international arbitration from the perspective of United States law. Among other things, the course will consider the alternatives to international arbitration; the international conventions and U.S. arbitration statute; the arbitration agreement; the role of courts and tribunals in determining issues of arbitrability; international arbitration rules; provisional measures; judicial enforcement of arbitration agreements and arbitration awards; and judicial setting aside of arbitration awards.

Mutually Excluded Courses: Students may not receive credit for both this course and International Arbitration, Introduction to Commercial Arbitration or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 15th through Friday, January 22nd, 2021.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
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Among other things, students will engage in hands-on exercises involving interviewing, cross-examination, drafting of witness statements and the like. The goal is to provide students with a deeper understanding of how international commercial arbitration differs from other types of national and international dispute resolution and to provide students with the tools needed to excel in this growing area of law and practice.

After taking this course, students will have an increased ability to:
- appreciate the special nature of international arbitration as compared to other national and international dispute resolution processes;
- draft and revise international arbitration agreements;
- select an appropriate arbitrator in international matters;
- challenge arbitrators in international disputes;
- conduct cross-examination in international arbitral settings; and
- draft and review document requests in international arbitration.

**Note:** WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 1:30 p.m. - 4:50 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar, a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. 

**Recommended:** Prior enrollment in a basic course in international arbitration

**LAW 1036 v00 International Contracts and Sales Law**

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

Resolution of disputes between private sector companies and sovereigns arising under international contracts and projects typically are resolved by international commercial arbitration, giving rise to unique challenges, issues, and opportunities.

This class will address the relationship between international arbitration and court litigation, key fora and features that exist in this realm, proper negotiation and mediation techniques, analysis of foreign sovereign immunities, choice law issues, the importance of language and culture in these disputes, interplay with treaty arbitration, issues arising under arbitration clauses, critical trends in case law and arbitral institutions, and enforcement of arbitration awards globally. The course will feature guest speakers, hands-on exercises, use of materials from actual arbitrations, optional field trips to local courts, and a two-class practical moot—all focused on the dynamics and practicalities of dealing with the disputes of sovereigns and private parties.

**Prerequisite:** Prior or concurrent enrollment in International Law I.

**LAW 3033 v00 International Commercial Arbitration with a Foreign Sovereign**

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

This course will address the relationship between international arbitration and court litigation, key fora and features that exist in this realm, proper negotiation and mediation techniques, analysis of foreign sovereign immunities, choice law issues, the importance of language and culture in these disputes, interplay with treaty arbitration, issues arising under arbitration clauses, critical trends in case law and arbitral institutions, and enforcement of arbitration awards globally. The course will feature guest speakers, hands-on exercises, use of materials from actual arbitrations, optional field trips to local courts, and a two-class practical moot—all focused on the dynamics and practicalities of dealing with the disputes of sovereigns and private parties.

**Recommended:** Prior enrollment in a basic course in international arbitration

**LAW 416 v02 International Courts and Tribunals: Theory and Practice**

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

This class surveys existing international courts and tribunals. Over the semester, we will examine courts and tribunals with general jurisdiction (e.g., the International Court of Justice); courts and tribunals with specialized jurisdiction (e.g., the International Criminal Court, WTO, human rights tribunals, and investor-State tribunals); and claims tribunals and commissions (e.g., the Iran-United States Claims Tribunal and the United Nations Compensation Commission). The course seeks to provide a comparative understanding of the international adjudication system through readings and in-class exercises. General knowledge of public international law is required.

**Prerequisite:** Prior or concurrent enrollment in International Law I.
**LAW 790 v00 International Criminal Law**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v00)

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

In international criminal law, we begin by examining the basics: what criminal law is supposed to do and the fundamentals of international law and jurisdiction. We then study issues relating to transnational application of domestic penal codes, such as extradition and the extraterritorial application of U.S. criminal law and the U.S. Constitution. We may choose a transnational crime—such as money laundering or corruption—as a vehicle for examining the efficacy of transnational application of domestic standards. The focus of the course then shifts to truly international, rather than transnational, law. We examine the history of international tribunals intended to enforce international crimes (Nuremberg, the ICTY, and the ICTR), and delve into the structure and operation of the International Criminal Court. We focus on substantive international crimes such as genocide and crimes against humanity, and may also cover war crimes, crimes of sexual violence, and/or torture. The course closes with a consideration of alternatives to criminal prosecution, such as truth and reconciliation commissions.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. first-year elective or the graduate course with the same title.

**LAW 790 v01 International Criminal Law**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20790%20v01)

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

Examines selected issues involving the application of criminal law to international activities and across national boundaries. The course covers both the procedural aspects of international cooperation in criminal matters (including extradition, cross-border investigations, mutual legal assistance, and recognition of foreign penal judgments) as well as the developing substantive international law (e.g., war crimes, crimes against humanity, genocide, cybercrime, and trafficking in drugs, people and firearms). Particular attention is paid to the question of jurisdiction over criminal activities at the international level, in the context of activities such as money laundering, organized crime, and computer crime, including the reach of Constitutional protections to investigations and law enforcement activities overseas. Addresses the structure, jurisdiction, and jurisprudence of the ad hoc criminal tribunals for the former Yugoslavia and Rwanda and the statute and rules of evidence and procedure of the International Criminal Court.

**Recommended:** Criminal Law, Conflict of Laws: Choice of Law (or the equivalent Conflict of Laws: Choice of Law (International Focus)); International Law I: Introduction to International Law.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. course with the same title; the J.D. first year elective, Criminal Law Across Borders; or the J.D. seminar International Criminal Law Seminar: Tribunals and Crimes; or the J.D. course International Humanitarian Law; or the J.D. course International Criminal Courts.

**LAW 835 v00 International Debt Workouts**
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20835%20v00)

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

Cross-border lending has grown exponentially in recent decades, especially with the opening of new markets in emerging economies and further integration of financial markets globally. High yield, EM risky lending has also grown in a low interest rate environment in developed markets.

A natural consequence is the invariable need to restructure cross-border debt. Such financial restructurings or "workouts" can occur individually with a troubled debtor or on a broader level in systemic crises (e.g., the debt crises involving Asia, Russia, and Mexico in the late nineties, Argentina in the last decade, and the 2008 global financial crisis). In this course we will simulate, from an international lender's perspective, the out-of-court debt restructuring or "workout" of a corporation in distress. The simulation of this hypothetical workout will have role-play and extensive class interaction: we will be members of the restructuring and insolvency practice of an international law firm.

Our client will be an international commercial bank with a troubled loan to a company in a developing country. Our job will be to provide legal advice and services to our client throughout the loan workout process. During the semester we will also have insolvency practitioners as guest speakers. Our work will include conducting due diligence, recommending a legal strategy, coordinating the creditor group, establishing negotiation strategies (and leverage) for our client, structuring the transaction documents, and closing the deal.

The objectives of this simulation are to help students (1) understand the legal framework governing cross-border insolvency and restructuring, (2) debate legal issues affecting cross-border debt restructurings, (3) grasp the principles and best practices of international debt restructurings and insolvency from a practical perspective, (4) develop legal risk analysis and problem solving skills in the context of a troubled international financial transaction, and (5) gain experience with relevant document structuring and cross-border negotiation strategies.

Issues that will be addressed in the course include choice of law and jurisdiction, enforcement of creditors' rights in foreign courts, corporate governance, holdout creditors, moral hazard, distress signs in a company, cultural sensitivities, and cross-border negotiation techniques.

The course will be taught by Claudio N. Rechden, General Counsel at Deva Capital Advisory and former Lead Counsel for Special Operations in Asia and Latin America for the International Finance Corporation (the private sector arm of the World Bank). Claudio has extensive international finance, cross-border restructuring and litigation experience, and currently is the IFC counsel for several projects worldwide. Evaluations will be done by short reaction papers in groups and by class participation. There will be no exams.

**Prerequisite:** Corporations.

**Recommended:** Bankruptcy and Insolvency.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a
LAW 3132 v00 International Development, Humanitarian Assistance and Global Health (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203132%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
The course provides an overview of the international and domestic legal and policy framework applicable to the delivery of foreign assistance and global health for the following: bilateral development partners, international/multilateral institutions, and recipient countries; non-governmental and civil society organizations; and private sector actors.

By the end of this course, students will be able to:

- Identify and interpret the key relevant documents that define whether and how to provide different types of foreign assistance (including foreign assistance statutes and regulations, annual appropriations, bilateral treaties, and international treaties).
- Predict and explain policy decisions based on knowledge of areas of government discretion and restrictions.
- Identify and outline potential options to implement foreign assistance, global health and other projects based on knowledge of cross-cutting, generally applicable rules.
- Identify what you would need to know and the resources an organization will need in order to implement a project in response to a newly identified humanitarian aid or global health crisis or foreign assistance challenge.
- Differentiate between ideals and goals that are achievable under the relevant legal and regulatory framework from activities that are restricted or prohibited.
- Express the values or rationales that most influence or shape your interest in this field and how they inform your ability to assess the likelihood of success of an assistance activity.

LAW 1412 v00 International Economic Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201412%20v00)
J.D. Course (cross-listed) | 4 credit hours
This four-credit survey course analyzes the major legal issues in international business, trade, and investment activity in both the private and public sectors. It provides the basic coverage of the wide variety of issues that relate to international trade, investment, and commercial intercourse with which every competent lawyer should be familiar. (In depth coverage of any of these areas should be explored in subsequent specialized courses depending on the students’ particular interests.) The principal areas of coverage are: (1) the movement of goods, including private techniques of contract and financing; (2) import tariffs and customs; (3) international and regional trade and financial institutions, including the World Trade Organization, IMF, World Bank, the North American Free Trade Agreement and the Trans-Pacific Partnership; (4) problems of international investment; (5) the protection of intellectual property; (6) emergency powers, economic sanctions and export controls; (7) formal dispute resolution in trade and investment, including international arbitration and litigation; and (8) the challenges of foreign corruption.

The books for LAWJ 1412-08 and LAWG 1412-08 (International Economic Law) are:

2A. 1 & 2 bundled save about $30; use ISBN 9781454870371.

Prerequisite: Note: There are no pre-requisites, but a course in public international law (at Georgetown or elsewhere) would be helpful.

Mutually Excluded Courses: Students may not receive credit for this course and International Business Transactions or International Business Transactions and Trade Law (formerly International Law II).
LAW 1380 v00 International Economic Law & Policy Colloquium
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201380%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
The International Economic Law & Policy Colloquium offers students a new and rigorous research platform for understanding the theory of international economic law and participating in policy analysis. Students will participate alongside graduate students, fellows and visiting scholars at the Institute of International Economic Law at weekly luncheons with outside speakers and help create, and potentially author, research and policy-oriented products for the Institute of International Economic Law.

Students will be expected to 1) write brief response papers for occasional presenters hailing from the academy, government and the public policy community 2) help curate and prepare a monthly “IIEL In the Know” Newsletter for lawyers, regulators and financial authorities and 3) provide one 2-5 page brief on a specific policy issue concerning a relevant matter of international economic law. The best issue briefs will be included for publication by IIEL and distributed to policymakers in Washington D.C. and abroad. Topics covered include international trade, financial regulation and enforcement, monetary affairs and tax.

Recommended: Ideally students will have taken an advanced course in either a) International Trade and Arbitration b) business law (e.g., Securities Regulation, Bankruptcy, International Business Transactions, or International Finance) or c) International Tax.

LAW 166 v00 International Efforts to Combat Corruption Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20166%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
International anti-corruption has become an increasingly “hot topic” among lawyers and policymakers: governments, international organizations, and technical experts all identify corruption as a serious impediment to comprehensive economic development. If left unchecked, corruption threatens to undermine the effectiveness of development initiatives in both the public and private sectors. Growing enforcement of legal instruments such as the Foreign Corrupt Practices Act and the UK Bribery Act have placed anti-corruption squarely on the agenda of a wide variety of transnational organizations. With so many variant actors invoking the importance of anti-corruption, lawyers must not only have a working knowledge of what corruption entails, but also understand how the development of an international anti-corruption legal framework is changing the way business is conducted in a global economy.

This course explores the international legal framework of anti-corruption, the scope of anti-corruption instruments, the methodologies employed by international actors enforcing these instruments, and the policy dilemmas implicated by these endeavors. Given the dynamic nature of anti-corruption initiatives, the course presents an interdisciplinary, interactive approach to the subject matter. The class will introduce and discuss perspectives from academic texts, policy papers and media. It is hoped that this broad-based approach will provide students with a strong theoretical foundation in anti-corruption law, foster a practical understanding of international anti-corruption work, and inspire students to integrate this avenue of study into their future professional endeavors.

Students will complete a research paper 20-25 pages in length.

Learning Objectives:
By the end of this course, students will have a working knowledge of the role anti-corruption policy and political institutions (i.e., FCPA, OECD, and UNCAC) play in the field of anti-corruption. Students will be able to engage in professional discussions on the historical context of international anti-corruption efforts, the state of the current political and international climate, and the future of anti-corruption by making connections between past policy and current events. Students will be able to articulate original views, back them up with research and defend them through strategic thinking by engaging with guest-lecturing practitioners and the final oral presentation. Students will further deepen their knowledge on a particular topic within the field by conducting a research paper in which they will need to provide insightful analysis making connections among historical and current policies, institutions, and governments.

Recommended: Prior or concurrent enrollment in at least one course in private or public international law might be helpful but is not necessary.

Mutually Excluded Courses: Students may not receive credit for this seminar and Global Anti-Corruption Seminar.
LAW 3032 v00 International Energy Arbitration

LL.M Course | 2 credit hours
The course begins with an introduction to International Energy Arbitration, followed by discussion of the International Energy Industry, its sources, segments, and players, including its evolution during the energy transition. An extensive presentation on the Legal Framework for International Energy Arbitration covers international laws and norms, national constitutions, national petroleum laws and regulations, and, in particular detail, the historical evolution of upstream host government petroleum contracts, including petroleum fiscal systems. To place the subject of host government contracts in its proper setting, the next section describes resource cycles and resource nationalism, as well as the legal status of host government contracts. Segments on contract stabilization and choice of law come next. The subject of international oil and gas dispute resolution explains the process and procedure for resolving these disputes through international arbitration, drawing on examples from actual international energy agreements and disputes. Discussion then moves to the early international oil and gas arbitration awards, from there to several modern international oil and gas arbitration awards, and finally to contemporary energy disputes with host governments. The course then moves to commercial disputes arising out of joint operating agreements, gas contracts, and LNG sales contracts. Following a discussion of enforcement of energy awards, the final segments address advocacy in international energy arbitration and building an international energy arbitration practice. The course is designed to provide an in-depth knowledge of the main types and key drivers of international energy disputes, past and present, not only to aid in understanding the international energy industry, its business relationships and contracts, its broader legal framework, and its disputes, but to build better advocates to represent international energy companies and host governments in these contentious proceedings.

Recommended: Prior or concurrent enrollment in an introductory international arbitration course.

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

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

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students
LAW 1544 v00 International Environmental Law in Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201544%20v00) (Project-Based Practicum)
J.D. Practicum (cross-listed) | 4 credit hours
In a project-based practicum course, students participate in a weekly seminar and work on a project under the supervision of Professor Slobodian. This project-based practicum course will involve work with the Environmental Law Institute on international environmental law issues, providing opportunities for students to navigate the reality of international negotiation, dispute resolution, and policymaking. Students will participate in a two-hour/week seminar and carry out 10 hours/week of project work under the direction of Professor Slobodian.

SEMINAR: This practicum offers a unique opportunity to influence global environmental policy. Through this course, students will learn to do the following: (i) understand and formulate positions on specific issues in international environmental law through application of general knowledge and targeted research; (ii) develop and implement influencing strategies for advancement of international environmental law through ongoing global policy processes; (iii) communicate effectively and engage appropriately with an international community encompassing different cultures, approaches, and perspectives; and (iv) consolidate lessons learned to support improvement and inform further work in international environmental law. To help achieve these goals, the seminar will feature visiting experts from the international environmental legal community and discussions on practical approaches to influencing global environmental policy.

PROJECT WORK: Students will work on a specific international environmental process over the course of the semester, providing direct support to a specific international organization, party or observer. Processes might include, inter alia, the regulation of domestic wildlife markets under the Convention on International Trade in Endangered Species; the enforcement of domestic legislation implementing the Montreal Protocol; the development of a concept of water tenure under the auspices of the Food and Agriculture Organization; building a global framework for migration with dignity in the context of the UN Environment Programme; the ongoing negotiation of a new international instrument on marine biodiversity in areas beyond national jurisdiction; development and adoption of resolutions of the IUCN World Conservation Congress; comparative analysis of country-level frameworks to inform decisions at international processes; or consideration of cases before the International Tribunal on the Law of the Sea, the International Court of Justice or other international tribunals.

Students’ specific activities may include preparing background documents and informational materials; following international discussions and participating as appropriate (e.g., in online discussion fora); drafting policy statements, interventions and motions; organizing intersessional meetings or side events; compiling information on commitments (Nationally Determined Commitments, National Biodiversity Strategies and Action Plans, Sustainable Development Goals, etc.); joining (virtually or in person) meetings with members of delegations; and/or developing analyses that result in policy-influencing pieces at the regional and international levels.

Under Professor Slobodian’s supervision, students will work with lawyers from the Environmental Law Institute and the World Commission on Environmental Law.

Prerequisite: Prior or concurrent enrollment in International Law I: Introduction to International Law, or prior enrollment in Criminal Law Across Borders or International Criminal Law. J.D. students must complete the required first-year program prior to enrolling (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

Recommended: International Environmental and Natural Resources Law.

LAW 197 v01 International Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20197%20v01)
J.D. Course (cross-listed) | 3 credit hours
In 1970, about 90% of international transactions represented trade in goods and services. On the eve of the last financial crisis, about 90% of international transactions reflected movement of capital unrelated to trade. This course examines aspects of national and international law that govern cross-border capital movements. The goal is to discern elements of an evolving legal regime for international finance.

We will consider current issues in international finance from the transactional, regulatory, and policy perspectives – reflecting the different functions of the law in this area. Beyond basic legal concepts relevant to international banking, securities and currency markets, we will address topics including crisis response, international institutions, government debt, foreign assistance and microfinance. The syllabus assumes no background in finance, economics, banking or securities law. In addition to classroom engagement and a take-home exam, course components include policy and negotiating simulations, and a news blog.

Recommended: Federal Banking Regulation, Securities Regulation and International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for this course and International Finance and Regulation.

LAW 197 v00 International Finance and Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20197%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course explores some of the key financial transactions that animate the international economy and the global regulatory architecture governing them. Substantive subjects include the global financial architecture, international banking regulation, project finance, derivative products and syndicated lending. The course also addresses the intersection between financial regulation and international monetary law by surveying the 2008 financial crisis, the European debt crisis, the future of the dollar as an international currency and the offshore renminbi market.

Recommended: Corporations.

Mutually Excluded Courses: Students may not receive credit for this course and International Finance.

Note: The first class is not mandatory, though it is highly advised.
This course examines the law, institutions, and advocacy strategies designed to protect international human rights. We will analyze civil and political rights and economic and social rights, as well as international humanitarian law, and explore key enforcement mechanisms at the national, regional, and international levels. The evolving role of NGOs and civil society actors in advancing human rights, and the responsibility of corporations, will also be examined. Both progress and enduring challenges in making human rights real "on the ground" will be a focus of this course, together with the need for effective enactment of legal standards, enforcement of those standards, and empowerment of affected communities. Current legal issues and strategies concerning climate change and human rights will also be highlighted.

**Recommended:** International Law I: Introduction to International Law.

**Mutually Excluded Courses:** Students may not receive credit for both this course and the graduate course, International Human Rights Law.

**LAW 814 v00 International Human Rights Law**

LL.M Course (cross-listed) | 3 credit hours

This course provides an intensive survey of international human rights law and practice, with a principal focus on interpretation and implementation of human rights obligations, commitments, and norms in the practice of states. The course has three main components: in the first unit, we examine the development of the substantive law of human rights and its sources (including treaties, customary international law, and non-binding international instruments). In the second unit, we examine implementation of international human rights in the international, regional, and domestic systems, focusing on UN organs such as the Human Rights Council and treaty bodies, as well as regional mechanisms. Finally, in the third unit we look at the application of the substantive law and implementation mechanisms in the context of current issues in international human rights, including in the context of atrocities and the refugee crisis. The course highlights selected contemporary ethical problems in international human rights law such as genocide and torture, application of human rights obligations, commitments, and norms to non-state actors (including corporations), universality of human rights and cultural relativism, and the need to protect human rights while countering terrorism, including issues relevant to U.S. law and practice. Along the way we examine issues related to international immunities, impunity, human rights litigation under the U.S. Alien Tort Claims Act and Torture Victim Protection Act, and international criminal tribunals.

**Recommended:** International Law I: Introduction to International Law.

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Human Rights Law, or the J.D. course, International Human Rights.
LAW 1755 v00 International Human Rights: History, Theory, Promise and Critique

J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the philosophical and historical underpinnings of international human rights law. Students will encounter early conceptions human rights protection, alternative visions for the modern human rights framework, the development of international human rights law, and critical perspectives on the evolution and implementation of human rights.

Students will be encouraged to critically examine the successes and failures of the normative framework for the protection of human rights, whether we have achieved the universal realization of human rights, and ways in which the system might be reimagined or strengthened. Particular attention will be paid to the legal framework applicable to the protection of the rights of non-citizens, including migrants, refugees, and stateless persons. Contemporary case studies will be used to illustrate the challenges in resolving protracted situations of statelessness or displacement, and how gaps in international legal protection may exacerbate looming human rights crises, including those related to global climate change.

There are no required prerequisites for this course. However, students may find it beneficial to have taken International Law I: Introduction to International Law and/or the introductory course to International Human Rights.

Learning Objectives:

• Students will gain an understanding of the history and theory of international human rights law.

• Students will gain the ability to think critically about our assumptions about the structure of international law and human rights in order to imagine ways in which international human rights can be strengthened towards the universal realization of rights.

• Students will strengthen their written and verbal communication skills through written reflections, papers, and classroom discussion.

• Students completing a paper for the writing requirement will gain mastery over their chosen topic related to international human rights law, enhance the clarity and precision of their writing, and sharpen their skills in conveying their understanding through an oral presentation.

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

LAW 1451 v00 International Intellectual Property and Development

J.D. Course (cross-listed) | 3 credit hours
Intellectual property is increasingly a global phenomenon, as creators seek to distribute their work and inventions across borders, while consumers seek access to creative products and innovations, from books to life-saving medicines. The scope of intellectual property rights set out in international treaties and national laws affect innovation and creativity worldwide. Exceptions to intellectual property rights determine rights to critique and learn. At stake in the balance between rights and exceptions are access to medicines and to knowledge. In an age driven by both technology and fashion, intellectual property is central to the global economy. This course will examine international trade law, national customs law, intermediary liability rules, claims for rights in traditional knowledge and genetic resources, protections for geographical indications, technology transfer, and intellectual property piracy. The central question will be: how can international intellectual property law be designed to help the world’s poor?

Mutually Excluded Courses: Students may not receive credit for this course and Intellectual Property in World Trade.
International investment law consists of those international legal principles that define the obligations of states toward the investments of aliens within their territory. Like all international law, it has developed in response to the concerns of States. The goal of this seminar is to develop in the student a rather full understanding and appreciation of the important principles of international investment law that now prevail and of the issues that are currently the subjects of serious debate. The seminar aims to develop this understanding by studying the historical development of this area of the law and considering the fundamental concerns of States that have driven this development.

We will begin by considering, as a normative matter, what a state’s responsibility toward private property should be and then review the legal principles espoused by the United States and other Western countries at the beginning of the last century, when there were few independent countries interested in challenging these views. We then will consider the development of dissent from this Western consensus in Latin America and in the newly independent states of Asia and Africa that emerged following the Second World War. Our consideration of this period of discord will be followed by discussion of the so-called “Washington consensus” that developed in the 80s and 90s, some parts of which are reflected in the thousands of bilateral investment treaties that have been concluded, largely in the last 30 years. We then will focus on those investment treaties, and the many arbitral awards that have interpreted them, to identify (1) key principles of investment law on which a broad consensus has emerged and (2) difficulties that arise in applying those principles to particular situations. Finally, the seminar will consider the relationship between international investment law and efforts by states – jointly or separately – to promote environmental protection, labor rights, and investments that serve the long-term interests of the population of the host state. We will discuss whether these goals can be pursued effectively under the principles on which a consensus now exists, whether these principles need to change, or whether some additional principles need to evolve. We will end by discussing some of the policy issues now being debated that relate to the desirability of investor-state dispute-settlement procedures and to the contents of international investment agreements, including two now being negotiated, the Transatlantic Trade and Investment Partnership (TTIP) and the Trans-Pacific Partnership (TPP).

This seminar addresses the substantive and procedural legal issues arising in investment law and arbitration today, principally – but not exclusively – from the perspective of practice. We will consider the ambit and substance of the protections afforded to foreign investors through treaties, including investment chapters of free trade agreements, while focussing on the specific legal and practical issues that can arise for claimant investors, respondent states, arbitrators and third parties during the course of a case. We will learn about the institutions and rules that govern investor state arbitration, we will consider the theoretical and policy background that underpins the governing framework, and we will scrutinize the relationship between investment treaty law and other areas of international law, public law, and human rights law.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 2014 v00 International Law and Covert Operations
With the end of World War II and the establishment of the UN, particularly Articles 2(4) and 51 of the UN Charter, the international community has endeavored with mixed success to regulate the use of force. International relations have traditionally been conducted with a Westphalian view of individual state sovereignty and territorial integrity. Respect for state sovereignty encourages stability. Today non-state actors operating across state boundaries present a new and complex set of problems. And states tend to act in what they perceive to be their own self-interest, which may or may not be in strict compliance with Art. 2(4). In addition, technology has expanded the ways in which states can now use force to attempt to alter outcomes. Targeted killings (or non-judicial killings) using unmanned aerial vehicles (UAVs) are but a recent example of the application of limited force to obtain a desired outcome. Covert activities, while raising substantial policy issues, may avoid some of the legal and political difficulties associated with the use of overt military force and may become an increasingly attractive option in situations, including threats to human rights, where diplomatic or economic coercion are not sufficiently viable and action is deemed necessary by state decision makers. There is a tremendous amount of scholarship emerging that focuses on this and other aspects of covert activities. The United States conducts covert operations through both the CIA and Department of Defense. In this course we will first examine the U.S. law regulating such activities, including Title 10 and Title 50 and Congressional Oversight. But most of the course will be devoted to reviewing the relevant areas of international law (including the Law of Armed Conflict, International Humanitarian Law and Human Rights Law) that are most often invoked in analyzing the legality of the use of force. We will examine several types of specific operations, including renditions, reprisals and humanitarian rescue operations. The course will examine a variety of scholarly legal arguments in the context of specific covert operations that have been reasonably well documented. We will discuss the law enforcement model often proposed where targeted killing is involved and compare it with the more traditional approach found in the law of armed conflict and international humanitarian law. This course will examine how neutral legal norms are applied in specific contexts and how political reality can shape outcomes and the application of such norms.

LAW 1476 v00 International Law and the New Global Political Economy Seminar
Recent electoral results in the United Kingdom and the United States have challenged the liberal globalization agenda of the last three decades. The UK is leaving the European Union and the Trump administration has withdrawn from the Trans-Pacific Partnership (TPP), called for a renegotiation of the North American Free Trade Agreement (NAFTA) and advanced an America First foreign policy. Discontent with the effects of global markets includes job losses, wage stagnation, growing income inequality, and downward mobility of the middle class. How are these effects related to the international legal architecture states have set up, including international trade and investment agreements, international tax regimes, financial regulation and labor norms? Can’t these negative results be addressed primarily and more effectively at the national level?

This moment offers a key opportunity to think of an alternative globalization. So far, there are two strong, emerging positions in the global economic debate. On the one hand opposition to globalization, often accompanied by xenophobic and discriminatory rhetoric, blames foreign trade, immigration and racial minorities for the economic foibles of society. On the other hand, there is a defense of existing liberal globalization as the enlightened economic path that needs to be better explained and at the most softened. Can we imagine a different type of globalization? One that recognizes the gains that societies may accrue from integration while addressing seriously the dislocation and negative distributional consequences? Does this require that we re-imagine a different role for the State in the market? Does it entail a reform of our existing global institutional arrangements? What role may international law play in responding to these challenges?

A leading scholar in the field of international law will present a paper each week. The papers represent a wide range of topics and methodological approaches connected to the colloquium questions. Students will be expected to read the papers and write a short critique of five of the papers. You will also have an opportunity to engage in discussion with the paper’s author. In addition to the students enrolled in the colloquium, Georgetown Law faculty and other DC area scholars and practitioners will be invited to participate in the weekly paper presentations. Lunch will be provided.

Note: The first class will meet on Friday, January 24, 2020 in Hotung 5020.

This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1362 v00 International Law Colloquium

J.D. Seminar (cross-listed) | 2-3 credit hours
In this colloquium, a paper will be presented each week by a leading national or foreign scholar in the field of international law. The papers will relate to fundamental theoretical questions or cutting edge issues concerning the international legal system. Students will be expected to read the papers and prepare a short written critique of five of the papers. They will also have an opportunity to present oral comments to the paper’s author. In addition to the students enrolled in the colloquium, faculty members from the Law Center and other area law schools will attend the weekly paper presentations. Lunch will be provided.

Prerequisite: Prior or concurrent enrollment in International Law I: Introduction to International Law.

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

LAW 3052 v00 International Law Essentials: The U.S. Perspective

LL.M Seminar | 1 credit hour
This one-credit course is designed to provide incoming graduate program (LL.M.) students with (i) a review of the basic purposes, principles and instruments of international law and (ii) an introduction to the U.S. approach to the field. It is mainly intended for those who have previously taken a basic international law course (especially in a non-U.S. school) and who would benefit from a short "refresher" before undertaking more advanced or specialized courses at Georgetown. In addition to the essential elements of public international law, the course will touch on relevant aspects of private international law and the ways in which both public and private international law principles and obligations are given effect ("domesticated") in U.S. law. The format will be interactive discussion, permitting participants to focus on issues of greatest relevance and importance. The examination will be in a short-answer take-home format.

Prerequisite: Prior enrollment in a basic international law course.

Mutually Excluded Courses: Students may not receive credit for both this course and the course International Law I: Introduction to International Law.

Note: This course is mandatory pass/fail. J.D. students may not enroll in this course.

Please note that this course cannot be used to fulfill the LL.M. degree requirement of completing International Law I or a comparable course prior to or during the LL.M. program.

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.

While the first two days of this course meet during the Fall add/drop period, a student may only drop this course without a transcript notation prior to the start of the second class session by submitting a written request to the Office of the Registrar. After the start of the second class session, a student must seek permission from an advisor to withdraw.
LAW 235 v02 International Law I: Introduction to International Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v02)
J.D. Course (cross-listed) | 3 credit hours
This course deals with the nature and sources of international law and major developments in the international legal system. It considers such topics as treaties, executive agreements, and customary international law; the recognition of states and governments; jurisdiction over disputes with international elements; foreign sovereign immunity; various methods for international dispute resolution, especially courts and international arbitration; the role of international law in the U.S. legal system and the allocation of foreign affairs powers between the President and Congress; the roles and operations of the United Nations, the World Bank, the International Monetary Fund, and other international and regional entities, such as the European Union and the World Trade Organization; Law of the Sea; International Criminal Law; how the international system protects (or fails to protect) human rights and the environment; and the use of force against other countries, rebellions, or terrorist groups.

Learning Objectives:
Ability to analyze and interpret treaties, judgments and other international law instruments. Awareness of relationship between international and domestic law, how international law is made and applied, how domestic legal systems differ in their approach to international law.

Mutually Excluded Courses: Students may not receive credit for both this course and the upperclass course by the same title, or the LL.M. course International Law Essentials: The U.S. Perspective.

LAW 235 v08 International Law I: Introduction to International Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v08)
J.D. Course | 3 credit hours
This introductory course deals with the nature, sources and operation of "public international law," with some of the most important contemporary challenges to the international legal system, and with the international community's evolving responses to those challenges. It includes such topics as the law governing treaties and other international agreements; the recognition of states and governments; methods for international dispute resolution including litigation in the International Court of Justice; the United Nations and other international and regional entities; international human rights and international criminal law; law of the sea and international environmental law; and the rules governing the use of force. Some attention is also given to the role of international law in the U.S. legal system; questions of jurisdiction, foreign sovereign immunity and the act of state doctrine; and the allocation of foreign affairs powers between the President, the Congress, and the Judiciary. We will discuss a few of the most pressing illustrations of the operation – or shortcomings – of the international legal system in the context of current problems or crises. As a first-year elective, this course is intended to offer a contrast or a complement to the bulk of the first year curriculum, by exposing students to the substance and style of foreign and international law materials, institutions, and dispute-resolution mechanisms, and to provide a gateway to Georgetown's rich international law upper class course offerings.

Mutually Excluded Courses: Students may not receive credit for this course and the upperclass course by the same title, or the LL.M. course International Law Essentials: The U.S. Perspective.

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

LAW 235 v16 International Law I: Introduction to International Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20235%20v16)
J.D. Course (cross-listed) | 3 credit hours
This course deals with the nature and sources of international law and major developments in the international legal system, including the interaction of international law and municipal (domestic) legal systems. It considers such topics as treaties, executive agreements, and customary international law; jurisdiction over disputes with international elements; foreign sovereign immunity; methods for international dispute resolution; the role of international law in the U.S. legal system; how the international system protects (or fails to protect) human rights and the environment; and the use of force against other countries, rebellions, or terrorist groups.

Learning Objectives:
This course will expose you to a different legal system – the regime of contemporary public international law governing the conduct of states and international organizations – as well as the way that legal regime is incorporated in the law of the United States. It also serves as a general precursor to other international law courses in the Georgetown Law curriculum.

Mutually Excluded Courses: Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.
LAW 235 v17 International Law I: Introduction to International Law
(https://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20235%20v17)
LL.M Course (cross-listed) | 3 credit hours
This course is a broad introduction to public international law. Students will consider the nature of international law as law, sources of international law including customary international law, and the role of national and international tribunals in international dispute resolution. The course will also cover topics including the fundamentals of treaty law, statehood, recognition of states and governments, jurisdiction and immunity, state responsibility, international humanitarian law, international human rights law, international environmental law, the law of the sea, and international commercial disputes. The course will touch on other relevant topics as time permits.

Mutually Excluded Courses: Students may not receive credit for both this course and the first-year elective International Law I: Introduction to International Law, or the LL.M. course International Law Essentials: The U.S. Perspective.

LAW 1010 v00 International Law in Domestic Courts Seminar (https://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201010%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
How does international law apply in domestic legal systems? When are treaties and customary international law binding in national courts? What are the rules and mechanisms of “incorporation”? Do judges have a responsibility to follow generally accepted rules of international law? This seminar offers students an opportunity to research, write and make presentations about specific issues related to the status of international law in domestic legal systems. The primary focus will be on the U.S. system, but a comparative approach is included and students are encouraged to investigate the treatment of international law in foreign legal systems that directly incorporate customary international law as well as those where international legal rules always require legislative enactment.

These issues arise in varying contexts, from human rights litigation under the Alien Tort Statute to habeas proceedings concerning GTMO detainees, from compliance with ICJ decisions to displacement of state law under ratified treaties and executive agreements, from the impact of rulings by the International Criminal Court to questions of sovereign immunity and Acts of State, from using international law to interpret domestic statutes to the proof of foreign law in civil and commercial cases. More broadly, we will be exploring whether domestic courts can or should act as enforcers of international law, whether domestic courts should be considered part of an emergent “global judiciary,” the importance of transnational cooperation between courts, etc.

This course is open to J.D. and LL.M. students and requires a paper and an oral presentation.

Learning goals for this course:

Ability to research, use, and write about topics at the intersections of international and domestic law; awareness of how different legal systems deal with relevant topics; ability to present orally and in writing.

Recommended: International Law I.

Note: J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1231 v00 International Law Seminar: Poverty Reduction and Accountability (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201231%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar examines efforts to reduce poverty in countries and problems of accountability in doing so, whether in international institutions, national institutions, or the private sector. Considers various approaches to accountability. Covers issues of compliance, good governance, human rights, corruption, environmental sustainability, and experience with various accountability mechanisms in international institutions. Includes two simulations in which students must address accountability issues.

Learning goals for this course: To understand the difficulties of reducing poverty within countries and the legal issues associated with bringing accountability to doing so. Students should be able to develop insights that can be applied in both the public and private sectors.

Recommended: A basic course in public international law.

LAW 1024 v00 International Law Seminar: Water Resources (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201024%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Fresh water resources are predicted to become increasingly scarce in some regions and a source of conflict. This seminar covers a broad range of issues in international water law, including surface and ground water allocation, water quality, water agreements and river basin institutions, human right to water, water markets, demand management, and links with international economic law. Water is viewed both as a source of conflict and as an opportunity for cooperation. Includes a simulated negotiation for an international river or transboundary aquifer problem, and a simulated dispute settlement. Draws upon domestic water laws in understanding international water law.

Learning goals for this course: To understand legal aspects of water resource issues and the basic hydrology underlying the issues; to be able to identify the interests of different countries and other actors in an international negotiation over a water issue and to fashion solutions by thinking out of the box; to understand water litigation and the needs of judges/arbitrators in dealing with water resource issues.

Recommended: A basic course in public international law is helpful.

LAW 761 v03 International Law, Human Rights & Fighting Impunity (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20761%20v03)
LL.M Seminar (cross-listed) | 1 credit hour
This course will explore the global fight against impunity -- specifically, as it pertains to curbing war crimes, human rights violations, grand corruption and looted antiquities -- through class discussions, lectures and guest speakers with personal experience in fighting the impunity that is so often associated with war crimes and economic crimes. It is based on the premise that those that are willing to slaughter thousands of innocents, are also willing to steal millions of dollars and loot our collective cultural heritage -- and that the fight against impunity includes both war crimes and economic crimes (and often, the international trend to focus on the former, ignores the domestic interest in prosecuting the latter). Over the semester, students in a seminar-size class will be exposed to the basics of international criminal law, international human rights law and international economic crimes, as well how the fight against impunity impacts national security and foreign policy issues. The class will focus on issues related to war crimes, crimes against humanity, and genocide, as well as the recent global efforts to fight grand corruption and recover looted assets and antiquities, including UN Convention Against Corruption and the new UN-World Bank Stolen Asset Recovery (STAR) Initiative. Students will be allowed to write a paper of their choice regarding international law and the fight against impunity. Class grades will be a combination between class participation (40%) and a seminar paper (60%). Required readings (cases, statutes, articles, book excerpts, on-line treaties, etc.) will be illuminated by lecture and discussion from a professor with first-hand experience in the global fight against impunity through his personal experience with the Slobodan Milosevic, Saddam Hussein and Omar al-Bashir matters, as well his background with the UN war crimes tribunal, the White House, the Pentagon, and the World Bank's STAR Initiative, and helping recover stolen assets on behalf of various governments. In order to take advantage of Georgetown's unique position in the intersection of law, politics, and international affairs, the course will feature high-profile guest speakers who will highlight their own personal efforts to fight impunity and how such international efforts impact national security and foreign policy matters.

Prerequisite: International Law I or equivalent.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 2061 v00 International Litigation and International Arbitration: A Practitioner's Approach (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202061%20v00)
LL.M Course | 2 credit hours
This survey course introduces students to the mechanisms used to resolve cross-border commercial disputes—international litigation and international arbitration—from the perspective of a practitioner. Among the topics examined are (1) the legal and practical advantages and disadvantages of litigation and arbitration, (2) the international legal framework for international arbitration and litigation (including key treaties), (3) key elements of international arbitration agreements (including the negotiation of those agreements), (4) key principles regarding the enforcement of international arbitral awards, (5) basic conflicts of laws principles in international arbitration and litigation, (6) principles and tactics involved in litigating and arbitrating against foreign sovereigns and their instrumentalities, (7) the jurisdiction of US courts over foreign defendants in cross-border cases, (8) the enforcement of US judgments in other national courts, (9) the practice and strategic use of parallel international litigation and arbitration proceedings, and (10) unique features of civil and common law in the resolution of international commercial disputes.

LAW 076 v00 International Migration and Development (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20076%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This course is for students who are interested in acquiring a broader knowledge and a better understanding of research related to international migration and development. Topics covered include: past, present and anticipated future trends in international migration, including the various factors (e.g., economic, social, political) that influence population movements; elements of the normative and legal frameworks upon which migration policies may be based; relationships between international migration and economic development, economic growth and economic competitiveness, poverty alleviation, social networks and social support systems, national and international security, transnational organized crime, and human rights, among other issues; and institutional arrangements that enhance international cooperation to promote safe and orderly migration.

Learning Objectives:
This course offers an overview of the theoretical debates in the field of international migration and the empirical data upon which these debates hinge. Upon completion of this course, students should be able to:

1. Describe recent trends in migration at national, regional and global levels;
2. Compare theories of international migration from different disciplinary perspectives and different units of analysis (e.g., individual, household, national, global), identifying the advantages and disadvantages of each;
3. Analyze the usefulness of current international legal frameworks in defining the rights of migrants and states' responsibilities to protect those rights;
4. Assess the economic and social impacts of migration on both origin and host societies;
5. Understand and analyze the concept of "brain drain" in describing high-skilled migration;
6. Understand and analyze the concept of "social remittances";
7. Compare processes of immigrant integration;
8. Understand the ways in which smuggling and trafficking undermine international migration;
9. Understand the ways in which climate change and development projects contribute to migration; and
10. Understand the various mechanisms for managing international migration.

Students should also be able to:

1. Demonstrate critical thinking, research and writing skills;
2. Evaluate empirical evidence; and
3. Articulate and defend findings (real or proposed) from their research papers

Note: Priority is given to students fulfilling the requirements of the Certificate in Refugees and Humanitarian Emergencies and to students enrolled in the Certificate Program in International Human Rights Law.

See the schedule of courses on the Main Campus Registrar’s website (http://registrar.georgetown.edu) for room assignments. Law Center students may register only through the Law Center’s registration system. This seminar requires a paper. J.D. students must register for the 3 credit WR section of the seminar (LAW-J-076-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.
LAW 1415 v00 International Migration, Mobility and Human Rights Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201415%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Since time immemorial, migrations have shaped human communities. Migration is in the DNA of Humankind and our history as an animal species is that of a continuous migration towards resources. Migration is a constant of civilisation, and borders, as a very recent concept, are over the long run an ineffective barrier to migration.

During the last centuries, migrations increased considerably, in both distance and numbers. Continents have been populated by external migration, to the detriment of indigenous peoples who had themselves earlier come from somewhere else.

In the past fifty years, this movement has accelerated, due to the democratisation of means of communication and mass transport. States nowadays wish for an immigration that can contribute to economic growth, but fear that migration might increase the poorer part of their population, destabilize ecosystems and multiply political conflicts.

States in the "New World" have adopted broad immigration policies, selecting "the best and the brightest". Source countries are thus losing a good portion of their human capital, a loss which is only partly compensated by the remittances that many migrants send back home.

The European Union has adopted a policy of free movement of capital, goods, services and persons within its common territory, therefore completing an integrated common market. This principle is not applicable to non-European citizens and "Fortress Europe" certainly seems well established, as exemplified by the present "migrant crisis" in Europe.

The 20th century has been that of the refugees. Communism, totalitarianism, decolonisation, cold-war-based conflicts, post-Cold-War ethnic conflicts have all taken their toll on human populations, forcing millions to flee. The legal concept of "refugee" has emerged and a status defined, now monitored by the United Nations High Commissioner for Refugees. A common doctrine of universal human rights has also been developed, applying equally to migrants, despite rampant discrimination against them.

The 21st century will be that of human mobility. Migration happens, whether we want it or not. Push factors (violence and poverty) and pull factors (stability, prosperity, as well as official or unacknowledged labour markets) are at works and borders remain porous, especially democratic ones.

Through permanent or temporary labour migration programmes, highly-qualified migration mechanisms, regional agreements establishing an area of free movement of persons, mobility provisions in free-trade agreements, the inception of a global migration governance regime can be delineated.

Unfortunately, the human rights of migrants are not often a priority, as vulnerable migrants cannot vote, rarely protest and mobilise little, for fear of detection, detention and deportation.

This seminar will examine many aspects of migration and mobility policies as they relate to international human rights law.

Note: This course will meet on the following Mondays and Wednesdays, 9:00 am - 11:00 am: 8/29, 8/31, 9/12, 9/14, 9/26, 9/28, 10/11 (Monday classes meet), 10/12, 10/17, 10/19, 11/28 and 11/30.
LAW 3106 v00 International Negotiations II

This simulation course is designed for students who have taken an International Negotiations course and want to further develop the skills introduced in that course. Specifically, in this smaller class environment, students will obtain real world, international negotiating experience based on actual negotiations and international issues. Students will face the same situations experienced negotiators face in the international context and the course will provide students with opportunities for one-on-one interaction with international negotiators during their negotiation simulations.

Through this course, students will:

- Develop and sharpen legal and negotiating skills in the international context by simulating real world negotiations in a real-world setting.
- Gain knowledge in how to prepare, strategize, and conduct a negotiation in the international context. This includes legal, historical, political, diplomatic, and other research necessary to prepare for an international negotiation.
- Come to understand and be able to use an organized theoretical framework in which to analyze the problems of international negotiations.
- Engage in effective problem-solving with respect to the simulated exercises, whether alone or in teams.
- Identify and appreciate ethical considerations related to international negotiations and the importance of credibility, authenticity, and honesty.
- Demonstrate professionalism in interactions with classmates and professors.
- Engage in self-reflection and peer critique, including applying lessons learned in exercises to future performances, and providing constructive criticism to classmates.

Prerequisite: International Negotiations or International Negotiations Seminar

Note: For students who have completed International Negotiations Seminar with Timothy Harr (LAWJ-240-05), please contact LLMAS@georgetown.edu to have a prerequisite waiver posted on your account.

Recommended: International Law

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

LAW 240 v00 International Negotiations Seminar

This seminar seeks to develop skills and knowledge to participate in negotiations and in particular international business negotiations. Approximately a third of the course time is devoted to the negotiating process and analysis of negotiation principles and dynamics. Another third is spent on the cultural, practical, legal and strategic elements of international business transactions. The balance is spent on a series of "mock" negotiations. Students, individually and in groups, experiment with different negotiating techniques and fact situations of increasing complexity. The course requirement is principally satisfied through preparation of a comprehensive negotiated agreement and follow-up memorandum. Heavy emphasis is placed on class participation, including the negotiations. The final negotiating problem requires substantial team work with others, including strategy, analysis, and preparation. Negotiations are carried on both inside and outside normal class time.

Recommended: Contracts.

Mutually Excluded Courses: Students may not receive credit for this course and the International Negotiations Seminar (LAW/J/G-958) or International Negotiations (LAW/J/G-3029) in the graduate program, or International Business Negotiations.

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

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

LAW 958 v00 International Negotiations Seminar

After introductory lectures on negotiation theory and practice, the seminar students will be divided into teams for a series of simulated negotiations covering government-to-government, government-private and transnational private negotiations. Student performance in these negotiations and class discussions will comprise most of the course grade; no research paper or examination is required.

Mutually Excluded Courses: Students may receive credit for this course and International Business Negotiations. Students may NOT receive credit for both this course and International Negotiations or the J.D. course, International Negotiations Seminar.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist.
LAW 2021 v00 International Oil & Gas Industry: Legal and Policy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202021%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
The scramble to secure steady supplies of inexpensive energy to generate electricity and to power industry and transport has defined much of the twentieth and, thus far, twenty-first centuries. Climate change and renewable energy (appropriately) dominate the discussion today, particularly in the developed world, but, absent a major unforeseen technological breakthrough, non-renewable sources such as oil and natural gas are still expected to meet the majority of the world’s energy needs for decades to come (according to the US Energy Information Administration, 82% of energy consumed worldwide will still come from non-renewable sources in 2050).

The oil and gas industry lies at the intersection of global business, international law, geopolitics, the environment and particularly in the developing world, economic development. This seminar will address the international legal norms and public policy principles that have shaped, and continue to guide, this industry. It is designed for students interested in careers in energy, energy policy, project finance, international arbitration, environmental regulation or development – whether for a law firm, energy company, NGO, international organization or government – as well as students simply interested to learn more about an industry that impacts our daily lives in countless ways.

Note: NOTE FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

FIRST CLASS ATTENDANCE IS MANDATORY. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. Enrolled students who no longer wish to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

LAW 928 v01 International Project Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20928%20v01)
LL.M Course (cross-listed) | 2 credit hours
This course provides a detailed overview and analysis of the technique of project financing in an international environment (particularly in emerging markets). The focus is on the perspectives of the various parties to the project, including output purchasers, providers of goods and services, equity holders, and especially commercial banks, international financial institutions and other lenders. The aspects peculiar to infrastructure projects in specific industries (such as power generation, ports, toll roads, etc.) are also considered.

Learning objectives:
Achieve competency in understanding and analyzing international project finance transactions, from the perspective of the various parties to the project, including:

• Identify, understand and analyze project risks during development, construction and operational phases;
• Analyze transaction structuring and identify contractual and non-contractual risk mitigation and shifting methods for project parties;
• Apply basic finance and legal principles with respect to practical and contractual remedies, as well as dispute resolution mechanisms; and
• Consider specific case studies, as well as sample transaction documents, to better understand the issues that arise in a typical international project financing.

Recommended: Contracts; Accounting Concepts for Lawyers; Conflict of Laws: Choice of Law (or the equivalent Conflict of Laws: Choice of Law (International Focus)); Corporate Finance; Corporations.

Mutually Excluded Courses: Students may receive credit for only one of the following courses: Developing and Financing Infrastructure Projects; International Project Finance and Investment; International Project Finance & Development: Case Studies; Project Development and Finance or Transacting International Finance.
LAW 928 v03 International Project Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20928%20v03)

LL.M Course | 3 credit hours
This course examines legal, business and policy issues that arise in international project financings, particularly in emerging markets, and analyzes how such transactions are structured and negotiated and related risks are allocated. We consider the typical roles played by parties to such transactions (equity sponsors, lenders, customers, suppliers and host governments), interests associated with such roles, and how competing interests tend to be reconciled. We will focus on how negotiated arrangements are embodied in and supported by typical transaction documentation such as project documents, financing documents and legal opinions. Coverage will include illustrative local law and political risk issues. Selected international investment transactions, both actual and hypothetical, will be used to illustrate recurring themes.

Course requirements include participation in a simulated international project loan negotiation with outside experts serving as clients.

Recommended: International Business Transactions; Conflict of Laws: Choice of Law; Secured Transactions; Corporate Finance.

Mutually Excluded Courses: Students may receive credit for only one of the following courses: Developing & Financing Infrastructure Projects; Infrastructure Projects in Developing and Transition Countries; International Project Finance; International Project Finance and Investment; International Project Finance & Development: Case Studies; Project Development and Finance or Transacting International Finance.

Note: This course has an additional MANDATORY session on Saturday, April 09, 2022, 8:30 a.m. to 12:45 p.m. Location to be announced at the start of the semester.

LAW 928 v02 International Project Finance and Investment (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20928%20v02)

LL.M Seminar (cross-listed) | 2 credit hours
Examines legal and financial aspects of foreign investment projects, especially in developing countries, from the perspective of the investor, lender and the host country. Legal issues related to the structuring of the foreign investment, the arrangement of the private and public financing, and the construction of a project are considered. A significant amount of time will be devoted to analysis of typical international project finance documentation, but the international and host country legal issues applicable to foreign investment, support from national and multinational agencies, noncommercial risk analysis and dispute resolution will also be considered and discussed.

Prerequisite: A course in International Business Transactions, or background in international business or financial transactions.

Mutually Excluded Courses: Students may receive credit for only one of the following courses: Developing Infrastructure Projects, Infrastructure Projects in Developing and Transition Countries; International Project Finance: International Project Finance & Development: Case Studies; Project Development and Finance or Transacting International Finance.

LAW 820 v01 International Protection of Intellectual Property Through the WTO (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20820%20v01)

LL.M Course | 2 credit hours
This course deals with international protection of intellectual property through the World Trade Organization (WTO) and the WTO agreements which cover intellectual property: the TRIPS Agreement, The Paris Convention and the Berne Convention. The course will also cover the General Agreement on Tariffs and Trade (GATT) and the Dispute Settlement Understanding, which are essential in enforcing these agreements.

The course examines in detail the relevant U.S. law and how the extraterritorial application of these laws effects international enforcement of intellectual property. These laws are Section 337 of the Tariff Act of 1930 which prohibits the importation of articles into the United States which infringe U.S. patents, trademarks, or copyrights, and Section 301 of the Trade Act of 1974 which allows retaliation against foreign countries which impose unjustifiable or unreasonable restrictions against U.S. commerce.

The main WTO cases in intellectual property will be read and analyzed. These will include the cases on Sections 337 and 301, which have limited the United States’ ability to unilaterally affect intellectual property law. Other cases will include the U.S. – Cuba Havana Club case, the Indian Pharmaceutical case, the Internet Gaming case, the U.S. Musical Copyright case, the European Geographical Indication (GI) case, the Canada Pharmaceutical patent case, and the China Intellectual Property Violation case. The course will study the Doha Agreement, which allows the compulsory licensing of pharmaceutical patents to fight pandemic diseases particularly HIV/AIDS. Finally, the course will review any significant changes in trade law or existing trade agreements, particularly as relates to intellectual property, that may occur under the Trump administration.

Mutually Excluded Courses: Students may not receive credit for both this course and Intellectual Property in World Trade (LAWG/J-226).
LAW 3006 v00 International Right to Health (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203006%20v00)
LL.M Course (cross-listed) | 2 credit hours
The course provides an introduction to the human right to health and its implementation in a few hot topic issues. Issues covered will include criminalization of drug use and sexual and reproductive health, vulnerable groups, HIV/AIDS, the intellectual property regime and access to medicines, and a critique of the current framework and the challenges that impede the realization of the human right.

Recommended: Introductory course in public international law or human rights, introduction to public international law and/or introduction to human rights

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

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

LAW 509 v01 International Tax (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20509%20v01)
J.D. Course (cross-listed) | 3 credit hours
This course is an introduction to the law and policy of U.S. taxation of U.S. and foreign persons engaged in cross-border activities. The course will address both how individual and corporate foreign taxpayers are taxed by the United States, and how U.S. individual and corporate taxpayers are taxed by the United States on income earned in or from other countries. Topics will include U.S. jurisdiction to tax, allocation of income, withholding taxes, the foreign tax credit, deferral, transfer pricing, and tax treaties. The course will also consider how the U.S. rules in these areas are influenced by developments in other countries. The goal of the course is to provide an overview of the relevant law and policy considerations, with a focus on specific issues that are presently contested as a policy matter. Students should leave the course with an understanding of the basic framework for U.S. international tax law and a sense of some of the policy debates surrounding the current rules.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit both for this course and for U.S. International Inbound Tax (formerly: U.S. Taxation of Foreign Persons in the United States); or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons with Activities Outside of the U.S.); or U.S. Taxation of International Transactions.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.

LAW 509 v02 International Tax (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20509%20v02)
LL.M Course (cross-listed) | 3 credit hours
This course is an introduction to the law and policy of U.S. taxation of U.S. and foreign persons engaged in cross-border activities. The course will address both how individual and corporate foreign taxpayers are taxed by the United States, and how U.S. individual and corporate taxpayers are taxed by the United States on income earned in or from other countries. Topics will include U.S. jurisdiction to tax, allocation of income, withholding taxes, the foreign tax credit, deferral, transfer pricing, and tax treaties. The course will also consider how the U.S. rules in these areas are influenced by developments in other countries. The goal of the course is to provide an overview of the relevant law and policy considerations, with a focus on specific issues that are presently contested as a policy matter. Students should leave the course with an understanding of the basic framework for U.S. international tax law and a sense of some of the policy debates surrounding the current rules.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit both for this course and for U.S. International Inbound Tax (formerly: U.S. Taxation of Foreign Persons in the United States); or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons with Activities Outside of the U.S.); or U.S. Taxation of International Transactions.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.
LAW 058 v06 International Tax and Business Planning Workshop (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20058%20v06)

LL.M Seminar (cross-listed) | 3 credit hours
The Workshop will use a "case study" approach to address the myriad technical, practical and strategic issues involved in counseling a company as it evolves from a start-up operating out of its founder's garage (in the first week of the semester) to a Fortune 100 global powerhouse with operations on every continent. Each week's hypothetical case study will consist of a fact pattern, including financial and operational data, presenting a set of business objectives and/or problems to resolve. The class will be divided into separate "law firms" of 4 or so students per firm. Each firm will be asked each week to undertake a new project for the senior partner/client relating to the facts and requests for advice/assistance set forth in the case study. Members of the firm will then collaborate on a brief written product for presentation and discussion during the next week's session. The form, format and audience for the deliverable will vary from week to week -- a technical tax law memo for the VP-Tax, a tax/financial analysis for the CFO, a strategic powerpoint presentation to the CEO or Board, a submission to a foreign tax administration, a legislative, treaty or regulatory proposal, an outline for an oral argument in an international tax case before a Federal Circuit panel. The objective of the exercise will also vary from week to week -- for example, a pre-filing conference memo aimed at persuading the IRS National Office international rulings personnel to respond favorably if a request is filed on a cross-border spinoff; the executive summary of a Competent Authority request to resolve a withholding tax interpretative issue under an applicable treaty; strategic analysis and recommendations regarding the most tax effective approach to bring products to the EU or APAC market, to finance an international acquisition or to tax-effect losses incurred in a particular country operations. The seminar's final exercise will involve yet another twist in the company's life cycle.

Prerequisite: Prior or concurrent enrollment in Corporate Income Taxation I (or the JD course, Corporate Taxation (formerly Taxation II)) and a course in international taxation.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course Corporate Transactions, or the J.D. seminar Business Planning Seminar.

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

LAW 3063 v00 International Tax Controversy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203063%20v00)

LL.M Course (cross-listed) | 2 credit hours
This course concentrates on real world civil and criminal tax controversies involving international tax matters facing today's tax practitioners. The course begins with an introduction to the U.S. compliance regime, including the obligation to report worldwide income, specified foreign financial assets and international business activity. Students will learn the various international tax reporting obligations, applicable statutes of limitations and tolling provisions, potential civil penalties under the Internal Revenue Code and the Bank Secrecy Act, options for resolving non-compliance, procedures for challenging proposed and assessed penalties, and the risk of criminal investigation and prosecution. The course concludes with study of current international enforcement and litigation trends involving cross-border business transactions and base erosion/profit shifting issues.

Prerequisite: Federal Income Taxation

Recommended: Prior or concurrent enrollment in Federal Tax Practice & Procedure or any International Tax Course

Note: The course will include occasional presentations by guest speakers experienced in the field of international tax.

LAW 798 v00 International Telecommunications Policy and Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20798%20v00)

LL.M Course | 2 credit hours
This seminar addresses global information and communications technology (ICT) regulation and policy. In particular, it offers a multi-faceted view of the legal, economic, policy and technological underpinnings of global ICT. We will examine 1) key national and regional approaches to ICT; 2) the roles of key intergovernmental institutions and regional organizations (e.g., the International Telecommunications Union, Internet Governance Forum, the World Trade Organization) in shaping and promoting regulatory policies; 3) the key issues posed by emerging technologies, such as unmanned aerial vehicles; and 4) the challenges posed by new methods of content delivery, such as video streaming and other internet-based services. This seminar will also examine key nations' domestic law, regulations, and policies governing international telecom services, wireless and satellite services, and spectrum management, including the cross-sectoral challenges arising in access to this scarce resource. Specific focus is on the challenges that increased global access to content and new technologies present to established international regulatory approaches and the national regulators. Grading shall be based on the exam and student participation in class discussion throughout the semester; optional class presentations will also be taken into account.

Recommended: International Law I: Introduction to International Law (or the equivalent, International Law I).

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 244 v01 International Trade

J.D. Course (cross-listed) | 3 credit hours
This three-credit survey course is designed to introduce students to the legal system governing international economic transactions and international economic relations, with a focus on the World Trade Organization (WTO) and its constituent treaty instruments. The primary objective of the course is to give the student an in-depth overview of the world trading system and some exposure to its particular details. The course will cover the basic principles and mechanisms of international trade law, including most-favored-nation (MFN) and national treatment, and relevant law in different substantive areas, including tariffs, quotas, services, intellectual property, trade remedies, and standards. We will also examine the issue of development in the WTO and trade treaties and whether treaty obligations constrain countries’ policy autonomy and hinder their ability to pursue successful development strategies, as well as the tensions between trade liberalization and other values, such as those concerning the environment, health and safety, workers’ welfare, and human rights.

The course will also cover current trends and issues in international trade law. The Uruguay Round established the WTO in 1994 as the premiere forum for negotiating multilateral trade agreements and adjudicating international trade disputes; however, the negotiation and adjudication functions of the WTO currently face significant challenges. Globally, more than 300 regional or bilateral trade agreements have been negotiated, including the recent United States-Mexico-Canada Agreement (USMCA) and Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), with implications for both individual countries and the global trading system overall. The course will include current developments at the WTO, bilateral and regional trade agreements (including U.S.-Europe and U.S.-Kenya negotiations and trade models in other parts of the world like China’s Belt and Road Initiative and the African Continental Free Trade Area), Brexit, and U.S. “trade wars” pursued on national security grounds.

Mutually Excluded Courses: Students may not receive credit for both this course and International Trade and the WTO or International Trade Law or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

LAW 691 v00 International Trade and Health

LL.M Seminar (cross-listed) | 2 credit hours
The objective of this 2 credit seminar is to introduce students to the relationship between international laws governing trade and efforts to protect and promote human health. The course will focus on the impact of the law of the World Trade Organization (WTO) on domestic health measures as well as on international efforts carried out under the auspices of the World Health Organization. Students will learn, and be asked to think critically about, how the international trade regime affects national regulation in the interests of human health.

The course will address the following subject matter:

1. Introduction to ‘trade and health’: issues and underlying theories.
2. The prohibitions and exceptions of the General Agreement on Tariffs and Trade in a health context.
3. Risk regulation, the precautionary principle and sanitary measures (such as import safety measures).
4. International standards and technical barriers to trade, such as labeling measures.
5. Trade in health services, health worker migration and the General Agreement on Trade in Services.
6. Access to essential medicines under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) and TRIPs plus agreements.
7. The fragmentation of international law: cross-fertilization between international trade law and global health law.
8. Policy coherence, legitimacy and participatory governance at the WTO.

Note: A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.
LAW 673 v01 International Trade and Investment Litigation and Strategy
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20673%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
This course will teach students the practical aspects involved in litigation of international trade and investment disputes. Its goal is to prepare students entering either private practice or government service to handle complex litigation in those fields. The course will provide a comparative analysis of the dispute settlement mechanism of the World Trade Organization (WTO) and Investor-State arbitration. While it will focus on procedural issues and case management, the first sessions will provide an overview of the legal framework of the multilateral trading system and investment treaty law. It will identify and analyze each phase of the proceedings of WTO disputes (under the Dispute Settlement Understanding) and of investor-State arbitrations (mainly under the arbitration rules of the International Centre for Settlement of Investment Disputes and Chapter Eleven of the North American Free Trade Agreement). Some of the topics that will be covered include: pre-trial preparation, formal initiation of a dispute, constitution of panels and tribunals, discretionary procedural issues, evidentiary issues, jurisdictional and other preliminary objections, written pleadings, conduct of hearings, use of witnesses and experts, awards and rulings, recourses, implementation and enforcement, and in general case management. The analysis and discussions in class will be based on treaty text, jurisprudence and the practical, hands-on experience of the professors. Guest-speakers – including practitioners, government officials, or staff from relevant international organizations – will be invited to a few sessions. Students will be expected to participate in class discussions and in simulations.

**Recommended:** Basic courses in public international law and international trade.

LAW 244 v02 International Trade Law
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v02)
J.D. Course (cross-listed) | 3 credit hours
In 1995, the World Trade Organization (WTO) was established as a result of the Uruguay Round Trade Negotiations (1986-94). The international trade rules that came into force as a result provide the legal framework for much of international economic relations. This legal framework is analyzed in this course, focusing on the impact of trade agreements, especially the Uruguay Round Agreements, in national legal systems, particularly that of the United States. The course is focused on public international trade law, that is, the trade rules applicable between countries, rather than private international law or commercial contracts between private economic operators, and how that public international law came into being and has been interpreted and applied. The course examines the WTO as an institution and as the base system of rules governing international trade. It will examine in some detail each of the key legal principles and how they operate at both the national and international level, dealing with subjects such as tariffs and tariff negotiations, quotas, most favored nation clauses, regional trading blocs and preferential trade agreements (such as NAFTA, TPP, TTIP, and others), national treatment clauses and exceptions for environmental and other policies, safeguards and adjustment assistance, dumping, anti-dumping duties, export subsidies, countervailing duties, international rules on patents and copyrights, trade in services (such as banking and tourism), technical barriers to trade, rules on plant and food safety, and other topics. The WTO, with its proven and sophisticated dispute settlement system, now has extensive jurisprudence in most of the areas of law covered by the WTO Agreements. This course will also explore this jurisprudence, the public international law behind it, and implications of it for national governments as well as private actors.

The goal of the course is to give a rounded and in depth understanding of the international trade law system and of the interplay between national and international rules as they affect government actions that influence private international transactions.

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Economic Law or International Law II or International Trade and the WTO or International Trade Law or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.
LAW 244 v05 International Trade Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20244%20v05)
J.D. Course (cross-listed) | 3 credit hours
Economic interdependence between countries and across production chains has grown exponentially. Yet, today, economic globalization is under attack. In this context, existing rules on international trade, and negotiating fora to potentially change those rules, are key. This course focuses on the rules and institutions established under the World Trade Organization (WTO) as well as selected regional trade agreements. What are the benefits and risks of trade liberalization from legal, economic and political perspectives? How can trade liberalization go hand in hand with pursuing public policy goals such as protecting the environment or labour standards ("non-trade concerns"), job creation or promoting the economic development of poor countries? The course will offer an in-depth, practical knowledge of substantive WTO law drawing heavily on case law from dispute settlement practice. It will address the basic principles of trade in goods and trade in services as well as more specific WTO agreements on, for example, health measures, subsidies, trade remedies and intellectual property rights. The course will also focus on the unique WTO mechanism for the settlement of trade disputes, and especially on how it balances trade liberalization with non-trade concerns as well as how it copes with increasing trade tensions between OECD countries and emerging economies like Brazil, China, India and Russia.

Mutually Excluded Courses: Students may not receive credit for both this course and International Trade or World Trade Organization: Law, Policy and Dispute Settlement; or the graduate course, International Trade Law and Regulation.

Note: There are no prerequisites for this course.

This course will meet 2 times per week in the weeks of August 30 - September 17 and October 11 - October 29. In addition, there will be three classes taught remotely on October 7, November 11 and November 16.

LAW 966 v01 International Trade Law & Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20966%20v01)
LL.M Course (cross-listed) | 2-3 credit hours
Examines international trade laws and regulations and World Trade Organization agreements affecting international trade, and the relationship of the General Agreement on Tariffs and Trade 1994 and other international agreements to U.S. law and practice. Considers, in detail, the U.S. antidumping, countervailing duty, safeguards (Section 201) laws and regulations and the WTO agreements that establish multinational standards applicable to the use of those remedies. Examines the WTO agreements on services, intellectual property, and technical barriers to trade. Examines the statutory remedies, particularly Section 301, that are available to address foreign restrictions on U.S. exports of goods, capital, services, and intellectual property. Analyzes the U.S.-China "trade war" and resulting tariffs and agreements. Evaluates the role of Congress, the U.S. Trade Representative, and other U.S. agencies in setting trade policy and overseeing administration of the trade laws. Analyzes the WTO procedures for dispute resolution and key WTO panel and Appellate Body decisions. Reviews free trade agreements, including the U.S.-Mexico-Canada Agreement, as well as bilateral investment treaties. The course includes a weekly discussion of current events affecting international trade law and regulation.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, International Trade or World Trade Organization: Law, Policy and Dispute Settlement.

Note: The 3-credit section of this course meets the "Category 1" requirement for the WTO certificate program. The two-credit class requires a final exam; the three-credit class requires a paper. J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.
The course will also incorporate short, practical case studies that illustrate how different issues in trade, development, and economic regulation can be applied from the perspective of an entrepreneur, country, or community. Seminar members will be asked to assume roles in discussion of these case studies, which will count towards class participation and lay the groundwork for the final paper. Questions to guide the case study analysis will also be provided.

Note:

Only the 3-CR WR section will fulfill the WTO & International Trade Certificate List C requirement.
LAW 708 v00 International Trade, Intellectual Property Rights, & Public Health (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20708%20v00)

LL.M Seminar (cross-listed) | 2 credit hours
This course will cover the interface between the intellectual property rights, international trade and public health, focusing in particular on the WTO TRIPS Agreement and subsequent decisions. It will provide an introduction to the provisions of WTO agreements relevant to public health (other than TRIPS), and to the law and economics relating to IPRs and public health; it will cover the provisions of the TRIPS Agreement relevant to public health, and discuss the relevant disputes settled in the WTO. It will examine the background, content and implications of the Doha Declaration on the TRIPS Agreement and Public Health and of the subsequent TRIPS amendment implementing compulsory licensing for exports. It will also discuss the relevance of bilateral or regional free trade area agreements to the subject.

The course would study relevant national/regional implementing legislation, for example on compulsory licenses, and discuss use of the WTO export compulsory license provisions, namely the Rwanda-Canada case. In addition to the final paper, students will be graded on class participation, individual presentations and group exercises, an example of the last being a hypothetical case study of exports, with students taking up the role of legal advisors based in either the importing country or the exporting country.

Finally, the course will also cover recent work on trade, intellectual property and public health in other intergovernmental organizations, in particular in the World Health Organization.

Recommended: Coursework in International Trade, Intellectual Property Rights, or Public Health.

LAW 880 v00 International White Collar Crime (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20880%20v00)

LL.M Course | 2 credit hours
This course examines key issues arising from the criminalization of transnational business conduct and attempts to enforce national laws extraterritorially, as well as how to counsel clients to comply with inconsistent or conflicting legal regimes. Topics covered will include: bribery of foreign officials, crime on the internet, economic embargoes and export and reexport controls, securities fraud, money laundering, and price-fixing. Attention will be paid to foreign governmental opposition to U.S. assertions of jurisdiction via “blocking” statutes, secrecy laws, and use of local court injunctions, as well as to mechanisms for resolving jurisdictional conflicts, including international agreements for notification, consultation, mutual legal assistance, “positive comity,” and exchanges of confidential information among enforcement authorities. The course will also focus extensively on compliance and ethics issues and on techniques for dealing with government law enforcement agencies.

Recommended: International Law I: Introduction to International Law (or the equivalent of International Law I, which is a 3 credit course in public international law).

Mutually Excluded Courses: Students may not receive credit for both this course and International Economic Crime and Corruption.

Note: Please note, the two sections of this course have different requirements. Please be sure to register for CRN 13649 if you wish to elect the section with a final exam and CRN 24229 if you wish to elect the section requiring a paper. The cutoff date to select either an exam or paper requirement is Tuesday, September 7, 2021.

LAW 456 v01 International Women’s Human Rights Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20456%20v01)

LL.M Seminar (cross-listed) | 3 credit hours
This seminar will explore select international women’s human rights issues and the applicable international legal framework, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW.) Guest lecturers with practical expertise in advancing women’s human rights may be invited to join us throughout the semester. Each student will write a paper addressing a significant international women’s human rights issue from a legal perspective, exploring state responsibility under the government’s international human rights obligations, as well as domestic and international responses to the problem.
LAW 251 v00 Internet Copyright Legislation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20251%20v00)
J.D. Seminar | 2 credit hours
This course examines the increasingly contentious legislative battles concerning copyright, in the context of ongoing debates about reforms to U.S. copyright law. Initiated in part by a 2013 speech by the Register of Copyrights referring to "The Next Great Copyright Act," Congress has held 20 hearings, and government agencies have conducted numerous proceedings, held hearings, and issued reports.

The course has three objectives. First, the course will familiarize students with the process by which modern copyright law is enacted: the development of a legislative strategy, the formation of competing coalitions, the search for political allies, the drafting of legislation, the negotiation of compromises. Second, the course will attempt to provide the students with a critical perspective on IP policymaking via legislation, particularly in contrast to the more familiar process of case law evolution. Third, the course will provide students with an in-depth substantive understanding of several of today’s most significant copyright issues, underscoring the conflicts inherent in IP policy. These three objectives are interrelated; one can best understand a legal doctrine if one understands how the doctrine evolved. Although the course will focus on copyright legislation related to the Internet, comparisons will be made to patent and trademark legislation. Students will participate in classroom simulations and write several short advocacy papers relating to legislation discussed in the course. Grading will be based on classroom participation and the papers. Students may take the course on a pass/fail basis.

**Recommended:** Prior or concurrent registration in at least one course in intellectual property law is suggested, but not required.

LAW 1626 v00 Internet Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201626%20v00)
J.D. Course | 3 credit hours
Everything we do, we do at least some aspect of it online. From commerce to speech, internet companies intermediate our daily activities. In the process, internet companies are changing how we live. Is the internet a free speech zone protected by the U.S. Constitution’s First Amendment, or does it heed hate speech or political speech regulations from abroad? Can copyright law survive the worldwide copying machine of the internet? Is privacy dead when corporations know where you are and what you are doing nearly 24/7? Focusing on U.S. case law and statutes, this course examines the evolving law regulating internet enterprises.

**Mutually Excluded Courses:** Students may not receive credit for this course and Digital Law & Policy (CCTP-658-01), which is offered by the Communications, Culture & Technology department on the Main Campus.

LAW 2036 v00 Introduction to Contracts (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202036%20v00)
LL.M Course | 3 credit hours
This course will introduce students to a substantive area of American law: contracts. This course exposes students to the major themes in contract law. Specifically, we will cover contract formation, breach of contract, and contract remedies. Focusing exclusively on the common law, this class will familiarize students with the basic concepts of offer, acceptance, consideration, performance, breach, remedies, and third party issues.

**Learning objectives:**

To understand the fundamental principles of the law of contracts.

**Note:** This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 3012 v00 Introduction to Federal Income Tax, Research & Writing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203012%20v00)
LL.M Seminar | 2 credit hours
This course will be divided into two parts. The first half of the course will be devoted to learning about sources of information used in tax research, i.e., primary and secondary research sources, including the application of available internet links dealing with tax issues. The students will learn about information generated by both primary and secondary sources regarding tax legislation, administration and interpretation and secondary sources available to explain and assist tax researchers understanding tax issues. There will be an examination at the end of the first half of the course testing the students’ knowledge of these available sources and the tax research process. In the second half of the course, students will apply their research skills in preparing one written product. It will either require an objective analysis of tax issue(s) or deal with preparing an opinion letter or other similar written product regarding tax issue(s).

**Note:** This online-only course is limited to MSL Taxation students, and required for the MSL in Taxation degree. STUDENTS WILL BE REQUIRED TO ATTEND LIVE VIA ZOOM VIDEOCONFERENCING AT THE SPECIFIED MEETING TIMES (T 5:30-7:30p).

LAW 2047 v00 Introduction to International Commercial Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202047%20v00)
LL.M Course (cross-listed) | 3 credit hours
This course will introduce the basic concepts of international commercial arbitration from both a theoretical and practical perspective. It will provide a general overview of the subject, and subsequently focus on issues including the agreement to arbitrate, the constitution and duties of the arbitral tribunal, the conduct of the proceedings and the arbitral award. The course will refer to the ICC Rules of Arbitration in discussing many of the practical aspects of these issues.

**Mutually Excluded Courses:** Students may not receive credit for both this course and International Commercial Arbitration (LAWG-882 or LAWJ-882) or the J.D. seminar, International Commercial Arbitration Seminar (CTLS course).

**Note:** Please note, the date for the final class session will be announced at the start of the semester.
LAW 1283 v00 Introduction to Military and Veterans Law, 1636-Present
J.D. Seminar (cross-listed) | 2 credit hours
This seminar is a 3-credit elective intended to ground the student in the history and tradition of a separate military and veterans law for members of the armed forces. Each session will contain specific legal concepts relevant to the subject matter. The student may expect to have a broad appreciation for the importance of a separate law and procedure for the armed forces and veterans, and how to analyze issues. The final grade will include class participation, and a final, take home, open book examination.

Note: This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 3030 v00 Introduction to U.S. Civil Procedure
LL.M Course | 3 credit hours
This course covers the major topics that arise in litigating civil cases in the federal courts of the United States. Following an introduction to the structure and process for judicial review in the federal and state courts, the readings and discussions will cover personal and subject matter jurisdiction in federal court and the litigation process (e.g., pleadings, motions practice, discovery, joinder of parties and claims, special multiparty litigation, etc.), related statutory requirements and provisions, scope of litigation issues, problems of mixed federal and state law claims, what law applies in federal court, the right to a jury trial and the preclusion doctrines (claim/issue). The course also provides a general overview of the appellate process.

Mutually Excluded Courses: Students may not receive credit for both this course and Finance of Real and Personal Property.

Note: This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 2029 v01 Introduction to Torts
LL.M Course | 2 credit hours
This course will introduce students to the American law of torts. It will focus on the basics of common law negligence, and explore five major areas: duty, breach of duty, scope of liability, affirmative defenses and damages. The course will also cover two other specific types of tort claims - medical malpractice and products liability - and their relationship to the negligence cause of action.

Note: This course is only open to foreign-trained LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 2029 v00 Introduction to Torts (Two-Year Program)
LL.M Course | 3 credit hours
This course will introduce students to the American law of torts. It will focus first on negligence, and explore five major areas: duty, breach of duty, scope of liability, affirmative defenses and damages. It will then use product liability law as an example of the imposition of strict tort liability.

Note: This course is only open to foreign-trained LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 384 v01 Introduction to the Capital Markets and Financing of Income-Producing Property
J.D. Course (cross-listed) | 1 credit hour
This mini-course is about money and finance - the basics of pricing and lending; and how people use other peoples’ money and sometimes their own money to make (or lose) money in the capital markets. Special attention will be given to commercial real estate lending and commercial mortgage-backed securitization, how Wall Street generates its profits from the process and the factors which caused the economic turmoil in the capital markets from 2008 to 2011 and slow recovery from the Great Recession. We will discuss economic return, how it is determined, how it is shared by the participants, and how it drives fundamental legal structures and interests. This mini-course will also cover basic concepts of cash flow, leverage, and tax sheltering of income. It will introduce the economics of asset-based financing, including loan-to-value ratios, interest rates, amortization and residual value and how they are incorporated in the business and legal structures. It will cover leasing of personal property as a financing technique and the legal structure of securitized finance, in which loans are pooled and interests in the pools are sold as securities. Emphasis will be given to structuring public and private funding of real estate. This mini-course will be a survey of complex financing techniques and will not emphasize math, but rather practical understandings and concepts involving the business and legal framework for financing income-producing property in the capital markets.

Mutually Excluded Courses: Students may not receive credit for both this course and Finance of Real and Personal Property.

Note: This course meets on seven Mondays in the first half of the Spring 2017 semester on the following days: 1/23, 1/30, 2/6, 2/13, 2/23 (Thursday). 2/27, and 3/6. Withdrawals are permitted up until the last class for this specific course.
LAW 730 v00 Introduction to U.S. Constitutional Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20730%20v00)
LL.M Course | 2-3 credit hours
This course provides an overview of the major constitutional cases over the last 200 years. The first half of the course focuses on how the Constitution affects the fundamental structure of American government. Particular attention will be paid to the critical balances of power between the Federal and state governments (federalism) and among the three branches of the Federal government. The rest of the course will focus on individual rights, with particular emphasis on individual rights in the areas of equal protection, and substantive due process.

Note: This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

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

LAW 730 v01 Introduction to U.S. Constitutional Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20730%20v01)
LL.M Course | 2 credit hours
This course surveys landmark constitutional cases in their social and cultural context. The first half of the course focuses on how the U.S. Constitution affects the fundamental structure of American government. The second half of the course will focus on individual rights, with particular emphasis on equal protection and substantive due process. Emphasis will be placed on the distinguishing features of common law method, and students will use close reading techniques to identify the defining discourse characteristics of the U.S. judicial opinion.

Note: Students who enroll in this course may not also enroll in the course Introduction to U.S. Constitutional Law.

Students in the Two-Year LL.M. Program should write an email to Marta Baffy (mlb258@georgetown.edu) by Monday, November 2 if they would like to enroll in this class. Registration opens up to all LL.M. students after November 9, 2020.

LAW 730 v02 Introduction to U.S. Constitutional Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20730%20v02)
LL.M Seminar | 2 credit hours
"The Constitutional text is the catalyst for our construction of a wider complex of vocabularies and rhetorics through which we carry on our political battles," asserts U.S. legal scholar Robert Weisberg. Our course will probe this claim by tracing the historical development of American constitutional law within a broader political and cultural milieu. We will begin by discussing the origins of the Constitution, its text, and contemporary theories of constitutional interpretation. We will subsequently focus on how the Constitution fundamentally structures American government and how constitutional interpretation determines the scope of individual rights. As we analyze these topics, you will be encouraged to conceptualize U.S. constitutional law within a global frame and to critically evaluate the text that has been deemed a "secular revelation."

Your course grade will be based primarily on the caliber of a 20-25 page research paper delving into one or more of the subjects that we discuss. To facilitate the paper composition process, you must concurrently enroll in Advanced Scholarly Writing (CRN: 26057). Just as our doctrinal seminar will acclimate you to the conventions for construing the U.S. Constitution, judicial opinions, and other legal authorities, ASW will familiarize you with the conventions underlying U.S. legal academic writing. These complementary classes will thus refine your skills in legal analysis, research, and communication more generally.

Note:
All students enrolled in this section of Introduction to U.S. Constitutional Law are required to also register for Advanced Scholarly Writing (CRN: 26057, Thursdays from 11:10 a.m. – 1:10 p.m., beginning September 13).

This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree). Enrollment is capped at 16 students. First class attendance on Tuesday, August 28 is mandatory. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class.
LAW 730 v04 Introduction to U.S. Constitutional Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20730%20v04)
LL.M Course | 3 credit hours
The United States Constitution is the basic charter between the American people and their national government. This course will introduce you to some of the foundational legal concepts and questions surrounding that document. We will examine those concepts and questions primarily by reading decisions of the United States Supreme Court that interpret and apply the Constitution.

In the first part of the course, we will focus on the Constitution’s provisions that create the structure of the federal government. We will learn how those provisions divide power between the federal and state governments and separate the powers granted to the federal government among its three branches. We will also examine the scope of the powers granted to the President and Congress.

In the second portion of the course, we will study the Constitution’s protections for individual rights. The focus of that study will be the guarantees of equal protection, due process, freedom of speech, and freedom of religion found in the First and Fourteenth Amendments to the Constitution.

Note: This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

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

LAW 978 v00 Introduction to U.S. Legal Systems (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20978%20v00)
LL.M Course | 2 credit hours
This course introduces students to the institutions, methods, and practices at the core of the American common-law legal system. During the first half of the course we will focus on the Judicial Branch of the Government. We will examine the structure and boundaries of judicial power; the procedural mechanisms through which that power is exercised; and the ways in which common-law courts make (or decline to make) law. We will pay close attention to the political and social contexts in which the cases that we study arise, and we will consider how changing contexts affect the judicial decision-making process. During the second half of the course, we will turn our attention to the Legislative Branch of the Government, with special attention to problems of statutory construction. We will examine the tools—both legal and linguistic—that common-law courts employ when called upon to determine the proper interpretation of a statute.

Mutually Excluded Courses: Students may not receive credit for both this course and Foundations of American Law.

Note: This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 978 v01 Introduction to U.S. Legal Systems (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20978%20v01)
LL.M Course | 2 credit hours
This course introduces students to the institutions, methods, and practices at the core of the American common-law legal system. During the first half of the course we will focus on the Judicial Branch of the Government. We will examine the structure and boundaries of judicial power; the procedural mechanisms through which that power is exercised; and the ways in which common-law courts make (or decline to make) law. We will pay close attention to the political and social contexts in which the cases that we study arise, and we will consider how changing contexts affect the judicial decision-making process. During the second half of the course, we will turn our attention to the Legislative Branch of the Government, with special attention to problems of statutory construction. We will examine the tools—both legal and linguistic—that common-law courts employ when called upon to determine the proper interpretation of a statute.

Mutually Excluded Courses: Students may not receive credit for both this course and Foundations of American Law.

Note: This course is graded honors-pass-fail and is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).
LAW 3130 v00 Investigating Transnational Criminal Organizations & Cyber Threats to National Security (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203130%20v00)
LL.M Course (cross-listed) | 2 credit hours
As a rule, investigating and prosecuting cybercrime is fraught with challenges. Ephemeral electronic evidence, international evidence-gathering obstacles, and anonymizing technologies can frustrate conventional law enforcement investigative techniques. Recently, distinctions between traditional cybercrimes and crimes committed by foreign actors with national security objectives have eroded, thereby increasing investigative challenges: cybercriminals and national security cyber actors now both steal information for personal financial gain; nation-states have enlisted criminal organizations to act as their proxies to cyber attacks against United States companies; and the tradecraft used by some nation-state actors includes tools commonly used by cybercriminals, such as "botnets" and ransomware. The intersection between conventional cybercrimes and national security crimes with a cyber nexus raises novel legal and policy questions involving the extraterritoriality of criminal statutes, the application of international data privacy regulations, and the boundaries of international legal cooperation. Furthermore, the burgeoning role of private actors, like cybersecurity firms, in data breach response and cyber threat intelligence gathering contribute to confusion over how cybercrime should be investigated.

This course will take a practical look at how U.S. federal law enforcement pursues investigations and prosecutions of sophisticated cyber threat actors using investigative and prosecutorial criminal tools that at times are augmented by national security authorities. It will furnish a background in criminal statutes that are the bedrock of electronic evidence gathering (e.g., the Wiretap Act, 18 U.S.C. § 2510 et seq.; the Stored Communications Act, 18 U.S.C. § 2701 et seq.; and the Pen Register/Trap and Trace Act, 18 U.S.C. § 3121 et seq.); the substantive laws used to indict cyber actors (e.g., the Computer Fraud and Abuse Act, 18 U.S.C. § 1030); the constitutional questions raised by surveillance techniques used to gather domestic evidence against international actors; and national security issues that prosecutors confront when handling hybrid criminal cases (e.g., discovery issues associated with the use of national security authorities). Students in this class will learn how a federal case against transnational cybercriminals and national security cyber actors is built and the legal landmines that can surface while gathering evidence in "cyberspace."

No technical background is required to take this course, but you will be taught the basics of Internet technology to better understand how technology affects the application of certain criminal laws.

Strongly Recommended: Criminal Justice, Criminal Law, or Criminal Procedure; Courses in technology-related subjects

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LAW 2055 v00 Investment Treaty Arbitration, Public International Law, and Landmark Judgments of the ICJ (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202055%20v00)
LL.M Course | 2 credit hours
This seminar will lay out the basic principles of international investment treaty arbitration by analyzing and studying the underlying principles of public international law as well as landmark decisions of the Permanent Court of International Justice and the International Court of Justice (ICJ) that influence Investor-State arbitration. The curriculum and calendar of the seminar will follow the procedural structure of a proceeding at the International Centre for Settlement of Investment Disputes (ICSID) — i.e., first covering registration of a request for arbitration under articles 25 and 36 of the ICSID Convention, then discussing preliminary objections under Rule 41(5) of the ICSID Rules of Arbitration, provisional measures, objections to jurisdiction, merits, and ending with quantum.

The objective of the seminar is to provide students interested in investment treaty arbitration and/or public international law with a solid understanding of the principles and judgments of the ICJ and other relevant public international law instruments, including the International Law Commission’s 2001 Articles on State Responsibility, which together form the basis for the rules and principles that guide investment treaty arbitration.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I); Litigation Practice in International Arbitration; or Investor-State Dispute Settlement.
LAW 676 v02 Investor-State Dispute Resolution (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20676%20v02)
LL.M Course | 2 credit hours
The subject of investor-state disputes and their resolution lies at the cutting edge of international law, and is a major factor in the development of the global economic system in years to come. Study of this form of arbitration provides insight into the evolving shape of customary international law, the conflict between capital-importing and capital-exporting states, and the status of individuals in the international legal order. This seminar will provide students with a firm grounding in the history, present practice, and future implications of arbitration between foreign investors and host states, sanctioned by multilateral and bilateral investment treaties. Topics that will be covered in this course are the history of the treatment of aliens and investments under international law; an overview of the most important international treaties that give investors a right to arbitration of claims; the most important elements of procedure that characterize investor-state arbitration, including tribunal composition, jurisdiction, evidence, award and challenge or annulment; substantive law of investment arbitration, the standards that apply when a tribunal determines whether a breach of the treaty has occurred; and the future development of investor-state arbitration including the challenges of globalization and other stresses, the clash of capital-importing and capital-exporting countries, environmental protection and free trade, restrictions on state sovereignty, the construction of an international investment jurisprudence, the limits on arbitrability, and the expansion of multilateral investment protections worldwide. Active participation in discussion of the course materials is required.

Prerequisite: International Law I.

Recommended: International Commercial Arbitration

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

LAW 676 v00 Investor-State Dispute Resolution Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20676%20v00)
LL.M Seminar | 3 credit hours
The subject of investor-state disputes and their resolution lies at the cutting edge of international law, and is a major factor in the development of the global economic system in years to come. Study of this form of arbitration provides insight into the evolving shape of customary international law, the conflict between capital-importing and capital-exporting states, and the status of individuals in the international legal order. This seminar will provide students with a firm grounding in the history, present practice, and future implications of arbitration between foreign investors and host states, sanctioned by multilateral and bilateral investment treaties. Topics that will be covered in this course are the history of the treatment of aliens and investments under international law; an overview of the most important international treaties that give investors a right to arbitration of claims; the most important elements of procedure that characterize investor-state arbitration, including tribunal composition, jurisdiction, evidence, award and challenge or annulment; substantive law of investment arbitration, the standards that apply when a tribunal determines whether a breach of the treaty has occurred; and the future development of investor-state arbitration including the challenges of globalization and other stresses, the clash of capital-importing and capital-exporting countries, environmental protection and free trade, restrictions on state sovereignty, the construction of an international investment jurisprudence, the limits on arbitrability, and the expansion of multilateral investment protections worldwide. Active participation in discussion of the course materials is required.

Recommended: International Commercial Arbitration

Note: For the Spring section: Student who no longer wishes to remain enrolled will not be permitted to drop the class but may request a withdrawal BY PROFESSOR PERMISSION ONLY.

This course requires a paper. J.D. Students: this will fulfill the J.D. Upperclass Legal Writing Requirement.
In this class we will examine a wide variety of legal issues raised in the various stages of conflict in Israel/Palestine. These will be evenly divided between issues arising inside Israel proper and issues arising with respect to the Occupied Territories. For each issue, there will be some background readings and then presentation of opposing legal positions, often with a U.S. case to give a comparative perspective. Issues covered will include local government, land, water, education, and taxation, as well as more familiar issues around the legality of the occupation and its military framework. Two classes will be devoted to the legal analysis of violent resistance and terrorism.

LAW 414 v02 Israel/Palestine Conflict: Legal Issues Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20414%20v02)
LL.M Seminar (cross-listed) | 3 credit hours
In this class we will examine a wide variety of legal issues raised in the various stages of conflict in Israel/Palestine. These will be evenly divided between issues arising inside Israel proper and issues arising with respect to the Occupied Territories. For each issue, there will be some background readings and then presentation of opposing legal positions, often with a U.S. case to give a comparative perspective. Issues covered will involve Israeli civil and constitutional law and international law; areas will include local government, land, water, education, and taxation, as well as more familiar issues around the legality of the occupation and its military framework. Two classes will be devoted to the legal analysis of violent resistance and terrorism.

Mutually Excluded Courses: Students may not receive credit for this course and Proseminar in National Security Law.

LAW 949 v00 Islamic Finance Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20949%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course will explore contemporary Islamic finance from a transnational vantage and with particular emphasis on structuring financial transactions and products. Islamic finance will be examined both as an application of Islamic religious law and ethics (shari’ah) and as an effort to create and operate a shari’ah-compliant economic system without interest payments and receipts and based upon a compliant risk-reward paradigm that maintains expected returns for the transactional parties. We will examine some of the core principles of the shari’ah and the methodology by which shari’ah compliance is determined (Shari’ah Supervisory Boards and the issuance of rulings (fatawa)). As a base, we will examine certain principles and precepts of shari’ah and the classical contractual and legal forms that have been approved as being shari’ah-compliant. Our paradigm will be the study of recent Islamic finance transactions in different financial categories and markets. As examples, we will consider, among other structures:

(a) lease (ijara) structures in real estate acquisition financings, construction and development financings and private equity transactions;
(b) commissioned construction and manufacture concepts (istisna’a) in real estate construction and development transactions and project financings;
(c) murabaha (sale at markup) arrangements pertaining to trade finance and working capital facilities;
(d) partnership (musharaqah) arrangements in acquisition financings, construction and development financings and project financing as well as more conventional joint venture arrangements;
(e) arboon (sale with downpayment) structures as they pertain to hedge fund activities, particularly short sales and options trading;
(f) rahn (pledge and mortgage) and adl (trusted person) concepts as they apply to project financings and collateral security structures;
(g) Islamic bond and securitization (sukuk) structures used in project finance, municipal finance, corporate finance and the capital markets; and
(h) international investment fund structures used for Islamic finance, including associated tax considerations.

In light of market realities, we will also consider conventional Western equivalents to certain shari’ah-compliant financial structures.

LAW 414 v01 Israel/Palestine Conflict: Legal Issues Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20414%20v01)
J.D. Seminar (cross-listed) | 3 credit hours
In this class we will examine a wide variety of legal issues raised in the various stages of conflict in Israel/Palestine. These will be evenly divided between issues arising inside Israel proper and issues arising with respect to the Occupied Territories. For each issue, there will be some background readings and then presentation of opposing legal positions, often with a U.S. case to give a comparative perspective. Issues covered will involve Israeli civil and constitutional law and international law; areas will include local government, land, water, education, and taxation, as well as more familiar issues around the legality of the occupation and its military framework. Two classes will be devoted to the legal analysis of violent resistance and terrorism.
LAW 254 v02 Japan/US Comparative Legal Study (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20254%20v02)
LL.M Seminar (cross-listed) | 1 credit hour
This course provides a comparison of aspects of the Japanese and US legal systems with the objectives of (a) providing some insight into the Japanese system, (b) demonstrating how legal concepts taken from an established legal system are “reinterpreted” when imported into a different legal system based on a different culture and history and (c) providing a basic understanding of selected Japanese legal topics. Among the substantive law areas which will be compared (after a survey of historical and societal foundations which affect the Japanese and US legal systems) are various aspects of Constitutional Law including Separation of Powers, the Legal System and the Japanese Constitutional provision Renouncing War; the differing views of dispute resolution including Litigation, mediation and other Alternative Dispute Resolution devise and their role in the legal systems of Japan and the US; discussion of the New (1998) Code of Civil Procedure and its potential effects on the future of litigation in Japan; the changing environment of the study and practice of law in Japan, including the 2001 recommendations of the Council on Judicial Reform; Equality and concepts of equal treatment opportunity; Criminal Law and Administrative Law.

Note: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 8, 2018 through Friday, January 12, 2018, 6:00 p.m. - 8:35 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting their academic advisor in the Office of Graduate Programs. Withdrawals are permitted up until the last class for this specific course.

LAW 1473 v00 Judicial Review and the Administrative State (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201473%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar will examine the origins, development, and present state of administrative law doctrines that are central to administrative law practice. It will focus on doctrines that require judges to defer to agency interpretations of statutes; that require judges to defer to agency interpretations of regulations; and that guide judicial inquiry into whether agency action is arbitrary and capricious under the APA. Students will read the decisions that gave rise to these doctrines, trace their impact, and consider important scholarly criticisms and defenses of these doctrines.

Grades will be based on class participation, weekly written responses to class readings, and a substantial paper. Class readings will be drawn from a reading packet for the seminar consisting of case decisions, scholarly articles, and excerpts from notable books by administrative law scholars.

The first goal of the course is for students to develop a firm understanding of key administrative law doctrines—how they work, how they were constructed, and why they constructed, as well as important critiques and defenses of them.

The second goal of the course is for students to learn to think, speak, and write critically, fluently, and insightfully about administrative law doctrines and the role of the courts in constructing them. Preparing a substantial research paper for the course will enable them to grasp the “why” behind an important administrative-law doctrine, as well as assess its impact and merits, and develop their skills in legal research and writing.

Prerequisite: Administrative Law or Government Processes or Legislation and Regulation.
LAW 1106 v02 Judicial Review of Military Justice Proceedings: Current Issues and Constitutional Perspectives (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201106%20v02)
J.D. Seminar (cross-listed) | 1 credit hour
This seminar will address the relationship between courts-martial and civilian judicial proceedings, focusing on the allocation of responsibilities in the military justice system to commanders, judges, and lawyers. Specific topics will include the contemporary debates regarding sexual misconduct and combat-related offenses. The assigned readings will utilize materials available on the internet, including judicial decisions, legislative and regulatory materials, and law review articles. The seminar paper will take the form of a draft judicial opinion based upon topics covered in the course. The seminar is designed for students interested in national security, judicial review, and the constitutional allocation of legislative, executive, and judicial powers.

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

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

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

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

LAW 394 v02 Jury Trials in America: Understanding and Practicing Before a Pure Form Democracy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20394%20v02)
J.D. Seminar (cross-listed) | 2 credit hours
The seminar will examine:
- The history of the U.S. jury trial system
- Jury selection dynamics
- Factors affecting juror performance during the trial
- Jury management challenges such as increasing juror comprehension in complex litigation and juror privacy
- Current policy debates concerning the jury.

Learning Objectives:
By participating in class discussions and role-plays and critically observing a real jury trial, students should better understand the nuances of trial by jury and feel more comfortable about appearing before a jury. By studying the assigned readings and writing an observation report on the jury trial they attended, students will come to understand the do’s and don’ts of communicating with juries and the dynamic efforts occurring across the country to bring about improved jury trial management.

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

LAW 1334 v00 Justice and Accountability for International Atrocity Crimes: Bridging Theory and Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201334%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar examines both progress and ongoing challenges in seeking meaningful justice and accountability for serious international crimes, including crimes against humanity, genocide, and war crimes. We’ll begin with an overview of the challenges of effective atrocity prevention and an examination of fundamental developments over the last few decades establishing international and hybrid criminal tribunals and other mechanisms of transitional justice, including truth and reconciliation commissions. Building on this foundation, and drawing upon legal scholarship, social science research, and country case studies, we will then explore a range of responses to key justice challenges recurring in a number of countries emerging from conflict. These challenges include: (1) the often complicated relationship between peace processes and justice initiatives; (2) the question of whose justice goals are being pursued and how national, regional, and international stakeholders interact in such efforts; and (3) the complexities of building enduring justice on the ground through meaningful domestic rule of law reform, outreach, cultural engagement, and other means. Students will write a substantial seminar paper within the subject matter scope of the seminar.
LAW 1714 v00 Labor Law and the Changing US Workforce Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201714%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This is a 2-credit seminar examining modern day labor law interpretation and enforcement, with a particular focus on how the National Labor Relations Act, an eight decade old statute, is being applied to the 21st century workforce. This course will examine the application of National Labor Relations Act (NLRA) to the private sector workforce under Obama, Trump and Biden administrations. This will involve a study of the uniquely described “gig” workforce, joint employer status, independent contractors, graduate students, contingent and immigrant workers and others. The course will explore the impact of working under modern business models, technological advancement, electronic communication and the effect of social media. We will examine the effectiveness of protections afforded to employees exercising their rights to address terms and conditions of employment, through their unions, and in non unionized workplaces by means of employee collective action. We will study how the Boards of several recent administrations applied the NLRA in this modern age. We will also examine how a change in administration has affected the way the NLRA is interpreted and enforced.

The course is organized into general topic areas; in each two- or three-week unit we will focus on a particular issue, such as:

- statutory framework of the NLRA and its rights and limits
- concerted activity for mutual aid and protection.
- the cyber workplace: new technologies & challenges.
- the “gig” economy, students, immigrants, contingent workers.
- identifying who is classified as an employee and employer.

There are no prerequisites although labor law is recommended.

Course Goals

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

- Demonstrate a general understanding of the impact that modern business models, technological advancement, electronic communication and changing administrations has on how laws are interpreted and applied to the modern workforce.
- Recognize how the NLRB and other agencies charged with providing worker protections have changed over time and understand what has driven those changes.
- Critically assess legal and historical scholarship on the NLRB and courts’ role in interpreting and enforcing the labor laws.
- Critically assess the structure and intent of key elements of the NLRA and its effectiveness in the modern workplace.
- Respond constructively to classmates’ questions, comments, and ideas.

LAW 272 v00 Land Use Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20272%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course explores the variety of ways in which the law attempts to resolve conflicts among land uses, as well as plan and regulate the impacts of different land use patterns. Topics will include common law; state, regional, and local planning; zoning; environmental controls; growth management; historic preservation; restrictions relating to residential development; and constitutional limits on land use regulation. Particular emphasis will be placed upon analysis of the political and economic context of land use law.

LAW 1400 v00 Law and Business of Television (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201400%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
An in-depth study of television industry legal concepts, contracts, business structures and economic models, focusing on the role of the attorney in the development and production of television programs; the relationships among attorneys, agents and entertainment executives that govern television; the legal issues innate in the development and production of television programs; and topics involving the distribution of television product in ancillary markets (such as digital media and the role of so-called “backend” profit accounting). Class will focus both on academic and theoretical underpinnings of legal and business concepts as well as practical practitioner/clinical points-of-view (including negotiations).

Recommended: Entertainment Law and Copyright Law are recommended, but not required.
The course has several interconnected learning objectives:

- Understand the legal, historical, economic, and political context of law and development
- Equip students with the knowledge and tools to approach law as a tool for promoting social, economic, and sustainable development
- Introduce students to different roles for lawyers in the field of law and development
- Understand how economic, social, and sustainable development can be and have been drivers for development
- Engage with other forms of policy analysis
- Develop ability to make and analyze economic arguments in a legal and policy context
- Practice skills of policy advocacy
- Acquire familiarity with general economic arguments pertaining to why and how government intervenes in the marketplace
- Develop ability to make and analyze economic arguments in a legal and policy context
- Begin thinking about many of the most important controversies confronting government today
- Practice skills of policy advocacy

Course Objectives:

- Acquire familiarity with general economic arguments pertaining to why and how government intervenes in the marketplace
- Develop ability to make and analyze economic arguments in a legal and policy context
- Begin thinking about many of the most important controversies confronting government today
- Practice skills of policy advocacy

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

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

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

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

LAW 852 v00 Law and Foreign Investment in China (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20852%20v00)
LL.M Course (cross-listed) | 2 credit hours
The course will examine the major Chinese laws that apply to foreign invested projects in China and related cross-border transactions. We will begin with an overview of China's policy priorities for foreign investment and the foreign investment approval process, focusing on the sources of law and regulation relevant when planning entry into the China Market. We will then consider the options for structuring a foreign investment under the Company Law and the Foreign Investment Law with its impact on the Sino-foreign Equity Joint Venture Law, the Cooperative Joint Venture Law, and the Law of Wholly Foreign-owned Enterprises. We will also study the requirements for foreign acquisitions of existing Chinese enterprises under China’s M & A rules. The preparation of the project application report or feasibility study is also a key part of the foreign investment approval process, involving a number of important laws and regulations. We will study how China’s environmental laws, rules and regulations on foreign exchange, financing and security, land use laws and labor laws must also be considered when forming a venture in China. Foreign investment projects in China typically involve cross-border arrangements that are crucial to the foreign investor’s goals, especially technology licensing and trademark licensing. In this context, we will study the PRC contract law, and the challenges encountered in the protection of intellectual property. Finally, we will look at the issues involved in exiting an investment in China, whether by disposal or termination, and dispute resolution. We will work primarily with English translations of PRC law, with some secondary sources. No knowledge of Chinese language is required.

Recommended: Students should have prior or concurrent coursework in International Business Law. Examples of such courses would include: International Economic Law, International Law II, International Business Transactions, Global Commerce and Litigation, etc.

LAW 2071 v00 Law and Functioning of International Organizations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202071%20v00)
LL.M Course (cross-listed) | 2 credit hours
Multilateral diplomacy and the international organizations that support much of it have come to play a pervasive role in international relations particularly since the end of World War II. These international organizations serve as instruments of consultation, co-operation and standard setting in almost every sphere of public policy and governmental activity. This may involve broad concerns such as the maintenance or restoration of international peace and security, promotion of economic development and stability, advancement of human rights, protection of health, protection of the environment, and the facilitation of trade and investment. Or they may address more specific tasks such as settlement of disputes, codification and progressive development of international law, civil aviation and maritime safety and security, protection of intellectual property, understanding world weather, internet governance, management of the geo-stationary orbit, police cooperation, education and biotechnology. They vary greatly in nature, mission, powers, structure and size. There are inevitable conflicts and frictions in their functioning.

It will examine a number of aspects common to the universe of public, i.e., intergovernmental, international organizations: their legal nature, their need, as the collective instruments of their member states, to remain independent of the individual control of these states, including control through the exercise of some normal state jurisdiction; their immunities and counter-balancing obligations to co-operate; their special body of labor law, including the duties and ethics of the international civil service and the use of international administrative tribunals to adjudicate their employment disputes. The course will examine a sampling of international organizations: how they are governed and financed, how they go about fulfilling their functions, the powers and instruments they use to advance agreed policies, some examples of their output including the development of soft law and hard law instruments and the increasing involvement of civil society in monitoring and influencing their actions. It will also consider the crucial advisory and operational roles lawyers play in a typical international organization, whether as members of the secretariat or of member state delegations.

Students will have the option of preparing a paper that they may elect, after grading, to include in the calculation of their final course grade.

Recommended: Prior enrollment in Public International Law or International Law I.
and Germany. Cases and materials from the United States, Canada, France, Israel, India, the claims of several groups within society to be different. We will read rights), the course will survey the ways that liberal democracies deal with feminist critiques of multicultural politics, the analytical problem of group issues (such as law, culture and difference, politics of recognition and ethnic, or national). After general theoretical introduction to various schools. The seminar will pursue three major themes. First, we will read several pieces of classical and modern literature that treat law as subject matter, including (subject to change) Remains of the Day, The Great Gatsby, Bartleby the Scrivener, Go Set a Watchman, Lets Be Free, Jury of Her Peers, and the films Doubt and To Kill a Mockingbird. Second, we will examine the theoretical claim of modern humanistic jurists and legal theorists that the interpretation of law and the interpretation of literature are common enterprises, significantly sharing common problems and potentialities. Finally, we will examine the role of narrative and storytelling in standard legal argument and in legal education.

Mutually Excluded Courses: Students may not receive credit for this seminar and Law and Humanities Seminar.

LAW 977 v00 Law and Measures Against International Terrorism
LL.M Seminar (cross-listed) | 2 credit hours
In the decade since the 9/11 attacks, the United States and most other countries have significantly altered ways in which they respond to international terrorism. Many government measures against terrorism have stretched domestic and international law to their limits. Controversial changes to laws have altered the balance between governments’ interest in ensuring public safety and individuals’ fundamental rights. The class will discuss current events from around the world to explore domestic and international legal bases for counter-terrorism measures such as intelligence gathering, criminal law enforcement, efforts to prevent terrorism financing, and use of military force. Students completing the course will have an overview of laws that apply to governments’ responses to terrorism. The course will be graded by exam.

Recommended: Prior enrollment in International Law and/or International Humanitarian Law

LAW 1401 v00 Law and Philosophy Seminar: Crime, Punishment, Injustice
J.D. Seminar (cross-listed) | 3 credit hours
Criminal justice is in disarray, and in recent years crime and punishment have come under searching scrutiny. Specific issues include over-punishment, mass incarceration and its consequences in minority communities, the role of race, the morality of specific punishment practices (long-term solitary confinement, life without parole, adult punishments for juveniles, the death penalty). What are the alternatives to punishment? These raise old philosophical questions in new form: what is punishment for? What are the roles of deterrence, retribution, rehabilitation, and providing closure to crime victims? How should the law respond to genuine evil? These are not only U.S. controversies – there are similar controversies in debates over international criminal justice.

This is a colloquium-style seminar: most sessions will involve distinguished guest speakers presenting their own research. These will include both philosophers and legal scholars. The seminar is offered jointly to law students and graduate students in philosophy. It is a writing seminar that satisfies the WR requirement at the law school. Although most sessions will take place at the Law Center, some will be held on the main campus.

LAW 1713 v00 Law and Neuroscience Seminar
J.D. Seminar | 2 credit hours
This seminar will examine legal issues arising at the intersection of law and neuroscience. Advances in neuroscience have led to increased understanding of the brain and its relationship with issues such as behavior, decision-making, reasoning, memory, and emotions. The interdisciplinary field of law and neuroscience (sometimes referred to as “neurolaw”) has been exploring the implications of the science for law and public policy. This seminar will examine cutting-edge issues and proposals currently facing courts, lawyers, legislators, administrative agencies, and other policymakers. The issues explored will likely include assessments of criminal responsibility, insanity and capacity, juveniles, proving pain and other injuries, lie detection, memory, and practical issues in court, among others. No prior background in science is necessary or will be assumed.

LAW 289 v02 Law and Literature Seminar
J.D. Course (cross-listed) | 3 credit hours
This seminar examines the contribution to our understanding of law made by the current “law and literature” movement in American law schools. The seminar will pursue three major themes. First, we will read several pieces of classical and modern literature that treat law as subject matter, including (subject to change) Remains of the Day, The Great Gatsby, Bartleby the Scrivener, Go Set a Watchman, Lets Be Free, Jury of Her Peers, and the films Doubt and To Kill a Mockingbird. Second, we will examine the theoretical claim of modern humanistic jurists and legal theorists that the interpretation of law and the interpretation of literature are common enterprises, significantly sharing common problems and potentialities. Finally, we will examine the role of narrative and storytelling in standard legal argument and in legal education.

Recommended: Prior enrollment in International Law and/or International Humanitarian Law

LAW 045 v03 Law and Multiculturalism Seminar
J.D. Seminar (cross-listed) | 3 credit hours
The aim of this course is to introduce the students to the ways in which liberal constitutionalism deals with the fact of difference (religious, ethnic, or national). After general theoretical introduction to various issues (such as law, culture and difference, politics of recognition and politics of redistribution, the risks of politics of identity, the liberal and feminist critiques of multicultural politics, the analytical problem of group rights), the course will survey the ways that liberal democracies deal with the claims of several groups within society to be different. We will read cases and materials from the United States, Canada, France, Israel, India, and Germany.
This course will explore the law, policy, and regulation of the life sciences industry, including pharmaceuticals, biologics, and medical devices in the United States. We will consider the history and the research, development, and commercialization of drugs, vaccines, and diagnostics. Part I of the course will provide an overview of the burden of neglected diseases in low- and middle-income countries and the new institutions and initiatives that have arisen to address that burden. Part II will examine the incentives for global health innovation, including intellectual property management, regulatory and tax incentives, and prizes and advance market commitments. Part III will consider the role of national and international regulation, international clinical trials and the globalization of research, and the World Health Organization's policy processes for ensuring drug and vaccine safety and recommending their use. Part IV of the course will explore the legal, regulatory and policy issues that arise in the delivery and use of global health technologies, particularly supply chain contracting, drug resistance, and post-market surveillance in low- and middle-income countries.

With increased investment and global attention over the last decade, there has been tremendous progress in building a pipeline of candidate medical technologies to meet the health needs of the world's poorest people. This course will explore the legal, regulatory and policy issues that are shaping the research, development, and delivery of these drugs, vaccines, and diagnostics. Part I of the course will provide an overview of the burden of neglected diseases in low- and middle-income countries and the new institutions and initiatives that have arisen to address that burden. Part II will examine the incentives for global health innovation, including intellectual property management, regulatory and tax incentives, and prizes and advance market commitments. Part III will consider the role of national and international regulation, international clinical trials and the globalization of research, and the World Health Organization's policy processes for ensuring drug and vaccine safety and recommending their use. Part IV of the course will explore the legal, regulatory and policy issues that arise in the delivery and use of global health technologies, particularly supply chain contracting, drug resistance, and post-market surveillance in low- and middle-income countries.

LAW 1658 v00 Law and Philosophy: Hannah Arendt, Evil, Human Rights, and Law
This seminar will focus on Hannah Arendt, one of the 20th century's great political philosophers. Arendt is best known for the phrase “banality of evil,” which she coined to describe ordinary people who participate in extraordinary evils. Her questions about how the law should respond to radical evil are central to modern international criminal law. Arendt's writings also include penetrating discussions of nationalism, human rights, personal responsibility under dictatorship, moral judgment, and the nature of political action. A stateless person herself for almost 20 years after she fled Hitler's Germany, Arendt was one of the first philosophers to analyze the plight of refugees. Above all, Arendt was interested in how freedom and pluralism can be preserved in "dark times," her name for periods of crisis when politics and morality both seem in danger of collapse.

The seminar will focus on Arendt's writings, but students will be encouraged to link them to current issues, both in class and in their seminar papers. We will explore both the strengths and weaknesses of Arendt's ideas. Readings will include The Origins of Totalitarianism, Eichmann in Jerusalem, Responsibility and Judgment, selections from Arendt’s other books and correspondence, and writing by other relevant philosophers.

A background in philosophy or political theory is not a prerequisite for this seminar; a willingness to engage with philosophical ideas is essential.

LAW 199 v03 Law and Regulation of Drugs, Biologics and Devices
This course explores the legal, regulatory and policy issues that shape the research, development, and commercialization of drugs, biologics, and medical devices in the United States. We will consider the history and role of federal regulation of medical technologies; legal and ethical issues in the development and testing of new therapies; managing incentives for innovation, including patent, regulatory and data exclusivity; tort liability and its function in the regulation of the life sciences industry; and other issues. We will explore these issues using real-world examples, including the government and industry response to the COVID-19 pandemic.

Recommended: Prior or concurrent enrollment in Administrative Law.

Note: This is a required course for the Food and Drug Law Certificate.

LAW 2010 v01 Law and Regulation of Global Health Technologies
Technological advances in diagnostics and therapeutics have the potential to revolutionize health care and improve the lives of millions of people. However, many of these technologies remain out of reach to those who need them, particularly the poor in low- and middle-income countries.

With increased investment and global attention over the last decade, there has been tremendous progress in building a pipeline of candidate medical technologies to meet the health needs of the world’s poorest people. This course will explore the legal, regulatory and policy issues that are shaping the research, development, and delivery of those drugs, vaccines, and diagnostics. Part I of the course will provide an overview of the burden of neglected diseases in low- and middle-income countries and the new institutions and initiatives that have arisen to address that burden. Part II will examine the incentives for global health innovation, including intellectual property management, regulatory and tax incentives, and prizes and advance market commitments. Part III will consider the role of national and international regulation, international clinical trials and the globalization of research, and the World Health Organization’s policy processes for ensuring drug and vaccine safety and recommending their use. Part IV of the course will explore the legal, regulatory and policy issues that arise in the delivery and use of global health technologies, particularly supply chain contracting, drug resistance, and post-market surveillance in low- and middle-income countries.

LAW 1470 v00 Law and Rhetoric Seminar
This seminar will explore in depth how lawyers and judges use language to persuade. Relying on classical and modern rhetorical theory, we will examine a variety of persuasive methods, including categories, metaphor, storytelling, the traditional modes of appeal (logos, pathos, and ethos), and informal logic. We will also study several examples of rhetorical analysis, and students will write an original rhetorical analysis of a law-related argument of their choice. This course requires that J.D. students’ papers satisfy the Law Center’s Writing Requirement. Graduate students may enroll in the course for 2 credits and will write a shorter paper. All students will present their paper to the class at the end of the semester.

Prerequisite: Legal Practice: Writing and Analysis.

Note: Professor permission is not required. FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first and second class sessions in order to be eligible for a seat in the class.
LAW 1388 v00 Law and Social Change Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201388%20v00)

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

This course will explore the contemporary strategies used by movements seeking law and social change. An early wave of critique in the analysis of law and social change centered on the distinction between rule change and culture change, and stressed the shortcomings of litigation and reliance on courts in bringing about deep or lasting change. Today, most legal rights organizations have significantly modified the litigation-centric model to adopt a strategy more consistent with multi-dimensional advocacy, an approach to social change that self-consciously uses multiple strategies for change, including litigation, legislation, administrative and policy advocacy.

This class will analyze the role of law in achieving social movement goals. Topics will include both practice-grounded and more abstract questions. In the former category, the class will study the advantages and disadvantages of different institutional venues, approaches to communications, how framing decisions are made and with what consequences, working with allies, and the process of anticipating and responding to limitations of working within the law.

The class will meet as a once-a-week seminar. Students working in teams will take responsibility for proposing discussion questions in advance of class and introducing the material assigned for a given week.

In addition to interviewing one guest speaker, each student will write a paper of approximately 5,000 words in length analyzing how a particular legal campaign has used and/or is using some of the strategies discussed in class and with what results. Papers should

- Situate the legal campaign in the broader legal/political landscape in which it is engaged;
- Describe the strategic and tactical choices being undertaken and the results; and
- Analyze how its experiences illustrate or refute (or both) arguments in the theoretical or social science literature.

Students may select a campaign for either progressive or conservative change, or will be assigned to a particular movement.

Final grades will be based on class participation, including discussion leader sessions, and the paper. (The paper for this course will not satisfy the UCWR.)

Students should leave the course with a much more nuanced understanding of what is involved in working as a lawyer toward “making the world a better place.” They will learn how some challenges recur across issues; how social movements affect law as well as the other way around; and how to bring theoretically informed critical thinking to practice.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Please email Professor Nan Hunter (ndh5@law.georgetown.edu) by 3:00 pm on Monday, August 3, 2020 expressing your interest in taking the seminar.

LAW 3133 v00 Law from a Global Perspective (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203133%20v00)

LL.M Seminar | 1 credit hour

In this 1-credit course, students will explore current topics in international law with members of the Georgetown Law faculty. This semester-long course will be presented in a hybrid format and select sessions will require in-person participation. Students will be asked to complete the assigned reading and submit questions in advance of each session. At the end of the course, students will draft a paper relying on the assigned materials, class discussions, and personal reflections.

Course Goals/Student Learning Outcomes:

- Develop critical thinking skills
- Develop ability to synthesize key ideas across disparate topics
- Improve analytical and writing skills
- Obtain an introductory overview of critical international law topics

Note: This course will meet Sundays, 8:30 a.m. - 10:30 a.m. on the following dates: 1/31, 2/7 and 2/28.

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Withdrawals are permitted up until the last class for this specific course.

LAW 1188 v00 Law in a New Media World (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW1188%20v00)

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

In today’s world of 24-7 news cycles, cell-phone cameras, blogs, and social media, the race to publish provocative, cutting-edge content has lead to high-profile instances where legal lines have been crossed to get a story, picture, or video. This seminar explores the fundamentals of defamation law, invasion of privacy, and liability for torts and crimes committed in the course of newsgathering activities — and how First Amendment principles have evolved to address these issues in the modern age of electronic media. Through lectures, class discussions, and written assignments, students will not only gain a broad understanding of the substantive law — but also understand the important policy implications for the public, reporters, and the subjects of their stories. The seminar will also feature interactive classroom exercises in which students will research, present, and advocate opposite sides of current issues taken directly from the headlines in real-world media cases, including media shield laws, anti-SLAPP statutes, public vs. private figures, group libel, fact vs. opinion, prior restraints on publication, media liability for torts and crimes committed by third parties, and the liability of Internet Service Providers (ISPs) and administrators of interactive online websites. Practical aspects of representing clients in media matters, including jurisdiction and choice-of-law issues, are also examined.

Prerequisite: Constitutional Law I or Democracy and Coercion.
LAW 045 v02 Law in Multicultural Societies (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20045%20v02)
LL.M Seminar | 2 credit hours
The aim of this course is to introduce the students to the ways in which liberal constitutionalism deals with the fact of difference (religious, ethnic, or national). After general theoretical introduction to various issues (such as law, culture and difference, politics of recognition and politics of redistribution, the risks of politics of identity, the liberal and feminist critiques of multicultural politics, the analytical problem of group rights), the course will survey the ways that liberal democracies deal with the claims of several groups within society to be different. We will read cases and materials from the United States, Canada, France, Israel, India, and Germany.

LAW 3031 v00 Law in the Gray Zone: The Legal Challenges of Hybrid Conflict (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203031%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
State and non-State actors are increasingly pursuing political and economic objectives through the use of aggressive, ambiguous, and integrated multiple elements of power. This strategy, which exceeds the threshold of normal national competition but falls below the level of armed conflict, has been referred to as hybrid, unconventional, asymmetric, and ambiguous warfare. This competition in the gray zone between peace and armed conflict presents significant legal challenges to States responding to these threats.

This course will examine the legal challenges presented by this conflict in the gray zone. We will examine issues in legal classification of threats and how State and non-State actors employ these strategies to exploit perceived gaps in international and domestic law. Additionally, we will discuss how these actors may also use the law when pursuing their objectives in the gray zone.

Some of the specific topics to be discussed include:
- What is hybrid warfare? Case study, actors, definitions.
- Issues in legal classification of threats, including use of force and armed attack (the Article 2(4)- Article 51 "gap"), determining whether an armed conflict exists and, if so whether it is an international or non-international armed conflict.
- State responses to activities in the gray zone.
- State responsibility for surrogates/proxies.
- Information warfare, psychological operations, and the role of cyber.
- Sovereignty and intervention.
- Economic measures.
- Support to domestic organizations such as civil society and political groups.

Recommended: Prior or concurrent enrollment in International Law, Law of War, Foreign Relations Law

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

LAW 267 v04 Law of Cyberspace (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20267%20v04)
J.D. Course (cross-listed) | 3 credit hours
This course examines legal and policy issues arising from the Internet, with an emphasis on three broad areas: (1) the impact of the Internet on traditional legal causes of action; (2) government regulation of the Internet; (3) international aspects of the Internet and the interplay among United States and foreign jurisdictions.

Specific areas that will be examined within this framework include: constitutional issues raised by cyberspace speech and content; privacy issues; torts occurring in cyberspace; contract and other issues related to cyberspace commerce; and the protection of intellectual property in cyberspace.

Course readings rely primarily on cases, pleadings, statutes, and regulations. However, short articles and commentaries will also be used for background and supplementary information. There are no prerequisites for the course, and a computer background is not necessary.

LAW 1296 v00 Law of Religion (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201296%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course will examine the way in which U.S. law—principally the Establishment and Free Exercise Clauses of the First Amendment—treats religious belief, religious exercise, and religious institutions. We will spend part of the semester examining the Supreme Court’s treatment of the Religion Clauses. We will also address current questions and controversies, including issues such as: defining “religion” for purposes of constitutional law; governmental burdens on, and discrimination against; religious exercise; state aid for religious activities and to religious organizations, including pursuant to school voucher and “charitable choice” programs; the role of religion in public education and in the public square; the constitutionality of statutory exemptions for religiously motivated conduct; and religious institutions’ claims to legal autonomy.

LAW 1289 v00 Law of Robots (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201289%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Robots, artificial intelligence, and autonomous systems have long been the realm of science fiction, but they are increasingly a part of contemporary life as well. Computers fly airplanes, play Jeopardy, drive cars, trade stocks, and fight in wars. Autonomous systems are no longer the realm of science fiction, but they are increasingly a part of contemporary life as well. This course will examine whether or when we need a Law of Robots to regulate these autonomous agents, or where it is more appropriate to reason by analogy and regulate these systems by existing statute, regulation, or common law. The course will examine emerging issues across the spectrum of tort law, property law, copyright law, the laws of war, laws of agency, criminal law, and international law. The class will not be a survey of existing law, but instead an examination of how to regulate emerging issues in law – how to extrapolate and reason by analogy, in robotics and beyond. Paper required.

Recommended: Property (or Property in Time), Torts (or Bargain, Exchange and Liability), Copyright Law, and Criminal Law.
Mutually Excluded Courses:

this course.

Recommended:

battlefields. Military experience is

focus is on the law applicable in today's non-international armed conflict

nor human rights law, although those topics are inextricably related. Our

state with which we are not at war? Such questions are the subject of

detention lawful? Can the U.S. ever lawfully kill a U.S. citizen in a foreign

superior's order constitute a defense to war crime charges? Is indefinite

commissions and why is that a difficult question for Guantánamo? Can a

What constitutes a cyber attack? What is the jurisdiction of military

and a criminal? Is torture ever lawful? Is targeted killing lawful?

in combat? When does the law of war apply? Does it apply to non-State

This survey course covers the law of armed conflict (LOAC) and customary international law as applied by the United States in warfare. From where does LOAC arise? What is a war crime – and who decides? What is “unnecessary suffering,” and what drives that legal determination? When does LOAC apply and what role do other rules of law, such as domestic U.S. law and International Human Rights Law play in regulating the conduct of armed conflict? Does it cover non-state actors? What are U.S. LOAC obligations, and how are they enforced? How does one distinguish illegal combatants from prisoners of war? Where do military commissions come from, and who may be tried by them? Could the atomic bombing of Nagasaki have been a war crime? Can a superior’s order constitute a defense to war crime charges? What is the U.S. position in regard to laser weapons? Land mines? Non-lethal weapons? Torture? Rendition? Reprisals? The assassination of enemy commanders? What is an illegal order, and what should a soldier do if she receives one? How may battlefield war crimes be prosecuted? Our inquiry will focus on the law applicable to the conduct of U.S. military operations in past and current conflicts, whether or not they be declared, whether they be internal or international. Although primarily focused on the law of land warfare, the law of air and naval warfare, as well as space and information warfare, will be considered.

Learning objectives:

To gain a firm understanding of the law of armed conflict and to consider, through discussion of practical exercise from the textbook, how the law is applied in an operational context.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Law of War, the International Law of Armed Conflict Seminar or War Crimes and Prosecutions.

LAW 936 v03 Law of War (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20936%20v03)
J.D. Course (cross-listed) | 2 credit hours
This survey course covers the law of armed conflict and customary international law as applied on today’s battlefields. Is there really law in combat? When does the law of war apply? Does it apply to non-State actors? What is a war crime, and who decides? How is proportionality determined? What is the difference between a combatant, a terrorist, and a criminal? Is torture ever lawful? Is targeted killing lawful? What constitutes a cyber attack? What is the jurisdiction of military commissions and why is that a difficult question for Guantánamo? Can a superior’s order constitute a defense to war crime charges? Is indefinite detention lawful? Can the U.S. ever lawfully kill a U.S. citizen in a foreign state with which we are not at war? Such questions are the subject of the course. It is not a philosophy course, nor is it national security law, nor human rights law, although those topics are inextricably related. Our focus is on the law applicable in today’s non-international armed conflict battlefields. Military experience is not required to do well in this course.

Recommended: Completion of International Law I prior to enrollment in this course.

Mutually Excluded Courses: Students may not receive credit for both this course and the Law of War Seminar or War Crimes and Prosecutions.

LAW 915 v00 Law, Healthy Lifestyles, and Business Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20915%20v00)
LL.M Seminar (cross-listed) | 1 credit hour
This course is about legal responses to tobacco use, obesity, poor diet, harmful use of tobacco and sedentary lifestyle – the leading causes of preventable disease in the United States, in high-income countries generally, and increasingly, in developing economies. Cancer, heart disease, stroke, diabetes and tobacco-related diseases (known as “non-communicable diseases” or NCDs) are society's greatest killers, but what can law do – and what should it do – to prevent and manage them?

Unlike other global health threats, NCDs and their risk factors are partly caused by patterns of consumer choices and transactions lived out every day across the country. The challenge of creating healthier lifestyles cannot be separated, then, from the regulation of those businesses that all too frequently have a vested interest in unhealthy lifestyles.

Law’s relationship with tobacco, alcohol and food is complex and contested. Nevertheless, governments around the world are experimenting with a wide range of legal strategies to encourage healthier lifestyles. This course places U.S. developments in a global and comparative context, offering comparisons with legal strategies for encouraging healthier lifestyles in Australia and other countries.

During the course, we will confront some important over-arching questions. What are the global determinants of NCDs, and how are these diseases being managed, globally? What do the global solutions look like? To what extent should law intervene to influence the behavior of populations – as distinct from treating lifestyle-related risk factors matters for personal responsibility? Does a regulatory approach to the prevention of NCDs imply coercion? Does it signal the emergence of a “nanny state”? Does progress necessarily depend on motivating people to consciously improve their habits and lifestyles? Is it possible to regulate business without micro-managing or dictating commercial decisions and “legislating the recipe for tomato ketchup”?

Most people want to live longer and healthier lives. Yet no country can achieve this without addressing the preventable risk factors that drive non-communicable diseases. This course gives students the conceptual tools to think powerfully about law’s role in the prevention of NCDs, and to participate effectively in debates about appropriate, workable, legal interventions

Note: WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 9:00 a.m. - 12:20 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 1542 v00 Law, Policy, and Practice of Disasters and Complex Emergencies

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

This course is a “disaster law” simulation based on the post Hurricane Katrina legal reforms, particularly the Post Katrina Emergency Management Reform Act. That bill, along with others passed in response to Hurricane Sandy, reorganized the United States emergency management system and highlighted the particular issues of vulnerable groups.

This simulation course will give students an in-depth experience of working on disaster law issues in the context of a legislative inquiry and hearing. Students will conduct mock interviews, review legislation and legal precedent, and then conduct a legislative hearing to determine whether further changes to the law are necessary. This course present students with the opportunity to work in an emerging area of law, honing their legal skills with a focus on disaster victims and vulnerable populations.

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

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

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

LAW 701 v00 Law, Politics, and Policy in WTO & US Trade Law

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

International trade rules and practice reflect a complex mix of law, politics and policies. This course will examine the major topics covered by World Trade Organization rules (and some looming future issues) from all three perspectives. This is a fast-changing field. Approximately 25-30 pages are assigned per week from international trade agreements; scholarly journals; government records; newspaper articles; websites and blogs. Interactive exercises draw from international trade agreements; national legislation; and national and international tribunals. Among the invited guest speakers may be U.S. and other government trade officials, business people, and scholars.

Recommended: International Trade; International Trade Law and Regulation; International Trade and the WTO; or World Trade Organization: Law, Policy and Dispute Settlement.
LAW 297 v00 Lawmaking and Statutory Interpretation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20297%20v00)
J.D. Seminar (cross-listed) | 1-3 credit hours
This yearlong seminar examines problems of statutory interpretation from the viewpoint of the practicing lawyer when multiple actors with different roles participate in the development or interpretation of the same statutory language in our unique federal legal system. Students consider new issues for lawyers raised by the operation of the competitive global, technological economy in our increasingly complex legal system, anchored in separation of powers. Unlike most of the world’s governmental systems, decisions by all three branches often are necessary in the United States to achieve legal clarity and closure. In this seminar, we read cases that assist the class in analyzing the gulf between writing and interpreting legislation, the byproduct of our system that often results in controversial federal judicial decisions. We search for ways that legislators, courts, agencies and practicing lawyers can avoid the miscommunication that retards and delays compliance and enforcement of laws and results in often needless and costly litigation.

During the first semester, students discuss readings from various sources, including cases that illustrate the practical and institutional problems lawyers face. Students begin the major seminar project, a final seminar paper, with research and work with the professor on an annotated outline to be produced at the end of the first semester. During the second semester, each student engages in the rigor of writing a first draft for a major final paper on any subject of the student’s choosing, sometimes of publishable quality. The paper draws upon one or more seminar concepts developed during the year.

The problem of obtaining legal clarity, at the center of the seminar, is familiar to lawyers and all involved in any aspect of our legal system. Consequently, students often choose paper subjects that involve lively current legal issues. For example, students have submitted papers, appropriately incorporating seminar concepts, on current subjects as disparate as Proposition 8 and same sex marriage in California and the failure of textualist interpretation of statutes to communicate judicial guidance to Congress concerning executive authority to try and detain enemy combatants at Guantanamo. This seminar approaches issues in ways that are only now being confronted by our system. Today, legal clarity and closure are particularly necessary in a technological and global economy demanding immediate answers from the American legal system. This system, however, has changed little since the 18th century except to grow more complicated and time consuming. Most of the democratic governments of the world are organized with less complexity, and receiving critiques in peer sessions and improving a work product accordingly. The problem of obtaining legal clarity, at the center of the seminar, is familiar to lawyers and all involved in any aspect of our legal system. Consequently, students often choose paper subjects that involve lively current legal issues. For example, students have submitted papers, appropriately incorporating seminar concepts, on current subjects as disparate as Proposition 8 and same sex marriage in California and the failure of textualist interpretation of statutes to communicate judicial guidance to Congress concerning executive authority to try and detain enemy combatants at Guantanamo. This seminar approaches issues in ways that are only now being confronted by our system. Today, legal clarity and closure are particularly necessary in a technological and global economy demanding immediate answers from the American legal system. This system, however, has changed little since the 18th century except to grow more complicated and time consuming. Most of the democratic governments of the world are organized with less complexity, and receiving critiques in peer sessions and improving a work product accordingly.

The eight classes will take place on Sundays in the fall, from 1 to 2:30 pm. Each session will feature Dean Treanor engaging in a discussion with a faculty member or members about their work across a wide spectrum of issues, from social justice and policing to the role of corporations in our society. Students will read research and materials and submit questions in advance of each session. At the end of the course, students will draft a reflection paper that engages with the research, the class sessions, and their own personal reflections on leadership and their career aspirations and goals.

Course Goals/Student Learning Outcomes

• Develop critical thinking skills.

• Develop ability to synthesize key ideas across disparate topics.

• Improve analytical and writing skills.

Note: Students can participate asynchronously.

This course is open to LL.M. students. LL.M. students should register using the LAWJ course number (LAWJ-1722-05, CRN 39115). This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. Note for LAWJ-1722-05: This course will have eight sessions on Sundays, 1:00 p.m. - 2:30 p.m. on the following dates: 9/13, 9/27, 10/4, 10/11, 10/18, 10/25, 11/1 and 11/15. Note for LAWJ-1722-09: This section will meet Sundays, 1:00 p.m. - 2:30 p.m. on the following dates: 9/13, 9/27, 10/4, 10/11, 10/18, 10/25, 11/1 and 11/15. Note for LAWJ-1722-09: This section will meet Sundays, 1:00 p.m. - 2:30 p.m. on the following dates: 9/13, 9/27, 10/4, 10/11, 10/18, 10/25, 11/1 and 11/15. This section will also meet on Saturday, 10/3 from 10:00 a.m.-12:00 p.m. and from 1:00 p.m. - 3:00 p.m., and on Sunday, 10/4 from 10:00 a.m. -12:00 p.m. This section requires departmental permission to enroll. New F-1 international students will receive priority. To request permission, email lawcentervisa@georgetown.edu. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar, a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Legislation. Students MAY receive credit for this seminar and the first year elective or upperlevel course, Lawmaking: Introduction to Statutory and Regulatory Interpretation.
Legal and Policy Aspects of Countering Terrorist Recruiting and Online Propaganda in the Digital Age Seminar

Rapidly evolving technological advances over the past decade have created powerful mechanisms to instantly and directly reach billions of information consumers around the world. Although the latest information revolution has fostered tremendous progress by connecting people in every corner of the planet, it has also been accompanied by governmental and non-governmental efforts to spread propaganda, particularly through social media platforms. This course will review the legal and policy aspects of addressing these challenges, focusing on the rise of terrorist recruiting and other organized online propaganda efforts.

As governments intensify their extensive counterterrorism initiatives, terrorist recruiting continues to evolve and poses a more complex threat than perhaps at any time in history. Terrorists no longer require in-person recruiting to spread their ideology and to inspire attacks in other countries. Domestic and international extremist groups have become more adept at using online platforms and other tools to “crowd source” their recruiting in a decentralized attempt to attract and inspire disaffected individuals by exploiting grievances and offering a sense of purpose, belonging, adventure, and obligation. At the same time, governments and other organizations are themselves using social media platforms to reach audiences in their countries and around the world. They have done so not only to increase public support for their political leaders, but also to attempt to impact public debates on major issues, influence policy formulation, and even to sow discord between groups domestically and abroad. These propaganda efforts have raised questions about whether social media companies, governments, and international organizations should play a larger role in determining how such information is disseminated, and how they can implement solutions without undermining freedom of expression and other legal protections.

In addressing online propaganda, this course will focus on legal and policy challenges and strategies in three main areas: (1) assessing and countering methods to spread propaganda online, including terrorists’ efforts to recruit followers and to inspire attacks; (2) examining innovative NGO and private sector cooperation in developing counter-propaganda initiatives; and (3) utilizing existing law enforcement tools and crafting new governmental and non-governmental prevention and intervention programs to disengage, redirect, and rehabilitate those who are radicalized online.

Legal and Regulatory Issues in International Energy and Extractive Industries

This course will survey the numerous legal and regulatory issues faced by oil and gas and other energy and extractives corporations, investors and government regulators considering several dominant trends – a) volatile adherence to rule of law around the world, b) increasing environmental and social challenges for the industry and c) geopolitical challenges that have become more relevant. Energy players face long term capital investment decisions in ever more rapidly changing environments. Legal counsel for all parties involves a substantial role in evaluation and mitigation of risk and in resolution of disputes related to both existing and emerging risks.

Participants in the course will gain an understanding of oil and gas, energy and extractives transaction models around the world, and of emerging challenges related to international political risk, disregard of rule of law, environmental concerns and the legal strategies used to mitigate such risks in areas such as contract drafting, investments strategies and regulatory compliance procedures. Topics will include a general explanation of the risk or opportunity in each situation discussed, using study cases of specific transactions whenever possible.

This is not a project finance or a specialized finance course, even though there will be some analysis of financing structures. Due to the course structure, that Georgetown gently accommodated due to my current professional obligations, this will be an introductory view of the most pressing issues that are being discussed in energy law (an inherently transnational area of law), and how players are facing such challenges.

Even though I will try to make the course as structured as possible (as shown below), several topics are strongly interconnected. Therefore, the conversation/discussion might flow in unexpected ways, which I fully welcome, since that is exactly how the practice of law works in this field.

The discussion will start based on the following premises/problems (evidently the premises can be also discussed as well):

1. The world has a carbon emissions problem. Most of us agree that actions need to be taken to reduce the amount of greenhouse gases (GHG) placed in the atmosphere by human activities.
2. The planet works on fossil fuels today. Therefore, an abrupt reduction of fossil fuel consumption will severely disrupt current lifestyle.
3. A sharp increase of renewable energy participation will require much more mineral extraction than today, activity which itself brings new challenges.
4. Even with the current fossil fuel consumption, there is a very important share of world population that has unreliable, insufficient or inexistent access to energy (approx. 1 billion people). This is an intolerable situation that needs to be solved.
5. The energy matrix change towards renewable energy sources will disrupt both producing and exporting countries, and corporations across the globe. The consequences of such change have to be foreseen and prevented.

Finally, I need to clarify that all my expressions, written or verbal, are made in a personal capacity and do not reflect necessarily the opinions of my employer.
LAW 3086 v00 Legal English I (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203086%20v00)
LL.M Seminar | 4 credit hours
Legal English is a required course for students enrolled in the Two-Year LL.M. Program. This two-semester course prepares students for the linguistic and intellectual demands of LL.M. study at a law school in the United States. The course focuses on enhancing students’ language proficiency in the areas of listening, speaking, reading, and writing, with particular emphasis on developing language skills for both understanding legal texts (e.g., judicial opinions, court documents) as well as producing legal texts (e.g., case briefs, course outlines, “issue spotter” exam answers). Throughout the academic year, students work closely with faculty and receive extensive, individualized feedback on their skills development.

Note: This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.

LAW 3088 v00 Legal English II (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203088%20v00)
LL.M Seminar | 2-3 credit hours
Legal English is a required course for students enrolled in the Two-Year LL.M. Program. This two-semester course prepares students for the linguistic and intellectual demands of LL.M. study at a law school in the United States. The course focuses on enhancing students’ language proficiency in the areas of listening, speaking, reading, and writing, with particular emphasis on developing language skills for both understanding legal texts (e.g., judicial opinions, court documents) as well as producing legal texts (e.g., case briefs, course outlines, “issue spotter” exam answers). Throughout the academic year, students work closely with faculty and receive extensive, individualized feedback on their skills development.

Note: This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.

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

LAW 1484 v00 Legislation and Regulations: Law, Science, and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201484%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course will enable students to better understand the modern administrative state. Products, technologies, and services that may pose risks to health, safety, and the environment; as well as other technologies that hold promise for improving public health and clinical outcomes, must increasingly cope with a vast array of regulations promulgated by administrative agencies. Meanwhile, certain key businesses once viewed as ‘natural monopolies,’ such as segments of the energy, water, transportation, and other utility sectors, whose rates, terms and conditions were once entirely set by government agencies, are being partially ‘deregulated’ in some jurisdictions. Governmental regulatory power is fraught with controversy; some regard it as unnecessary, intrusive, unscientific, and “job-killing” while to others, evidence-based regulations are indispensable to ensure that market imperfections are addressed and health and safety is protected.

Students will learn how legislation is drafted by Congress and interpreted by agencies and courts. In addition students will engage with legal, policy, institutional, and analytic considerations that inform the design, scope, stringency, transparency, and enforcement of regulations.

Major themes in the course will include: (1) the legislative process and how agencies and courts interpret statutes; (2) how the regulatory state is structured (issues of jurisdiction, delegation and pre-emption); (3) how agencies set their agendas, make rules, analyze costs and benefits, and involve experts and the public in the regulatory process; (4) how the Office of Management and Budget, Congress, and the courts exercise control over regulatory agencies; (5) how agencies enforce their regulatory mandates “on the ground”; and (6) how different regulatory designs attempt to balance the often-conflicting goals of efficiency, equity, simplicity, and flexibility.

Mutually Excluded Courses: Students may not receive credit for both this course and Lawmaking: Introduction to Statutory and Regulatory Interpretation, The Regulatory State, Legislation and Regulation, or Administrative Law with Professor Heinzerling (LAWJ-1349). Students may take other sections of Administrative Law in the upperclass curriculum.
LAW 1739 v00 Legislation Colloquium: Advanced Topics in Statutory Interpretation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201739%20v00)
J.D. Seminar | 2 credit hours
This colloquium provides an exciting opportunity for students to engage with the theoretical debates and methodology underlying the judicial interpretation of statutes. As students in the survey Legislation course learn, the tools that a judge chooses to use when construing a statute often depend on the judge's theoretical position on statutory interpretation. In this colloquium, we will explore in depth different scholarly takes on how courts should interpret statutes, including but not limited to critiques of the U.S. Supreme Court's current approach to statutory interpretation and suggestions for how that approach could be improved.

After roughly two introductory classes discussing the themes of the course, the professor will invite six outside legal scholars to present papers. For each presentation, some or all of the class will write short "reaction papers" analyzing the presenter's work. Students will also work on an independent research paper of their own involving a statutory interpretation topic of their choosing. Please note that the reading load for the course is significant, and students must be prepared for every class session – but it is also a rewarding and fun experience.

Prerequisite: Legislation or the first year elective, Legislation & Regulation.

LAW 3047 v00 LGBTQ Health Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %203047%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Despite significant progress in legal protections for (and the visibility of) LGBTQ and non-binary people over the past decade, LGBTQ communities continue to face systemic obstacles to quality health care such as refusals of care, substandard care, and inequitable policies and practices in many health care settings. These experiences of discrimination correlate with significant health disparities, including greater exposure to sexual and gendered violence, higher rates of tobacco and other substance use, mental health concerns, HIV acquisition, and cancer. These disparities are even more pronounced for LGBTQ people who are also members of other groups that face discrimination because of race, ethnicity, or other aspects of identity—such as people of color, young and older people, people with disabilities, low-income people, and immigrants, among others.

In this seminar, students will learn about LGBTQ health law and policy issues from a variety of perspectives—including medicine, public health, women’s studies, and U.S. foreign policy—and gain a better understanding of the social mistreatment and ostracism of LGBTQ people at both the individual and community level. Topics covered will include LGBTQ-inclusive data collection, clinical and cultural competency, reproductive justice, international human rights law, and health issues facing LGBTQ youth and elders. This course will also examine the ways in which LGBTQ individuals and families are treated under federal, state, and international law and how these policies impact access to health care and contribute to health disparities.

LAW 909 v00 LL.M. Externship Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20909%20v00)
LL.M Seminar | 2 credit hours
The LL.M. Academic Externship program offers LL.M. students the opportunity to gain perspective on the legal system by seeing law in action, and to gain a deeper understanding of the law by integrating theory with practice. Students are permitted to work with a government agency, judicial officers, an international organization or other non-profit organization.

LL.M. students must work a minimum of 10 hours a week for a minimum of 11 weeks. Each LL.M. student must have a lawyer-supervisor on-site who agrees to meet Georgetown Law criteria concerning the nature of the work assigned. All students are required to participate in an introductory seminar during the first week of the spring semester as well as a final class meeting during the last week of the semester. There are required weekly reports to the externship coordinator, and supervisors are required to provide feedback to the externship coordinator. At the conclusion of the externship, students must submit a written paper on their experience. This course is graded on a pass-fail basis. COST Scholars are not eligible to participate in the externship program.

For more information, please visit the LL.M. Externship website (http://www.law.georgetown.edu/academics/academic-programs/graduate-programs/externships).

Note: THIS COURSE DOES NOT COUNT TOWARD THE SPECIALIZATION CREDIT REQUIREMENTS FOR EITHER THE LL.M. DEGREES OR THE LL.M. CERTIFICATE PROGRAMS. Students must obtain prior approval to participate in the LL.M. Externship program. Students cannot register for this course on their own; registration is handled by the Office of Graduate Programs after a student has secured an approved externship. Applications and placement for the externships are due by the end of the add/drop period to Molly Jackson in the Office of Graduate Programs. Students who wish to drop this course must obtain permission from Molly Jackson.

LAW 3116 v00 LL.M. Graduate Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %203116%20v00)
LL.M Seminar | 2 credit hours
The LL.M. Graduate Seminar is an elective course designed for students who want to enhance their research and writing skills in a scholarly context. The Graduate Seminar serves two complementary goals: to introduce the student to conventional forms of academic legal argument, and to provide a workshop setting in which students can model best practices in research and writing. In the Fall semester, students will produce a research proposal (the “research abstract”). This extended research abstract is typical of the kind of document submitted as part of an S.J.D. or Ph.D. application. Students who choose to continue with the Graduate Seminar in the Spring semester will expand on their fall research abstract to complete an LL.M. thesis (roughly 40 pages).

With the help of the faculty instructor, Graduate Seminar students will independently identify a topic to write on related to their area of professional expertise and/or scholarly interest. Students will work closely with the faculty instructor who will provide individualized feedback on topic development, research process and writing for a scholarly audience, such as an admissions committee or academic editor.
LAW 3117 v00 LL.M. Graduate Seminar II [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203117%20v00]

LL.M Seminar | 2 credit hours
The LL.M. Graduate Seminar is an elective course designed for students who want to enhance their research and writing skills in a scholarly context. The Graduate Seminar serves two complementary goals: to introduce the student to conventional forms of academic legal argument, and to provide a workshop setting in which students can model best practices in research and writing. In the Fall semester, students will produce a research proposal (the "research abstract"). This extended research abstract is typical of the kind of document submitted as part of an S.J.D. or Ph.D. application. Students who choose to continue with the Graduate Seminar in the Spring semester will expand on their fall research abstract to complete an LL.M. thesis (roughly 40 pages).

With the help of the faculty instructor, Graduate Seminar students will independently identify a topic to write on related to their area of professional expertise and/or scholarly interest. Students will work closely with the faculty instructor who will provide individualized feedback on topic development, research process and writing for a scholarly audience, such as an admissions committee or academic editor.

Note: This course is restricted to students who have taken LL.M. Graduate Seminar I. Interested students should email Marta Baffy (mlb258@georgetown.edu) if they would like to enroll in this class.

LAW 410 v04 Local Government Law [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20410%20v04]

J.D. Course | 3 credit hours
This course surveys the legal environment, political values and policy debates that shape local government in the United States. After completing the course, students will be able to identify many of the key doctrinal principals, and analyze how they apply to the socio-economic context of federalism today. Some of the topics for discussion include:

1. The forms and powers of the various types of local governments (e.g. cities, counties, and special districts);
2. The allocation of power between states and their local governments and the role of local governments in the federal system;
3. The pivotal role of local government in the regulation of private land use;
4. Local sources of revenue and limits on borrowing;
5. Recent trends in blight, suburbanization, sprawl and redevelopment; and
6. Inter-local cooperation and regional governments.

The course also will challenge students to explore the tension between the historical movement toward greater local home rule and the modern favor for "smarter growth" and regional solutions. Finally, the course will enable students to exercise and develop skills of particular relevance to local decision-making: statutory interpretation, working effectively in groups, and understanding the dynamics and procedural context of local government proceedings.

Learning Objectives:

This course aspires to empower its students to:

• Recognize and apply several core legal doctrines that enable and constrain the existence of various local government entities.
• Describe how several prominent strains of American political theory have guided the historical development of local government law.
• Apply several constitutional principles and legal standards that regulate local government functions – for example, local taxation and expenditures, land use regulation, education, public safety and the other local services.
• Understand the menagerie local entities and appreciate how alternative forms of governance impact a lawyer's ethical obligations.
• Explain the predominant funding mechanisms for local government, and analyze how state and local policies can affect the viability of local government.
• Identify several state and federal policies that can impair the sustainability of local government.
• Develop and deliver principled arguments about how socio-economic policy issues relate to legal doctrine, intra-regional wealth, sprawl and alternatives to local government.

Note: Although no prerequisites are required for this course, Professor Gardner strives to highlight connections between the material discussed in class and other substantive legal topics. Third- and fourth-year students will be encouraged to share learning from related courses - for example, civil procedure, constitutional law, administrative law, land use law and other legal subjects. In particular, this course will offer a meaningful segue leading to (and from) courses in land use and administrative law.
This course introduces students to the substance, process, and practice of national security law. The first third of the term is devoted to the structure and process of national security decision-making. The second third of the term introduces students to the instruments of national security policy, e.g., intelligence, the use of force, and homeland defense. The final third of the course is devoted to functional exercises in national security policy with the students playing the roles of national security principals (a.k.a., national security court). Each exercise is designed to give students experience in spotting issues and applying law in national security context. The exercises are also intended to give students a feel for the texture and pressure of national security decision-making.

This course is about the substance, process, and practice of national security law. The course has two segments. The first segment addresses the substance and process of national security decision-making. The second segment covers the tools of national security: intelligence, military, law enforcement, diplomacy, and homeland security. Special attention is paid to the relationship between law and policy and the role of the lawyer in effecting both. Up to 8 J.D. students may enroll in the course for three credits, and prepare a research paper that satisfies the Law Center’s upper-class Writing Requirement (WR). In addition to the final paper, students who select this option must submit an outline and a draft for comment. Both the draft and final papers must be a minimum of 6,000 words (25 pages) and must be supported by substantial independent research. Students may also enroll in the course for two credits. Students electing this option are required to prepare a term-paper approximately 4,800 words (20 pages) on an approved topic.

**Recommended:** Other national security law courses offered at the Law Center; courses in Constitutional Law; International Law I.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Challenges in National Security Law: A Seminar for Mid-Career LL.Ms.

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

Note: This course will be enrolled via waitlist.

**LAW 2050 v00 Managing Political Risk in Emerging Market Project Financings**

The course examines concepts of political risk and the means by which certain political risks can be managed in planning and structuring foreign investments, particularly in international project financings. Classes will be a combination of lecture and guided discussion based on assigned readings. The readings include articles about the issues and related subjects, examples of political risk insurance contracts used by a national government agency, a multinational institution and private insurers, as well as decisions on claims made under political risk insurance contracts. The opportunity to analyze and revise original contract documents will be an additional and more general benefit of the course. The variety of source material will expose students to the public policy issues that underlie the decision to issue such insurance and the consequences of doing so. Some incidental coverage of insurance law, international law, and dispute resolution will also be required.

In addition to an in-class final exam, students, as counsel to an insurer, will draft a memo advising how one of the insurer’s standard contracts would have to be revised to cover a non-standard situation or provide a non-standard coverage and attempt the revision. The insurer will provide a detailed written description of the situation or coverage. Students may work as individuals or form a team (and all receive the team product’s grade).

The course will be taught jointly by Robert C. O’ Sullivan, formerly Associate General Counsel for Insurance and Claims at the Overseas Private Investment Corporation (OPIC), and Kenneth W. Hansen, a partner at the law firm of Norton Rose Fulbright and formerly General Counsel of the Export-Import Bank of the United States and Associate General Counsel at OPIC.

**LAW 324 v00 Maritime Law**

This course surveys various principles and aspects of admiralty and maritime law of the United States, including: the historical and constitutional bases for its existence; the admiralty and maritime jurisdiction of the courts; the substantive law of maritime contracts and maritime torts; the application of criminal law at sea; the laws governing carriage of goods and passengers by sea; the public order of the oceans at the national and international levels; protection of the marine environment; and federal-state maritime issues. Consideration is given not only to the current state of the law in these areas, but also to related U.S. government policies and international and comparative law issues.
LAW 1618 v00 Mass Incarceration Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201618%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
This seminar examines the growth and consequences of detention centers, jails, and prisons in this age of “mass incarceration.” Nearly 2.4 million Americans are behind bars, roughly one in every 100 adults, far more per crime than any industrialized nation. If we include persons on parole or probation, one adult in 23 is under correctional supervision. With cost taxpayers paying in excess of $75 billion each year and with African Americans and Latinos overrepresented in the American justice system, some scholars, advocates, and policy makers argue that mass incarceration represents one of the greatest social injustices of our time.

The seminar is designed to stimulate students to think critically about contemporary punishment practices, and the serious social and economic consequences of mass incarceration. What accounts for the growth of incarceration, including both prison and jail? What have been the effects of the prison build-up on individuals, their families, and communities? What are the public safety consequences? What happens to individuals when they attempt to reenter society and what barriers do they face? What happens to the children of incarcerated parents?

Course Goals/Student Learning Outcomes
The substantive course goals are to: (1) understand the critical issues facing the criminal justice system; (2) expand awareness of the opportunities and risks facing criminal justice reformers by the crisis of mass incarceration, and (3) identify solutions for policy makers to reduce incarceration at the federal, state, and local levels.

The skills-oriented goals are: (1) by participating in class discussions, you will hone your skills in speaking fluently and comfortably about criminal justice policy issues; (2) by writing a research paper in the course, you will sharpen your skills in policy research and writing.

By the end of the course, I hope you will gain a basic understanding of the legal, social, and policy factors that contributed to the exponential rise of America’s prison population, their consequences for U.S. law and policy, and the emerging alternative approaches to punishment that may reduce our reliance on incarceration. You will not learn every detail about America's criminal justice system, but you should grasp the nature and structure of mass incarceration and have the ability to critically assess and effectively communicate its contemporary policy issues and possible solutions.

Note: Withdrawals are permitted up until the last class for this specific course.
LAW 1382 v01 Medical-Legal Partnership: A Collaborative Approach to Health Justice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201382%20v01)
J.D. Seminar (cross-listed) | 2 credit hours
Medical-Legal Partnership (MLP) is a health care delivery model that recognizes that some barriers to good health have legal remedies. In an MLP, doctors and other healthcare professionals work with lawyers to improve the health and lives of vulnerable populations in a way that neither medicine nor law can alone. Thus, for example, the child with asthma who lives in substandard housing may respond more effectively to treatment if her pediatrician and lawyer work together to force her landlord to address the mold, rodent, and roach issues that exacerbate her condition. Beyond direct legal services, MLPs also build institutional capacity to address unmet legal needs and advocate for changes to laws, regulations, practices and policies that impact health.

Using readings, discussion, guest lecturers, community-based work in D.C., and case simulations, we will explore:

- social determinants of health and health disparities, as well as the connections between poverty, health, and law.
- barriers to health faced by specific types of populations/disease groups and how law can reduce those barriers.
- how interdisciplinary collaboration can help lawyers more effectively address legal issues that affect health.

As part of this class you will be involved in projects designed to support the establishment of an MLP at Georgetown. The latter part of the semester will also include joint classes with first-year Georgetown medical students enrolled in a medical school “selective” on MLP. Travel to main campus for those classes will be provided, timing and details will be arranged at the start of the semester. Students will be evaluated based on the quality of their class participation, several short written assignments, and their MLP project. There is no end-of-semester exam.

Required Text
TBA

LAW 1469 v00 Merger Antitrust Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201469%20v00)
J.D. Course (cross-listed) | 4 credit hours
This is a course on identifying and resolving antitrust problems that arise in mergers and acquisitions. Using case studies of contemporary transactions ranging from simple negotiated acquisitions to hard-fought contested takeovers, we will examine anticipating antitrust problems and identifying possible defenses and solutions at the early stage of a deal when information is typically scarce, performing more detailed analyses when more information becomes available, organizing the prosecution/defense of a transaction, navigating the DOJ/FTC merger review process, anticipating and structuring consent decree settlements, litigating merger antitrust cases, and negotiating provisions in merger agreements to allocate antitrust risk between the parties. The course studies will include such recent high-profile transactions as Hertz/Aviz Budget/Dollar Thrifty, Halliburton/Baker Hughes, Staples/Office Depot, American Airlines/USAir, Comcast/NBCUniversal, Anheuser-Busch InBev/Grupo Modelo, Anthem/Cigna, and Nielsen/Arbitron. The course will be sufficiently self-contained for students interested in business combinations who have not taken an antitrust course. There will be several short graded assignments throughout the course and a three-hour, open book, take-home examination at the end of the course.

Learning Objectives:

By the end of the course, a diligent student should be able to do the following:

1. Perform a preliminary merger analysis, spotting at a high-level both potential substantive issues and possible remedies, in common transaction scenarios involving public companies given only publicly available facts.
2. Describe the merger review process from the filing of an HSR premerger notification report through a preliminary investigation, second request investigation, and final arguments to the heads of the investigating agency. If the agency concludes that the deal has antitrust problems, be able to describe the process for negotiating consent decree relief.
3. Understand the major theories of antitrust harm that apply to mergers and acquisitions and the major types of defenses available to the merging parties and be able to apply them to an arbitrary transaction.
4. Structure a merger antitrust challenge (as the investigating staff) and a merger antitrust defense (as defense counsel) before the decision-making officials at the DOJ and FTC.
5. Anticipate and structure a consent decree remedy minimally satisfactory to the DOJ and FTC in light of their expressed concerns about a transaction.
6. Describe the basic considerations and timing implications of litigating a merger antitrust case, the standards for granting preliminary and permanent injunctive relief, what the government and the merging parties each must show to prevail, and the allocation of the burden of proof (both persuasion and going forward) between the two sides, and the strategic and tactical implications of these factors to the prosecution and defense of a merger antitrust case in court.
7. Describe the legal and strategic significance of the antitrust-relations provisions in an Agreement and Plan of Merger (e.g., reps and warranties on antitrust-related consents and approvals, merger control and litigation conditions precedents, general efforts covenants, conduct of business covenants, merger control filing covenants, investigation and litigation cooperation covenants, shift-shifting covenants (including covenants to divest businesses or assets if necessary to avoid an agency challenge or settle a litigation), antitrust reverse termination fees, purchase price

Antitrust Economics and Law is recommended but not required.
Withdrawals are permitted up until the last class for this specific course. Any student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after 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 to request a drop by contacting the Office of the Registrar. Any student who no longer wishes to remain enrolled after the second class session to request a drop by contacting the Office of the Registrar.

Enrolled students will have until the beginning of the second class session in order to remain enrolled. Waitlisted 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.

Prerequisite: Corporations.

Mutually Excluded Courses: Students may not receive credit for both this course and Takeovers, Mergers, and Acquisitions.

LAW 434 v02 Mergers and Acquisitions
This course covers legal and financial economics to understand mergers and acquisitions. The class will cover incentives for deals and constraints on them arising from both law and economic factors. Valuation and judicial review of defensive tactics, for example, are included in the topics to be studied. Individual and team assignments may be included as part of the class.

Prerequisite: Corporations.

Mutually Excluded Courses: Students may not receive credit for both this course and Takeovers, Mergers, and Acquisitions.

LAW 3092 v00 Modern Ethics and Compliance Concepts in Business
This course will cover the concepts and components that form the basis for an organization to implement a modern ethics and compliance program. This will use current examples on failures in organizations and discuss how an ethics and compliance program could have prevented or minimized the conduct.

By the end of the course, students should:

1) have a mastery of the basic elements of an effective compliance program (see U.S.S.G and OIG 7 elements) along with a basic understanding of how a risk-based assessment guides practitioners in building modern compliance programs; 2) have a basic knowledge of the relevant laws, regulations and guidances (including FCPA, UK Bribery Act, OECD Anti-bribery convention) that enforcement organizations, agencies and/or courts would apply to hold organizations/individuals accountable for ethics/compliance failings; 3) have a basic understanding of the tools used to help organizations implement an effective ethics and compliance program (from assessment frameworks, code of conduct, policies and procedures, to internal investigations, training approaches and hotlines, due diligence and screening tools); and 4) using real-world scenarios and case studies, gain a deeper understanding of the issues faced by modern organizations and how compliance programs are tailored to address current and emerging risks (such as data privacy concerns) and exhibit an ability to combine law, theory and tools to analyze how to mitigate ethical or compliance risk facing an organization.

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

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

The course begins with consideration of the concept of a fiduciary and the manner in which the concept has become imbedded in the federal securities laws applicable to money managers. The course then turns its attention to the concept of fraud as defined in, and interpreted under, those securities laws and how the concept has been employed and expanded by the Securities and Exchange Commission ("SEC") to set standards for money managers registered under the Investment Advisers Act of 1940 (the "Advisers Act"). The Advisers Act, the Investment Company Act of 1940 (the "1940 Act") and portions of the Employee Retirement Income Security Act of 1974, as amended ("ERISA") will be the principal statutory provisions around which the course will be centered. A number of classes during the semester will be devoted to detailed study of rules adopted by the SEC under the Advisers Act and the 1940 Act and by the Department of Labor under ERISA. At least three class sessions during the semester will be practical in nature, designed to enable students to assume the roles of legal practitioners advising money management firms facing various factual situations involving clients of those firms.

Note: First class attendance is strongly encouraged for all enrolled and waitlisted students.
LAW 1606 v00 Motherhood and the Law Seminar
(J:\curriculum\law.georgetown.edu\course-search/?keyword=LAW %201606%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine society’s notions of motherhood and how various laws affect becoming and being a mother. Specific topics include laws that affect reproduction, pregnancy, leave from work following childbirth, parenting decisions, when to legally punish mothers and lastly navigating motherhood and professional identity as a lawyer. Some of the questions that will run through this course include:

1. Given the importance of caring for children, how should the law construct expectations of parenthood?
2. How does the law shape our notions of the responsibility of motherhood?
3. Is there common ground among political opponents on issues related to law and motherhood?
4. What laws should be implemented to better support mothers in the United States?

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

LAW 327 v01 Multi-Party Dispute Resolution Seminar:
Consensus Building and Other Negotiation Processes
(J:\curriculum\law.georgetown.edu\course-search/?keyword=LAW %20327%20v01)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar will focus on complex, multi-party disputes and the combinations of traditional processes (negotiation) and newer ones (consensus building, reg-neg) that are being used to facilitate settlements. The course will open with review of democratic and process theory from law, political science and philosophy and then turn to some basic skills training in behavioral approaches to negotiation, mediation, facilitation and other dispute resolution processes when there are multiple parties and multiple issues at stake. We will then explore several case studies taken from environmental conflicts, local governance issues, racial and ethnic conflicts, community disputes and international conflicts. We will study group and organizational behavior, coalitions, argumentation and principled bargaining, the role of law in negotiations and mediations, tensions between competition and cooperation as modes of conflict resolution, the differences between secret and public settings for negotiation, the role of power in multi-party cases and the role of different kinds and styles of conflict management and facilitation. We will discuss issues of legality, ethics and legitimacy in the use of these different approaches to conflict resolution. The course will combine reading, lectures, discussions and some role-playing and simulations. Students will write several short papers and one 15 page paper or case study analysis.

Learning goals for this course:

1. skill development in negotiation, facilitation and mediation
2. skill development in group organization, as leaders and as members

Recommended: A prior course in mediation, negotiation or ADR is desirable, but not required.

Note: The course will meet for six days of intensive sessions in Fall 2016 as follows: September 16, 17, and 18, 9:00 a.m.- 5:00 p.m., and October 28, 29, and 30, 9:00 a.m.-5:00 p.m.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.
LL.M Seminar | 1 credit hour

In this class, students will explore the role of multilinguals and multilingualism in legal discourse. Students will do research on the topic of multilingualism in legal discourse and present their research in class. Students will also write a series of short, one-page research reports describing the literature that they have found on various topics concerning multilingualism and the role of multilinguals in legal discourse. At the end of the semester, students will give a 15-minute presentation in class about their research. At various times in the semester, LLM alumni will talk with the students about their experiences as multilinguals in legal discourse. Students will have a chance to ask questions of the guest speakers and to follow up with them on topics of mutual interest.

Note: This class is restricted to Two-Year LL.M. with a Certificate in Legal English students who are also enrolled in Legal English II. This course is graded on an honors-pass-fail basis.

NOTE FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus.
LAW 922 v01 National Security & the Law of the Sea

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

This course reviews the basic principles of international law related to the many exclusive and inclusive uses of ocean space, especially on those critical issues affecting U.S. national security. Students will develop a comprehensive understanding of the legal regimes governing the ocean, from internal waters and other coastal zones through the regimes of the high seas, and an overall appreciation for U.S. ocean law and policy, based on relevant principles of international and national law. Topics include navigation and overflight rights, living and non-living ocean resources, military and law-enforcement activities, protecting the marine environment, marine scientific research, the law of naval warfare, and the formal and informal processes for developing ocean policy and for resolving international disputes. Students will research and engage in class discussions on a number of problems involving national security issues and the use of ocean space, including resources on the continental shelf, maritime terrorism, military exercises, maritime transportation systems, at-sea trafficking in illicit drugs, piracy, weapons of mass destruction, collection of intelligence, and naval rules of engagement.

Final exam only.

Recommended: International Law I: Introduction to International Law (or the equivalent International Law I).

Mutually Excluded Courses: Students may not receive credit for both this course and Oceans Law and Policy.
LAW 1031 v00 National Security Crisis Law I

J.D. Course (cross-listed) | 5 credit hours

National Security Crisis Law is a nationally-recognized class, and the capstone course for the J.D./LL.M. in National Security Law at Georgetown. It examines the law as it is written and as it is applied. The course will be equally helpful to students who go into other fields, as it emphasizes leadership and examines how cognitive biases, institutional cultures, and formal and informal social networks influence lawyers’ ability to perform effectively under pressure. The course takes into account both conventional and non-conventional threats, such as terrorist use of biological weapons, cyber attacks, and the detonation of radiological dispersal devices, to examine the constitutional, statutory, and administrative contours of the government’s response. In lieu of an examination, students will take part in a week-long simulation, during which they will assume positions within the federal Executive Branch, as well as state and local government. Students will have the opportunity to meet with lawyers who practice in the field, to help to prepare for their roles. Students will be assigned sim-classified and sim-unclassified email accounts, and provided with access to the Video News Network and AP Wire, through which they will receive information about a series of events as they unfold. A Control Team, made up of approximately 50 professors and attorneys from practice, will respond to the student decision-making. For the final two days of the week, students will be present in person at the law school. During the 2018-2019 year, the final exercise will be both national and inter-national, involving students from top national security law schools across the United States and Canada. Enrollment is limited to 30 students.


Note: In Spring 2019, this course will meet three days a week on Mondays, Wednesdays and Fridays, 9:00 a.m. - 11:00 a.m. This course will also meet on a few Wednesdays from 3:30 p.m. - 5:30 p.m. Dates to be announced. There will also be an all-day crisis simulation exercise in this course held on a Friday and Saturday. Attendance at the simulation exercise is mandatory. Students may not withdraw from this class after the add/drop period ends without the permission of the professor. The course can be taken either pass/fail or for a grade.

LAW 1424 v00 National Security in Theory Seminar

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

There is consensus among scholars that National Security Law as a field of study is under theorized. How does the law function in a state in which “national security” is a considerable concern? What is the nature of the “state of exception” that national security law puts into effect? How does “surveillance” of citizens transform the normal functions of the state? When is violence “Islamic”? What is the proper response to a terrorist attack?

This seminar offers students an opportunity to think about national security theoretically by reading texts that adopt critical approaches to the various issues typically discussed within this field of study. These issues include: the state of exception, surveillance, Islamic terrorism, and Drones.

Students will be required to write a paper of 6,000 words minimum (excluding footnotes) to pass the class. Students will be expected to finalize the paper topic after meeting with me by the fourth week of the semester, submit a research outline by the sixth week of the semester, a 6,000 word draft by the tenth week of the semester and the final draft on the date assigned by the registrar for final submission of seminar papers.

LAW 849 v00 National Security Investigations and Litigation

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

This seminar will address the law governing national security investigations and related litigation. Topics will include electronic surveillance (e.g., the Foreign Intelligence Surveillance Act), national security letters, mail covers, and the handling of classified information at trial (e.g., the Classified Information Procedures Act). National security law is often inaccessible, and can be particularly hard to follow when divorced from the context of historical tradition, governmental structures, and operational reality in which it functions. The seminar will aim to present the law in context, exposing students as much as possible to the real-world effects of legal standards and rules. Requirements include participation in a four-hour investigative exercise at the end of the semester, submission of two short papers during the course of the semester, and class participation.

Mutually Excluded Courses: Students may not receive credit for this course and the J.D. course, National Security Law: Investigations and Prosecutions or National Security Surveillance.

Note: Grading for this class will be based on three components, each equally weighted: class participation; two short papers; and performance during the final exercise.

Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 972 v00 National Security Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20972%20v00)

LL.M Course (cross-listed) | 2 credit hours
Following the 9/11 attacks, one of the fastest growing areas of legal inquiry has been national security law. This course, taught by the principal founder of the field, is a comprehensive introduction, blending relevant international and national law. It begins with an overview of modern theories about the causes of war including "democratic peace," "deterrence" and "incentive theory." The course then examines the historical development of the international law of conflict management. It takes up institutional modes of conflict management, including the United Nations system and the role of the Security Council. Addressing the lawfulness of using force in international relations, i.e. jus ad bellum, the course discusses aggression, low-intensity conflict, terrorism, intervention, anticipatory defense, and "preemption." It then examines several case studies including the Indochina War, the "secret war" in Central America, the Gulf War, Kosovo, Afghanistan (the War on Terror), and the Iraq War, as well as case studies in United Nations peacekeeping and peace enforcement (including operations in Somalia, Haiti, Rwanda and the former Yugoslav republics). The course examines the norms concerning the conduct of hostilities, i.e. jus in bello, providing an overview of the protection of non-combatants and procedures for implementation and enforcement. It looks at war crimes issues, such as the Nuremberg principles, the new International Criminal Court, and the Yugoslav and Rwanda tribunals. The course briefly discusses American Security Doctrine, then turns to the general issues of strategic stability and arms control, examining nuclear, chemical and biological weapons and their effects, and arms control agreements. The course then examines the institutional framework for the control of national security, including the Authority of Congress and the president to make national security decisions, the war powers, and constitutional issues in the debate on the Anti-Ballistic Missile Treaty. The course further examines the national security process, including the national command structure, and considers the issues of secrecy, access to information, the classification system and homeland security. It reviews intelligence and counterintelligence law, and ends with a review of individual rights and accountability as they interface with national security. Individual Powerpoint modules are offered in the course segments concerning modern theory about the origins of war, jus ad bellum, terrorism, the Vietnam War, Arms Control intelligence law, individual rights vs. national security, the national security process and homeland security. The course typically invites one or more experts to meet with the class to discuss contemporary issues.

LAW 972 v03 National Security Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20972%20v03)

J.D. Course (cross-listed) | 2 credit hours
This introductory, survey course will explore national security law as developed from the U.S. Constitution, relevant federal statutes, case law, and historical experience, as well as from principles and influences of international law and foreign relations. It will cover key components of, and debates over, the Federal Government's exercise of national security authorities, including: decisions to use force and how to employ it; detention and interrogation of combatants; collection, protection, and sharing of intelligence; military and civilian prosecutions for national security-related criminal charges, including terrorism, espionage, export control, and state-sponsored cybercrimes; civil litigation involving national security interests and concerns; protection of homeland security; and economic aspects of national security policy. Themes of the course will include: (1) the separation of powers among the three branches of the Federal Government, and appropriate roles for these branches in the conduct of national security activities; (2) the interplay between international law and domestic law; (3) textual, historical, and functional modes of legal argument as applied to national security issues; and (4) the evolution of modern warfare and its implications for relevant legal regimes.

Course Goals/Student Learning Outcomes:

This course will provide students with exposure to the broad reach of modern national security law in the United States, and the many as-yet unresolved and knotty legal, policy, practical, and moral issues that arise as the Government strives to protect national security, while preserving the generally free and open society that most U.S. persons expect. Students will examine with a critical eye the justifications offered for, and scope of, security-based governmental actions, while considering practical alternatives and results.

The student learning outcomes will be the following:

1. Analyze current and emerging issues in national security law, and understand the policy arguments underlying the balance of ensuring security and protecting individual rights
2. Assess the justifications offered for, and scope of, security-based governmental actions
3. Examine the effects that national security measures have on individual rights of U.S. citizens and non-citizens, and on U.S. institutions, norms, and governance.

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

Note: LL.M. STUDENTS: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Priority will be given to LL.M. students in the National Security program. Students must submit a resume/CV and a statement of interest in the course to Professor Huntley (Todd.Huntley@law.georgetown.edu) by 5:00 p.m. on Wednesday, June 9, 2021. After the June 9 application deadline, students will be admitted into open seats on a rolling basis.
LAW 967 v00 National Security Law & the Private Sector (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20967%20v00)
LL.M Course (cross-listed) | 1 credit hour
This seminar will examine how the U.S. government regulates and addresses national security in a global economy in which data and money flows freely and sensitive assets in the United States and abroad are owned or controlled by commercial actors. The concept of “national security” in U.S. legal doctrine and regimes is hardly new, but the impact of national security law on the private sector has expanded dynamically since September 11, 2001. The course will review the history and breadth of national security law and public policy as it relates to the private sector and the principles for the application of national security regulation to private actors. While the seminar will address these considerations for a variety of practice areas, the primary focus of the seminar will be on how these principles apply in national security reviews of foreign investment conducted by the federal inter-agency Committee on Foreign Investment in the United States, or CFIUS. The course will use functional examples (i.e., real world cases) to explore fundamental policy questions — e.g., what is the proper balance between security and openness in a commercial world — as well as to evaluate the legal and practical considerations of private actors (including fiduciary duties to shareholders and reputation risk, among others) and their counsel when confronted with national security issues.

This seminar is designed for those who are interested in how concepts of national security in the law affect private actors — primarily, but not exclusively, businesses — on a daily basis. There will be elements of history, but the main focus will be experiential. Accordingly, while the course will not be a heavy reading course, preparation will be important and students may be designated (with significant advance notice) to help lead a particular class discussion. Outside experts from the Executive Branch, Congress, and the private sector may be invited to participate in certain classes.

Course pre-requisites: None

Requirements — Three requirements:

(a) The preparation of materials to help lead a particular class discussion.

(b) Participation in class discussion centered around real world fact patterns.

(c) A take-home final exam.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.
LAW 819 v01 National Security Law Through an Immigration Framework (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20819%20v01)
LL.M Seminar (cross-listed) | 3 credit hours
This course will explore the relationship between national security and immigration. The course will first provide a historical backdrop of this issue and continue with threshold national security issues that have immigration implications. Particularly, the current legal framework that surrounds this issue will be explored to include specific provisions in the Immigration and Nationality Act as well as peripheral legal issues such as material support of a terrorist organization. Other national security questions will be discussed to include protecting the borders, criminal immigration prosecutions, and population control. Lastly, this course will explore the conflict between individual rights and national security and attempt to answer the threshold question of whether it is appropriate to use immigration laws as a national security enforcement tool.

This course is oriented toward the practitioner due to the focus this course places on the legal framework and litigation strategies necessary for removing or detaining individuals who are national security threats. At the same time, we will spend time learning how to defend against the government using the immigration statutes as a national security tool. To facilitate this, students will not learn through lectures and group discussions alone, but also through examining real legal documents that have been filed in the United States District Courts and the Courts of Appeals. Students will also have the opportunity to examine a real A-file in order to practice issue spotting.

In the 3-credit version of this class, students will be required to submit a paper proposal, rough draft, and highly researched analytical paper approximately 30-35 pages in length.

Note: The 3-credit section meets the J.D. writing requirement.

Note: The J.D. section will be enrolled via waitlist.

LAW 1151 v00 National Security Lawyering Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201151%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the substantive, ethical, moral, procedural, and practical challenges of practicing national security law in the government. Government national security and foreign affairs lawyers have significant influence on operational and policy decision-making, but generally encounter fewer external checks and less oversight than lawyers in other areas. Because of threshold doctrines such as standing and political question, courts address national security legal questions relatively rarely. There are few timely, formal checks in the area of international law, which develops over time and by consensus and often lacks a direct enforcement mechanism. In addition, much of the subject matter about which national security lawyers provide advice is classified, which can limit the scrutiny of legal analysis by Congress, the press, and the public. Therefore, national security lawyers, who provide advice on what are often extremely high stakes and difficult legal issues, shoulder a great deal of responsibility to carry out their roles ethically and effectively.

The course will use case studies and hypotheticals to explore these important challenges. Students will discuss a variety of issues, including: the players and process of national security legal decision-making; flexibility, constraint, and accountability for the national security lawyer; the challenges in providing balanced advice; whether and when it is appropriate to "push the envelope" on legal advice; the impact of secrecy on legal advice and decision-making; the importance of transparency about national security legal advice and why it is so difficult; prosecution, litigation, and national security; the appropriate role of lawyers and the law in the national security policymaking process; lawyering when the law is not developed; and the challenges and responsibilities of lawyering during war and other national security crises.

Students will be graded on several short reaction papers and one longer final paper. Class discussion will also be considered in grading.

Recommended: International law and/or national security related course.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
**LAW 1402 v00 National Security Regulation**

J.D. Seminar (cross-listed) | 2 credit hours
National Security Regulation examines a cross disciplinary area of law mingling international law, constitutional law, statutory interpretation, and administrative law. Areas regulated by the Federal government because of national security concerns are frequently high stakes and high dollar. The government cares a lot about getting the “right” result, and the penalties can be enormous. Unfortunately, knowing what is “right” can be hard. The rules are arcane, formal guidance may not be public or even exist, and case law may be thin or nonexistent. The adjudication process likely involves classified information (which you may not be able to access), and you may have limited due process or appeal options. If you have a career ahead of you in corporate law, you will almost certainly run into national security regulations at some point during your career. This course is designed to help. It surveys some of the most common areas of regulatory interest, as well as some hot issues that will dictate the path of emerging technologies. Areas of law that will be examined include National Emergencies Act, International Emergency Economic Powers Act, cybersecurity, export controls, economic sanctions, and foreign investment.

**Recommended:** Administrative Law and National Security Law.

**LAW 331 v01 Nationalisms, States, & Cultural Identities Seminar**

J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar is about the phenomena of national and cultural identity formation within states and non-state groups (ethnic, racial, regional, religious, cultural, tribal) and the roles played by law and culture in defining and distributing membership in a collective or "national" community. The course material will provide a foundation in political theories of nationalism and will focus on two different forms of contemporary nationalism: the rise of a new American and predominantly white nationalism (since the 2016 election) and a non-US example of a sovereignty or self-determination movement (such as the Catalan independence movement in Spain). Along the way we will discuss additional and alternative forms of belonging and exclusion, such as monuments and memory, statelessness and diaspora, and postcolonial and cosmopolitan forms of citizenship. This interdisciplinary and comparative seminar is geared toward better understanding how law and culture are used to divide and unify diverse populations, and exploring how democratic, heterogeneous states and communities might find common purpose.

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

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

**LAW 1619 v00 Natural Resources and Energy Law and Policy Practicum**

J.D. Practicum (cross-listed) | 4 credit hours
This course will give students an experiential learning experience in the field of natural resources and energy law and policy. Students will work individually or in groups on real-world legal and/or policy problems related to natural resources or energy for clients or stakeholders currently engaged in this rapidly changing subject area.

The seminar portion of the course covers the key elements of natural resources and energy law and policy related to the experiential learning projects. Students will study the relevant statutes, case law, and underlying policies relating to these natural resources and energy issues. The course is primarily domestic in its focus, but some topics and examples of international natural resources and energy law and policy will be included. During the course, students will draw on pertinent and practical legislative and administrative materials.

Throughout the semester, we will focus on building real-world legal and policy skills. We will discuss the successes and failures of natural resources and energy law and policy, the trade-offs between preservation and development, future prospects for effective resource management and conservation, and the skills needed to effectuate successful outcomes on behalf of clients.

This is a four-credit course, with two credits awarded for the two-hour weekly seminar and two credits for work outside of class on experiential learning projects. The class is designed to be appropriate for both law students and public policy students.

**Course Goals:**

1. The course is intended to help you develop your legal skills. During the experiential portion of the course, you will develop legal skills by working on a real-world legal or policy problem for a client. You will prepare a written analysis appropriate for delivery to the client. You will also prepare an oral presentation of your work, including findings and recommendations for the client. In undertaking this project, you will develop in-depth expertise on a natural resources issue as assigned.

2. In preparing the written analysis for your client, you will have an opportunity to hone your legal writing and analytical skills. You will consider and determine how best to present your analysis and findings to the client in written form.

3. You will also develop your skills in oral communication as you prepare and deliver a formal oral presentation of your project for the class and also for your client.

4. By the end of this course, you should have a broad understanding of the overall legal framework for the administration of domestic natural resources. The focus will be on federal law and policy as it relates to the experiential projects being undertaken by the class, but you should also gain insights into selected state and international topics, particularly the interaction between federal and state law and policy.

5. The course should provide you with a context for evaluating ongoing and fast-changing legal and policy issues and controversies relating to energy and natural resources.

**Mutually Excluded Courses:** Students may not receive credit for this course and Natural Resources Law: Energy, Water, and Land Resources.

**Note:** This is a four-credit course, with two credits awarded for the two-hour weekly seminar and two credits for work outside of class on experiential learning projects. The course is graded.

Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a seminar and/or practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will consider and determine how best to present your analysis and findings to the client in written form.

This course is designed to help you develop your legal skills. During the experiential portion of the course, you will develop legal skills by working on a real-world legal or policy problem for a client. You will prepare a written analysis appropriate for delivery to the client. You will also prepare an oral presentation of your work, including findings and recommendations for the client. In undertaking this project, you will develop in-depth expertise on a natural resources issue as assigned.

The seminar portion of the course covers the key elements of natural resources and energy law and policy related to the experiential learning projects. Students will study the relevant statutes, case law, and underlying policies relating to these natural resources and energy issues. The course is primarily domestic in its focus, but some topics and examples of international natural resources and energy law and policy will be included. During the course, students will draw on pertinent and practical legislative and administrative materials.

Throughout the semester, we will focus on building real-world legal and policy skills. We will discuss the successes and failures of natural resources and energy law and policy, the trade-offs between preservation and development, future prospects for effective resource management and conservation, and the skills needed to effectuate successful outcomes on behalf of clients.

This is a four-credit course, with two credits awarded for the two-hour weekly seminar and two credits for work outside of class on experiential learning projects. The class is designed to be appropriate for both law students and public policy students.

**Course Goals:**

1. The course is intended to help you develop your legal skills. During the experiential portion of the course, you will develop legal skills by working on a real-world legal or policy problem for a client. You will prepare a written analysis appropriate for delivery to the client. You will also prepare an oral presentation of your work, including findings and recommendations for the client. In undertaking this project, you will develop in-depth expertise on a natural resources issue as assigned.

2. In preparing the written analysis for your client, you will have an opportunity to hone your legal writing and analytical skills. You will consider and determine how best to present your analysis and findings to the client in written form.

3. You will also develop your skills in oral communication as you prepare and deliver a formal oral presentation of your project for the class and also for your client.

4. By the end of this course, you should have a broad understanding of the overall legal framework for the administration of domestic natural resources. The focus will be on federal law and policy as it relates to the experiential projects being undertaken by the class, but you should also gain insights into selected state and international topics, particularly the interaction between federal and state law and policy.

5. The course should provide you with a context for evaluating ongoing and fast-changing legal and policy issues and controversies relating to energy and natural resources.

**Mutually Excluded Courses:** Students may not receive credit for this course and Natural Resources Law: Energy, Water, and Land Resources.

**Note:** This is a four-credit course, with two credits awarded for the two-hour weekly seminar and two credits for work outside of class on experiential learning projects. The course is graded.

Students who enroll in this course will be automatically enrolled in both the seminar and project components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a seminar and/or practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will consider and determine how best to present your analysis and findings to the client in written form.
Natural Resources Law: Energy, Water and Land Resources

This seminar addresses key elements of natural resources law, with an emphasis on energy (non-regulatory aspects), water, and land resources. Students will study the relevant statutes, case law, and underlying policies relating to these natural resources. The course is primarily domestic in its focus, but some topics and examples of international natural resources law and policy will be included. During the seminar, students will draw on pertinent and practical legislative and administrative materials. The seminar will address the development of energy resources, including coal, oil and gas, and renewable energy. Another focus of the seminar will be water resources, including the laws impacting the allocation and availability of water in the eastern and western United States, water resources and climate change adaptation, and innovative approaches to restoring ecosystems on a watershed or river basin scale. Laws relevant to federal public land management will be examined. Throughout the seminar, we will discuss the successes and failures of natural resources law and policy, the trade-offs between preservation and development, future prospects for effective resource management and conservation, and global approaches to addressing these issues. This seminar is appropriate for students who have not previously taken Natural Resources Law and also for students who have taken the course but wish to delve more deeply into the subject matter.

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

Learning Objectives:

- Familiarization with negotiation and mediation theory, concepts and principles.
- Deepening of behaviors, processes and mindsets required for effective negotiation and mediation.
- Sharpening skills in the areas of listening, asking questions, creative thinking, and persuasive communication.
- Engaging in reflective practice.
- Awareness of the role that assumptions, differences (e.g., culture, gender) and psychology play in shaping negotiation/conflict dynamics.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations Seminar, Negotiations Seminar (LLM), Negotiations Seminar (LLM - Week One), Mediation Seminar, or Mediation Advocacy Seminar.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a $100 refund fee will be incurred. Full tuition and fees will be refunded (except for late registration fee, if applicable) only if the student is able to provide proof of a serious and unforeseeable illness or emergency and if the Student Services Office is notified of the request to drop within one week of the start of the class session. To withdraw from a class, students must submit a withdrawal form to the Office of the Registrar. The deadline for withdrawal is the last day of the second class session. Students who withdraw after the second class session will not be eligible for a refund.

The Workshop is intensive (9:00 a.m. - 4:30 p.m. for six sessions spread over two weekends). Full attendance and participation is required at all six sessions.
LAW 317 v15 Negotiations and Mediation Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v15)
J.D. Seminar (cross-listed) | 3 credit hours
All lawyers, irrespective of their specialty, must negotiate. This intensive, interactive seminar will explore the theoretical and practical aspects of negotiating and mediating transactions and disputes in our legal system. The goal is to improve students’ understanding of negotiation and mediation as well as their ability to negotiate effectively.

Students will learn to negotiate by studying the negotiation theory, concepts and principles, and by participating in simulations and exercises from a variety of practice areas. The simulations are designed to familiarize students with the negotiating and mediation processes, sensitize them to their own negotiating behaviors, teach them how to use a mediator in aid of their negotiations, and raise a number of ethical and practical questions. Through in-class negotiation and mediation exercises, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication.

Through in-class negotiation exercises, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the psychological and ethical dimensions of negotiations, and the importance of context in choosing negotiation strategies. Students will be videotaped while conducting at least one of their negotiations, followed by instructor evaluation and feedback.

Grades are based on the quality of student participation, several short “think pieces” and journal entries based on in-class experience, readings and lectures, and a final 10-15 page paper.

The Workshop is intensive (9:00 a.m. - 4:30 p.m. for six sessions spread over two weekends). Full attendance and participation is required at all six sessions.

Mutually Excluded Courses: Students may not receive credit for both this seminar and the Negotiations Seminar, the Mediation Seminar, or the Mediation Advocacy Seminar.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

If you are planning to take the MPRE in Spring 2018, the exam may conflict with this course because the MPRE will be offered on a Saturday in March or April. The date should be released by the National Conference of Bar Examiners in October and will be available at http://www.ncbex.org/exams/mpre/registration/.

There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course’s in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded.

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

LAW 317 v14 Negotiations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20317%20v14)
J.D. Seminar (cross-listed) | 3 credit hours
This intensive, interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students’ understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the psychological and ethical dimensions of negotiations, and the importance of planning and choosing negotiation strategies.

The seminar will meet for five sessions spread over two weekends. Attendance at all sessions is mandatory. Between weekend sessions, students will negotiate with a classmate and write a short reflection paper about the experience. In addition, a final paper (10-15 pages) is required, in which students should demonstrate that they have learned the concepts, principles, and theories from lectures, readings, and exercises.

Grades will be based on:

- Participation in class (30%)
- Midterm reflection paper (20%)
- Final paper (10-15 pages) (50%).

Learning Objectives:

- Gain knowledge about negotiation theory, including the differences between competitive bargaining and integrative bargaining.
- Know how to prepare to conduct an effective negotiation.
- Feel more comfortable negotiating and become more effective negotiators.
- Develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication.
- Engage in effective problem solving with respect to the simulated exercises, whether alone or in teams.
- Identify and appreciate ethical considerations related to negotiations.
- Engage in self-reflection and peer critique, including applying lessons learned in exercises to future performances and providing constructive criticism to classmates.

Recommended: Torts, Contracts, and Civil Procedure. Students with no formal negotiation training are encouraged to enroll.

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

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs.
LAW 2075 v01 Negotiations Seminar (LLM - Week One) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202075%20v01)

LL.M Seminar | 3 credit hours

This interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students’ understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the ethical dimensions of negotiations, the importance of reputations, and the value in planning and choosing negotiation strategies.

The seminar will meet during Week One (Monday - Friday). Attendance at all sessions is mandatory. The class sessions are designed to provide an environment that is conducive for all students to experiment with different negotiation skills and behaviors. Students are not graded on the outcomes or results of negotiations, but on commitment to the materials and exercises.

Mutually Excluded Courses: Students may not receive credit for both this course and the Negotiations and Mediation Seminar; the Negotiations Seminar; or Negotiation and Mediation in Public Interest Law Settings or Negotiations and Drafting Seminar or Contracts: Structure and Negotiations.

Note: WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, and Saturday, January 16, 2021, 9:00 a.m. - 6:00 p.m.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. There is a course materials fee for this course, which covers outside vendor materials purchased on behalf of all enrolled students (these materials are distributed as part of the course’s in-class assignments and exercises). This fee is posted to your student account in August (for Fall courses) or December (for Spring courses), or as soon as you are enrolled in the course, whichever is later. Students who drop the course will be refunded the amount. Students approved to withdraw will not be refunded. This course is graded pass-fail and is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 2075 v00 Negotiations Seminar (LLM) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202075%20v00)

LL.M Seminar | 3 credit hours

This interactive seminar is designed to teach both the theory and practice of negotiation. The goal is to improve students’ understanding of negotiation as well as their ability to negotiate effectively. Students will spend much of their time participating in negotiation exercises and simulations from a variety of practice areas. Through the in-class negotiation exercises, debriefings, and lectures, students will develop and sharpen skills in the areas of listening, asking questions, creative thinking, and persuasive communication. Class lectures and discussions will focus on such topics as the difference between competitive and integrative bargaining, the ethical dimensions of negotiations, the importance of reputations, and the value in planning and choosing negotiation strategies.

Mutually Excluded Courses: Students may not receive credit for both this course and the Negotiations and Mediation Seminar; the Negotiations Seminar; or Negotiation and Mediation in Public Interest Law Settings or Negotiations and Drafting Seminar or Contracts: Structure and Negotiations.

Note: This course is only open to foreign-educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree) and is graded on a pass/fail basis.

LAW 755 v00 Nuclear Non-Proliferation Law & Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20755%20v00)

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

This course will provide students with an understanding of the current matrix of nuclear non-proliferation treaties, multilateral arrangements, laws, regulations, initiatives, proposals, and organizations that aim to halt the spread of nuclear weapons and prevent nuclear terrorism. The goal is to examine the full array of tools employed by the United States to address nuclear proliferation, as well as how the Executive Branch brings these tools to bear through the inter-agency process and its joint efforts with Congress and international partners. Virtually every element of the nonproliferation toolbox was deployed to address the nuclear programs of Iran and North Korea, so considerable time will be spent examining these critical cases. We will also examine how the nuclear programs of India and Iraq shook and ultimately altered the nonproliferation regime.

Throughout the course, we will consider nonproliferation efforts in the context of great power strategies, alliance obligations, and regional rivalries, on how these factors influence the decision-making of proliferating countries and countries seeking to prevent proliferation. A continuing theme in the course will be the evolution of nonproliferation tools over time and the role of and lawyers in that evolution.
LAW 2099 v00 Nutrition Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202099%20v00)

LL.M Seminar (cross-listed) | 2 credit hours
Proper nutrition is one of the many contributor's to overall health and could be one of the most cost-effective approaches to address many of societal, environmental and economic challenges facing the world today. Increasingly, law and policy has been recognized as a high-impact and robust approach for accelerating progress toward reducing and managing nutrition-related chronic diseases such as obesity, cardiovascular disease, type 2 diabetes mellitus and certain types of cancer. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws and policies, and set funding priorities designed to address food insecurity, hunger, obesity prevention, chronic diseases, among other health and well-being concerns. This course focuses on policies, programs and practices across the globe—at the national, tribal, state and local levels—that improve or hinder healthy eating. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory and judicial aspects. Topics and themes include dietary guidance, food and nutrition assistance programs, food and nutrition labeling, and other environmental and policy strategies to improve access to healthier foods and beverages.

Student Learning Goals:
- Identify key law and policy approaches used across the globe that have been used or have the potential to improve or hinder healthy eating;
- Discuss and debate the historical and contemporary legislative, regulatory and judicial aspects of the key nutrition law and policy approaches during collaborative in-class exercises; and
- Execute analytical and strategic planning for developing, implementing, evaluating, and sustaining a nutrition law and policy approach during in-class exercises and as part of the mid-term and final projects.

Recommended: Constitutional Law, Property, Contracts, Torts, as well as Food and Drug Law, Introduction to Health Law, and Land Use and Planning.

LAW 3077 v00 Oil and Gas Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203077%20v00)

LL.M Course (cross-listed) | 2 credit hours
This seminar will provide an overview of oil and gas law, from its traditional roots in the common law of property and contract to more recent developments in administrative law and regulations. We will learn about how the law has shifted from a focus on production to a concern for safety and the environment. The course goal is to introduce students to the topics involved in the practice of oil and gas law, with an eye toward preparing for an oil and gas section of a bar exam (e.g., Texas). In addition to traditional issue such as surface management, drainage, royalties, and the oil and gas lease, we will consider modern-day complexities posed by exploration in the eastern United States, offshore drilling, and hydraulic fracturing.

LAW 3081 v00 Oral Communication in Law I (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203081%20v00)

LL.M Seminar | 1 credit hour
The goal of this course is to help you communicate with ease, accuracy, fluency, and confidence in English. To accomplish this goal, your professor, who has an extensive background in oral proficiency multilingual communication pedagogy, guides you through a variety of listening and speaking situations common to U.S. legal studies. Our method includes one-on-one, small and large-group practice in-class, in addition to listening and speaking immersion experiences outside of class.

In this highly participatory class, you will strive to describe, discuss, debate, explain, narrate, and present your thoughts and opinions on a wide range of legal topics by using all major time frames in English (past, present, and future tenses). All course assignments are designed to give you practice with the important and relevant areas of oral communication in law school, including:
- listening to and participating in communicative situations common to U.S. legal studies (e.g., being on call, voluntarily participating in seminar discussions, and communicating with professors one-on-one);
- interacting with and comprehending multilingual speakers of English;
- reducing any intelligibility issues that might limit others’ ability to understand what you are saying;
- engaging in informal professional and interpersonal communication (e.g., networking, day-to-day interactions);
- taking part in mock courtroom communication, (e.g., listening to oral arguments); and
- using syntactic, lexical, and phonetic devices to debate legal topics.

Individual feedback is provided throughout the course to allow you to learn from your own oral communication and enhance your skills as a multilingual law student.

Note: This class is graded on an honors/pass/fail basis. This course is only open to foreign-educated LL.M. 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 3119 v00 Oral Communication in Law II**

This course is a continuation of Oral Communication in Law I, but you do not need to have taken Oral Communication in Law I to enroll in Oral Communication in Law II. The goal of this course is to build on your skills to help you become an even more articulate and persuasive communicator in English. To accomplish this goal, your professor, who has an extensive background in oral proficiency multilingual communication pedagogy, guides you through a variety of listening and speaking situations common to U.S. legal practice. Our method includes one-on-one, small and large-group practice in-class, in addition to listening and speaking immersion experiences outside of class.

In this highly participatory class, you will continue to describe, discuss, explain, narrate, and present your thoughts and opinions on a wide range of legal topics by using all major time frames in English (past, present, and future tenses). Furthermore, you will hypothesize, persuade, negotiate, and advocate in English on behalf of a point of view that is not necessarily your own on an even wider range of legal issues. All course assignments are designed to give you practice with the important and relevant areas of oral communication in law, including:

- engaging in hypothetical discourse and using persuasion in legal discussions common to U.S. legal practice;
- interacting with and comprehending multilingual speakers of English;
- reducing any intelligibility issues that might limit others’ ability to understand what you are saying;
- engaging in informal professional and interpersonal communication (e.g., networking, day-to-day interactions);
- presenting information in formal situations (e.g., at interviews, in client meetings);
- taking part in mock courtroom communication, (e.g., oral arguments); and negotiation simulations, and
- debating legal topics by adapting your speech and register to different audiences in culturally authentic ways.

Individual feedback is provided throughout the course to allow you to learn from your own oral communication and enhance your skills as a multilingual attorney.

**Note:** This class is graded on an honors/pass/fail basis. This course is open to foreign-educated LL.M. 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. While the first two days of the course meet during the Fall add/drop period, a student may only drop this course without a transcript notation prior to the start of the second class session by submitting a written request to the Office of the Registrar. After the start of the second class session, a student must seek permission from an advisor to withdraw.

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**LAW 3079 v00 Oral Communication Skills I**

**Note:** This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.

**LAW 3080 v00 Oral Communication Skills II**

**Note:** This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.

**NOTE FOR THE SUMMER 2021 SECTION:** The professors will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.
This course will focus on the legal, public health and medical challenges presented by the ongoing SARS-CoV-2/COVID19 pandemic 2019-2021 and the ongoing Ebola epidemics in the DRCongo within the "One Health" paradigm—an integrated 3-part framework that takes into account the health of humans, animals, and the environment.

The course will address the legal response to epidemic disease, focusing particularly on the World Health Organization’s International Health Regulations (IHR) and WHO Public Health Emergency of International Concern (PHEIC) emergency committee advice and decisions by the WHO Director-General 2009-2020 e.g., for COVID-19, Ebola, Zika, MERS, Yellow Fever, polio, pandemic influenza, and more. Prof. Hougendobler has direct experience with WHO from having worked at their headquarters in Geneva for four years.

Prof. Lucey will provide his personal perspective based on on-the-ground work in responding to Ebola, COVID-19, Zika, MERS, SARS Flu, Plague, and more. This work overseas led to his proposal in 2014 to create an Exhibition on Global Epidemics at the Smithsonian Museum of National History. It opened in 2018 and has been extended to 2022 to add COVID-19. The class will include a virtual tour.

This 2021 online course will still be discussion-focused. Online readings, videos, interactive lectures, and classroom outbreak simulation ("tabletop") exercises. During these exercises students will be given a fact pattern and assigned a role (e.g., the WHO Director-General, US Centers for Diseases Control and Prevention (CDC) officials, NGOs, etc.) and asked to negotiate with others and come to resolution.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar, a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

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

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

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

In the following, the law relating to the enforcement of standard-essential patents (SEP) in Europe as established by the European Court of Justice and as applied by the national courts will be explained.

The second case study will explore the enforcement of standard-essential patents. Depending on whether the Unified Patent Court Agreement will enter into force (a decision can be expected in the course of the year 2019), a law suit will be considered either before the UPC or a German court. The differences between litigation in Germany and before the UPC will be analyzed and the strategic consequences will be discussed.

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

Prerequisite: Patent Law.

Note: WEEK ONE COURSE. This course will meet for one week only, on the following days: Monday, June 6, 2020, through Friday, January 10, 2020, 9:00 a.m. - 11:35 a.m. The course will have a take-home exam that must be completed during the week of January 17th through January 24th, 2020. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar, a student who no longer wishes to remain enrolled.

Prerequisite: Patent Law.
LAW 332 v04 Patent Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20332%20v04)
J.D. Course (cross-listed) | 3 credit hours
The patent law is a regime of private regulation, initiated by individual inventors and resulting in proprietary interests in an increasingly ambitious range of human endeavor. This course provides a thorough review of the requisites of patentability, including eligible subject matter, utility, novelty, nonobviousness and disclosure. It then turns to patent enforcement issues, including claim interpretation, the doctrine of equivalents and remedies. Most inventors seek to obtain proprietary rights in multiple jurisdictions, so the course includes considerable coverage of comparative and international patent law. A traditional technological background is neither required nor recommended as a prerequisite to enroll in this course.

LAW 332 v05 Patent Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20332%20v05)
J.D. Course (cross-listed) | 3 credit hours
This course is designed for those who intend to specialize in the intellectual property field. It includes an analysis of trade secret law, inventorship and ownership of inventions, subject matter eligible for patenting, requirements for valid and enforceable patents, patent claim construction and direct and indirect patent infringement. The Advanced Patent Law Seminar is recommended to complete the student’s overview of patent law.

Recommended: A scientific or engineering background is helpful, but not a requirement.

LAW 333 v02 Patent Licensing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20333%20v02)
J.D. Course (cross-listed) | 2 credit hours
Patent licenses achieve different business objectives in a range of settings. This seminar first covers patent licensing and related agreements in establishing a company’s intellectual property from start-up through later growth phases. We then probe the role of patent licensing to transfer technology in and out of a company or university and in relations with others in the marketplace. We examine the elements of a patent license in detail. Limits on patent licensing and practice imposed by supply chain considerations, antitrust law, misuse, and connections with settlements are analyzed. Finally, we look at legal principles and strategies that impact patent licensing in several sectors of a knowledge-based economy. These sectors include biotechnology, software, standards setting, and patent assertion entities in the secondary IP market. We look at patent licensing in current open innovation and IP-enabled business models too. Guest speakers will also be drawn upon for specific topics. Students will complete an in-class negotiation and license drafting assignment. A cumulative final take-home exam will be given.

Recommended: Prior or concurrent enrollment in Patent Law.

LAW 333 v01 Patent Licensing Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20333%20v01)
J.D. Seminar (cross-listed) | 2 credit hours
Patent licenses achieve different business objectives in a range of settings. This seminar first covers patent licensing and related agreements in establishing a company’s intellectual property from start-up through later growth phases. We then probe the role of patent licensing to transfer technology in and out of a company or university and in relations with others in the marketplace. We examine the elements of a patent license in detail. Limits on patent licensing and practice imposed by supply chain considerations, antitrust law, misuse, and connections with settlements are analyzed. Finally, we look at legal principles and strategies that impact patent licensing in several sectors of a knowledge-based economy. These sectors include biotechnology, software, standards setting, and patent assertion entities in the secondary IP market. We look at patent licensing in current open innovation and IP-enabled business models too. Guest speakers will also be drawn upon for specific topics. Students will complete an in-class negotiation and license drafting assignment. A cumulative final take-home exam will be given.

Recommended: Prior or concurrent enrollment in Patent Law.

LAW 387 v01 Patent Prosecution Practice and Strategy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20387%20v01)
J.D. Seminar (cross-listed) | 2 credit hours
This skills and writing course will focus on the practical and strategic aspects of patent preparation and prosecution before the United States Patent and Trademark Office, and the effects of prosecution decisions on patent enforceability. Claim drafting and responding to Office Actions with an eye towards enforcement will be a primary focus, and both will be addressed with short practical writing assignments. Coverage of the appeal process will include preparing a final written Appeal Brief (in compliance with 37 CFR § 41.37) and making oral arguments before a mock panel of Administrative Law Judges. Among other topics, the strategic use of the post issuance reissue, reexamination and post-grant review procedures, especially in anticipation of litigation, will also be addressed. Given the range of competencies covered and type of work assigned, this course is recommended for students who intend to practice patent or IP law.

Prerequisite: Patent Law.
LAW 1720 v00 Police Abolition Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201720%20v00)
J.D. Seminar | 2-3 credit hours
This course will study policing transformation through an abolitionist framework. The course will first look at abolitionist theory and its application to policing. It will then look at the implications of this framework for immediate and mid-term change-making efforts in policing and beyond. We will explore the interplay between police abolition, the “defund” movement and more “traditional” police reform efforts, critiquing each. We will look at what police currently do and the extent to which current policing promotes, or undermines, public safety. We will question how “public safety” is commonly defined and consider what role law enforcement would play if we were to define public safety differently. We will consider how the role of police (at least as currently constituted) in promoting public safety might be decreased (eliminated?) and how we would protect physical well-being if that were to come about. Throughout this course we will consider whether the police abolitionist framework might help us more effectively address institutionalized racism and entrenched class inequity as we seek to transform policing.

Students may take this course to fulfill Georgetown’s Upperclass Legal Writing Requirement. If you take this class to fulfill your Writing Requirement, you should be prepared to devote a considerable amount of time in the course developing a paper proposal about a conflict, crisis, or controversy within policing; researching your idea in depth; and both drafting and revising a substantial paper of at least six thousand words (exclusive of footnotes) that meets the elements of the Writing Requirement as set out in the Georgetown Law Student Handbook of Academic Policies.

Course Readings

• Chokehold: Policing Black Men by Paul Butler.

• Additional Readings will be listed in the course syllabus and will be posted on/linked to in Canvas

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

LAW 1288 v00 Politics of Litigation and Litigation of Politics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201288%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Many of the most important and intense political disputes in American history have come before the federal courts. From the controversy about the midnight judges reflected in Marbury v. Madison, to the conflict about slavery at the core of Dred Scott, to the rise of interest group litigation by civil rights, religious, environmental, and other organizations, those opposed to prevailing laws and policies have taken their grievances to court. In recent years, a new breed of political litigation has proliferated. Increasingly, the losers in legislative and electoral battles have leapt immediately into the judicial arena, challenging the constitutionality of the laws enacted over their objection or the way elections are run. Increasingly, politicians and the entities they control have deployed litigation as another tool in the partisan arsenal. And increasingly, federal courts have become the arbiters of political disputes between the other two branches of the Federal Government, and between the Federal Government and the States, and between political candidates.

This course will use the legal challenges to the Affordable Care Act as an initial case study of how political disputes play out in litigation, from the trial courts to the Supreme Court. We will follow the pattern of political litigation into the Trump and Biden Administrations, and assess the lessons from the partisan shift in the litigation. We will consider how and why partisan disputes generate litigation and discuss the issues this litigation raises regarding the appropriate role of courts in our democratic system. In large part, the perspective will be practical, as we explore the legal, strategic, and tactical choices advocates make in bringing high profile political cases, in framing the legal issues, in harnessing the rules of procedure, and in managing the political features of the case – both offensively and defensively, and both inside and outside the courtroom. We will discuss the hurdles litigants face in seeking to strike down federal laws, the particular challenges of representing the U.S. Government in defending those laws, and the conflicting pressures that bedevil advocates on both sides of the cases. In some of our sessions, students may be asked to strategize or to argue from the perspective of the plaintiffs or the defendant in the cases.

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

Recommended: Prior or concurrent enrollment in Federal Courts and the Federal System.
LAW 741 v00 Pre-Negotiation Strategies for Cross-Border Transactions
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20741%20v00)
LL.M Course (cross-listed) | 2 credit hours
As economies globalize and organizations increasingly form cross-border relationships, there should be more focus on problems facing legal practitioners caused by cross-cultural differences. While international transactions comprise of distinct phases, the aim of this course is to explore the importance of pre-negotiation phase of international transactions. The legal training in the United States tend to devote far too little time and attention to the pre-negotiation phase than most of our counterparts from other countries. American lawyers generally want to "dispense with the preliminaries" and "to get down to cases" at the negotiation table. For seasoned lawyers and executives, however, this phase of Pre-negotiation is the most important stage to determine whether they want to negotiate at all and, if so, what they will talk about, and how, when, and where they will do it. Without a proper pre-negotiation phase, one may not get to that negotiation table, let alone explore any dispute resolution mechanisms.

Pre-negotiation phase can be characterized by information-gathering efforts to evaluate the parties’ interests and comprises of a process entailing rational choice to pursue negotiation or not. This course, “Pre-negotiation Strategies,” will attempt to introduce an analytical framework for understanding and formulating culturally responsive legal strategies for international lawyers. This highly interactive class will utilize case studies as well as various international agreements to highlight the importance of evaluating and analyzing the negotiating environment before it actually takes place. The course will address the need for practitioners to research and identify certain cultural mores and behavioral patterns in dealing with an unfamiliar culture as well as examine foreign bureaucracies, foreign laws, and multiple currencies in order to develop cross-culturally sensitive strategies in international transactions.

Active in-class participation and simulations will be required.

Note: First class attendance is strongly encouraged.

LAW 2081 v00 Presentation Skills for Academics
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %202081%20v00)
LL.M Seminar | 2 credit hours
First year S.J.D. students receive training in oral presentations and practice their skills in moot sessions for the Mid-Atlantic S.J.D. Roundtable at the end of the fall semester.

Upon completion of this course, students will have a greater understanding of and enhanced professional skill in creating and presenting listenable research and instructional presentations.

Note: This course is limited to S.J.D. students and requires departmental approval.

LAW 682 v01 Presentation Skills for Lawyers Seminar (International LL.M.)
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20682%20v01)
LL.M Seminar | 2 credit hours
This seminar focuses on the communication skills lawyers are required to master. The seminar includes work on the preparation and presentation of informational briefings and persuasive speeches to both expert and lay audiences, from a listening perspective. The seminar does not address trial or appellate advocacy skills. In addition to lecture/discussions of the principles and techniques, students deliver presentations which are video-recorded, analyzed and critiqued by the seminar participants and the professor.

Learning objectives:
Upon completion of this course, students will have an understanding of and enhanced professional skill in creating and presenting listenable presentations.

Note: This class is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree). This course is graded on a pass/fail basis.

LAW 861 v00 Presentation Skills for International Lawyers
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20861%20v00)
LL.M Seminar | 1 credit hour
The purpose of the course is to give to the students tools to improve their public speaking and oral presentation skills in English in a law-related context. To achieve this goal, the class will analyze how to build and deliver an effective presentation. Each student will engage in several presentation exercises, will be filmed and will receive feedback from the professor and from other students.

The expectation is that by the end of the semester, students will have reviewed and practiced key skills that support the effective preparation and delivery of informative and persuasive presentations on law-related topics. After taking this class, students should know how to adapt a topic to an audience, select information, structure and deliver a presentation, with emphasis placed on connecting with the audience.

Note: This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.
**LAW 3115 v00 Principles of U.S. Financial Regulation**

The World Health Organization's International Health Regulations (IHRs) provided a basis for the design of the Global Health Security Agenda. This course will provide students with a general understanding of the way in which the IHRs helped shape the Global Health Security Agenda, and the engagement of the various U.S. Departments and Agencies in the GHSA. It will include those agencies with a clear global health mission, such as the Center for Disease Control and Health and Human Services, as well as other Departments whose work in global health are not as evident, such as the Department of Defense, Department of State, and the Federal Bureau of Investigation. We will examine why issues of global health are a national security issue. The course will also include a simulation where students will have an opportunity to better understand the different roles of the various U.S. Departments, Agencies, as well as the role of the non-governmental sector.

**LAW 3131 v00 Preventing, Detecting and Responding to Global Health: The International Health Regulations and the U.S. Government Interagency Process**

The course will begin with a general overview of private investment funds, including the taxation of the general partner when the fund is organized. Students will study the partnership, fund, beginning with the consequences for investors and the general partner when the fund is organized. We will then examine the major US tax issues that arise during the life of a fund, its investors, and the sponsor or general partner. We will include those agencies with a clear global health mission, such as the Department of Health and Human Services, as well as other Departments whose work in global health are not as evident, such as the Department of Defense, Department of State, and the Federal Bureau of Investigation. We will examine why issues of global health are a national security issue. The course will also include a simulation where students will have an opportunity to better understand the different roles of the various U.S. Departments, Agencies, as well as the role of the non-governmental sector.

**Note:** This class is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

**LAW 859 v00 Private Equity & Hedge Funds: Taxation & Transactions**

Recent years have witnessed explosive growth in private equity funds and hedge funds. It is estimated that over $1 trillion is currently invested in hedge funds globally, and assets held by private equity funds may also exceed $1 trillion. Many law firms now have specialized practice groups focused on these investment vehicles, and the M&A tax practices of law firms and Big 4 accounting firms are often driven by private equity transactions. Given their rapid growth and economic clout, it is not surprising that private equity funds and hedge funds have attracted increasing attention in the tax-writing committees of Congress.

This course is designed to help students gain an understanding of the structure, economics, and taxation of these investment vehicles. The course will begin with a general overview of private investment funds, the different types of funds, and the main economic drivers affecting the fund, its investors, and the sponsor or general partner. We will then examine the major US tax issues that arise during the life of a fund, beginning with the consequences for investors and the general partner when the fund is organized. Students will study the partnership, corporate, and international tax issues that are common to each type of investment and to fund operations generally. Finally, the course will address the tax consequences of certain exit transactions, such as the sale of a portfolio company.

The course will also include recent legislative and regulatory developments affecting private equity funds, including the taxation of so-called “carried interests” (the profits interest earned by the general partner or sponsor).

**Prerequisite:** Federal Income Taxation (formerly Taxation I) and Corporate Taxation (formerly Taxation II) or Corporate Income Tax Law I.

**Strongly Recommended:** Partnership Taxation.

**Note:** NOTE FOR THE SUMMER 2021 SECTION: The professors have committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.
This course provides you with an in-depth look at the structure of, and law applicable to, private funds, which are pooled investment vehicles not generally available for investment by the retail public. The focus of the course will principally be on private equity and hedge funds.

The course will follow the story of a group of friends/entrepreneurs that decides to form an investment management firm — Whispering Pines Capital Management LLC ("Whispering Pines" or the "Firm") — to manage both a private equity fund — Whispering Pines Capital Partners LP ("WPCP") — and a hedge fund — Whispering Pines Opportunistic Fund L.P. ("WPOF"). We will meet these entrepreneurs as they form Whispering Pines and develop the investment strategies for WPCP and WPOF (collectively, the "Funds"). We will consider their business goals and the challenges presented to the group in establishing and operating Whispering Pines and the Funds. We will look specifically at matters such as: establishing the business role of each member of the group; developing the day-to-day operations of the Firm; formulating the investment strategies that the Funds will follow; marketing interests in the Funds to potential investors; developing compliance procedures and processes for the Firm and the Funds; and responding to external events affecting the Firm and the Funds.

We will see early during the semester that the operation of the Firm and the Funds necessitates a deep appreciation for, and knowledge of, a host of applicable laws. Dealing with all of those laws is well beyond the scope of the course. We will instead focus on what can be considered the central core of the law applicable to the Firm and the Funds.

We will begin our consideration of applicable law by looking at the Investment Advisers Act of 1940 (the "Advisers Act"), which effectively regulates the Funds indirectly through regulating the Firm. The course will then examine the exclusions and exceptions under the Investment Company Act of 1940 (the "1940 Act") potentially available to the Funds and the Firm in trying to operate beyond the reach of the 1940 Act.

The Advisers Act and 1940 Act classes will be in turn followed by a series of classes centered on business, marketing and drafting considerations faced by the Firm when organizing the Funds, including a "practicum" designed to simulate a negotiation of a "side letter agreement" between a prospective investor and WPCP. The next portion of the course will look at operational aspects, including in particular compliance obligations, related to managing the Funds, and the last segment of the course will include two practicums, the first involving an examination by the staff of the Securities and Exchange Commission (the "SEC") of the Firm and the second involving a proposed transaction relating to the Firm and its business.

Prerequisite: Prior or concurrent enrollment in Securities Regulation.
LAW 2026 v01 Professional Responsibility Law in the United States (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202026%20v01)
LL.M Course | 2 credit hours
This course provides a practical and practice-oriented approach to the ethical, moral, and social issues that lawyers deal with in the practice of law. The primary objectives are to prepare students to recognize ethical problems when they arise; to identify the applicable authorities – in particular the rules of professional conduct – that are most likely to bear on the matter; and to arrive at a sound resolution. Necessary to these ends will be consideration of the ways in which the ethics rules address the often competing interests involved: those of clients, opposing parties, non-parties, the justice system as a whole, and lawyers themselves.

Class discussions will focus primarily on the American Bar Association (ABA) Model Rules of Professional Conduct and the ABA Model Code of Judicial Conduct. Because disciplinary matters are largely the responsibility of state supreme courts, most of the cases we will discuss arise under the ethics rules adopted by individual states (which are often based on, but not always identical to, the ABA Model Rules). We will also discuss a limited number of federal cases that implicate ethical issues, including the recusal of judges and First Amendment considerations. In addition, specific attention will be focused on how to think critically within the framework of the Multistate Professional Responsibility Examination (MPRE).

Although particular attention will be placed on the ABA Model Rules, MPRE and other authorities that govern the resolution of ethical issues, some attention will be paid to putting the subject in a setting that encompasses both a macroscopic view of the role of lawyers in society and a more earth-bound understanding of the processes by which the professional responsibilities of lawyers are enforced.

LAW 2082 v00 Project Development and Finance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202082%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course will provide students with a fundamental understanding of the legal and practical issues involved in the development and financing of domestic and international infrastructure projects – with an emphasis on major energy infrastructure projects.

We will analyze in depth: (i) the structure of a project finance transaction – including the contractual relationships and risk allocation among parties; (ii) the substantive components of the primary project development agreements; (iii) key project financing concepts and documentation; and (iv) implications of environmental, regulatory and compliance regimes.

Classes will involve lectures and interactive discussion based on selected case studies and articles/publications reflecting projects currently in development and recent project financings. In addition, students will have the opportunity to review and discuss issues and negotiated points in actual project development agreements and financing documentation.

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

LAW 3016 v00 Project Finance in the Public Sector: Theory and Practice of Public-Private Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203016%20v00)
LL.M Course (cross-listed) | 2 credit hours
Governments throughout the United States and globally are faced with acute demands for new or renewed infrastructure (e.g., highways, railways, courthouses, ports, bridges), but frequently the means and specialized expertise necessary to undertake and operate these critical facilities are deficient. Through public-private partnerships (PPPs), private actors can provide the capital necessary for public infrastructure, as well the expertise to construct and operate it. Properly structured, such transactions can offer significant cost savings of the life of the assets as well as significantly shorter development and construction periods (“speed to market”). Drawing on the lessons and techniques developed for project finance, PPPs represent innovative cooperative arrangements between governments and private entities to provide such infrastructure. Through readings, class discussions and case studies, the course will equip students with the fundamentals needed to evaluate, structure and negotiate the legal aspects of PPP formation, implementation and management.

Recommended: A basic understanding of corporations and business law from professional or past academic experience.

LAW 2006 v00 Proseminar in National Security Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202006%20v00)
LL.M Seminar | 3 credit hours
The Proseminar in National Security Law serves as the gateway course for National Security Law LL.M. Students, and it is one of the distinguishing features of the program. The Proseminar is composed solely of National Security Law LL.M. students. Taught in the fall semester, the course provides students with a foundation in cutting-edge national security law topics and an opportunity to think more broadly about the field. The Proseminar helps ensure that students who leave Georgetown Law to join different parts of the national security law dialogue—e.g., civilian and military government agencies, human rights organizations, boutique law firms, in-house at technology companies, contractors, civil liberties organizations, and academic institutions—have an opportunity to be in direct dialogue with each other.

Mutually Excluded Courses: Students may not receive credit for this course and Issues in Disarmament: Proliferation and Terrorism Seminar.

Note: This course is only open to LL.M students who are admitted into the LL.M in National Security Law Program.
The course will address:

1. the theoretical perspectives underlying the international law of investment and the concept of police powers (particularly the power to protect health);
2. the different types of legal tests used to determine the regulatory legitimacy of a measure as well as the impact of varying standards of proof on analysis of this type;
3. rules governing expropriation of property rights and the circumstances in which health and environmental health measures might be considered equivalent to expropriation;
4. rules governing fair and equitable treatment as used in determining the legitimacy of domestic regulatory measures;
5. rules governing non-discrimination and their potential impact on domestic health measures that are non-discriminatory in form;
6. rules governing arbitrary or discriminatory measures; and
7. procedural issues relating to the participation of civil society in the negotiation of investment treaties and the settlement of investment disputes.

**Prerequisite:** Familiarity with international law or global health law is desirable, but not required.  

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.
This course will focus on four core issues: quarantine and criminal penalties, access to affordable medicines and intellectual property, the international and constitutional right to health, and how political institutions and race intersect and condition the effect of law on population health. By looking at these issues in both the United States and abroad, particularly in low- and middle-income countries, students will gain a comparative perspective about how law works in practice.

Utilizing HIV and tuberculosis as core case studies, students will explore how law and policy tools can have a significant impact on population health. Today, state actors continue to use law to address public health issues—with examples of both great successes and significant failures.

As public health law embodies both thorny ethical issues and empirical questions about the power of the state to affect health, examining the intersection of law and social science will reveal substantive issues in key health policy issues as well as the conditions under which law and legal advocacy affects wellbeing. HIV and TB, the world’s biggest infectious killers, provide a lens through which to better understand central issues in public health law and policy, which will then be linked to other health concerns in infectious, non-communicable, and environmental health.

This one-week class will be a blend of lectures, discussion, and small group work. Readings will include case law and legal theory as well as texts from political science, economics, and public health. At the end, students will have a better understanding of how and when the law matters for health—which will be of particular interest to students interested in litigation, lawmaking, and public health regulation.

**Note:** WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 7, 2019 through Friday, January 11, 2019, 9:00 a.m. - 11:35 a.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting their academic advisor in the Office of Graduate Programs. Withdrawals are permitted up until the last class for this specific course.
LAW 3067 v00 Public-Private Partnerships: Law and Governance
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %203067%20v00)
LL.M Course (cross-listed) | 2 credit hours
Public-Private Partnerships (PPPs) are a modern means for pursuing social and policy outcomes and have recently served as a key vehicle for addressing the COVID-19 pandemic. When they work, they mobilize the comparative advantages of the public and private spheres to address key challenges. When they fail, critics cite their worst aspects and argue for a retreat into more traditional roles. Their prevalence means that everyone is likely to come across, and be affected by, such a partnership at some point in their careers.

Serving as a lawyer to a PPP provides an exceptional challenge because the tools and strategies that work when counseling in the public sector may be strange or ill fit for purpose in the private sector (and vice versa). Effective PPP lawyers are translators and guides: they 'speak both languages' thus positioning themselves to propose innovative, non-obvious solutions and can build trust with, and among, partners and stakeholders. Bridging theory and practice, students will have the opportunity to understand why PPPs have emerged and the theoretical basis under which they operate. They will also receive practical tools and knowledge to allow them to work with or within a PPP and discuss and debate sophisticatedly how they should be managed and governed.

To do this, the course uses a mix of lecture, discussion, video, and experiential learning. It will start by examining and contrasting the key organizational, legal, and governance components of public-sector institutions and corporate entities. Students will then analyze several kinds of PPPs including global health partnerships, innovative finance institutions, and biomedical research consortia. In particular, they will examine applicable international, corporation, and regulatory law and seek to understand the choices these partnerships make in applying a particular mix of public-sector and corporate norms. We will seek to understand the high profile COVID-19 PPPs such as COVAX, Accelerating COVID-19 Therapeutic Interventions and Vaccines (ACTIV) partnership, and Operation Warp Speed. A key feature is a simulation that provides students the opportunity to experience the formation of a PPP using the tools they develop during the semester.

LAW 1488 v00 Race and Voting Rights
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201488%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will examine federal law and policy regarding voting rights, with a focus on requirements for equal treatment of racial, ethnic, and language minorities. Included are federal protections against racial discrimination and vote dilution under the constitution and Voting Rights Act; aspects of federal law on redistricting and racial gerrymandering; language assistance protections; the racial impact of state-law voter qualifications (including voter identification requirements, documentary proof-of-citizenship statutes, and felon disenfranchisement laws). Students in this seminar will engage with the constitutional, statutory, and doctrinal foundation for racial nondiscrimination in voting, and will also consider the application of that foundation to current legal and policy debates about voting rights and election participation.

Learning Goals
A. Develop an understanding of foundational legal principles. Students will gain a working understanding of voting rights law as it affects the opportunity for equal and nondiscriminatory participation by racial and ethnic minorities, including congressional authority to prohibit discrimination in voting, protection of minority interests in redistricting, regulation of voter qualifications and registration requirements, and protections for language minority groups.

B. Synthesize and apply foundational principles to contemporary problems in voting. In addition to studying the central legal principles established by the Constitution, federal statutes, and key Supreme Court cases, students in this seminar will also develop an understanding of how to synthesize those foundational sources and apply them to current legal debates regarding voter participation and access to the ballot.

C. Refine presentation skills. The class participation and research presentation requirements of this seminar will require students to develop their skills both in speaking about legal issues and in engaging in critical exchanges with classmates about legal issues.


Note: This seminar requires a paper. Students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement.
The deaths of black men and women at the hands of white police officers in places like Ferguson, Missouri, New York City, North Charlestown, South Carolina, and Baltimore has launched a conversation about race in the United States unlike any we have seen in recent decades. Recent debates have focused on racial bias, discrimination and disadvantage, but have largely ignored the effects of law in the racial inequality context. This course looks to correct that omission. It offers students an opportunity to explore the ongoing role that law plays in both shaping notions of race and in fostering structural racial inequality in the United States. Launching an inquiry that emphasizes history, as well as scholarly critique and social science insights, the course invites students to consider the racial contours and function of law in a host of contexts, including criminal justice, education, family, and housing.

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

This course explores the many ways in which law is implicated in histories of racial differentiation and subordination in the United States. Beginning with histories of colonial settlerism, native dispossession, and black bondage, this course will explore the distinctly racial character of capital accumulation, in the United States and now globally. We continue though the revolutions of emancipation, racial segregation, and selective migration, to understand the racialized patterns of economic inequality rooted in our present. Though the readings assigned in this course have been selected to provide students with a richly historical framework for understanding contemporary crises, students are encouraged to introduce questions that concern them most immediately. Students are also encouraged to think critically across intersections of race, class, gender, and sexuality.

There are no prerequisites for this class, but students should be prepared to engage with variety of materials, not limited to legal cases or statutes. Students will be introduced to foundational essays in the critical legal tradition, as well as emerging interdisciplinary scholarship in postcolonial studies, critical indigenous studies, black radicalism, ethnic / American studies, and feminist / queer studies.

Students will be expected to draft short weekly reflections, to participate in leading our seminar discussion at least once during the semester, and to submit a final paper on a topic of their own choosing.

**Note:** This course requires professor permission to enroll. Please email Professor Munshi (skm67@georgetown.edu) and her assistant Maya Krishnan (maya.krishnan@georgetown.edu) by Wednesday, June 9, 2021 with a copy of your CV and a short statement of interest (1 page or less). Please include whether you want to take the course for 2 or 3 credits. After the June 9 application deadline, students will be admitted into open seats on a rolling basis.

J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1728 v00 Reading the Police Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201728%20v00)
J.D. Seminar | 2 credit hours
During this seminar our class will read six recent books about policing in the United States. We will spend two weeks on each book. The first week we will discuss the book with each other. The second week the author will visit the class to discuss the book. Author visits are likely to be via video conference for the entire term.

Through studying these books and speaking with their authors we will learn how theories of policing have changed over time; how policing is influenced by, and in turn influences, law and politics; the role that race, gender, age and socio-economic status have played in shaping how policing happens; the connection of policing to mass incarceration and its attendant harms; and we will probe some of the biggest challenges facing policing currently, such as combatting gun violence and the rise of big data and surveillance technologies.

The books we will read are:

- **Unwarranted: Policing without Permission**, Barry Friedman (2017)
- **Tangled Up in Blue: Policing the American City**, Rosa Brooks (2021)

**Reflection and Summaries**: All students are required to submit a 500 word reflection paper on each book after we have read the book and before we have discussed it with the author. Reflection papers will be submitted via Canvas by noon two days before class so that they can be made available to the authors before our discussion. Reflection papers will be graded and late papers will be penalized. In addition, all students will submit a 500 word summary of the reading before the first week’s discussion of each book. Summaries will be graded pass-fail and must be submitted each week by 5pm the day before class.

**Grading**

Your grade for the class will be based upon: 1) attendance and participation; 2) reflection papers for each book; and 3) weekly reading summaries.

**Prerequisite**: Criminal Justice or Democracy & Coercion or Criminal Procedure or Instructor Approval. (LL.M.s are welcome).

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

All students are required to submit a 500 word reflection paper on each book after we have read the book and before we have discussed it with the author. Reflection papers will be submitted via Canvas by noon two days before class so that they can be made available to the authors before our discussion.

LAW 1718 v00 Real Estate Development Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201718%20v00)
J.D. Course | 2 credit hours

**Guest Lecturers:**

- Brandon Rule, Rule Enterprises
- Feras Qumseya, Folger-Pratt
- David Bramble, MCB Real Estate

This course teaches the fundamentals of real estate development with considerable emphasis on problem solving and real time engagement of potential development sites. Across the semester, students acquire practical knowledge of the stages of real estate development, as well as the laws and deal structures pertinent to a range of mixed income/mixed use development.

Students whose projects show promise may have the opportunity to join interested professional development teams as interns, continuing their learning experience and involvement on this and/or other projects.

**Learning Goals**

Through class readings, in-class exercises, and guest lectures, students learn to

1. Identify problems and solutions at various stages of the development process: 1) creating and refining a development idea, 2) site selection, evaluation, and control, 3) development and entitlement, 4) construction and tenant occupancy and 5) management of the built project.
2. Navigate the deal structure and most common legal issues in mixed income/mixed use development
3. Research the preliminary feasibility of potential sites and construct a pro forma to analyze business feasibility of those sites
4. Prepare a short prospectus capturing the essentials of site research and pro forma analysis
5. Organize and present a 5-7 min. pitch to industry professionals based on prospectus and pro forma analysis

**Recommended**: This course functions like an incubator for those interested in commercial and multi family real estate development. No prior experience or coursework in development, finance, or real estate law is required, but proficiency with Excel and familiarity with general business and finance concepts could be helpful.

**Note**: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students should submit a statement of interest, along with an updated CV to Professor Anthony Cook (mailto:cooka@georgetown.edu (cooka@georgetown.edu)) by 3:00 pm on Monday, September 21, 2020.
LAW 670 v13 Recent Tax Legislative Developments (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20670%20v13)  
LL.M Seminar (cross-listed) | 2 credit hours  
Each student will select a topic relating to a recently-enacted tax statute or newly-issued interpretation of a tax statute; present an overview of the topic early in the semester; lead a longer discussion of the topic late in the semester; and submit a final paper not later than the paper due date. Professors will give guidance on the topics and paper preparation throughout the semester. Professors also will provide information about the tax legislative process to give context to the paper topics. Students will be graded primarily on the final paper and secondarily on the quality of their discussion/s of their own topic and the value of their comments and suggestions made regarding other students’ topics.  
Prerequisite: Federal Income Taxation

LAW 440 v04 Refugee Law and Policy (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20440%20v04)  
J.D. Course (cross-listed) | 2 credit hours  
This course examines domestic refugee law and policy, with particular focus on asylum and other refugee-related claims for protection that arise in the U.S. legal system. Students will become familiar with the key actors in the asylum and refugee law arena, including the U.S. Congress, the Department of Justice, the Department of Homeland Security, the federal courts, and international entities.  
The course objectives are: (1) to equip students with an understanding of the principles of refugee policy, asylum law, and the United States’ procedures for refugee protection, and (2) to provide students with a practical appreciation for how refugee policy is formed and a working knowledge of asylum law, which will serve as a foundation for academic research, clinical study, employment, pro bono work, and/or internship opportunities within the U.S. government and the NGO community.  
In addition to focusing on the refugee definition as interpreted by U.S. courts, we will examine the processes for adjudicating asylum claims – where the system works and where it fails. We will also seek to understand the limits of asylum law and explore the toughest issues facing asylum adjudicators and policy makers today.  
Note: Priority is given to students fulfilling the requirements of the Certificate in Refugees and Humanitarian Emergencies.

LAW 785 v00 Regional Trade Agreements: The Changing Landscape of International Rules and Policies in the Americas and Beyond (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20785%20v00)  
LL.M Seminar (cross-listed) | 2 credit hours  
The goal of the course is to provide with an in-depth understanding of the most recent regional and bilateral trade agreements in the context of the international trade law system and the interplay of regional arrangements with multilateral rules. Students will acquire knowledge and insights on policies and rules to undertake specialized private practice or government service to handle complex and develop critical thinking regarding the most current trade issues. The course encourages students to develop skills to engage in the preparation and presentation of trade briefings and policy notes dealing with ongoing cases and trade negotiations and disputes.  
The course offers students the opportunity to engage in open guided analytical discussions on the major legal and economic issues of regional trade arrangements (RTAs) and trade negotiations with a special focus on the Americas and their links within the Western hemisphere and with other regions around the world.  
Special attention is devoted the most relevant negotiations and other global impactful events on the trade fields such as the NAFTA negotiations. The seminar will also discuss the linkages between RTAs and the current trade policy developments (e.g. Asia Pacific, Transatlantic) at the multilateral, regional and national level and how they are affecting trade integration in the Americas and beyond.  
Topics that will be covered in this course are trade in agriculture, industrial products, services and investment, market access, trade remedies, intellectual property, competition and dispute settlement and other topics such as environment, labor and digital trade.  
The analysis and discussions in class will be based on treaty text, jurisprudence and the practical, hands-on experience of the professors. Guest-speakers – including practitioners, government officials, or staff from relevant international organizations – will be invited to a few sessions.  
Students will be asked to participate in class presentations and/or group exercises on the topics covered, for example on a hypothetical case study of exports/imports, taking up the role of advisors based in either the importing country or the exporting country. They are also encouraged to bring to the discussion resources and points of view beyond those recommended.  
Students will be required to write a take-home exam of maximum 10 pages long (double space). Class attendance, oral presentation, and class participation will be part of the overall evaluation.  
Prerequisite: for J.D. students only: International Law I: Introduction to International Law (or the equivalent of International Law I, which is a 3 credit course in public international law).  
Note: This course is limited to LL.M. students and students in the final year of their J.D program.
LAW 896 v00 Regulated Money Management: Mutual Funds and Investment Advisers (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20896%20v00)
LL.M Course | 2 credit hours
This course is an introduction to the law and practice relating to two of the best known forms of money management in the United States: mutual funds registered with, and regulated by, the Securities and Exchange Commission; and investment advisers. The course focuses on the regulation of mutual funds and other investment companies under the Investment Company Act of 1940, and investment advisers under the Investment Advisers Act of 1940. The course begins by addressing important threshold questions of who or what is an investment company or investment adviser. The course then moves to an examination of the laws and policies applicable to: registration with, and regulation by, the SEC; disclosure to investors and clients; conflicts of interest faced by money managers; governance of funds and their managers; marketing practices of funds and money managers; fees, charged by funds and advisers; and other aspects of fund and adviser operations. Among the types of investment companies and advisory services that are discussed in the course are: closed-end funds, money market funds, exchange traded funds, private funds, asset allocation programs, and services to retirement plans. Throughout the semester, hot topics of the day including the asset management, business and investment management law are considered such as new legislation, (e.g., the Dodd-Frank Act,) important initiatives in fund disclosure, and potential misuse of material, non-public information.

Note: First class attendance is strongly encouraged for all enrolled and waitlisted students.

LAW 1459 v00 Regulation and Deregulation in the Executive Branch Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201459%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
Most federal regulation comes from the Executive Branch. Cabinet departments and agencies issues rules affecting everything from the environment to the workplace, from prisons to highways. Presidents issue executive orders initiating and rolling back areas of regulation. This seminar will address the authority behind such executive branch actions, the legal requirements they must meet, and the limits on their legal effects. It will address underlying constitutional, statutory, and institutional factors, as well as how potential changes to our regulatory system could affect what, when and how the Executive Branch can regulate. This course is open to all 2L, 3L and LLM students.

LAW 2054 v00 Regulation of Commodities and Derivatives Markets (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202054%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Survey of current regulatory and enforcement issues in commodity and derivatives markets; including environmental / climate change commodities, FinTech, energy, securities, forex and related derivatives trading, including swaps, futures, and options markets. Topics include: (1) overview of the history of derivatives and commodity trading generally; (2) the concepts of hedging and speculation; (3) development of derivatives regulation in the U.S. during the 20th and 21st century and the evolution of the Commodity Exchange Act of 1936 (CEA); (4) the current jurisdiction of the Commodity Futures Trading Commission (CFTC) and the Securities and Exchange Commission (SEC) in the post-Dodd-Frank world; (5) application of commodity trading and derivatives statutes and regulations to new products, such as bitcoin, blockchain and other FinTech innovations; (6) analysis of energy and environmental commodity derivatives and markets (cases studies); (7) application of certain securities and banking statutes and regulations to derivative transactions (e.g., the Volcker Rule); (8) registration and regulation of market participants, such as brokers, hedge fund operators, investment advisers, swap dealers; (9) administrative and injunctive enforcement powers involving violations of the CEA; (10) current developments in self-regulatory oversight; and (11) foreign market access to derivatives trading and developments in the EU. After taking this course, students will have a strong understanding of US federal regulation of commodities and derivatives markets as well as awareness of priority areas for likely CFTC enforcement.

Recommended: Bankruptcy, banking.

Strongly Recommended: Securities, corporations.
LAW 1390 v00 Religion and Constitutions in Global Perspective Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201390%20v00)
 J.D. Seminar (cross-listed) | 2-3 credit hours
 All constitutions around the world deal with religion. Some constitutional systems are theocratic, some accommodate religion, while yet others advocate neutrality toward religious institutions or call for a strict separation between religion and the state. This course examines core questions regarding how religion and law interact in constitutional systems globally. We will explore the role of religion and the state drawn from comparative contexts including Asia, the Middle East, and Europe. We will evaluate the challenges faced by the different models of the relationship between the state and the church (or mosque) in our modern world. To what extent is liberal constitutionalism consistent with constitutional designs that privilege a particular religion? Should religion or secularism ever be placed beyond constitutional change, like through constitutional eternity clauses?

We will also consider the individual right of religious freedom and the scope of its protection globally. What counts as “religion” and religious freedom? Who is better placed to make these determinations—the courts, legislature, executive, or the people? We will discuss controversies relating to these questions, such as apostasy, religious conversion, religious symbols, and bans on religious dress like headscarves and burkinis. This course will also explore contemporary issues relating to religion and gender, multiculturalism, religious arbitration, and conscience claims.

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

LAW 1038 v00 Religion and the Work of a Lawyer Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201038%20v00)
 J.D. Seminar (cross-listed) | 2 credit hours
 For some, the ways in which we think about legal questions, and about our own work as lawyers, are related to our religious or spiritual outlook. The seminar will explore the content of that relation, and such questions as: is such a connection appropriate only as a private matter, not to be brought into the evaluation of policy questions or even into conversation, except with one’s chosen intimates? Can its importance to our legal thinking be honored in a manner that honors too our political commitment to pluralism and freedom of conscience? What is the difference, if any, between religious and secular sources of values? How may one integrate a religious commitment with a career as a lawyer? This is not a seminar on the law of the First Amendment, although it may affect our understanding of some of the controversies.

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

Substantive Goals: For some, the ways in which we think about legal questions, and about our own work as lawyers, are related to our religious or spiritual outlook. The substantive goal of the seminar is to provide students with the opportunity to explore questions such as: is such a connection appropriate only as a private matter, not to be brought into the evaluation of policy questions or even into conversation, except with one’s chosen intimates? Can its importance to our legal thinking be honored in a manner that also honors our political commitment to pluralism and freedom of conscience? What is the difference, if any, between religious and secular sources of values? How may one integrate a religious commitment with a career as a lawyer? This is not a seminar on the law of the First Amendment, although it may affect our understanding of some of the controversies.

This course does not satisfy the JD Upper Level Writing Requirement.

Skills-oriented goals:

1. This seminar requires a series of short reflection and reaction papers which provide an opportunity for students to hone the art of brief writing for a professional setting. The final paper is not a research project, but a short engagement (6-8 pages) with a particular set of issues arising from across the range of topics covered in the course.
2. Reflection papers also aid in preparation for thoughtful student participation in seminar discussions throughout the course, and the further opportunity to hone skills in speaking fluently and comfortably, even about difficult or contentious questions.
3. Seminar discussions will not shy away from sensitive, difficult, or even polarizing cultural and religious questions. Frequent breakout groups and exercises in communication aim to help students hone cognitive empathy, a capacity to listen to understand (rather than simply to debate), and agile skills for dialogue across profound difference.
LAW 1196 v00 Religion, Morality and Contested Claims for Justice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201196%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This interdisciplinary seminar will examine theories of justice and the relationship between law and morality in light of religious and theological visions of the good life and accounts of order. Materials and discussions will probe questions such as: What are the moral values underlying the law? How does the law achieve justice or fall short of this goal? How can moral judgments be brought to bear, if at all, in modern, secular legal institutions and in the formation of public policies?

Throughout the class we will have opportunities to consider how morality and ideas of justice shape, and are shaped by, contemporary legal problems such as: the legal regulation of sexual activity and marriage, controversies regarding federally mandated health insurance, abortion, euthanasia and physician assisted suicide, immigration, regulation of financial institutions, and/or other issues which emerge as topics of particular student interest.

Particular attention will be paid to understanding methods for dialogue across differing thought systems and disciplines and to developing the skills for communication across claims that would otherwise tend to generate religious and political polarization.

This seminar requires a series of short reflection and reaction papers which aim to facilitate thoughtful and active student participation in seminar discussions throughout the course. This course does not satisfy the JD Upper Level Writing Requirement.

Substantive Goals: This interdisciplinary seminar will examine theories of justice and the relationship between law and morality in light of religious and theological visions of the good life and accounts of order. Materials and discussions will probe questions such as: What are the moral values underlying the law? How does the law achieve justice or fall short of this goal? How can moral judgments be brought to bear, if at all, in modern, secular legal institutions and in the formation of public policies? Throughout the class we will have opportunities to consider how morality and ideas of justice shape, and are shaped by, contemporary legal problems.

Recent topics have included: arguments for and against exemptions, public health and religious freedom amidst the COVID-19 pandemic, euthanasia and physician assisted suicide, migration, environmental justice, and other issues which emerge according to student interest.

This course does not satisfy the JD Upper-Level Writing Requirement.

Skills-oriented goals:

1. This seminar requires a series of short reflection and reaction papers which provide an opportunity for students to hone the art of brief writing for a professional setting. For J.D. and L.L.M. students, the final paper is not a research project, but a short engagement (6-8 pages) with a particular set of issues arising from across the range of topics covered in the course.

2. Reflection papers also aid in preparation for thoughtful student participation in seminar discussions throughout the course, and the further opportunity to hone skills in speaking fluently and comfortably, even about difficult or contentious questions.

3. Seminar discussions will not shy away from sensitive, difficult, or even polarizing cultural and religious questions. Frequent breakout groups and exercises in communication aim to help students hone cognitive empathy, a capacity to listen to understand (rather than simply to debate), and agile skills for dialogue even across claims that would otherwise tend to generate religious and political polarization.

A student who has successfully completed this course should:

• Understand the justifications for accommodating groups in general, and religious groups in particular
• Understand the problems associated with accommodating religious groups, especially when the particular group endorses illiberal practices
• Have the capacity to identify the legal instruments meant to mitigate the effects of illiberal practices of religious groups
• Be aware of the relevance of the constitutional culture for both the legitimacy of accommodating religious groups and the problems associated with such accommodations.

Note: This course will meet on Tuesdays and Thursdays, 12:30 - 2:30 pm in Spring 2021 on the following dates: 1/26, 1/28, 2/2, 2/4, 2/9, 2/11, 2/16, 2/18, 2/23, 2/25, 3/2, 3/4 and 3/9.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety may result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course. Students may take this seminar for either 2 or 3 credits. All members of the seminar are required to write a number of short reaction papers. Students taking the seminar for 3 credits are also required to write a research paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.
LAW 1194 v00 Renewable Energy Seminar: Policy, Law and Projects
This seminar provides an overview of the policy and legal frameworks driving the growth of the U.S. renewable energy industry (primarily in the wind and solar sub-sectors); the key contractual documents necessary to develop and finance wind and solar power projects; and the legal and market issues facing the renewable energy sector going forward. After becoming familiar with the policy and market landscape for renewable energy projects in the U.S., students (working in groups) will review a set of hypothetical project documents to analyze potential risks and mitigants for a typical project financier. Students will summarize their findings and present to an “investment committee” comprised of practitioners active in the renewable project development and finance industry.

Learning Objectives:

1. Develop baseline knowledge of key state and federal laws and policies impacting the development and financing of wind and solar energy projects in the U.S., and the interplay between such different levels of regulation.
2. Demonstrate an ability to analyze and explain a particular state’s regulatory regime in respect of the development of certain renewable energy projects located therein.
3. Develop an understanding of the main legal documents (a) governing project development and (b) for project financing, and key provisions (including risks and mitigants, and market commercial terms) for each.
4. Demonstrate an ability to, in cooperation with an assigned team, utilize such background knowledge to analyze a specific set of wind or solar project development documents, including the risks and proposed or actual mitigants in respect of the development and financing of such project.

LAW 3090 v00 Reproductive Rights
This course will explore the history and law of reproductive rights in the United States. The majority of the semester will be spent analyzing the constitutional framework, jurisprudence and federal and state regulations governing forced sterilization, contraception and abortion from the 1920s until today. We will consider the historical, social and religious context of the regulation of reproduction; gender, race and socioeconomic class issues; and the practical impact of the regulations in effect today. This course is primarily focused on reproductive rights in the United States, but we may consider comparative international perspectives.

Please note that this course will not cover regulation of parenting, adoption, foster care, assisted reproductive technologies or related reproductive health topics, or reproductive justice in any meaningful detail.

All students are expected to read the assignments, attend class, and prepare for active discussion every week. Depending on course enrollment, I may assign small groups of students to assist me in leading each week’s discussion of the assigned materials. Short oral presentations on current events or topics of particular interest will likely be assigned during the second half of the semester.

Grading: Class participation, including oral presentations, and/or short reaction papers will represent at least 35% of the final grade. A take-home exam will account for the remaining 65%.

Recommended: Constitutional Law I

LAW 260 v02 Research Skills in International and Comparative Law
This two-credit course will instruct students in understanding the relationship between the sources of public and private international law in a theoretical sense with their actual embodiment in tangible and electronic media. Comparative law bibliography and sources will be covered, as will selected jurisdictions in the civil law tradition. With regard to locating legislation and jurisprudence, students will learn which topics are usually covered in a civil code, and how to deal with problems of language and translation. Separate, in-depth sources will be explored for one or more of the following: international criminal law, international environmental law, international human rights, international trade law and arbitration, commercial law and intellectual property, family law as an international and comparative law topic, and documentation for intergovernmental organizations, chiefly the United Nations bodies, regional organizations, and the European Union. Grading will be based on weekly in-class or homework assignments that allow the student to use and evaluate the various sources; a brief oral presentation on a foreign legal system; and a final research guide on an international law topic or an international organization.

Recommended: International Law I: Introduction to International Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the International and Foreign Legal Research Seminar or Legal Research and Communication Theory in International and Foreign Law.
Introduction to International Law. Recommended: outside their home jurisdiction. interested in pursuing careers in international law or in practicing law competition and other international competitions, and for students editors, students participating in the Jessup International Moot Court oriented scenarios. This course will be especially beneficial for journal research exercises and take-home quizzes based on real world, practice-refine their information-gathering skills through a series of in-class trade, and investor-state arbitration, also will be covered. Students will selected foreign jurisdictions, including the European Union. Tools for international organizations, as well as legislation and case law from tribunals, documentation produced by the United Nations and other multilateral and bilateral treaties, decisions issued by international regions, and the European Union, will be covered as well. Grading will be based on weekly homework assignments that allow the student to use and evaluate the sources discussed in class and on a final project consisting of a research guide on an international law topic, an international organization or the law of a foreign jurisdiction.

Recommended: Prior or concurrent enrollment in International Law I: Introduction to International Law.

Note: In Spring 2017, this class will meet on the following Thursdays: 1/19, 1/26, 2/2, 2/9, 2/16, 3/2, and 3/9.

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

LAW 260 v04 Research Skills in International and Comparative Law
J.D. Seminar (cross-listed) | 2 credit hours
Whether they are representing couples in transnational adoptions or multinational enterprises in cross-border mergers, legal practitioners increasingly are expected to consult international and foreign legal materials. This course will familiarize students with the best tools for researching international law and the domestic law of jurisdictions outside the U.S., enabling them to approach these tasks with confidence, rather than trepidation. Students will learn how to efficiently locate multilateral and bilateral treaties, decisions issued by international tribunals, documentation produced by the United Nations and other international organizations, as well as legislation and case law from selected foreign jurisdictions, including the European Union. Tools for topical research in specialized fields, such as human rights, international trade, and investor-state arbitration, also will be covered. Students will refine their information-gathering skills through a series of in-class research exercises and take-home quizzes based on real world, practice-oriented scenarios. This course will be especially beneficial for journal editors, students participating in the Jessup International Moot Court competition and other international competitions, and for students interested in pursuing careers in international law or in practicing law outside their home jurisdiction.

Recommended: Prior or concurrent enrollment in International Law I: Introduction to International Law.

LAW 837 v00 Research with Human Subjects: Law, Policy & Ethics
LL.M Seminar (cross-listed) | 3 credit hours
This course provides an opportunity to explore issues related to the use of humans as research subjects. The course will begin by examining the history of human subject research, including the abuses that led to the creation of our modern legal protections. Following a discussion of the ethical principles of research involving humans, we will carefully explore the legal treatment of human subjects, focusing on US regulations and international instruments. Core sources will include: the Common Rule (45 CFR 46), Belmont Report, Declaration of Helsinki, Nuremberg Code, and CIOMS. After exploring a series of foundational themes and issues through the first half of the semester, the remainder of the class will focus on in-depth case studies. Topics may include: international research, research involving vulnerable populations (children, prisoners, and pregnant women), informed consent, research on subjects with impaired decision-making abilities, genetic/genomic research, risk-benefit analysis, coercion/undue inducement, use of placebos, and IRB governance.

This seminar provides opportunities for participants to engage in a research and writing project related to humans as research subjects. Participants will conduct independent research and scholarly writing on important problems at the intersection of law, policy and ethics.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.
LAW 1653 v00 Resolution of International Financial Crises Seminar
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201653%20v00)
J.D. Seminar (cross-listed) | 2 credit hours

Overview

While the globalization of private capital markets has generated important welfare gains, it has also been responsible for episodes of financial instability, often with devastating consequences. The Course will analyze the underlying causes of international financial crises and assess the efforts of policy makers to mitigate their impact. The Course will be interdisciplinary in nature, focusing on the legal, financial and economic dimensions of these crises and the relevant policy responses. Key lessons will be distilled from an in-depth analysis of the most important episodes, including the Latin American Debt Crisis, the Asian Financial Crisis, Argentina's default in 2001 and the crises precipitated by the Great Recession of 2008, including the Eurozone Crisis. We will also conduct a simulation, with students playing the roles of the various policy makers seeking to contain and ultimately resolve the crisis.

The Course will analyze both the common patterns of the previous international financial crises and the extent to which they have differed. In that context, the Course will investigate how the dynamics of these crises have been driven both by the evolution of credit markets (including the transition from bank lending to bond issuance) and changes in the underlying legal framework that supports these markets. The Course will analyze the competing considerations faced by policy makers as they seek to mitigate the impact of a crisis – often with large scale financial assistance – without increasing the risk of future crises through the creation of excessive moral hazard. In that context, the Course will review in some detail the role played by the International Monetary Fund in managing these crises.

Learning Objectives

By the end of the course, students will have gained an understanding of how global financial markets have evolved over the past 40 years and how this evolution has both promoted welfare and created significant financial instability. They will learn how the relevant legal frameworks have interacted with this evolution to shape creditor incentives, with a focus on regulatory design, contractual provisions and litigation strategies. Through in-depth case studies, they will gain insight into how public policy makers have struggled to both contain the impact of these crises while, at the same time, introducing reforms to prevent them from recurring. In particular, they will gain an understanding of the legal, policy and governance framework of the IMF and the role it plays as a financial fire fighter. More generally, they will gain an understanding of the challenges faced by policy makers when addressing a systemic crisis, with a focus on the key actors, namely: (a) the governments of the countries experiencing the crisis, (b) private creditors and (c) the IMF. Existing and former officials will participate in a number of classes to share their own perspectives regarding the key lessons to be distilled from previous episodes.

LAW 712 v00 Rethinking Securities Regulations & the Role of the SEC
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20712%20v00)
LL.M Course (cross-listed) | 2 credit hours

Overview

Often brings change. The stock market crash of 1929 prompted Congressional hearings that eventually produced revolutionary legislation: the Securities Act of 1933, which regulated U.S. securities offerings; and the Securities Exchange Act of 1934, which regulated securities markets and established the SEC. Like the financial meltdown 80 years ago, the recent financial crisis has sparked a critique of the U.S. financial regulatory system. Having witnessed a Ponzi scheme of unprecedented magnitude and the near decimation of venerable Wall Street firms, scholars, lawmakers, regulators, and investors have questioned the appropriateness of our current regulatory framework and the role of the SEC.

The first part of the course will focus on understanding the events that prompted the 1933 Act, the 1934 Act, the Investment Company of 1940, the Investment Advisers Act of 1940, and the establishment and growth of the SEC. Perhaps not surprisingly, many of those same policy considerations are driving current discussions within the Commission, in Congress, and in the Administration. The second part of the course will examine particular aspects of securities regulation from both substantive and organizational viewpoints, including the regulation of public companies, investment companies, and investment advisors, with an emphasis on the inner workings of the SEC. We will study the current functions played by the Commission’s various divisions and offices as we explore the pros and cons of the existing regulatory architecture and the initiatives under consideration at the SEC and within Congress. The final segment of the course will focus on the future of the SEC and financial regulation in the U.S. We will review reform proposals and other ideas for reorganizing the system. We will have speakers including present and former senior officials from the SEC and the financial industry.

This course is open to both JD and LLM students and is recommended for students who wish to gain a deeper understanding of the SEC or may be considering an externship with the Commission.

Prerequisite: Prior or concurrent enrollment in Securities Regulation.
**LAW 1293 v00 Rights of Indigenous Peoples in Comparative and International Law**

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

This seminar focuses on the rights of indigenous peoples from the viewpoint of comparative and international law. We will look into the origins of the laws affecting native peoples, how they have changed over the years, and how differently these issues have been handled in various parts of the world. We will also look into the efforts to create an international law on the rights of indigenous peoples.

In this seminar, students can choose their paper topics from a list provided by the professor or can choose their own with the professor's approval. Some of the class sessions will be based on the topics students choose for their papers. Each student will do a one-hour presentation of his or her paper and lead the discussion on it.

The professor will also supply a list of books and a few films designed to give students further insight into the issues covered in the seminar. Each student will select one book (or a film and a book) and will lead discussion in class when we are dealing with a related subject.

There will be no written examination. Grade will be based 80% on the paper and 20% on class participation.

**LAW 382 v00 Roman Law**

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

The subject matter is classical Roman law as it was born, developed, and reached maturity by about 160 CE. The first half of the semester focuses mainly on constitutional structures; the second part on contracts and tort, including practical exercises on reported ancient cases. Whenever is possible and useful, the expositions and explanations are given in a comparative manner vis-à-vis the common law of English origin. A student who completed this course should have enough knowledge and skill to begin a career of *iurisprudent* (wise person of the law); that is, they should be considered qualified to assist the Magistrate in his daily work at the Roman Forum; a position similar to that of clerking for an American judge.

**LAW 403 v04 Rule of Law and the Administration of Justice**

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

This course offers students an opportunity to learn about the expanding field of practice focused on strengthening the Rule of Law. It begins with a review of various definitions of the term, recognizing that many approach the same end through various means. It employs a case study methodology, including specific sessions with U.S. and foreign judges and other legal practitioners active in reform efforts. Topics include: Democracy and the rule of law; access to justice; criminal procedural reform; court administration and case management; commercial court reform; alternative dispute resolution (ADR); judicial independence and accountability; national security and transitional justice; indicators to measure the rule of law; and the role played by legal actors in addressing corruption, both within and outside the legal system. We will consider the rationale behind rule of law reforms by examining experiences, including in the U.S., which seek more competitive market economies, stronger law enforcement, gender equality, or social justice in response to an increase in demand populations, not only formal "users" of justice services. The course will also address the often overlapping or inconsistent agendas of bilateral donors, international organizations (e.g., U.N., World Bank, IMF, USAID, U.S. Military, among others) in the discussion and analysis.

**Learning Objectives:**

- At the end of the course. Students will have acquired an understanding of the various definitions of 'rule of law' and the factors leading to and preventing successful reform efforts.
- At the end of the course, students will have acquired some understanding of the differences and similarities among international financial institutions (IFIs) and their approaches to Rule of Law to be able distinguish varying objectives (e.g. democracy promotion, economic development, human rights and social justice, anti-corruption and law enforcement).
- At the end of the course, students will have acquired a vocabulary and understanding of overlapping (and even inconsistent agendas) to be able to identify the "drivers" of reform and provide inputs for the design or evaluation of Rule of Law reform efforts.

**Recommended:** International Law I: Introduction to International Law is suggested but not required. Familiarity with international organizations would be useful but not required.

**Note:** Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 772 v00 S Corporation and LLC Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20772%20v00)
LL.M Course (cross-listed) | 2 credit hours
Examines the business and tax issues encountered when using either an S corporation, a limited liability company, or a combination. Most of the course focuses on S corporation taxation rules including eligibility requirements, elections, revocations and terminations, corporate level taxes, distributions, loss utilization, compensation planning, and merger and acquisition transactions. Regarding limited liability companies (LLC), areas covered are formation and classification, conversions, application of partnership rules, and compensation. Business considerations and practical tax planning opportunities, as well as choice of entity fundamentals, are highlighted throughout the course.

Prerequisite: Federal Income Taxation (formerly Taxation I); Corporate Income Tax Law I; Prior or concurrent enrollment in Taxation of Partnerships.

LAW 3064 v00 S.J.D. and Fellows Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203064%20v00)
LL.M Seminar | 3 credit hours
The SJD/Fellows Seminar is intended to provide our graduate students and fellows who hope to enter the legal academy with a shared body of knowledge regarding jurisprudence, legal theory, and interdisciplinary movements in law, as well as a place to "workshop" their works in progress. The Seminar alternates between "workshop" meetings, in which graduate students and fellows may present their work in progress to the group and invited faculty members and receive critical feedback, and "seminar" meetings. The seminar runs four semesters, with a different theme in each of the semesters: one semester each is devoted to "Contemporary Legal Scholarship," "The History of American Legal Theory," "Law and Social Science," and "Law and Humanities."
The seminar aims to equip students and fellows with a basic core of knowledge in these areas that are widely shared in the legal academy, and expose them to the works and methods of scholarship now shaping the legal academy.

In the Fall of 2018, the subject of the seminar will be Contemporary Legal Scholarship, with a substantive focus on international and comparative law. We will look at a series of articles that examine, inter alia and subject to change, the Jurisprudence of Comparative Law, Comparative Constitutionalism, Human Rights Law, Comparative Criminal Justice, and Comparative Family Law. In the Spring of 2019, the subject will be American Legal Theory. We will looks at some of the now classic pieces of legal scholarship from the formative era of American legal thought to the present, including foundational work in Legal Realism, Legal Formalism, the Legal Process School, and Liberal Legalism, with an introduction to contemporary movements, including Law and Economics, Critical Legal Studies, Critical Feminist and Race movements, and their contemporary and postmodern critics. In the Fall of 2019 we take up "Law and Social Sciences," where we examine articles from Law and Economics, Law and Sociology, Law and Psychology and contemporary Empirical Legal Studies, with an introduction to Empirical Legal Methods as well. In the Spring of 2020 we look at "Law and the Humanities," including Law and Philosophy, Law and Literature, Legal History and Law and Cultural Studies. While a thorough examination of each of these fields is far beyond the reach or capacity of the seminar, we do hope to introduce fellows and students to some of the major ideas currently having an impact or being debated in the legal academy.

Note: Georgetown Law clinical, research and institute fellows are all invited and encouraged to participate on a non-credit basis.
LAW 3109 v00 S.J.D. and Fellows Seminar: American Legal Theory
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203109%20v00)

LL.M Seminar | 3 credit hours
The SJD/Fellows Seminar is intended to provide our graduate students and fellows who hope to enter the legal academy with a shared body of knowledge regarding jurisprudence, legal theory, and interdisciplinary movements in law, as well as a place to "workshop" their works in progress. The Seminar alternates between "workshop" meetings, in which graduate students and fellows may present their work in progress to the group and invited faculty members and receive critical feedback, and "seminar" meetings. The seminar runs four semesters, with a different theme in each of the semesters: one semester each is devoted to "Contemporary Legal Scholarship," "The History of American Legal Theory," "Law and Social Science," and "Law and Humanities." The seminar aims to equip students and fellows with a basic core of knowledge in these areas that are widely shared in the legal academy, and expose them to the works and methods of scholarship now shaping the legal academy.

In Spring Semester of 2021, the seminar portion of the seminar/workshop will introduce important ideas and ways of thinking that have become a part of the shared discourse of the legal academy, including foundational work in Legal Realism, Legal Formalism, the Legal Process School, and Liberal Legalism. We will also look at recent movements, including Critical Legal Studies, Critical Feminist and Race movements, and their contemporary and postmodern critics.

Note: The seminar/workshop is required for all first and second year SJD students. All clinical, research and institute fellows are invited and encouraged to attend. The seminar is also open to PhD students in residence at GULC, visiting scholars and researchers, graduates in the area, and white house and supreme court fellows.

LAW 3108 v00 S.J.D. and Fellows Seminar: Contemporary Legal Scholarship
(http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203108%20v00)

LL.M Seminar | 3 credit hours
The SJD/Fellows Seminar is intended to provide our graduate students and fellows who hope to enter the legal academy with a shared body of knowledge regarding jurisprudence, legal theory, and interdisciplinary movements in law, as well as a place to "workshop" their works in progress. The Seminar alternates between "workshop" meetings, in which graduate students and fellows may present their work in progress to the group and invited faculty members and receive critical feedback, and "seminar" meetings. The seminar runs four semesters, with a different theme in each of the semesters: one semester each is devoted to "Contemporary Legal Scholarship," "The History of American Legal Theory," "Law and Social Science," and "Law and Humanities." The seminar aims to equip students and fellows with a basic core of knowledge in these areas that are widely shared in the legal academy, and expose them to the works and methods of scholarship now shaping the legal academy.

In Fall Semester of 2020, the seminar portion of the seminar/workshop will introduce various types of legal scholarship that have had, or will have, a significant impact on their respective fields, with a substantive focus on international and comparative law, such as the Jurisprudence of Comparative Law, Comparative Constitutionalism, Human Rights Law, Comparative Criminal Justice, and Comparative Family Law.

Note: The seminar/workshop is required for all first and second year SJD students. All clinical, research and institute fellows are invited and encouraged to attend. The seminar is also open to PhD students in residence at GULC, visiting scholars and researchers, graduates in the area, and white house and supreme court fellows.
The S.J.D. Fellows Seminar is intended to provide our graduate students and fellows who hope to enter the legal academy with a shared body of knowledge regarding jurisprudence, legal theory, and interdisciplinary movements in law, as well as a place to "workshop" their works in progress. The Seminar alternates between "workshop" meetings, in which graduate students and fellows may present their work in progress to the group and invited faculty members and receive critical feedback, and "seminar" meetings. The seminar runs four semesters, with a different theme in each of the semesters: one semester each is devoted to "Contemporary Legal Scholarship," "The History of American Legal Theory," "Law and Social Science," and "Law and Humanities." The seminar aims to equip students and fellows with a basic core of knowledge in these areas that are widely shared in the legal academy, and expose them to the works and methods of scholarship now shaping the legal academy.

In Fall Semester of 2021, the seminar portion of the seminar/workshop will examine law and its intersection with various fields in the humanities, including Law and Philosophy, Law and Literature, Legal History, and Law and Cultural Studies.

Note: The seminar/workshop is required for all first and second year SJD students. All clinical, research and institute fellows are invited and encouraged to attend. The seminar is also open to PhD students in residence at GULC, visiting scholars and researchers, graduates in the area, and white house and supreme court fellows.

The S.J.D. Core Curriculum is for all students in residence and consists of four components: the S.J.D. Colloquium, the S.J.D. Seminar, Supervised or Independent Reading, and the S.J.D. and Fellows Seminar.

In Spring Semester of 2020, the seminar portion of the seminar/workshop will focus on Law and Social Sciences. We will look at recent articles from the related fields of Law and Economics, Behavioral Law and Economics, Law and Sociology, Law and Psychology and contemporary Empirical Legal Studies.

Note: The seminar/workshop is required for all first and second year SJD students. All clinical, research and institute fellows are invited and encouraged to attend. The seminar is also open to PhD students in residence at GULC, visiting scholars and researchers, graduates in the area, and white house and supreme court fellows.
**LAW 2048 v00 S.J.D. Seminar**
LL.M Seminar | 3 credit hours
The S.J.D. Seminars are small group classes consisting of 6-8 students. Each seminar group meets weekly to discuss students' work in progress. Students present their work two times a semester on a rotating basis. The goal is to improve the quality of their work in a collaborative and supportive environment.

**Note:** This course is limited to S.J.D. students and requires departmental approval.

**LAW 2015 v00 Scholarly Writing**
LL.M Seminar | 2 credit hours
This course introduces students to scholarly legal writing, focusing on the writing process and the expectations of the audience in the legal discourse community. Students will be introduced to legal research techniques for selecting a topic and thesis for a scholarly paper and will engage in all steps of the writing process. In addition to regular class meetings to discuss research strategies, outlining techniques, organization tools, use of footnotes for authority and attribution, and audience expectations, students will meet regularly with the professor in one-on-one conferences to discuss the progress of their papers and will receive feedback from the professor at each stage of the writing process. Students will be required to research and write an original scholarly paper of at least 10-15 pages in length and to engage in multiple revisions of the paper.

**Note:** This class is restricted to students in the Extended LL.M. with Certificate in Legal English program.

**LAW 3055 v00 Scholarly Writing: African Women's Human Rights Issues**
LL.M Seminar | 2 credit hours
This course introduces students to scholarly legal writing, focusing on African women's human rights topics. Students will be introduced to legal research techniques for selecting and narrowing their topics. These strategies will help students to develop a "kernel," which is a well-researched and well-written 10-page background section of their thesis. In addition to regular class meetings to discuss research strategies, outlining techniques, organization tools, use of footnotes for authority and attribution, and audience expectations, students will meet with the professor to discuss the progress of their writing. Students will receive written feedback from the professor on each submission. Students will be required to research and write at least 10 pages combining scholarship with their original thoughts or experiences on their topics. At least two drafts must be submitted and revised during the course to receive a passing grade.

**Prerequisite:** Foundations of American Law.

**Note:** This course is graded pass-fail. During Summer 2021, this course is restricted to the Leadership and Advocacy for Women from Africa (LAWA) fellowship students. Attendance is mandatory at all class sessions.

**LAW 960 v00 SEC Enforcement Process**
LL.M Course (cross-listed) | 2 credit hours
This course examines all aspects of the SEC's enforcement process, from the opening of an investigation through its resolution, whether by settlement, litigation, or closure without enforcement action. We consider strategic considerations from both the SEC's and defense practitioner's perspective at every critical juncture of an investigation, including whether to self-report and cooperate, whether to assert and how to protect privileges, and how to engage with the SEC before, during, and after the Wells process. We also discuss the overlapping roles of federal and state criminal and civil regulatory authorities. We examine internal investigations, whistleblowers, the ethical obligations of counsel, and review the SEC's current areas of enforcement focus – insider trading, financial fraud, investment advisors, gatekeepers, Ponzi and pyramid schemes, and the Foreign Corrupt Practices Act. We survey the various contexts in which claims under the securities laws may be pursued, including litigation with the SEC and other regulators and class and derivative actions. We use important historical precedents as well as current SEC enforcement developments as the basis for class discussion.

**Strongly Recommended:** Previous or concurrent registration in Securities Regulation is strongly recommended.

**LAW 760 v01 SEC Regulation of Financial Institutions and the Securities Markets**
LL.M Course (cross-listed) | 2 credit hours
The securities markets have faced some of the most significant challenges since the creation of the Securities and Exchange Commission; including the recent credit crisis, the implosion of subprime mortgages, the collapse of several of the largest brokerage houses, the failure of auctions for auction-rate securities, the liquidity crisis in asset-backed securities, and the alleged $50 billion Ponzi scheme by Bernard Madoff. These events have altered the landscape of 21st-century Wall Street. This course will cover the operation and regulation of the securities markets, brokerage firms, and other financial institutions. We will study specialized SEC and self-regulatory organization rules that regulate the activities of financial firms in connection with the distribution and trading of securities as well as Exchange Act anti-fraud concepts. We will explore the increasingly complex questions raised as world markets continue to converge, examine recent trends and proposed regulation in this area, consider the appropriate bounds of U.S. regulation when foreign markets, financial institutions, and investors interact, and discuss the securities activities of banks and other financial institutions into the securities business. We will look at each of these issues in the context of the current financial crisis, the collapse of Bear Stearns, the bankruptcy of Lehman Brothers, and the sale of Merrill Lynch.

**Recommended:** Securities Regulation.

**Note:** DISTANCE STUDENTS REGISTER FOR CRN#: 35218. This course is open to both on-campus and distance students. However, only students enrolled in the Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, and the MSL programs may take this course on a distance basis. All J.D. students and resident LL.M. students may not enroll in this course on a distance basis.
LAW 860 v01 Securities Enforcement Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20860%20v01)
LL.M Seminar (cross-listed) | 3 credit hours
This seminar will introduce students to the specialized legal arena of U.S. securities arbitration and mediation. Though these proceedings are similar in many ways to a traditional court proceeding and/or mediation, they are also distinctly different and offer their own sets of advantages and disadvantages to parties that are seeking to resolve a dispute. This course will discuss the origins of securities arbitration and mediation, how they differ from court proceedings, the various forums for arbitration and mediation claims, and to whom these forums are available. Focusing primarily on FINRA arbitrations, we will cover the procedural steps involved in bringing a claim through the arbitration and mediation process, as well as the substantive types of claims and disputes that can be settled through arbitration and mediation. The course will also review the pros and cons of arbitration and mediation generally, and the remedies available to a party unhappy with the outcome of an arbitration. Students will participate in their own mock arbitration exercise at the end of this course.

Prerequisite: Note for J.D. students only: Prior or concurrent enrollment in Securities Regulation is strongly recommended.

LAW 1392 v00 Securities Enforcement Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201392%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
The seminar will explore some of the issues that arise in securities enforcement. We will begin by brushing up on liability provisions that authorize various enforcement agents – from plaintiffs in securities class actions to SEC enforcement and prosecutors – to initiate an action. The focus will be on SEC investigations and the many interesting issues they raise, including issues that have long raised concerns, such as neither-admit-nor-deny settlements and prosecutions of firms, and issues that became controversial more recently, such as whether and under what conditions should enforcement actions be litigated before administrative law judges instead of in federal district court. In addition to looking at specific legal provisions we will discuss some of the bigger policy questions enforcement raises.

Prerequisite: Prior or concurrent enrollment in Corporations.

LAW 940 v00 Securities Law and the Internet (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20940%20v00)
LL.M Course (cross-listed) | 2 credit hours
The Internet has become more important than ever to today’s investors. Similar to the change ATM machines brought to retail banking, the Internet has now given investors the ability to trade without human interaction. Over the last several decades this change has dramatically reduced transaction costs (commission and time), but securities regulators must constantly play catch up. Consequently, in the area of securities, investments, finance and commerce, the Internet can often seem akin to the Wild West, with the pioneers and entrepreneurs struggling within an uncharted territory of the securities laws. This course focuses on four important areas of concern for the securities lawyer: offerings conducted over the Internet, including via more opaque SPAC vehicles, and the impact of the 2012 JOBS Act; trading facilities and market centers operating over the Internet and the increasingly dark market; giving investment advice over the Internet and the importance of social media; and SEC Enforcement issues and the Internet. This course covers the nuts and bolts of the securities laws in each of the areas, and then applies existing statutes, rules and regulations to ongoing Internet activities.

Prerequisite: Securities Regulation.

Note: NOTE FOR THE SUMMER 2021 SECTION: One of the professors has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

LAW 941 v01 Securities Litigation and Enforcement (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20941%20v01)
J.D. Course | 2 credit hours
This course will examine the enforcement of the federal securities laws by the Securities and Exchange Commission, the Department of Justice and through private litigation, primarily class actions. It will examine the causes of action under the securities laws and their elements, including concepts of materiality, falsity, causation (loss and transaction), reliance, scienter and damages. It will cover specific procedural requirements such as pleadings and class certification, the economic aspects of securities litigation, including the efficient market hypothesis and event studies as well as issues raised by the recent Supreme Court jurisprudence such as Dura, Tellabs, Morrison, Halliburton II, Omnicare, Salman, and Goldman Sachs. It will also cover the dynamics of securities litigation, including the role of the Securities and Exchange Commission, trial advocacy issues, settlement and indemnification. It is our expectation that during the semester, each student will have the opportunity to make an appellate oral argument before the class in a case raising a securities law issue. One of the goals of this course is to enable the student to become an effective member of a litigation team in a firm representing a party in securities litigation.

Recommended: While there are no prerequisites for this course, courses in Corporations and Securities Regulation are recommended.
LAW 396 v01 Securities Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20396%20v01)
J.D. Course (cross-listed) | 3-4 credit hours
This course involves the study of the disclosure philosophy of the federal securities laws and the nature and regulation of the securities markets. The relevant statutes are the Securities Act of 1933 and the Securities Exchange Act of 1934. Among the specific topics covered are registration and exemptions under the 1933 Act and civil liabilities under both the 1933 and 1934 Acts. The class also studies the economics of disclosure and liability rules and the workings of an efficient market.

Professor Langevoort’s course is for 4 credit hours.

Prerequisite: Corporations.

LAW 396 v05 Securities Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20396%20v05)
LL.M Course (cross-listed) | 2 credit hours
This course focuses on the federal securities laws and the nature and regulation of the U.S. securities markets. The relevant statutes are the Securities Act of 1933 and the Securities Exchange Act of 1934. Among other topics, the course introduces students to registration requirements and exemptions under the 1933 Act and the disclosure obligations and the liability provisions under both the 1933 and the 1934 Acts. This course covers similar territory as the 3- and 4-credit versions of Securities Regulation, but its primary focus is on the core principles and practical aspects of the registration and disclosure requirements, including their historical background, while devoting less attention to judicial case law and detailed regulatory requirements. This course would be appropriate for foreign-trained lawyers pursuing the LL.M. degree in Securities and Financial Regulation and for J.D. students desiring an overview of this area.

Recommended: Prior or concurrent enrollment in Corporations.

LAW 396 v07 Securities Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20396%20v07)
J.D. Course (cross-listed) | 3 credit hours
In this course we will study the disclosure philosophy of the federal securities laws and the nature and regulation of securities, securities markets and market participants. The primary statutes we will cover are the Securities Act of 1933, or the ’33 Act, and the Securities Exchange Act of 1934, or the ’34 Act, including recent amendments such as Dodd-Frank and the JOBS Act, as administered primarily by the U.S. Securities and Exchange Commission. Major topics include the registration requirements for securities transactions and exemptions from these requirements, the concept of materiality, issuer reporting requirements under the ’34 Act and civil liabilities for securities law violations. At times, our discussions will also touch on relevant economic and policy underpinnings and current events.

Prerequisite: Corporations.

Note: J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.

LAW 553 v50 Securities Trading Regulation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20553%20v50)
LL.M Course | 2 credit hours
The goal of the course is to provide participants an in-depth understanding of the key themes underlying the regulation of trading in the U.S. Financial Markets. The course will provide students the following: (1) An overview of the current market structure. (2) An understanding trading systems commonly used in today’s markets. (3) An in-depth review of the federal securities laws and self-regulatory organization (SROs) rules applicable to order handling and trading in the U.S. Securities Markets. (4) An in-depth review of Regulation NMS.

Prerequisite: J.D. students must take Securities Regulation prior to taking this class. LL.M. students in the Securities and Financial Regulation Program are presumed to have taken Securities Regulation prior to this course. Specifically, students should have knowledge of the basic duties of a broker-dealer under the Securities Exchange Act of 1934.

LAW 373 v00 Seminar on Humanitarian Crises (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20373%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This research seminar will provide an opportunity to critically examine a number of humanitarian crises, including Afghanistan, Bosnia, Colombia, Haiti (earthquake -2010), Iraq, Myanmar, Somalia, South Sudan, Syria, Ukraine, West Africa (Ebola-2014), and Yemen. Each of these crises will be analyzed in terms of: their causes; efforts to prevent, respond to and recover from the crisis; the extent to which international legal frameworks were applied and the impact of the crisis on legal principles; the engagement of different actors (from military forces to local faith-based communities); the extent to which humanitarian principles of neutrality, independence, and impartiality were compromised in humanitarian response; the relationship between refugees, internally displaced persons and ‘trapped populations’ as determinants of international attention; and difficult operational issues around access, negotiations with non-state actors, and the relationship between security concerns and humanitarian response.

Prior to the first class, law students must read the 1951 Refugee Convention and a very short excerpt, pp. 30-39, from a chapter by Andrew Schoenholtz on “Improving Legal Frameworks” in The Uprooted: Improving Humanitarian Responses to Forced Migration (2005).

Recommended: At least one course in Refugee Law, International Human Rights Law, or International Humanitarian Law.

Note: See the schedule of courses on the Main Campus Registrar’s website (http://registrar.georgetown.edu) for room assignments. Law Center students may register only through the Law Center’s registration system.

This seminar requires a paper. J.D. students must register for the 3 credit WR section of the seminar (LAWJ-373-09) if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement.
LAW 1614 v00 Sentencing Law, Policy, and Practice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201614%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will familiarize students with the history, law, policy, and administration of American criminal sentencing, both state and federal. The course will examine sentencing from theoretical and policy perspectives, while also explaining how federal sentencing proceedings are litigated. The course will examine: 1) the goals and justifications for punishment; 2) the institutional actors involved in the sentencing process and their often-competing interests; 3) various sentencing schemes including discretionary versus non-discretionary sentencing; 4) risk prediction; 5) the role and function of the U.S. Sentencing Commission and similar commissions; and 6) the collateral consequences of a conviction. Students will learn the basic elements of the U.S. Sentencing Guidelines, apply those Guidelines to a hypothetical case, prepare a sentencing memorandum, and witness an actual sentencing hearing in either the DC Superior Court or the DC Federal District Court. The course is available as 2 or 3 credits.

Mutually Excluded Courses: Students may not receive credit for this course and Sentencing Law and Policy or Sentencing and Pre-Trial Detention: Law and Policy.

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

LAW 1711 v00 Separation of Powers Seminar: Hot Topics in Scholarship (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201711%20v00)
J.D. Seminar | 2-3 credit hours
The nature and consequences of our constitutional separation of powers are topics of substantial debate, with significant implications for our system of government. This seminar examines recent scholarly discussions of various aspects of the separation of powers. Topics will include deep dives into each of the three branches, discussions of the interactions between those branches and other institutions, and selected thematic topics.

Note: Students can take this course and Separation of Powers with Professor Lederman and Separation of Powers Seminar with Professors Clement and Blatt.

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

LAW 1441 v00 Serial and Adnan Syed: Special Topics in Criminal Procedure (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201441%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
The popular podcast Serial's first season was a classic “whodunit” chronicling the case of Adnan Syed, a Baltimore high school student accused and convicted of murder. The story also raised several complex and interesting questions of criminal procedure. Using the case of Adnan Syed as a case study, this course will cover topics that criminal defendants face from “bail to jail”, including bail and pre-trial detention, plea bargaining, ineffective assistance of counsel, and sentencing. This course will examine the responsibilities and the power allocated to each of the players in the criminal justice system, including judges, prosecutors, defense counsel, law enforcement, and defendants. At each stage, we will ask whether the system is working optimally, and how the process may be improved.

The first hour of each class will tackle the constitutional cases assigned that week; the second hour will apply the law to the Adnan Syed case facts. Because the Adnan Syed case is ongoing, the readings may be supplemented with late-breaking court filings. The course will also feature guest speakers involved in the Adnan Syed litigation. Assignments will include three short (2-3 page) writing assignments and a final (10-15 page) paper.

Prerequisite: Criminal Justice or Criminal Procedure.

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

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1661 v00 Sex Equality: Theory and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201661%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
The seminar on Sex Equality: Theory and Practice will focus on particular issues that currently press the boundaries of what “sex equality under the law” means, both legally and socially. Over the course of the week, students will read and discuss at least one substantial piece of recent feminist scholarship and also meet with one or more leading practitioners in the field. For example, students may read a law review article that addresses transgender or gender non-binary issues, and discuss its ideas from a theoretical point of view with the professor and then discuss the same questions with a more applied focus with an advocate. Students may also read short texts such as articles from journalism or organizational reports.

By the end of the week, students will have gained a concrete sense of how current scholarly debates intersect with the efforts of advocates involved in lawmaking (whether through litigation or other means). The class itself will serve as a bridge between academia and practice, and discussions will analyze both overlaps and disjunctions.

Attendance and participation every day is mandatory. In addition to participation, valuation will be based on written reactions to the assigned scholarly readings.

Recommended: Knowledge of Fourteenth Amendment rights or anti-discrimination statutes would be helpful, but is not required.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 6, 2020, through Thursday, January 9, 2020, 1:30 p.m. - 4:50 p.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

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

LAW 1404 v00 Social Justice and Taxation (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201404%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course explores questions of social justice in taxation both in theory and practice, focusing on issues related to distributive justice, tax-based social programs, and families. Part I of this course will introduce students to theories of distributive justice in taxation. Students will become familiar with a range of political philosophies that can inform our understanding of distributive justice, including theories set forth by John Stuart Mill, Robert Nozick, John Rawls, Ronald Dworkin and Amartya Sen. We will examine these theories in the context of income taxation, endowment taxation, and wealth taxation. Part II will explore the use of the tax system to advance non-revenue raising social goals. Students will consider the strengths and limitations of the tax expenditure approach advanced by Stanley Surrey and will critique existing tax programs, examining their distributive effects and impact on the poor. Topics will include charitable deductions, the earned income tax credit, and tax-based housing subsidies. Part III will consider tax issues related to family units. Students will explore the existing treatment of families under the tax law and consider alternative approaches, paying close attention to the effect on women and the poor.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
Never before have so many individuals had such a tremendous opportunity to access information, to engage with others, and to express their views on a global scale. Simultaneously, 24/7 online access means that actors can more easily manipulate networks, foment hatred, reach audiences poised to engage in violence, and spread false information. Platforms seemingly protected by the First Amendment, moreover, can be used to undermine and destabilize democratic systems and to radicalize and recruit adherents to violent causes. The risks to national security could be profound.

Yet does this give the government the right to remove content from these sites? And what should the role of private actors be, in light of the enormous political, social, and economic implications of restricting—or failing to restrict—online speech and association? What options are there for dealing with false or misleading information? What are the risks posed by the different courses of action? How should we think about even traditional areas of the law, such as antitrust, when agreement among social media providers results in effective de-platforming of certain individuals and views? What are the privacy implications of micro-targeting and social media evolution in the advertising and marketing arena? And what happens when effective targeting is moved to a political realm?

The move to virtual reality will be even more profound. Patents have been filed for collecting biopotential signals, tracking muscle and eye movements to re-create individuals’ expressions and actions in an online environment. Others allow users to feel digital images in a 3D world, integrating the experience. The recording of what is done in the VR allows users to share the experience with others, even as hardware attached to other users will be able to mimic the experiences of the original user. How should we think about brain computing and online actions in light of criminal law?

How should we think about social media in light of the current constitutional, statutory, and regulatory environment?

This course begins with the origins of the First Amendment, examines its evolution, and raises some of the most pressing questions today that come out of a doctrine utterly unprepared for the digital age. The course mixes traditional lecture background with Socratic exchange and intense debates.

Learning outcomes:

As a result of taking the course, students will be able to:

- articulate the opportunities and risks presented by social media;
- ascertain ways in which online platforms challenge our traditional understanding of the First Amendment; and
- identify the privacy concerns at stake in new and emerging technologies and discuss how they fit within prominent paradigms.
LAW 3049 v00 Sovereign States and the Permanent Court of Arbitration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203049%20v00)
LL.M Course (cross-listed) | 1 credit hour
While arbitration is most often thought of as an alternative to litigation in national courts, arbitration between sovereign states developed as an alternative to war. This course examines the use of arbitration to resolve the most complex and politically sensitive disputes between governments.

Drawing heavily on the experience of the Permanent Court of Arbitration, students will learn the reasons for the renaissance of this form of dispute settlement and how it differs from more conventional forms of arbitration and from international courts with pre-appointed judges. Students will evaluate arbitration’s effectiveness in a series of recent high-profile cases. The course will include video clips of hearings and interactive exercises.

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

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

LAW 406 v00 Space Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20406%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar addresses the international and domestic laws governing outer space. Class discussion will include issues such as: liability for damage caused by space objects, use of outer space resources, rescue of astronauts and return of objects launched into outer space, environmental issues in outer space, and other more specific topics such as NASA and the International Space Station, commercial space operations, U.S. Government agencies involved in outer space, and the role of the United Nations in outer space.

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

LAW 406 v01 Space Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20406%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
This course will provide an overview of U.S. domestic and international law applicable to spaceflight activities. The focus will be on domestic licensing procedures and international treaty interpretation for launches, reentries, and other spaceflight activities.

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

LAW 947 v00 Special Topics in Exempt Organizations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20947%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This course will focus on the practical deal-making aspects of structuring transactions involving non-profits and for-profits, with focus on the rules governing joint ventures (designing a joint venture policy), choice of entity issues, hospital and health care industry deals, low income housing tax credit issues, historic and energy tax credits, new markets tax credit transactions, environmental and conservation ventures, university joint ventures (e.g., distance learning, faculty research andpouring rights), impact investing, social benefit corporations (Hobby Lobby case) and valuation and reasonable compensation issues. It will include negotiating strategies (key structural issues, how to educate the for-profit party, “must-have” deal terms); case studies with students taking sides in negotiating the deal; Congressional outlook (political and lobbying) and “hot” UBIT topics. The course will feature guest lecturers from the Treasury, IRS and the private sector, including in-house general counsel of tax exempt organizations. The course will require a 20 page (approx.) paper.

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

**Recommended:** Taxation of Charities and Other Nonprofit Organizations.
LAW 1525 v00 Special Topics in Immigration

J.D. Seminar (cross-listed) | 2 credit hours
This course will give students an in-depth look at rapidly developing areas in immigration law. Students will become familiar with the variety of adjudicators in the immigration system, navigating the relationship between Asylum Officers, Immigration Judges, the Board of Immigration Appeals, and the federal courts. We explore legal topics that often arise before these adjudicatory bodies, focusing on those that generate the most frequent—and complex—litigation. Specifically, we focus on detention and bond, corroboration requirements for asylum seekers, and “categorical approach,” under which adjudicators determine whether a criminal conviction renders a respondent removable and ineligible for relief. Students will also become familiar with constitutional challenges to immigration statutes or procedures as they appear in immigration courts and the extent of executive authority under the immigration laws. Finally, we introduce students to judicial review under the Immigration & Nationality Act, the immigration rule of lenity, and the role of deference doctrines in immigration cases.

This course also provides experiential training in the field of appellate immigration practice. Instead of writing a final paper or exam, students will participate in a moot court exercise. Each student will draft the pleadings and prepare arguments for an immigration-related case currently pending in a court of appeals. During this process, the professors provide each student with individualized feedback on her brief-writing and oral advocacy.

Learning Objectives:

Through this course, students will:

- Better understand judicial review under the immigration laws and the immigration adjudication procedures.
- Develop familiarity with asylum law, exclusion and removal grounds, and detention under the immigration laws.
- Gain knowledge of administrative legal practice, including concepts like administrative exhaustion requirements, administrative appeals procedures, and judicial review.
- Become familiar with appellate practice, including concepts like standard of review and findings of fact.
- Develop oral advocacy skills, including the ability to respond to present a legal argument and respond to questions from appeals judges.
- Prepare pleadings in an immigration case at the appellate level, including researching relevant caselaw and succinctly stating the facts of the case.

Recommended: Immigration Law and Policy.

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LAW 775 v01 Special Topics in State and Local Taxation

LL.M Course (cross-listed) | 2 credit hours
The biggest challenge of a multistate tax practice is dealing with the practical issues of multiple states with sometimes conflicting laws and regulations. Most companies operate in multistate environment and must learn how to apply their operational realities to a patchwork of state and local tax laws and regulations. With telecommuting, internet and other work options, and a fluid workforce, this course will also review the state and local tax rules for employers/employees and individuals.

This course reviews the basic concepts that govern multistate taxation on an operational level and detailed practice and procedures guidelines. The issues surrounding audits and record access will be discussed along with the use of tools such as managed audits and voluntary disclosures. Appeals on administrative and judicial levels will be reviewed with an emphasis on statute of limitation, de novo and other issues. Additionally, this course will provide a review of the relationships between the states, information sharing between and among the states and the federal government, and the natural tension between taxpayers and the state revenue departments.

Learning objectives:

Gain an understanding of the practical aspects of state and local taxation. This understanding will prepare you to take on real time state tax projects with a client perspective. The class will also provide you with an understanding of state and local learning resources to gain the needed information to define and complete state and local tax projects.

Prerequisite: Federal Income Taxation (formerly Taxation I).
**LAW 417 v09 Sports Law** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20417%20v09)

J.D. Course (cross-listed) | 3 credit hours
Sports law is hard. A sports lawyer knows something about torts, contracts, antitrust, labor law, intellectual property, and telecommunications/internet law. A sports lawyer’s practice consists of litigation, transactional work, and regulatory work. A sports lawyer knows the law, legal strategy, and ethics. A sports lawyer is incredibly specialized in her knowledge and, yet, winning and losing comes down to good lawyering.

Sports lawyering is not what you saw in the movie *Jerry Maguire*. The agent-player relationship is just a tiny fraction of sports lawyering. This class seeks to broaden the concept of sports law to anything related to the business, law, and regulation of sport.

Be prepared to learn a lot of antitrust and labor law and a lot of doctrine. But also be prepared to look at many issues in the national news – from Tom Brady’s suspension for deflating footballs to the NLRB’s ruling that Northwestern football players cannot unionize – through the lens of the law. The issues are hot off the presses (or espn.com, deadspin.com, or si.com). The class will be a lot of fun. Where else do you get to talk about sports in class, argue cases and issues, and learn some black letter law while you are doing it?

This class will combine doctrinal concepts with how to be a real sports lawyer by arguing cases, either pending or already decided, in class. Each student will be assigned a five-minute oral argument to introduce a case. The class will serve as the judges. *These arguments are mandatory.*

**Recommended:** Antitrust Law (or Antitrust Economics and Law.)

**LAW 944 v00 State and Local Taxation: Income & Franchise Taxes** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20944%20v00)

LL.M Course (cross-listed) | 2 credit hours
This course focuses on fundamental principles of the Sales & Use tax regime which makes up approximately half of all state tax revenues. The course provides an overview of the limitations of state taxation provided by the Due Process and Commerce Clauses of the U.S. Constitution as well as selected federal statutes that pre-empt state taxation. The course provides an in-depth examination of Sales & Use taxes and state efforts to bypass these limitations to tax remote sellers. Finally, we will discuss current issues in the field of Sales & Use taxation, including application of Sales & Use taxes to ‘the Cloud’, marketplace facilitators, and digital goods.

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

**LAW 824 v01 State and Local Taxation: Other Business Taxes** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20824%20v01)

LL.M Course (cross-listed) | 2 credit hours
This course, in conjunction with the state and local income and sales and use tax courses, is intended to complete a foundational overview of primary state and local taxes, fees and other charges (“taxes”) imposed on manufacturing and mercantile entities, as well as select industries operating in a multijurisdictional environment. Included among the areas that are reviewed in this course, on a comparative law basis are: ad valorem taxes imposed on real, tangible and intangible property, as well as select federal provisions, such as that found in the Railroad Revitalization and Regulatory Reform Act (4-R Act) of 1976; escheat/unclaimed funds laws; net worth taxes; transfer taxes, including those imposed on the transfer of “controlling” real property interests; select excise taxes, including those imposed on telecommunication and natural resource companies; withholding taxes, including state equivalents to the federal withholding tax imposed by Foreign Investment in Real Property Tax Act* (FIRPTA) rules; unemployment taxes, including State Unemployment Tax Act (SUTA) dumping provisions; statutory and negotiated tax incentives; privilege and retaliatory taxes; and, business license taxes and fees. By presenting the above topics in a comparative laws context, nonuniform principles, policies, jurisprudence and administrative positions confronting the multijurisdictional business operating in multistate environment are brought to light and will serve as one of the primary themes of this course.

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

**LAW 2031 v00 State and Local Taxation: Sales and Use Taxes** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202031%20v00)

LL.M Course (cross-listed) | 2 credit hours
This course provides an in-depth examination of Sales & Use taxes. These taxes make up approximately half of all state tax revenues. The course focuses on fundamental principles of the Sales & Use tax regime by reviewing seminal and recent cases on the subject. The course also discusses U.S. Constitutional limitations applicable to Sales & Use taxes and state efforts to bypass these limitations to tax remote sellers. Finally, we will discuss current issues in the field of Sales & Use taxation, including application of Sales & Use taxes to ‘the Cloud’, marketplace facilitators, and digital goods.

**Recommended:** It is recommended students take Federal Income Taxation (formerly Taxation I) prior to enrollment.
**LAW 3136 v00 State-to-State Dispute Resolution** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203136%20v00)

LL.M Seminar (cross-listed) | 2 credit hours
Modern interstate dispute resolution finds its basis in a string of ad hoc arbitrations and claims commissions from the 18th, 19th, and early 20th centuries. The United States was an early adopter of arbitration as a means of resolving interstate disputes, first agreeing with the United Kingdom in 1794 in the Jay Treaty to resolve certain disputes remaining from the Revolutionary War.

In the first part of the 20th century, there was an effort to formalize such disputes, first through the PCA and then the PCIJ and ICJ. In the latter half of the 20th century and into the 21st century, there was a rapid increase in formal mechanisms or courts to hear state to state disputes, including the WTO and ITLOS mechanisms, other specialized courts, and a host of regional courts and tribunals. Ad hoc arbitration and claims commissions continue to be used to resolve disputes as well.

This course will tackle state-to-state disputes a historical and comparative perspective, tracking the development of interstate dispute resolution over time and across institutions. We will approach the history of interstate dispute resolution from both a legal and political science perspective. In so doing, the course will ask the following questions:

- Why have states agreed to submit their disputes to arbitration or other dispute resolution mechanisms? What were the international relations factors that permitted the use of such mechanisms?
- How successful are such means in resolving disputes between states? What sorts of disputes can be resolved through arbitration or similar mechanisms?
- How does interstate dispute resolution work in practice?
- What are common procedures for such disputes?
- How do international courts develop international law?
- What are the prospects for interstate dispute resolution going forward?

**LAW 1287 v00 Strategic Litigation for Social Change** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201287%20v00)

J.D. Seminar (cross-listed) | 2 credit hours
Regardless of one's political orientation or the substantive issue at hand, targeting laws for judicial termination requires lawyers to navigate a common set of doctrines and best practices. This seminar provides insight into what it takes to craft successful strategic civil rights/impact litigation. Students will study issue and client selection, media relations, amicus concerns, fee shifting, the basics of Section 1983 and the Declaratory Judgment Act, and governmental avoidance doctrines (immunities, abstention, mootness), among other topics. For the paper portion of the grade, students identify an allegedly unconstitutional law—be it a statute, ordinance, regulation, the nature of the thing is unimportant—and create a case challenging that law, with a complaint and accompanying memorandum laying out their strategic vision. Attendance and participation will also factor into the grade.

**Recommended:** Prior or concurrent enrollment in Constitutional Law II and Federal Courts and the Federal System.

**Note:** Laptops/tablets may not be used during class sessions, as they tend to inhibit discussion.

**LAW 415 v00 Strategic Intelligence and Public Policy Seminar** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20415%20v00)

J.D. Seminar (cross-listed) | 3 credit hours
This seminar explores several significant legal and policy concerns raised by the conduct of foreign intelligence activities. We will consider the disclosures of Edward Snowden and their impact on the balancing of national security and privacy, the congressional authorization for foreign intelligence surveillance and the operation of the Foreign Intelligence Surveillance Court. We will review the role of Congress and the executive branch in intelligence oversight. We will consider the investigation and prosecution of espionage, using the Aldrich Ames and other recent cases as examples, including the Classified Information Procedures Act and the state secrets privilege. We will examine the authority for, and controls on, covert action and its role in the conduct of foreign policy, and compare the role of military special operations. We will use one class to examine the Law of Armed Conflict and International Humanitarian Law. And we will discuss the problems of cyber-security with a senior corporate officer from a major military industrial company. The class will be structured as an ongoing conversation on these and related topics.
LAW 1630 v00 Strategic Responses to Data Breach: "We've Been Hacked!" (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201630%20v00)
J.D. Course (cross-listed) | 2 credit hours
This hands-on course will explore the fast-paced, high-stakes field of data breach response. Data breaches wreak havoc at organizations of all shapes and sizes in both the public and private sectors. From hospitals and financial institutions to military installations and civilian government agencies, entities face sophisticated adversaries and a diverse range of threats. Few organizations are prepared to manage and respond to an incident. This lack of preparation and experience can turn an already high-pressure event into a full-scale crisis.

Legal experts who can provide clients with sound advice and pragmatic guidance are in high demand but there remains a dearth of lawyers with the relevant training and experience to navigate the barrage of issues that surface following an incident. This course examines the full range of challenges and questions that counsel may face, from legal compliance to risk mitigation and reputational damage.

The course will introduce the subject, focusing on the types of breaches organizations may experience and some basic technical issues. The overview is followed by a deep dive into the myriad legal issues that arise. Most notably, we'll explore how different governments regulate breach response activities and the challenging patchwork of requirements. Other issues include: mitigating the risk of liability and potential litigation; coordinating with law enforcement; working with human resources; and examining contractual and other obligations of third parties. The course then turns to a dizzying array of policy and strategic issues: public relations and communications; government affairs; managing the investigation; coordinating with technical teams; assessing risk to potentially impacted individuals; and effective breach notification. Real world scenarios and actual data breaches will be used and referenced throughout the course to illustrate different points. By the end of the course students should be able to enter the job market prepared to develop and execute a comprehensive data breach response strategy.

Learning Objectives:

• Understand the legal and regulatory framework that governs data breach response in the United States and other jurisdictions.
• Appreciate the importance of establishing and following clear policies for addressing a data breach.
• Be prepared to pivot back and forth between the legal and practical functions necessary to address a serious incident.
• Be able to manage a data breach response team composed of a range of stakeholders with potentially inconsistent priorities.
• Tailor response strategies to different types of data breaches from a lost laptop or an insider threat to the exfiltration of sensitive data by organized crime.
• Learn how to identify, assess, and mitigate the risk of harm to potentially impacted individuals as well as to the organization itself.
• Become comfortable with making high-stakes decisions in short time frames and with incomplete information.

LAW 1348 v00 Strategically Managing Intellectual Property: A Study of IP in Business Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201348%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
The class will address the need for companies and individual creators to strategically manage their intellectual property assets. Students will study approaches to managing patents, copyrights, trademarks and trade secrets through the spectrum of activities including creation and ownership of intellectual property; its acquisition, sale and license; due diligence and disclosure issues; protection and enforcement of rights; and litigation. The class will cover case law and real world business dynamics and provide students with insights into the role and responsibilities of in-house counsel and outside lawyers in this process. As part of the course, there will be an assignment of a corporate case study project to teams of at least two students. It will involve communication with legal representatives from the companies in the study project who have agreed to be available to the students.

Students will be evaluated based on class attendance and individual class participation; team participation and completion of team written and oral presentations related to the corporate case studies; and written assignments including a final individual paper.

Learning Objectives:

By the conclusion of the course, students will have the ability to apply intellectual property law effectively in business situations and also gain experience with some of the skills necessary in counseling business executives, inventors and others about their intellectual property assets.

Prerequisite: A basic course in Patent Law, Copyright Law or Trademark and Unfair Competition Law.
LAW 560 v50 Street Law: Community (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20560%20v50)  
J.D. Clinic (cross-listed) | 3 credit hours  
Street Law: Community offers law student instructors the opportunity to teach courses in practical law to adults and youth in a variety of community settings: correctional facilities; treatment centers for alcohol, drug, or HIV problems; homeless shelters; halfway houses; juvenile detention facilities and other community settings. Through interactive, participatory methodology, Street Law: Community provides law students insights into correctional and community law related issues affecting the lay public.

The Street Law instructors, in pairs, teach two courses in the community, consisting of a weekly 90-minute class, at two separate sites, for six weeks of the eight-week summer session. Topics may include negotiation and dispute resolution, small claims court, public benefits, landlord/tenant, family law, and various other topics of civil and criminal law. The course features an innovative series of criminal law lessons based on the podcast, “Serial,” and actual evidence from the case. The course concludes with a mock trial or mock hearing.

The program utilizes interactive, participatory, learner-centered methods that not only develop learners’ knowledge and skills in the subject areas but also develop critical thinking, reading, writing and listening skills, and basic advocacy skills.

The first class will be held on Thursday, May 25 from 6:30 p.m. – 9:30 p.m., and will consist of an orientation on teaching methods. Additional orientation sessions will be held on one evening or a weekend day that are convenient for participants. Regular seminar classes will be held from 6:30 p.m. – 9:30 p.m. on Monday nights.

**Mutually Excluded Courses:** Students may not receive credit for both this practicum and the fall semester Street Law: Criminal Justice and Human Rights practicum. Students are eligible to participate in the spring Street Law: Mock Trial Advocacy practicum. The course is open to both J.D. and LL.M. students.

**Note:** After registering via MyAccess, please email Street Law Teaching Fellow Gharrett Favinger at gf275@georgetown.edu to set up an informational interview with Street Law staff.

A student who accepts a seat in Street Law: Community for Summer 2017 may not drop after April 28. If fewer than four students are enrolled on that date, the program will not be offered. Any student who is admitted after April 28 may not drop the program after formally accepting the seat.

LAW 401 v00 Structuring Private Equity Funds and Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20401%20v00)  
LL.M Course (cross-listed) | 2 credit hours  
This course covers the key business, legal and certain tax principles applicable to the formation of private equity funds, including private offering rules, corporate structuring and practical skills with respect investor negotiation and management. The course explores these topics through a series of discussions and exercises that will require students to analyze complex transactions, and to apply their analytical skills and their corporate, tax and regulatory knowledge to solve business, legal and tax issues. Substantive subjects include discreet federal income tax concepts, corporate law, partnership and limited liability company law and SEC rules and rulemaking, in each case as applied in the context of forming and operating a private equity fund.

**Prerequisite:** Corporations

**Recommended:** Securities Regulation; Corporate Taxation or Corporate Income Tax Law I

**Mutually Excluded Courses:** Students may not receive credit for both this course and Emerging Growth Companies and Venture Capital Financings.

LAW 418 v00 Supreme Court Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20418%20v00)  
J.D. Seminar (cross-listed) | 2-3 credit hours  
This seminar examines the Supreme Court as an institution with emphasis on the ways in which the institutional forms and structures of the Court influence the law the Court makes. Topics studied include: appointments to the Court; the Court’s jurisdiction and procedures for determining cases it will adjudicate; the internal deliberative process employed by the Justices; and the role of the advocates before the Court. Cases currently pending in the Supreme Court will be studied for illustrative purposes.

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

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

**Note:** This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1738 v00 Supreme Court Today (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201738%20v00)
J.D. Seminar | 2 credit hours
The focus of this course is the Supreme Court’s current docket—cases that the Court is hearing and deciding this term. We will use the rich variety of the Court’s cases as a springboard to explore its decisional process. Through close study of briefs and oral arguments, students will learn about the art of appellate advocacy. We will also examine perceptions of the Court in the media, the role of the Court in American society, and cross-cutting themes in the Court’s jurisprudence. The mosaic of the Court’s current docket reaches into many disparate corners of the law, including voting rights, the powers of the police in Indian country, administrative law judges and the Constitution’s Appointments Clause, the Fourth Amendment’s limits on police entry into a home, securities law class actions, the application of antitrust law to the NCAA, and the FTC’s injunctive powers. Engaging with these cases and analyzing both sides’ arguments will deepen your understanding of the Court as an institution and how advocates seek to persuade it.


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

LAW 1416 v00 Supreme Court Topics: The Role of Dissenting Opinions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201416%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
In this course students will learn about the role of dissenting opinions in U.S. appellate courts generally, and the United States Supreme Court in particular, with a special focus on the writings and jurisprudence of the late Justice Ruth Bader Ginsburg. We will also briefly discuss the role dissents play in select foreign jurisdictions. Students will be evaluated based on their active and informed class participation, including a mini-moot during the final class session, and on the quality of their final written product, which will be a 5-10 page paper.

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

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

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

LAW 3017 v00 Survey of Employee Benefits Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203017%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course provides a general overview of the federal labor and tax law policies and principles that apply to employment-based retirement plans, health care plans, and executive compensation arrangements. Students will examine the principles of the Internal Revenue Code and ERISA that govern the form and operation of employer-sponsored plans, especially tax-qualified pension plans, executive compensation arrangements and welfare plans (with a focus on health care). This class will concentrate on the structure and basic rules that govern such arrangements. In the context of tax-qualified and nonqualified plans and health and welfare programs, this course will explore plan administration, fiduciary duties, claims appeals and litigation.

Prerequisite: Federal Income Taxation (formerly Taxation I).


Note: Students enrolled in the Employee Benefits Certificate Program may not register for this course.
LAW 2072 v00 Survey of State and Local Taxation
LL.M Course (cross-listed) | 2 credit hours
This course is designed as a survey course for those students not pursuing a SALT Certificate in conjunction with their LL.M. in Taxation, Executive LL.M. in Taxation, or MSL Program. The course begins by first introducing the student to the dynamics and taxonomy of SALT, and why (out of necessity) the study of subnational taxes must vary from the "classic" pedagogy of most LL.M. – Tax programs that have come to focus and build on a study of the differing subchapters of the Internal Revenue Code. Next, the course explores important subnational topics not encountered in the study of federal corporate income taxes, such as federal limitations on the powers of subnational governments to tax. To close the course, the student will be presented with a case study and a comparative law analysis that will provide them insight into analytical approaches employed by interdisciplinary tax teams made-up of international, federal and subnational tax specialists assigned to deal with enterprise restructurings.

SALT issues unique to following types of taxes will be explored: income based taxes; sales and use taxes; ad valorem taxes; unemployment taxes; real estate and controlling-interest taxes; transfer taxes; gross receipts taxes; capital stock (net worth based) taxes; excise taxes; and, other taxes to illustrate the diversity of subnational levies and how they can be of critical importance to select industries and their advisors, e.g., such as the insurance industry (premium and retaliatory taxes); the natural resource industry (severance taxes); the communication industry (telecommunication taxes); and, the health care industry (hospital and medical provider taxes).

In addition to overviewing key taxes, the course will introduce the student to other important topics that routinely engage multijurisdictional enterprises, including: unclaimed property ("escheat") audits; issues implicated by operations and transactions within and without the U.S.; statutory and negotiated tax and non-tax incentives; and, the nonuniform taxing and sourcing rules that face unincorporated multijurisdictional enterprises and their owners that choose to operate through partnerships, limited liability companies, S Corporations or joint ventures.

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

**Note:** Students enrolled in the SALT Certificate program may NOT receive credit for this course.

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LAW 883 v00 Survey of Transfer Pricing
LL.M Course (cross-listed) | 2 credit hours
The topic of international transfer pricing – that is, how a business conducting operations in a number of different countries should divide its taxable income among those countries – remains among the most practically important of international tax issues. This course seeks to provide an introduction to the United States' principals and current practice of international transfer pricing, as well as some understanding of the historical and conceptual basis of the current system. Specific goals of the course are to assist foreign students in gaining a general perspective on the United States system and to provide domestic students and practitioners a sufficient level of understanding of the area and practices to provide a platform for the development of further interest in the area.

**Recommended:** Prior or concurrent enrollment in a course in international taxation.

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LAW 2097 v00 Takeovers, Mergers, and Acquisitions
LL.M Course (cross-listed) | 2 credit hours
This course provides an overview of mergers and acquisitions. This course will provide a framework for students to understand the merger and acquisition environment, to analyze M&A transactions, to develop opinions about them, to design M&A transactions, including friendly deals, hostile, leveraged buyouts, mergers of equals, and cross border situations and covers topics such as the structures commonly used in M&A transactions, securities laws affecting M&A transactions, strategies employed by the acquiring company and the target firm in negotiating an acquisition, the roles and responsibilities of stakeholders in responding to an acquisition proposal, takeover defenses employed by target companies, the structure of an acquisition agreement, and the techniques for effective drafting of transaction documents.

**Prerequisite:** Prerequisites: Corporations or equivalent

**Mutually Excluded Courses:** Students may not receive credit for both this course and the J.D. course, Mergers and Acquisitions, or the LL.M. course, Takeovers, Mergers, and Acquisitions.
LAW 700 v00 Takeovers, Mergers, and Acquisitions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20700%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course focuses upon the regulation of negotiated, hostile and cross-border takeover, merger and acquisition transactions. Assigned readings and lectures will principally examine the regulatory text governing changes in corporate control, including contested elections of directors, as well as the federal regulatory requirements mandating disclosure of large ownership positions. State corporate law, fiduciary duties, and standards of judicial review applicable to the takeover context complement instruction on the federal securities laws. Tactical and strategic considerations associated with structuring domestic and international business combinations are discussed and debated from the government regulatory and private practice perspectives for purposes of assessing whether compliance is adequate and measuring legal risk.

Prerequisite: Prior or concurrent enrollment in Securities Regulation is recommended.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. Seminar, International Mergers and Acquisitions Seminar, or the J.D. Course, Mergers and Acquisitions, or the LL.M. Course, International Mergers and Acquisitions.

LAW 700 v01 Takeovers, Mergers, and Acquisitions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20700%20v01)
LL.M Course (cross-listed) | 2 credit hours
Focuses on both the state corporate and federal securities law aspects of negotiated, hostile and cross-border transactions resulting in a change of corporate control, including contested proxy solicitations with corporate governance implications. Examines the federal regulatory requirements governing disclosure of large ownership positions, as well as the corresponding tactical and strategic considerations associated with structuring domestic and international business combinations.

Prerequisite: Corporations and Securities Regulation

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. Seminar, International Mergers and Acquisitions Seminar, or the J.D. Course, Mergers and Acquisitions, the LL.M. Course, International Mergers and Acquisitions, or the LL.M. Course, Takeovers, Mergers, and Acquisitions.

LAW 2012 v00 Tax Court Advocacy Workshop (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202012%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
This Tax Court Advocacy workshop provides students a chance to use substantive tax law to learn Tax Court litigation skills. Using tax law frequently involved in individual income tax matters, the course covers the cycle of an individual income tax dispute with the IRS, beginning at the administrative level and culminating in a mock Tax Court trial and mock US Court of Appeals appellate argument. We start with an overview of income tax issues in individual taxpayer case studies that form the foundation of the course and give rise to frequent litigation. Acting as either lawyer for the taxpayer or the IRS in hypothetical cases, students will conduct client or witness interviews, prepare IRS administrative filings, Tax Court petitions or answers and briefs, and engage in other exercises designed to impart the skills of effective Tax Court advocacy and to convey a practical understanding of the tax controversy process. An introductory course in taxation is a prerequisite. A course in tax practice and procedure is recommended but not required. Students will be graded on written assignments and on class performance during the semester. The course does not have a final written exam.

Prerequisite: Federal Income Taxation (formerly Taxation I)

LAW 2033 v00 Tax Fraud and Tax Crimes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202033%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course offers first-hand insight into how federal criminal tax cases are investigated and prosecuted. Taught by white collar defense attorneys with prior federal prosecutorial and enforcement experience, topics include a survey of frequently charged crimes such as tax evasion, filing false returns, and conspiracy. The course chronicles the life of a tax fraud prosecution from its inception at the investigative stage to indictment, pretrial, trial, and sentencing. At each stage, students are presented with challenging issues about methods of proof, taxpayer defenses and other issues that impact the theory of prosecution. Student will learn how to examine the strength of evidence of a case and negotiate with federal prosecutors and enforcement agents, the equities for-and-against prosecution, and trial strategy. Animating these discussions are examples of recent tax prosecutions in federal district court that have either resulted in criminal conviction or acquittal of the taxpayer, along with well-known domestic and cross-border investigations.

Strongly Recommended: Federal Income Taxation (formerly Taxation I).
**Note:**

Negotiating the Deal.

**Mutually Excluded Courses:**

- Taxation (formerly Taxation II).

**Prerequisite:**

Completion of Corporate Income Tax Law I and prior or concurrent enrollment in Corporate Income Tax Law II or Corporate Taxation (formerly Taxation II).

**Mutually Excluded Courses:**

Students may not receive credit for this course and Corporate Tax Planning in Practice: Structuring and Negotiating the Deal.

**Note:**

This class will require a final paper and a short mid-term paper.

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**LAW 736 v00 Tax Planning for Real Estate Transactions Seminar**

[http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20736%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20736%20v00)

**LL.M Course | 2 credit hours**

Examines on an interactive and pragmatic basis the effect of federal income taxes on the real estate market and real estate transactions; sales (including installment sales) and like kind exchanges of real estate interests; the choice of various entities (including partnerships, LLCs, S corporations and REITs) for the ownership and development of real estate; the impact of taxes on the landlord and tenant; the tax impact of creative financing techniques, such as the sale-leaseback; basis (including at-risk) and basis adjustments; passive activity loss limitations; and the tax consequences of foreclosures, bankruptcies, and work-outs.

**Prerequisite:**

Federal Income Taxation (formerly Taxation I). Prior or concurrent enrollment in Taxation of Partnerships or equivalent practice experience strongly recommended.

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**LAW 1276 v01 Tax Law and Public Finance Workshop**

[http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201276%20v01](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201276%20v01)

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

This course is a colloquium on recent academic work in tax law, public finance economics, and related fields. It is intended to introduce you to current research in tax policy and to give you an opportunity to develop skills in reading and critiquing contemporary legal and economic scholarship and policy position papers. After three introductory sessions, the workshop shifts to a series of weekly paper presentations by leading public finance economists, tax law scholars, and government experts.

Professor Brian Galle will lead the workshop. This is a small and focused course, and thus reading and active participation are essential. The format for the paper presentations will be 15-25 minutes of presentation by the speaker, followed by discussion. The primary goal is student-centered discussion and participation, but students will also be exposed to views provided by other Georgetown faculty and members of the larger DC-area tax community who attend the workshop.

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

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**LAW 784 v00 Tax Planning for Corporate Acquisitions Seminar**

[http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20784%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20784%20v00)

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

This seminar will examine the tax planning for recent public M&A deals from the practical vantage points of tax counsel advising the buyer and the seller. The principal focus will be on: (1) the tax structure utilized; (2) the tax representations, warranties, covenants, and indemnification provisions in the acquisition documents, along with any tax-sharing agreements; (3) the tax disclosure discussion in the proxy/prospectus delivered to the shareholders; and (4) the form of tax opinions provided by the buyer’s and the seller’s tax counsel.

**Prerequisite:**

Completion of Corporate Income Tax Law I and prior or concurrent enrollment in Corporate Income Tax Law II or Corporate Taxation (formerly Taxation II).

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**LAW 441 v00 Tax Policy Overview**

[http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20441%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20441%20v00)

**LL.M Seminar | 3 credit hours**

This course will equip students with the tools they need to think about fundamental tax policy issues. It will illustrate those issues by reference to tax policy questions that the U.S. Congress, Treasury Department, and Internal Revenue Service have recently considered.

The course focuses primarily on Federal corporate and individual income taxes. However, other Federal taxes, including employment taxes and estate and gift taxes, will also be considered. In addition, state and international tax practices will be discussed when relevant.

Major topics include the fiscal and social purposes of taxation, the choice of tax base (including alternatives to the use of income as the tax base), the identity of the taxpayer, timing issues (including realization issues and deferral), territorial versus worldwide taxation (including source rules and cross-border transactions), and administrative issues (including the legislative process, tax enforcement, and tax ethics).

Students are required to complete a brief assignment before and after each class. These assignments can be obtained from the Assignment Drop Box tab on the class Courseware site.

This course requires submission of a 25-page research paper.

**Note:** This class is listed in both the J.D. and Graduate schedules, and is open to students in both programs.

In general, students may not register for this course unless they have completed Taxation I or its equivalent. However, this requirement may be waived in appropriate cases if a student obtains written permission from the course professor and provides it to the Office of the Registrar at the time of registration. LL.M. students are presumed to have taken the prerequisite of Taxation I prior to entering their program of study.

**Prerequisite:**

Federal Income Taxation (formerly Taxation I).
LAW 856 v00 Tax Practice and Procedure (Administrative Practice) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20856%20v00)
LL.M Course | 2 credit hours
Examines the administration and enforcement of the Internal Revenue Code, including types of guidance, preparation and filing of returns, audit procedures (including centralized partnership audit procedures), administrative appeals, deficiencies, assessments, closing agreements, collection, civil penalties applicable to taxpayers and practitioners, criminal tax penalties, interest, refund claims, statutes of limitations, and practice before the IRS.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 858 v00 Tax Practice and Procedure (Litigation) (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20858%20v00)
LL.M Course (cross-listed) | 2 credit hours
Studies problems and considerations arising in the litigation of federal tax cases before the U.S. Tax Court, District Court, and the Court of Federal Claims, including jurisdictional, procedural, ethical and evidentiary issues. Practical problems of choice of forum, pleadings, discovery, privileges and tax trial practice are surveyed. Also considered are IRS summons enforcement litigation, civil collection, levy and distraint, and the tax lien and its priorities. Government attorneys, practicing attorneys, and U.S. Tax Court Judges are utilized as guest lecturers on some of the subject matter.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 809 v04 Tax Research & Writing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20809%20v04)
LL.M Seminar | 2 credit hours
This course will cover the basic concepts of tax research and tax-specific writing techniques and skills. We will cover legislative, administrative, judicial, and secondary sources of authority. We will discuss where these materials can be located, the extent to which these materials are available electronically, and other practical aspects of researching tax issues in private practice and as an IRS attorney. We will also talk about the relative weight to be given to these various authorities and the interaction between domestic law and international agreements. Finally, we will review why taxpayers and practitioners must be aware of and consider the relative weight of the various authorities covered in the course.

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

LAW 809 v02 Tax Research and Writing (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20809%20v02)
LL.M Seminar | 2 credit hours
In the first half of the course, we will cover the basic concepts of tax research. We will begin with domestic materials, including statutes, legislative history, regulations, cases, administrative rulings, and secondary sources. Then we will cover tax treaties and other international materials, including other international agreements with tax provisions. We will discuss where these domestic and international materials can be located, the extent to which these materials are available electronically, and other practical aspects of researching tax issues in private practice and as an IRS attorney. We will also talk about the relative weight to be given to these various authorities and the interaction between domestic law and international agreements. Finally, we will review why taxpayers and practitioners must be aware of and consider the relative weight of the various authorities covered in the course.

In the second half of the course, we will focus on developing effective writing skills. The ability to accurately convey one's thoughts to a written work product is an essential skill in the legal profession. The strength of a legal argument depends not only on the sources of authority cited but also on the manner in which those authorities are presented.

There will be a brief research memorandum and a piece of persuasive writing on a current tax issue that will provide you with a chance to use the research skills you learned in the first half of the course.

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


**LAW 846 v00 Tax Treaties** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20846%20v00)

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

International tax treaties determine why hedge funds are located where they are, how motion pictures are financed, whether the dispatch of employees abroad is economical, and why financial assets follow prescribed international paths. They determine why Netherlands and Luxembourg have a large positive balance of trade with the United States, and why recording studios are established in the Caribbean. They determine whether bank accounts in Switzerland and Liechtenstein are really secret. While tax treaties ostensibly are only about dividing up tax bases between countries and exchanging information between sovereigns, in reality they channel the flow of investment and development in the global economy.

This course assumes that students have some familiarity with basic tax treaty concepts and examines how provisions of the OECD Model Treaty and the United States Model Treaty are used by tax practitioners to achieve specific business objectives. Students will acquire an understanding of how treaty provisions help shape economic and financial decisions in different industries and economic sectors. The course uses examples drawn from actual practice to illustrate the creative use of tax treaty provisions. It is designed to be an interactive experience, with students working on case studies, discussing alternative approaches, and using different jurisdictions and changes in the form of the underlying transaction to achieve desirable tax results.

**Learning objectives:**

This course is intended to teach the concepts underlying the United States Model Tax Treaty and the OECD Model Tax Treaty. By the end of the course, students are expected to understand how tax treaties are organized and be able to apply the model tax treaties to factual situations in which the tax treaties are applicable.

At the same time, the course is intended to challenge the student to be aware of the ethical challenges and risks of practice in the area of international taxation. More and more, tax authorities are not only looking to penalize a taxpayer for improper tax planning, but also the tax advisor who recommended the course of action followed by the taxpayer. By the end of the course, students are expected to be able to understand where the borders of ethical behavior are when developing international tax structures and to be able to analyze risks to the clients and themselves when working in this area.

Finally, the course is intended to reinforce principles of close reading and attention to the specific wording used in the tax treaties and cases interpreting the tax treaties. By the end of the course, students are expected to be able to read and understand why specific words are used in tax treaties and the significance of these words.

**Prerequisite:** One course in international taxation.

**Note:** This course is open to J.D. students by professor permission. Interested students should contact Professor De Vos via email at ld57@law.georgetown.edu no later than December 1, 2021 for permission to take this class.

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

**LAW 897 v00 Tax Treaties** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20897%20v00)

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

This is a basic tax treaty course. It will cover fundamental tax treaty concepts such as residency, permanent establishment, business profits, limitation on benefits, and relief from double taxation (including operation of the U.S. foreign tax credit rules). There will be an overview of treaty provisions that apply to investment income and income from the performance of services. In addition, students will learn about the interaction of tax treaties with U.S. domestic tax law, the role of international organizations in interpreting tax treaties, procedures for resolving tax treaty disputes through the competent authority process, and strategies for researching tax treaties. This course is designed for students with little or no background in tax treaties. However, students will be expected to have a basic understanding of the U.S. tax rules that apply to foreign persons who receive income from the United States and U.S. persons who receive income from abroad. The course will be based primarily on the United States Model Income Tax Convention, together with selected case law and administrative authority. We will also look at selected provisions of the OECD Model Tax Convention.

**Prerequisite:** Federal Income Taxation (formerly Taxation I) and prior or concurrent enrollment in one course in international taxation.

**LAW 948 v00 Tax Treatment of Charities and Other Nonprofit Organizations** (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20948%20v00)

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

Studies the treatment of charities and other nonprofit organizations, including private foundations, churches, hospitals, trade associations, social clubs, and political organizations under the federal income tax law. Among the topics covered are the characteristics of the various classes of exempt organizations, the legislative policies underlying their exemption from tax, problems associated with qualification for and retention of exemption, joint ventures, the unrelated business income tax including corporate sponsorship, the declaratory judgment remedy, implications of racial discrimination, international activities and the treatment of lobbying and political expenditures.

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

**Note:** Students may not withdraw from this class after the add/drop period ends without the permission of the professor.
LAW 1328 v00 Taxation in the European Union Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201328%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
For the past several decades, the European Union has been at a crossroads. Member States no longer have complete sovereignty over their tax systems, but the European Union as a whole has only limited control over taxation. This seminar will introduce students to the particular challenges raised by taxation in the European Union. This seminar will provide a general background to European Union law and will then introduce students to the treatment of indirect taxation, direct taxation, and state aid. The seminar will conclude with several sessions on possible solutions to the tax challenges currently facing the European Union.

Prerequisite: Students must have taken Federal Income Taxation (formerly Taxation I).

Recommended: International Tax is encouraged but not required.

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

LAW 980 v00 Taxation of Debt Instruments & Securitization Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20980%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Textbook: David C. Garlock, Federal Income Taxation of Debt Instruments

This class will cover the following topics:
1. Definition of Indebtedness and debt v. equity discussion
2. OID basic rules
3. Disallowance and anti-abuse rules
4. Variable rate debt instruments
5. Contingent payment debt instruments
6. Market discount and bond premium
7. OID special topics
8. Sales, exchanges, redemptions and modifications of debt instruments
9. Cross border and treaty issues

Prerequisite: Federal Income Taxation (formerly Taxation I).

Recommended: Prior or concurrent enrollment in Corporate Income Tax I or Corporate Taxation (formerly Taxation II).

Note: The take-home exam in this course may be administered mid-semester and the specific exam date will be provided by the professor after the add/drop period.

LAW 945 v00 Taxation of Energy Markets (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20945%20v00)
LL.M Course (cross-listed) | 2 credit hours
The energy industry has undergone dramatic change in recent years. The US power sector is undergoing a transformation from a coal-based sector to one that now has incredible diversity between natural gas, wind, solar and even nuclear energy now leading the way in new development. Likewise, the oil and gas sector has seen a revolution in development of non-conventional energy sources, changing US energy policy and energy politics. More so than almost any other industrial sector, energy is highly influenced by the tax law. The economics of renewable energy is highly dependent on specific tax credits designed to encourage their development. For oil and gas, long-standing tax rules impact how investment decisions are made.

This course will examine three important areas of energy tax policy.
1. taxation of the oil and gas industry (including long-standing tax rules specific to exploration, production and refining of oil and natural gas)
2. taxation of electric utility and natural gas markets (including tax changes flowing from deregulation of these markets)
3. tax subsidies and tax incentives for alternative energy development (including analysis of creative tax-planning structures designed to maximize the value of these incentives).

The course is designed to help students appreciate the role tax plays in the generation of energy in the US and issues confronted by tax practitioners in this rapidly changing environment. There will be a final examination at the end of the semester.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Recommended: Corporate Tax Law I or Corporate Taxation (formerly Taxation II).

LAW 752 v00 Taxation of Financial Institutions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20752%20v00)
LL.M Course (cross-listed) | 2 credit hours
Examines the taxation of insurance companies, banks, regulated investment companies (RICs), real estate investment trusts (REITs), and real estate mortgage investment conduits (REMICs). The course analyzes the applicable tax provisions applicable to these financial institutions. Consideration is given to why financial institutions are taxed differently from other taxpayers in light of the economic function and operation of these financial institutions.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 2069 v00 Taxation of Financial Instruments and Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202069%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
The course will explore selected federal income tax issues relating to financial instruments and transactions. Major topics will include the legal and economic characteristics of indebtedness, equity, and derivatives, the fundamentals of the original issue discount (OID) rules, market discount and bond premium, variable rate and contingent payment debt instruments, the fundamentals of the tax rules for derivatives, hedging transactions, and anti-abuse rules such as straddles, wash sales, constructive sales, and conversion transactions.
LAW 976 v00 Taxation of Intellectual Property (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20976%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course covers the tax treatment applicable to the development, purchases, sales, transfers, licensing, and valuation of intellectual property (IP), such as patents, trade secrets, trademarks, copyrights, and computer software. It will begin with a brief introduction to the field of intellectual property for those unfamiliar with this area of law, along with the policies behind U.S. and foreign taxation of intellectual property. Specific tax areas then covered will include some or all of the following: the different tax treatment afforded to the development, acquisitions, and transfer of IP; cross-border IP transaction issues; transfer pricing considerations; and considerations relating to other non-federal areas of taxation.
Students should come away from the course with a substantial working knowledge of how IP is integrated into basic and advanced tax transactions, what are the hot areas for IP tax planning, and how to spot issues relating to IP assets in multinational organizational structures.
Prerequisite: Corporate Income Tax Law I (or Corporate Taxation (formerly Taxation II)); International Tax (or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons With Activities Outside of the U.S.))
Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.

LAW 362 v01 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20362%20v01)
J.D. Course (cross-listed) | 2 credit hours
Examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder. Attention is given to the tax issues arising upon the formation, operation and liquidation of a partnership, including the consequences of acquisitions of partnership interests, compensating the service partner, distributions by the partnership to partners, and transfers of partnership interests. In addition, students will understand the mechanics and implications of profit and loss allocations, liability allocations, allocations with respect to built-in gain property and disguised sales of property between a partner and a partnership to partners, and transfers of partnership interests. Students will be able to evaluate the tax consequences of the most common partnership transactions, including the acquisition of a partnership interest, compensation of a service partner, distributions by the partnership to partners, and transfers of partnership interests. In addition, students will understand the mechanics and implications of profit and loss allocations, liability allocations, allocations with respect to built-in gain property and disguised sales of property between a partner and a partnership. Students will also have a basic understanding of partnership tax accounting, including creating and maintaining tax and book balance sheets.
Prerequisite: Federal Income Taxation (formerly Taxation I).
Recommended: Prior or concurrent enrollment in Corporate Taxation.
Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course, Taxation of Partnerships (LAWG-942).

LAW 362 v02 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20362%20v02)
J.D. Course (cross-listed) | 4 credit hours
Taxation of Partnerships covers the tax treatment of non-corporate business entities, including both partnerships and limited liability companies. These business forms are commonly used in several important contemporary settings, including private equity, real estate transactions, professional organizations (such as law firms and accounting firms), and international tax planning, as well as in everyday small businesses. Similar course coverage can also be found in the combined LL.M. courses Partnership Tax I and Partnership Tax II.
Prerequisite: Federal Income Taxation (formerly Taxation I).
Recommended: Many students find Corporate Taxation a helpful preparation for this course, but it is not required.
Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course, Taxation of Partnerships (LAWG-942).

LAW 362 v03 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20362%20v03)
J.D. Course (cross-listed) | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder as they apply to the life cycle of a partnership, from formation to liquidation. Students will be able to evaluate the tax consequences of the most common partnership transactions, including the acquisition of a partnership interest, compensation of a service partner, distributions by the partnership to partners, and transfers of partnership interests. In addition, students will understand the mechanics and implications of profit and loss allocations, liability allocations, allocations with respect to built-in gain property and disguised sales of property between a partner and a partnership. Students will also have a basic understanding of partnership tax accounting, including creating and maintaining tax and book balance sheets.
Prerequisite: Federal Income Taxation.
Recommended: Prior or concurrent enrollment in Corporate Taxation.
Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course, Taxation of Partnerships (LAWG-942).

LAW 362 v04 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20362%20v04)
J.D. Course (cross-listed) | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder as they apply to the life cycle of a partnership, from formation to liquidation. Attention is given to the tax issues arising upon the formation, operation and liquidation of a partnership, including the consequences of acquisitions of partnership interests, distributions by the partnership to partners, the optional adjustment to basis of partnership property, the transfer of partnership interests, and current topics in partnership taxation.
Prerequisite: Federal Income Taxation.
Recommended: Prior or concurrent enrollment in Corporate Taxation.
Mutually Excluded Courses: Students may not receive credit for both this course and the LL.M. course, Taxation of Partnerships (LAWG-942).
Prerequisite: availability and operation of the installment method. sales, including the effect of taxpayer’s method of accounting and the course also includes an examination of the taxation of deferred payment kind exchanges and involuntary conversions and replacements. The an analysis of certain major non-recognition provisions, including like-distinction and the original issue discount rules. The course includes loss provisions; and the relevance of the capital/ordinary gain or loss on the allowability of losses, including the at-risk and passive activity of basis and amount realized; ascertainment of gain or loss; limitations considered include determination of the taxable event; ascertainment exchanges, and other dispositions of property. Principal issues

Explores the federal income tax consequences arising from sales, and current topics in partnership taxation.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Taxation of Partnerships (LAW J 362).

LAW 942 v00 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20942%20v00)
LL.M Course | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder. Attention is given to the tax issues arising upon the formation, operation and liquidation of a partnership, including the consequences of acquisitions of partnership interests, distributions by the partnership to partners, the optional adjustment to basis of partnership property, the transfer of partnership interests, and current topics in partnership taxation.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Taxation of Partnerships (LAW J 362).

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

LAW 942 v01 Taxation of Partnerships (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20942%20v01)
LL.M Course (cross-listed) | 2 credit hours
This course examines in-depth the provisions of Subchapter K of the Internal Revenue Code and the regulations thereunder. Attention is given to the tax issues arising upon the formation, operation and liquidation of a partnership, including the consequences of acquisitions of partnership interests, distributions by the partnership to partners, the optional adjustment to basis of partnership property, the transfer of partnership interests, and current topics in partnership taxation.

Prerequisite: Federal Income Taxation (formerly Taxation I).

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course, Taxation of Partnerships (LAW J 362).

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

LAW 808 v00 Taxation of Property Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20808%20v00)
LL.M Seminar (cross-listed) | 2 credit hours
Explores the federal income tax consequences arising from sales, exchanges, and other dispositions of property. Principal issues considered include determination of the taxable event; ascertainment of basis and amount realized; ascertainment of gain or loss; limitations on the allowability of losses, including the at-risk and passive activity loss provisions; and the relevance of the capital/ordinary gain or loss distinction and the original issue discount rules. The course includes an analysis of certain major non-recognition provisions, including like-kind exchanges and involuntary conversions and replacements. The course also includes an examination of the taxation of deferred payment sales, including the effect of taxpayer’s method of accounting and the availability and operation of the installment method.

Prerequisite: Federal Income Taxation (formerly Taxation I).

LAW 1659 v00 Technology (Un)leashed: the Future of National Security Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201659%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
Traditional ways of thinking about National Security Law have left the United States relatively unprepared for the technological revolution. Private actors control global communications systems, social media, satellites, and currencies, all of which are vulnerable to manipulation. Autonomous systems and vehicles, such as drones and driverless cars, can be weaponized by states or non-state actors to devastating effect. In the interim, Fourth Amendment doctrine's terrestrial ties are failing to address the explosion in personal data generation and its subsequent collection and analysis by government actors—even as myriad questions accompany the application of the Law of Armed Conflict (LOAC) to autonomous weapons systems and the cyber realm.

Technology (Un)leashed: the Future of National Security Law focuses on technologies that mark the frontiers of National Security Law, exploring the current state of their development and future trajectory. It provides students with the opportunity to do a deep dive on the related constitutional, statutory, regulatory questions and the implications for international law. For the 2019-20 academic year, the course will examine big data, surveillance law, algorithmic analysis, and the Internet of Things; social media; and automation and artificial intelligence.

The goal is to help students to develop the intellectual flexibility required to understand and respond to the challenges posed by new and emerging technologies; to identify and address related ethical concerns; and to anticipate myriad, related issues and interests so that they can more effectively represent their clients in the future. Readings will be a combination of tech-focused and scientific articles as well as legal source material (case law, statutes, and regulatory measures) and (potential) client-specific information. Grading centers on briefs, meeting preparation, papers laying out proposed solutions, and students’ performance in class and on the final exercise.

Note: There will be an all-day exercise in this course held on Saturday, April 4, 2020 from 8:30 a.m. - 5:30 p.m.
LAW 1656 v00 Technology and Election Integrity Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201656%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine the security requirements for voting systems (particularly those used for civil elections in the United States), how various technology designs and implementations meet or fail to meet these requirements, and how such systems can be improved. The course will focus on the implications of various vote-casting technologies ("voting machines") as well as the "backend" election management systems and processes that define ballots, register voters, provision precinct equipment, and count and report vote tallies. While it will not be our main focus, we will also examine the interaction between modern social media and foreign and domestic influence operations aimed at affecting election outcomes.

We will devote particular attention to understanding how the legal framework and historical threat models for elections relate to specific technical requirements, how technical failures can affect election outcomes, and the limitations of various remedies when such failures occur. We will look at a range of formal and informal proposed designs for election systems, specific systems that have been or are currently in active use, and various studies that have been made of these systems and designs. The course will focus on technical security issues, but will also touch on usability, threat modeling, and legal and governance issues.

Our primary reference will be the 2018 National Academies study "Securing the Vote" as well as readings drawn from the technical, legal, and policy literature.

Student papers will focus on some issue at the intersection of technology and voting, depending on the specific background and interests of the student.

Recommended: A basic background in computer science and software will be helpful but is not essential.

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

LAW 1395 v00 Technology Colloquium: Edge Technologies (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201395%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
Edge Technologies, the 2017 Tech Colloquium, will provide students with an opportunity to examine the impact of new and emerging technologies on existing doctrinal, statutory, and regulatory structures. The focus of the course will be on flexibility of mind and creativity in applying the existing regimes to new questions that are coming down the pike. Towards this end, the colloquium will invite twelve technologists and lawyers to come to Georgetown Law, to present on different new and innovative technologies and the related legal concerns. Potential topics include:

- Network Investigative Techniques (law enforcement use of hacking to access suspects' computers)
- Automated Weapons Systems (a.k.a., "killer robots")
- Drones 1: from LE to NSL (currently used by LE for surveillance purposes as well as to arrest individuals)
- Drones 2: Private power (currently used for commerce, hunting, delivering contraband & weapons, and stalking)
- 3-D printing
- Remote Identification Techniques (e.g., iris scanning, vascular patterns, hormone sniffing, and gait recognition)
- Synthetic Biology
- Network convergence
- Cloud computing
- Algorithmic data analysis
- Auto-driving cars
- Dark Web & Encryption

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 2080 v00 The Affordable Care Act: Law and Policy Governing Private Health Insurance

LL.M Course (cross-listed) | 3 credit hours
The Patient Protection and Affordable Care Act has significantly impacted the health care system. Through changes to the regulation of private health insurance, federal subsidies for low-income people, individual and employer mandates, and expansion of the Medicaid program, millions of Americans have gained health insurance. Yet, implementation of the law’s most significant reforms has been challenging, and its provisions have been subject to extensive litigation and continued threats of repeal.

This course will examine the regulation of private health insurance with an emphasis on the issues that the Affordable Care Act was designed to address. The course will explore regulatory changes such as new market reforms and health insurance marketplaces; the impact of federal and state approaches to implementation; and legal and regulatory challenges. Guest lectures by speakers—including insurance industry representatives, legal experts, and regulators—will provide students with an in-depth understanding of how the Affordable Care Act has been implemented and what it means for millions of consumers across the country.

The primary objective of the course is to teach students about the regulation of private health insurance at the federal and state level, with the rare opportunity to witness real-time changes to this complex system. Throughout the course, students will gain practical experience in identifying and analyzing federal and state laws, regulations, and administrative materials. Students will also gain a broader understanding of administrative law and how it has affected Affordable Care Act implementation. By the end of the course, students will be able to describe how private health insurance is regulated at the federal and state level, the major reforms ushered in by the Affordable Care Act, federal and state implementation, and likely areas of changes to the law given real-time debates.

LAW 1099 v00 The Art of Regulatory War Seminar

J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will focus on “the art of regulatory war.” How can lawyers and other stakeholders working at the regulatory intersection of law and politics gain advantage, use their different sorts of legal artillery and strength, and push regulatory disputes and tool choices into venues, modes, and postures that favor their or their clients’ interests and broader policy goals? What changes are underway regarding the nature of regulation, attitudes about the role of the administrative state, and ways regulatory wars are fought?

Subject to adjustment in light of legal developments and student interest, the seminar meetings will be organized around a mix of case studies and cross-cutting regulatory topics. Topic-based classes will likely select from among the following: critiques of assumptions of regulatory overreach and empire building; a class or two on federalism-linked subjects such as power federalism doctrinal shifts and presumptions, debate over the values and functions of preemption, and rationales for various federalism-utilizing allocations of authority; theories of regulation and regulatory reform proposals; recent presidential and agency deregulatory and policy change efforts and judicial and scholarly responses; debates and shifting doctrine regarding deference regimes; the shift to market-based and experimental “rolling rule” modes of regulation; “sound science” and “bought science;” behavioral economics and regulatory design; and “impact” litigation strategies. Case study subjects will likely include a mix of the following: my own research into the 1971-85 battles over the multi-billion dollar Westway project defeated by a small number of citizens; climate change regulatory and legislative proposals and battles; regulatory responses to disasters; and court, regulatory and legislative battles over protecting “waters of the United States” under the Clean Water Act. Readings will include diverse materials to illuminate the art of regulatory war, including court decisions, briefs, congressional testimony, legislative and regulatory proposals, statutory provisions and scholarship. Students will before each class submit a few brief comments or questions about the readings, with class discussion building on those areas of interest. Students will have broad latitude to develop related paper topics based on their own interests and goals. During the last few weeks of the semester, we will conclude with students sharing and leading discussion of their draft papers. There are no seminar prerequisites, but students interested in administrative law, constitutional law, economic and risk regulation, environmental law, energy law, legislation, law and politics, law and economics, litigation and other areas of public law should find the material of interest.

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

This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1748 v00 The Death Penalty in America Seminar [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201748%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201748%20v00)

J.D. Seminar | 2-3 credit hours
This seminar will consider the past, present, and future of the death penalty in the U.S. Topics will include the Eighth Amendment framework; capital-eligible offenses and limitations; the role of race; intellectual disability, insanity, and mental status; juvenile offenders; procedural requirements in capital cases; actual innocence claims; methods of execution; juror qualification; and the allocation of issues between judge and jury. The course also will cover current abolition initiatives under state constitutional, legislative, and clemency initiatives.

**Student learning goals:** Students will gain both a jurisprudential understanding and practical insight into the death penalty and its administration. Students will intensively explore this challenging constitutional and legal area, and will write on an important selected issue.

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

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

LAW 3062 v00 The Essentials of FinTech Law [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203062%20v00](http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203062%20v00)

LL.M Course (cross-listed) | 2 credit hours
Nowhere have the recent changes wrought by technological innovation been more visible than in the financial industry. Algorithmic robots (algo bots) can scan the equivalent of thousands of pages of information and make trading decisions based on that material in fractions of a second. People who might not be able to afford a human financial advisor can get financial advice from robots by enrolling in a "robo-advisory" service to help manage their investments. Virtual currencies such as Bitcoin and initial token offerings (ICOs) have the potential to revolutionize the financial markets. Financial institutions are taking steps to use blockchains and distributed ledger technologies to clear and settle trades in financial instruments and other transactions in a manner that upends traditional processes in this area. Data about human behavior is being collected and used in ways that had not been imagined only ten or so years ago, from uncovering financial market trends via social media sentiment analysis to discerning the success of commodities businesses by scrutinizing satellite images.

"FinTech" is short for "financial technology," and the term is broadly used to refer to technologies applied to financial services and within financial institutions. This course explores some of the complex, cutting-edge legal issues that are arising at the intersection of technological innovation, business, finance, and the law. The course will introduce several of the primary FinTech innovations and explore with students if, and how, the relevant laws and regulations apply to these new business models. This course provides a guided tour of the major legal and policy issues in banking, financial market regulation, insurance, business-entity law, and data privacy/protection that have resulted from FinTech innovations. Accordingly, much of the course involves looking at how the existing laws and regulations governing securities, derivatives (including futures and swaps), payment systems, and banking activities apply to innovative financial products and services.
LAW 1228 v00 The Financial Crisis: Law, Policy and Inequality (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201228%20v00)
J.D. Course (cross-listed) | 2 credit hours
**Theory**
Our discussions will provide an introduction to the social justice critique of economic theories of free markets. Our efforts will be guided by economic and social theory as well as financial regulatory policy. We will take up the puzzle of persistent empirical evidence of race and gender discrimination in financial markets, notwithstanding economic theories that posit the elimination of discrimination by the market itself.

**Financial System Failure**
This semester the course will be concerned with the Financial Crisis of 2008 with special focus on the subprime mortgage crisis and the implementation of governmental bailouts to mitigate the economic damage done to homeowners, taxpayers, the infrastructure of the financial sector and the broader economy. Our course work will include an in depth exploration of the systematic problems in origination, distribution and financing of home mortgages in the United States.

At the end we will focus special attention on the “foreclosure crisis” that included widespread recordkeeping inaccuracies and wholesale failures by banks and servicers to comply with local land recording rules and the ancient rules for the negotiation and transfer of promissory notes.

We will examine the attributes of home mortgage origination markets, public and private policies supporting expanding the market for homeownership, the racial and ethnic characteristics of the borrowers who were sold high priced home loan products with an examination of the relationship of legal rules to the distribution of housing wealth.

**Inequality**
The course will emphasize the race, gender and other identity variables that work to create and preserve economic inequality. A central exploration of the course will be the problem of race and gender discrimination in the home mortgage lending market and the governmental response to that longstanding economic and social problem. We will make use of a range of materials taken from sociology, economic argument, political theory, constitutional discourse and the critical legal theories of race, gender and social class.

LAW 3083 v00 The First 1000 Days: Global Health Law & Policy from Gestation to Age Two (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203083%20v00)
LL.M Seminar (cross-listed) | 2-3 credit hours
The first 1,000 days between a woman's pregnancy and her child's second birthday significantly impacts a child's ability to grow, learn, and thrive and affects a country's health and prosperity. This course approaches this period with a Reproductive Justice (RJ) lens, emphasizing social supports, financial assistance and other tools that advance the right to have and raise children. Both in the US and throughout the world, factors such as race, language, income, education, ability, gender identity and sexual orientation all impact one's ability to carry a healthy pregnancy to term, and the opportunities babies have to grow and thrive.

Increasingly, law and policy has been recognized as a high-impact and robust approach for accelerating progress in supporting women who are pregnant and lactating, along with infants through their first 24 months. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws and policies, and set funding priorities with direct or indirect effects on providing the essential building blocks for families during the 1,000-day window of opportunity. This course focuses on policies, programs and practices across the globe—at the national, tribal, state and local levels—that improve or hinder a mother and child's health and well-being. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory and judicial aspects. This course applies the RJ framework to an area that has primarily been viewed as one of public health. In doing so, students will build a deeper understanding of the social factors and inequities that impede public health initiatives and widen health disparities. Topics and themes include preconception care, infertility, assisted reproductive technology, maternal and infant mortality disparities, newborn screening, immunizations, maternity and paternity leave policies, breastfeeding relevant policies and practices, dietary and physical activity guidance, social assistance programs, food and nutrition labeling, childcare supports, and other environmental and policy strategies to support maternal and child health.

**Note:** J.D. students must register for the three-credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The special requirements of the two-credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.
LAW 975 v00 The Foreign Tax Credit (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20975%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course will cover the basics and the finer points of the foreign tax credit, an important issue for virtually all multinational taxpayers. In the current global economy, knowledge about the foreign tax credit is essential for any tax lawyer and particularly helpful for those who represent large corporations or whose practice involves cross-border transactions of any kind. The course will address the mechanics of the Code and Regulations, as well as bigger-picture concepts arising in case law and elsewhere. Students will learn the rules that govern who is entitled to a credit, for what taxes a credit may be claimed, and how large a credit may be taken; and in what year the credit properly accrues. We will also discuss current tax planning issues regarding foreign tax credits.

Students will gain an understanding of the basic foreign tax credit principles of section 901 of the Code, including the criteria used to determine the creditability of foreign taxes, as well as the principles governing “in lieu of” taxes creditable under section 903. The course will address the limitations on the foreign tax credit under section 904; the rules governing the sourcing and “basketing” of income; base and timing differences; and required adjustments to the amount of foreign taxes paid. Students will also learn the fundamentals of the section 861 rules whereby taxpayers’ deductions are allocated and apportioned to their foreign-source income for purposes of credit computation. The course will cover the deemed paid credit under section 902 for taxes paid by foreign subsidiaries of U.S. taxpayers; the rules for maintaining pools and layers of earnings and profits and related foreign taxes; the impact of corporate transactions on E&P and the amount of the credit; and the interaction with the subpart F regime. Reading materials will focus on the relevant Code provisions and Regulations and on the evolution of the foreign tax credit through case law.

Prerequisite: Federal Income Taxation (formerly Taxation I), Corporate Income Tax Law I or Corporate Taxation (formerly Taxation II), and a course in International Tax.

LAW 1467 v00 The Future of International Criminal Justice Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201467%20v00)
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar will explore the question of whether the actions of victims, civil society, and nongovernmental organizations (NGOs), with key support from some national authorities and international bodies, can create a third wave of international criminal justice. We will begin with a brief exploration of the impact of the first wave—the post-World War II tribunals, and the second wave—the international, hybrid and mixed courts created since the 1990s, and continue with a survey of the obstacles to the enforcement of international criminal law in many of the conflict zones of the 21st century. We will study the procedures available in various national justice for victims or independent prosecutors/ magistrates to commence criminal cases or civil actions against those allegedly responsible for atrocity crimes, including in non-territorial states based upon passive personality or universal jurisdiction. We will look at the expanding role of civil society and other nongovernmental organizations to advocate effectively for justice remedies and to build the documentation of individual criminal responsibility that will attract national authorities to take up cases and increase the availability of probative evidence for trial. Finally, we will identify the available sources of support for these cases, including through litigation in national, regional, or international courts; investigative assistance from multinational police and justice organizations; and fact-finding, human rights reporting, and investigative coordination through actions taken by multilateral bodies other than the veto-bound UN Security Council.

Note: This course requires a paper. J.D. students must register for the 3 credit section of the course if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
The IMF is unique among international organizations in terms of the breadth of its powers: regulatory, financial and advisory. With respect to its regulatory authority, the course will analyze the IMF's role in overseeing the fixed exchange rate system that was established in 1945 and assess how the IMF's jurisdiction in this area has evolved since the collapse of that system in 1971. Regarding its financial powers, the Course will review the legal and policy dimensions of IMF conditionality and assess the IMF’s often controversial role as a “financial fire fighter”, drawing lessons from the role it played in a number of financial crises, including the Latin American Debt Crisis, the Asian Financial Crisis and the Great Financial Crisis of 2008. With respect to its advisory powers, the course will analyze how the IMF has developed “soft law” in its assessment of the adequacy of policies in a broad range of areas, including bank regulation, fiscal transparency and corporate insolvency. Finally, the Course will review the IMF’s governance structure and, in that context, analyze the challenges it faces to its own legitimacy as it seeks to adjust its voting system to take into account important shifts in relative economic power among its member countries. The release of internal staff papers and Executive Board minutes under the IMF’s transparency policy will enable students to gain a unique understanding of the complexity of the decision-making process within this institution.

Learning Outcomes

By the end of the course, students will have gained an in-depth understanding of the IMF’s regulatory and financial powers, as well as its governance structure. They will also have gained insight into the role the IMF has played in shaping international monetary and financial law in an environment where there has been an increasing unwillingness of countries to surrender sovereignty in this area through substantive treaty obligations. In this context, they will learn about the role that alternative legal frameworks have been played in this area, including procedural law, soft law and private law. A key objective will be for the students to gain an understanding of how the views regarding the nature of the IMF’s legal authority can be seen as a microcosm of evolving attitudes towards the pooling of national sovereignty. The students’ knowledge of these issues will be enhanced by a close study of internal IMF staff papers, which will enable them to obtain a unique understanding of how legal, financial and economic issues are integrated during the IMF-decision making process. Moreover, through an in-depth analysis of a number of systemic financial crisis, students will gain an appreciation of the competing considerations - and constraints - faced by policy makers in a crisis context. This appreciation will be enhanced by occasional presentations provided by present and former IMF officials who played a lead role during the crises that will be studied.
LAW 1285 v00 The Internet and International Trade Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201285%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
In 1995, the World Trade Organization was created to “to develop an integrated, more viable and durable multilateral trading system.” It was a major step forward in formalizing the rules and procedures around the global trading system of the late 20th Century and globalization, which at the time was dominated by large multinational corporations moving large shipments of products across international borders. The policies in the General Agreement on Trade and Tariffs (GATT), the General Agreement on Trade in Services (GATS), and regional trade agreements that have followed were largely designed to further this traditional model of trade.

In 1995, the National Science Foundation divested its final piece of its computer science network (NSFNET) marking the official commercialization of the Internet, at the time the Internet had a user base of less than 20 million. The Internet was designed to facilitate communication between individual desktop users sitting on independent networks, and was largely used by academics at the time. The policies that shaped the modern Internet were the creation of national governments and a multi-stakeholder process involving engineers, businesses, non-profits, and government.

In 1995, there was not much thought given to the world of trade intersecting with the burgeoning Internet.

It is more than 20 years later, and the worlds of global trade and the Internet are rapidly overlapping. In 2011-2012, the US census bureau reported that 49.3% of manufacturing trade was conducted through electronic means; McKinsey found that the Internet accounted for 21% of GDP growth in mature economies; and, the Organization for Economic Cooperation and Development (OECD) reported that the only 5.7% of small firms in the EU25 were not accessing the Internet. There is a divergence of opinion, though on whether the Internet is revolutionizing the players, method, and function of international trade. Moreover, despite the increased importance of the Internet to doing business in the modern world, trade policymakers struggle to understand the individual policy issues of the Internet and Internet-enabled commerce.

This class will bring together the divergent worlds of Internet and trade policy. Students will analyze the macro questions around trade through the lens of the Internet revolution. Moreover, students will delve into a number of unique trade issues that are being created as a result of the global Internet. Students will also analyze national laws on the Internet and why they are difficult to globalize. The class will challenge students to understand the unique issues of the Internet, to think about classical trade and development issues in new ways, and to challenge the efficacy of global policy solutions to global Internet problems.

The class will be divided into three parts: Part 1 will provide background on the Internet and trade and will lay out the foundational questions that underlie the rest of the class; Part 2 will delve into a number of specific Internet policy issues through the lens of trade; and Part 3 will be forward looking and will ask students for solutions to difficult policy questions.

Recommended: Prior or concurrent enrollment in an international trade law course.

LAW 3134 v00 The Intersection of Employment and National Security Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203134%20v00)
LL.M Course (cross-listed) | 1 credit hour
Federal employees and contractors safeguard our nation’s most sensitive information and secrets. However, many do not consider that national security is a major consideration when employing civil servants or making decisions regarding their continued employment. As of 2017, over 4.3 million Americans possess a security clearance and even more have access to sensitive, unclassified information. Security clearances and suitability reviews assess the reliability, trustworthiness, and character of prospective employees.

Because security clearance and suitability adjudications often determine whether a person is hired - and in some cases, fired - they invoke the application of employment protections under laws such as Title VII of the Civil Rights Act of 1964, Age Discrimination in Employment Act of 1967, and the Americans with Disabilities Act Amendments Act of 2008. The decision to deny employment based on a security clearance or suitability decision is considered an adverse action. While some actions are subject to judicial and/or administrative court review, others are not. Therefore, executive orders, federal regulations, and agency guidance are necessary to ensure that vetting is both thorough and fair. In the last decade, courts and agencies have grappled with issues ranging from discrimination to the stigmatization of mental health issues in security clearance and suitability adjudications.

This course will examine the intersectionality of national security issues and employment; specifically, how national security concerns shape vetting in federal employment from security clearances to suitability reviews. Moreover, it will serve as an introduction to understanding the interplay of federal case law, executive orders, federal regulations, and agency guidance in this area.

Note: NOTE FOR THE SUMMER 2021 SECTION: The professor will teach this course virtually via Zoom. Students may choose to participate from the classroom or via Zoom while the professor is participating remotely. Students who want to participate in person must be in the University’s COVID testing protocol (https://www.law.georgetown.edu/covid-19-updates/message-from-the-dean-covid-health-protocols-enforcement-and-discipline) and follow all other safety measures.
LAW 3065 v00 The Law and Ethics of Automation, Artificial Intelligence, and Robotics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203065%20v00)

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

Automated systems and artificial intelligence (AI) soon will be like electricity—an ever-present technology that enables many aspects of modern society to function smoothly while operating largely in the background. Internet-connected “smart” refrigerators and kitchen shelves in “smart” homes will order food items automatically, without human direction, when existing supplies are running low. Factories are increasingly becoming completely automated, operated by robots that can work 24-hours a day in the dark. AI even can handle tasks that are currently performed by doctors, attorneys, and human resources executives. For example, computer algorithms can diagnose illnesses in patients and review documents and contracts for legal and regulatory issues. AI systems can select the job applicants that firms call in for interviews, and then use facial recognition technology to analyze video-recordings of the interviews to determine which applicants were enthusiastic, bored, or dishonest. Automated systems already control much of the trading on stock and futures exchanges. Regular people who want investment advice and guidance can use their smartphones to enroll in AI-powered robo-advisory services that adjust investment strategies according to individual risk preferences. Algorithms used by online retailers decide what products to show people based on analysis of both the shopping habits of specific individuals and the behavior patterns of like-minded shoppers. Taxis of the future may very well be self-driving cars that are robot business entities that own themselves.

These radical changes in society will have significant implications for the legal system. Advances in AI will necessitate changes to laws and regulations, and even to how lawyers practice law. In this course, students will examine legal and ethical issues related to automated systems, AI, and robotics, which will involve analysis of topics in agency law, business entity law, contract law, and more.

LAW 1715 v00 The Law and Ethics of Special Operations (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201715%20v00)

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

Over the past two decades, the US has intensively relied on Special Operations Forces (SOF) for an expanding set of missions. These include preparing the environment for large-scale military operations, counterterrorism and counterinsurgency operations, security assistance and training to both states and non-state groups, and furthering US interests in areas in which the US has significantly reduced its conventional military presence. Such activities also increasingly have the potential to generate intelligence that is useful both for immediate operational and longer-range strategic purposes. The tendency to turn to SOF for a variety of “light footprint” missions has resulted in an exceptionally demanding operational tempo, with minimal time between deployments.

This evolution of the role of SOF has created a widespread sense that the special operations community is at a critical inflection point. One concern is the number of recent high-profile disciplinary and ethical transgressions. This resulted in a Congressional directive to conduct a review of the ethics and culture of SOF. US Special Operations Command published a report pursuant to this directive in January 2020, which has generated considerable discussion. Another concern is that SOF culture has come to place undue emphasis on kinetic action. This creates the risk of excessive reliance on force, as well as prospect that operators may be unprepared to perform non-kinetic functions that will be crucial with the resurgence of competition with peer powers. Finally, some fear that extensive reliance on SOF for a wide range of diverse purposes has resulted in a tendency to treat special operations as a magic all-purpose bullet, as opposed to a distinctive asset that the US should use only in carefully specified circumstances. The result of these concerns is an unprecedented intense focus on what the role of SOF should be in furthering US national security interests, and the appropriate legal and ethical foundations of that role.

The learning objectives for the course are for students to:

(1) Become familiar with how US Special Operations Forces are organized and the kinds of missions that they conduct

(2) Gain an understanding of the domestic and international law governing SOF and their activities

(3) Gain an understanding of the distinctive ethical issues that can arise on different types of SOF missions and with respect to the use of SOF as a national security asset

(4) Appreciate how trends in geopolitics, technology, and military doctrine are likely to affect missions that SOF are asked to conduct and how they conduct

Note: In Fall 2020, this course will meet on the following dates: 9/2, 9/9, 9/16, 9/23, 9/30, 10/7 and 10/14.
LAW 1526 v00 The Law of Autonomous Vehicles
J.D. Seminar (cross-listed) | 2 credit hours
Autonomous vehicles are roiling industries as diverse as retail, food delivery, trucking, and personal transportation. Although there is a rising consensus that autonomous, networked cars could save tens of thousands of lives, there is a similar consensus that they also will create tens of thousands of accidents that human drivers would not. Although the technology for autonomous vehicles is already on the roads, the law, ethics, and policy governing these machines is late evolving. This course will examine alternatives for regulating autonomous vehicles, including topics such as which parties should bear responsibility for the actions of autonomous vehicles, how theories of responsibility will change over time, as well as the appropriate modes and agencies of regulation. Paper required.

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

LAW 1199 v00 The Law of Deception Seminar
J.D. Seminar | 2-3 credit hours
The law of deception is comprised of laws and regulations that attempt to prevent dishonesty, disinformation, artifice, cover-up and other forms of trickery, or to avert mistake, misunderstanding, miscalculation or other false beliefs. So defined, the law of deception cuts across traditional legal categories such as tort, contract, criminal law, consumer protection and securities law. This seminar examines common issues of design and justification in the law of deception. Readings will be a mix of primary and secondary materials on topics such as historical developments, types of informational wrongs, the choice between fault and strict liability, remedies, special pleading and other procedural rules and constitutional issues.

Note: The writing requirement section (LAWJ-1199-05) is year-long.

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

LAW 1330 v00 The Law of Money Seminar
J.D. Seminar (cross-listed) | 2-3 credit hours
This seminar examines how the law creates and regulates money. Money is at the very core of economic exchange, and serves both as a tool and as a subject of economic policy and regulation. This seminar will emphasize historical and international comparisons to examine what is money, how it is used by economic and political actors, and how it is regulated. Topics to be covered include monetary policy and central banks, legal tender, the gold standard and currency indexation, bank money, shadow banking and near-money, alternative currencies, payment systems, money and nation-building, currency regimes, monetary unions, financial crises and money laundering.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 1019 v00 The Law of Public Utilities: Bringing Competition to Historically Monopolistic Industries (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201019%20v00)

J.D. Seminar | 2-3 credit hours

Our major infrastructural industries—electricity, gas, telecommunications, transportation and water—were historically controlled by monopolies. Since the 1980s, efforts to introduce competition into these industries have met obstacles. Battles before legislative bodies, regulatory agencies and courts, at the state and federal levels, have produced a distinct body of law. That body of law—the law of introducing competition into historically monopolistic industries—is the subject of this course.

From the principles learned in the course, students have written papers on such diverse topics as renewable energy, internet, movie production, chicken slaughtering, student loans, pharmaceutical research, Uber, Flint’s water crisis, utility corporate form, cloud storage, electric storage, and telemedicine at the VA. Some of these papers have made their way into professional journals or law journals.

Regardless of the industry or era, the regulation of infrastructural monopolies and their competitors has five common elements: its mission (to align business performance with the public interest); its legal principles (ranging from the state law on exclusive monopoly franchise to federal constitutional protection of shareholder investment); policy flexibility (accommodating multiple public purposes, from service reliability to environmental accountability to protection of vulnerable citizens); reliance on multiple professional disciplines (law, economics, finance, accounting, management, engineering and politics); and formal administrative procedures, such as adjudication and rulemaking.

Today, political challenges are causing policymakers to stretch regulation’s core legal principles. Four examples of these challenges are: climate change (e.g., To what extent should we make utilities and their customers responsible for “greening” energy production and consumption?); universal service (e.g., Should we bring broadband to every home, and at whose cost?); privacy (How do regulators induce personal changes in energy consumption while protecting the related data from public exposure?); and protection of our infrastructure from hackers, terrorists and natural catastrophes.

Complicating these political challenges are two sources of constant tension: ideology (e.g., private vs. public ownership, government intervention vs. “free market”); and state-federal relations (e.g., Which aspects of utility service are “national,” requiring uniformity; and which are “local,” warranting state experimentation?).

This field has many jobs, as new issues emerge and as baby boomers retire. Lawyers play varied roles. They advise clients who are suppliers or customers of regulated services, represent parties before regulatory tribunals, advise those tribunals or their legislative overseers, and challenge or defend those tribunals on judicial review.

Note: The 3-credit Writing Requirement section of this course is restricted to J.D. students only. The 2-credit Paper section of this course is restricted to LL.M. students only.

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

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

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

The course will also consider the causes and control of violence and extremism, as well as the use of emerging neuroscience technologies for legal and national security purposes.

LAW 3085 v00 The Nuremberg Trials, the Doctors Trials (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203085%20v00)

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

The Doctors Trial considered the fate of twenty-three German physicians who either participated in the Nazi program to euthanize persons deemed “unworthy of life” (the mentally ill, mentally retarded, or physically disabled) or who conducted experiments on concentration camp prisoners without consent. The Doctors Trial lasted 140 days. Eighty-five witnesses testified and almost 1,500 documents were introduced. Sixteen of the doctors charged were found guilty. Seven were executed.

The Doctors Trial provides a significant and important example of human rights violations and serves as a lesson in law and bioethics vital to understanding how law evolved from an initial eugenics policy to and including the horrible examples that framed human atrocities during WW II.

This course will highlight examples from Jeanne Guillemin’s “Hidden Atrocites, Japanese Germ Warfare and American Obstruction of Justice at the Tokyo Trial”, Joel Dimsdale’s “Anatomy of Malice” examining the psychological assessments necessary for the trials, and Vivien Spitz’s “Doctors from Hell”, delving deep into the actual court transcripts from the proceedings. Ben Ferenz’s work, one of the actual prosecutors at the trials, will also be included as insight into this tragic period.
LAW 1428 v00 The Past and Future of Civil Liberties Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %201428%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course, taught by Professor David Cole, who will become the National Legal Director of the ACLU in January 2017, will examine key moments in the history of civil liberties, as well as some of the current civil liberties challenges and those likely to arise in the coming years. The course will focus on the role that the ACLU and other civil society organizations have played in civil liberties conflicts, studying their strategies, tactics, goals, and effectiveness. Readings will include historical accounts of civil liberties disputes, as well as cases and other materials relating to current and future civil liberties disputes. Among other topics, we will cover criminal justice, campaign finance reform, the tension between LGBT rights and religious freedom, immigrants’ rights, sexual assault and due process on college campuses, and the right to die.

Each student will be responsible for two 8-10 page papers and significant class participation, including an oral presentation on the topic of one of the papers. Each paper and class participation will count for a third of the final grade.

Prerequisite: Constitutional Law II: Individual Rights and Liberties.

Note: This course is enrolled via waitlist.

LAW 869 v00 The Role of WHO in Global Health Law and Governance (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW %20869%20v00)
LL.M Course (cross-listed) | 1 credit hour
WHO is the sole global health organization and, as such, has been traditionally considered the lead actor in this domain at the center and the forefront of technical, policy and normative developments in global health governance. Its Constitution and institutional structure represent both the embodiment of a new way of thinking about global health and its governance at the time of creation of the UN system as well as the outcome of political compromises that have affected the life of the organization and its positioning in the global health landscape.

The historical development of WHO’s functions and activities are also an emblematic reflection of the changing role of health in the global economic, political and development agendas and, as such, can shed light on broader issue of international law and relations. WHO’s role and significance as the central actor in global health governance has been the object of contestation and much critical reflection starting in the 1990s and culminating with the organization’s role in responding to the Ebola crisis. At the same time, global health governance has become more complex, fragmented and politicized and the future role of WHO has to be seen in the context of those developments and the search for a coherent global health architecture.

The course will focus on four broad areas covering the most important aspects of WHO as an international organization, an actor in global health governance, and a forum for policy and legal developments: 1) Historical, constitutional and institutional aspects; 2) normative functions and the role of WHO in the development of international law; 3) directing and coordinating functions, both in terms of how to address the most important health challenges as well as with regard to WHO’s interaction with a number of political and economic regimes; 4) the position of WHO in the current global health landscape, both with regard to the role of other actors as well as to how the organization should look to its own future. The course will allow students to gain not only an in-depth knowledge and appreciation of WHO from an institutional and structural perspective, but also most importantly to appreciate the main contemporary challenges in global health as well as the role of health in a number of critical policy and normative regimes. The approach of the course will be based on lecturing, class discussions and at least one class exercise. Prof. Burci’s former tenure as the Legal Counsel of WHO and a long-term senior lawyer in the organization will allow him to contribute real-life examples and experiences that will better root the course in the realities of the life of an international organization.

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

Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.
LAW 1327 v00 The Technology of Privacy Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201327%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Information Privacy is one of the most pressing and debated topics in law and policy today. Most of this debate has been spurred by the breakneck pace of changes to technology, and particularly of changes to Internet and mobile technology. Lawyers interested in practicing information privacy law or technology policy more broadly defined need to understand the past, present, and likely future of the technology of privacy, the topic of this course.

This is not a typical law school course. Students will be expected to engage the technology thoroughly, not at arm’s length. Some of the class sessions will take place in a computer lab, with each student directly controlling cutting-edge technologies of privacy and privacy invasion, such as tools for encryption, wiretapping, onion routing, facial recognition, and more. Each student will develop a substantial project exploring the intersection of technology and privacy. There are no prerequisites for the course. Students of any technical ability and background are welcome to enroll, but students with some familiarity with computer and network technology will likely find the material easier to master.

Recommended: Students are strongly encouraged to have taken or be concurrently enrolled in Information Privacy Law (LAWJ-342).

LAW 1463 v00 The Trump Presidency: Legal, Political and Moral Problems (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201463%20v00)
J.D. Course (cross-listed) | 3 credit hours
Donald Trump’s victory in the 2016 presidential election has raised a host of constitutional, policy, and moral concerns. For some Americans, the Trump presidency promises long-delayed and much needed reforms vital to our future. For others, it threatens the very survival of the republic.

This deep and acrimonious division, in turn, raises serious questions about whether Americans still share enough common ground to function as a thriving democracy. It also raises questions about constitutional law. Can adherence to the constitution or to constitutional values bridge this disagreement? Are our constitutional structures sufficiently robust to ward off authoritarianism? If not, are there other social or political structures that will serve this purpose? Is authoritarianism a serious threat under current circumstances?

In addition to these broad and existential questions about the country’s future, the Trump presidency poses a host of narrower, legal and related policy questions about matters such as the appropriate form of immigration policy, the putative need for electoral reform, the problem of providing adequate health care and controlling costs, the role of courts in curbing presidential power, and the virtues or vices of free trade.

The Trump phenomenon did not emerge from nowhere. It is part of a worldwide erosion of the liberal consensus that has dominated politics since the end of World War II. That consensus is threatened by the emergence of strong nationalist and populist forces. We will explore the possible causes of this change and the implications it holds.

For many of us, the Trump presidency also poses personal challenges. Is civil disobedience an appropriate response? Should a lawyer accept a civil service job while Donald Trump is president? Should lawyers who already have these positions resign? Is it ever appropriate for a government lawyer to take steps to oppose the policy aims of political appointees?

The aim of this course is to examine these and related questions in a calm and analytic fashion. The course is open to students of all political persuasions. It would be foolish to suppose that we can talk about these issues without having our political views influence the discussion, but we expect all participants to be respectful of, and open to, the positions of fellow participants.

Learning Goals for this course:

• To master a variety of complex legal questions raised by the Trump presidency.
• To learn about and develop informed views about important policy choices raised by the Trump presidency.
• To examine the efficacy and desirability of various constitutional structures as they intersect with the Trump presidency and the system by which Trump was elected.
• To think in a serious way about political disagreement, how it should be resolved, and how a liberal democracy can deal justly and effectively with deep cultural, social, and political divisions.
• To model among ourselves how people who disagree can talk candidly, respectfully, and forcefully about their disagreements.
LAW 1741 v00 The United States and Human Rights Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201741%20v00)
J.D. Seminar (cross-listed) | 3 credit hours
This seminar examines the role of the United States in shaping international human rights law and advancing the realization of these rights both at home and abroad. The US role since World War II is significant but also complicated, marked by leadership but also ambivalence. The US stance toward international human rights has always been deeply shaped by human rights struggles at home – over racial injustice, gender discrimination, and economic inequality – and by US ambivalence about participating in various multilateral treaties and institutions. Increasingly, advancing human rights at home and abroad are profoundly interconnected, especially as the United States and the world confront urgent problems of climate change, Covid 19, economic inequality and other threats to human dignity that cross borders and affect us all.

With the United States so deeply divided politically, how can US leaders best move ahead to protect human rights at home and to advance human rights abroad? Do the foundations of international human rights law – rooted in the universal affirmation of inherent human dignity and equality – provide new promise going forward, and can greater empathy and common purpose be nurtured across political divides at home and abroad? What tangible mechanisms and strategies can best address the most urgent human rights challenges today? Who will be the key actors in these efforts, and what roles can state and local governments, civil society organizations, individuals and local groups and others play. in addition to the longstanding role of the federal government? Does the US system of federalism offer promising avenues for progress on urgent human rights issues or do deep divisions within the United States today undercut the prospects for consistent US leadership abroad? This seminar will explore these questions systematically. Students will write a substantial seminar paper within the subject matter scope of the seminar.

LAW 3070 v00 The United States Constitution: A Historical Perspective (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203070%20v00)
LL.M Course | 1 credit hour
This course will provide students with a historical framework for understanding how the United States Constitution reached its current form. Students will focus on the ways in which political processes and social forces impacted constitutional developments in the United States. Constitutional norms will be covered in passing, while the primary focus will be on events unfolding in American society as the legal concepts came into existence.

The course is designed for foreign-trained LL.M. students and will provide participants with a conceptual framework for better understanding Constitutional Law I.

Note: The course is graded pass-fail and is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety 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.
Modern discovery is no longer about rummaging through boxes of paper; today, virtually all information is created and stored electronically. The wealth of potential evidence contained in massive stores of e-mail, instant or text messages, electronic files of different types, database applications, social media, the cloud, mobile devices, information from sensors, and myriad other imaginable (and unimaginable) applications or media has engendered an ever-expanding jurisprudence in the field known as Electronic Discovery. The law has struggled to keep pace with the challenges digital information presents for the legal system, including preservation and spoliation issues, rising costs, and questions of privilege waiver, privacy, and evidentiary admissibility, to name but a few. Amendments to the Federal Rules of Civil Procedure that went into effect in December 2015, changes to the Federal Rules of Evidence in September 2008, and a dizzying array of state and local rules that have emerged in response to the challenges posed by electronically stored information have brought Electronic Discovery to the forefront of litigation. This course will touch on matters that lawyers need to know in order to competently represent their clients in an increasingly digital world, and will also explore some of the broader challenges posed by digital information.

**Prerequisite:** Civil Procedure (or Legal Process and Society). This requirement may be waived with permission of the professor.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Electronic Discovery or Technology in Legal Practice: A Practical Study of Electronic Discovery, Big Data, Cybersecurity and Beyond.

**Note:** WEEK ONE COURSE. This seminar will meet for one week only on the following days: Monday, January 8, 2018, through Thursday, January 11, 2018, 9:00 a.m. - 12:20 p.m. The course will have a take-home exam that must be completed during the week of Friday, January 19th through Friday, January 26th, 2018. This course will be taught online using Zoom. Additional instructions will be provided to enrolled students.

The course is mandatory pass/fail and will not count toward the 7-credit pass/fail limit for J.D. students. Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the waitlist must attend the first class in order to be admitted off the waitlist. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of J.D. Academic Services. Withdrawals are permitted up until the last class for this specific course.
Trade remedies are the bread of butter of international trade law, and hence a critical area of study for any aspiring trade lawyer. This course will introduce participants to the three principal types of trade remedies, anti-dumping, countervailing measures and safeguards. The class will explore the role of, and justifications for, trade remedies in the international trading system, the framework set out in the WTO Agreement for their use, and the dispute settlement jurisprudence regarding them. Because trade remedies are a global phenomenon, it will then examine and compare the trade remedy regimes of major users and the role that the WTO Agreement, how that Agreement interacts with the national law time, the course should help students to gain a better understanding of remedies, both in terms of the WTO framework and in terms of the practice.

The first objective of this course will be to familiarize students with trade remedies, both in term of the WTO framework and in terms of the practice of both the United States and other major user countries. At the same time, the course should help students to gain a better understanding of the WTO Agreement, how that Agreement interacts with the national law and policy of the United States and other WTO Members, and the role that WTO dispute settlement can play in that interaction.

Prerequisite: An introductory course in International Trade Law and/or WTO Law is highly recommended.
**LAW 433 v02 Trademark and Unfair Competition Law**

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

This course provides an overview of trademark and unfair competition law. It covers the common law and statutory bases for acquiring and enforcing trademarks, as well as the requirements for federal registration of a mark. The course will closely examine causes of action for trademark infringement, false designation of origin, and trademark dilution, along with related defenses and remedies. Students will be exposed to important aspects of Patent and Trademark Office practice, including the advantages of federal registration and how to proceed in opposition, cancellation, and concurrent use proceedings. This course will examine the potential conflicts between trademark protection and the First Amendment as well as the bases for losing trademark rights. Students will develop mastery of core trademark concepts, including goodwill, consumer confusion, and acquired versus inherent distinctiveness.

**Mutually Excluded Courses:** Students may not receive credit for this course and Trademark and Unfair Competition Law or Trademarks and Brands.

**LAW 433 v00 Trademark and Unfair Competition Law**

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

This course will introduce students to the federal Lanham Act and related common law doctrines designed to protect against consumer confusion and appropriation of commercial goodwill. In addition to the technical requirements for trademark eligibility, registration, and infringement, we will consider the constitutional and economic underpinnings of trademark protection and evaluate current trends toward the "propertization" of trademark law. The course also will include material on the trademark treatment of Internet domain names, metatags, and links.

**Learning Objectives for Professors Madhavi Sunder and Julie Cohen:**

- Articulate the interplay and conflicts between trademark law and the First Amendment, including the advantages of federal registration and how to proceed in opposition, cancellation, and concurrent use proceedings.
- Grasp the process of obtaining federal registrations for trademarks.
- Identify what designations can function as trademarks and understand the requirements for trademark protection.
- Determine whether a trademark owner has lost its rights in the mark, either through abandonment or "genericide.
- Assess the degree of protectability of trademarks depending on their distinctiveness.
- Understand the requirement of "use in commerce" for trademark protection, and evaluate whether particular usages of trademarks meet that requirement.
- Evaluate whether a trademark is famous, and whether uses of other trademarks constitute dilution of famous marks by either blurring or tarnishment.
- Differentiate between trademark, copyright, patent and trade dress laws;
- Identify whether uses of junior trademarks infringe the rights of owners of senior trademarks (i.e., whether there is a "likelihood of confusion");
- Evaluate whether a trademark is famous, and whether uses of other trademarks constitute dilution of famous marks by either blurring or tarnishment;
- Determine whether a trademark owner has lost its rights in the mark, either through abandonment or "genericide");
- Identify and make arguments concerning defenses to trademark infringement and dilution (e.g., "fair use"); and,
- Articulate the interplay and conflicts between trademark law and the First Amendment.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Trademarks and Brands.

**Note:** This course will not meet on Thursday, January 23, Thursday, March 5 and Thursday, April 9. To make up for the cancelled classes, this course will meet from 9:00 a.m. - 11:00 a.m. on the following dates: 3/19, 3/24, 4/2, 4/7, 4/14 and 4/23.

**LAW 433 v01 Trademark and Unfair Competition Law**

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

This course will introduce students to the federal Lanham Act and related common law doctrines designed to protect against consumer confusion and appropriation of commercial goodwill. In addition to the technical requirements for trademark eligibility, registration, and infringement, we will consider the constitutional and economic underpinnings of trademark protection and evaluate current trends toward the "propertization" of trademark law. We will also review and assess the reasons that trademarks can lose protectable status (e.g., becoming generic) and examine best practices in selecting, adopting and enforcing rights in trademarks.

**Learning Objectives:**

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

- Differentiate between trademark, copyright, patent and trade dress laws;
- Identify what designations can function as trademarks and understand the requirements for trademark protection;
- Assess the degree of protectability of trademarks depending on their distinctiveness;
- Understand the requirement of "use in commerce" for trademark protection, and evaluate whether particular usages of trademarks meet that requirement;
- Grasp the process of obtaining federal registrations for trademarks;
- Analyze whether uses of junior trademarks infringe the rights of owners of senior trademarks (i.e., whether there is a "likelihood of confusion");
- Evaluate whether a trademark is famous, and whether uses of other trademarks constitute dilution of famous marks by either blurring or tarnishment;
- Determine whether a trademark owner has lost its rights in the mark, either through abandonment or "genericide");
- Identify and make arguments concerning defenses to trademark infringement and dilution (e.g., "fair use"); and,
- Articulate the interplay and conflicts between trademark law and the First Amendment.

**Mutually Excluded Courses:** Students may not receive credit for both this course and Trademarks and Brands.

**Note:** J.D. Students: Registration for this course will be open to Evening Division students only during the initial J.D. student registration windows. Full-time Day Division students will be able to add or waitlist this course beginning at 9:30 a.m. ET on Friday, October 29.
LAW 1466 v00 Trademarks and Brands (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201466%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course studies basic issues in Trademark Law, including trademark subject matter, the acquisition and loss of trademark rights, infringement, dilution, and trademark defenses, including trademark fair use. The course is an introductory trademark class. Additionally, the course will have a particular emphasis on the role of trademarks in the age of brands, considering how trademark law is being challenged and stretched in response to the rise of brands. Where trademarks have long protected marks that signal the source of a good or service to consumers, increasingly today customers value logos in and of themselves. Starbucks is “everything but the coffee;” it is an experience, an identity, and a place to connect with others. Furthermore, branding is ubiquitous. Every charity, organization, and university seeks to brand itself, that is, to cultivate and trade off its distinct identity. Students will consider whether traditional trademark law is well-suited to protect today’s brands.

Grades will be based on class participation and the final exam. Students will take a take-home final exam in March 2018, which will be graded.

No prerequisites.

Mutually Excluded Courses: Students may not receive credit for this course and Trademark and Unfair Competition Law.

Note: In Spring 2018 this course will meet 1/19-1/21 and 1/26-1/28. On Fridays the course will meet from 10:00 am - 2:00 pm and on Saturdays and Sundays it will meet from 10:00 am - 2:30 pm.

LAW 743 v00 Transfer Pricing: Selected Topics (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20743%20v00)
LL.M Seminar | 2 credit hours
This course will provide students an opportunity to explore the international taxation topic of transfer pricing through the research and writing of a graduate paper. Students will choose a topic in consultation with the instructors, prepare an outline to be submitted to the instructors, make a presentation to the class on their topic, and submit a paper of at least 22 pages. During the first half of the course, the instructors will focus on international transfer pricing and related topics. Transfer pricing involves the division of taxable income resulting from cross border transactions including the sale of goods and services and the licensing of intangibles. Transfer pricing typically leads to the largest audit disputes between multinational corporations and the national tax administrations for the countries in which these companies do business. As a result, transfer pricing is a key practical topic in international tax.

This course is an advanced topics course. The introductory course in transfer pricing is recommended, but not required. Specific lecture topics will include 1) Overview of the international transfer pricing system. 2) Performing a transfer pricing analysis for a particular multinational group, and assisting the group in implementation. 3) Current developments including the taxation of services, intangibles, and OECD guidance. 4) Apportioning group-wide expenses. 5) Enforcement issues. 6) Administrative procedures, including IRS examinations, APA procedures, and competent authority procedures, and 7) Looking toward the future: what are the most appealing policy options today? In addition to transfer pricing, students may choose paper topics from other international tax topics with a practical application including permanent establishments, tax treaties, international arbitration, and the competent authority process.

Prerequisite: Federal Income Taxation (formerly Taxation I).
Recommended: Survey of Transfer Pricing.
LAW 1430 v00 Transforming the Police Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201430%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
The relationship between police and the communities they serve is not only one of the most important civil rights issues facing our country today; it is one of the most important issues we face overall. In many respects, police are the face of our criminal justice system and the embodiment of our Constitution. Understandably then, each new revelation of apparent police abuse raises concern, not only about that particular incident, but about the fairness and humanity of our criminal justice system—and even our democracy. These concerns are particularly acute in communities from which police misconduct takes a disproportionate toll.

We will review current thinking on approaches to policing and study police practices related to stops, searches, arrests, custodial interrogations, and the use of force. We will explore different mechanisms of protecting constitutional rights (primarily the First, Fourth, and Fourteenth Amendments) and other legal limitations on police powers. We will pay particular attention to enforcement mechanisms aimed at long-term structural reform of police departments and other law enforcement agencies, such as Section 1983 injunctive suits and the statute authorizing DOJ’s pattern-or-practice investigations in Ferguson, Baltimore, and elsewhere. This course will also explore the extent to which existing legal interpretations of the Constitution may undermine lawful and effective policing, including whether current law sufficiently incentivizes police and non-police players in the legal arena to use their unique authority to prevent police misconduct and its related harms.

The final grade for the seminar will be based on a final paper and participation.

Learning goals for this course:

- Better understand the democratic/ethical values we want local law enforcement to embody and promote.
- Explore the extent to which current policing furthers those values; where it falls short; and why.
  - Gain general understanding of current police practices and the extent to which they do or do not promote lawful and effective policing;
  - Understand/develop an informed opinion on the extent to which the law does and does not appropriately direct and constrain police behavior (emphasis on 1st, 4th, 14th A)
- Understand strengths and weaknesses of legal mechanisms that have been developed to hold police individuals/agencies accountable to the rule of law; develop an informed opinion on which might be more effective in differing climates and how to improve.
- Explore and gain better understanding of limits of the law to “fix” policing and potential need for other interventions (reference to poverty, education, unemployment, but focus in this respect will be on role of protest and direct action, as well as on education/advocacy specifically around issues of bias, esp. race bias).
- Develop and hone skills related to constructive discussions regarding policing, including the nexus between race and policing.

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

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LAW 766 v01 Transitional Justice: Theory and Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20766%20v01)
LL.M Seminar (cross-listed) | 2 credit hours
In the wake of historical trauma—dictatorship, revolution, civil war, mass atrocity, genocide, and other crisis moments in the life of a nation—law and society begin the process of grappling with the past and laying a foundation for the future. From the Nuremberg Trials to Rwanda’s gacaca courts, and from Argentina’s amnesty laws to the International Criminal Court, this course uses historical and contemporary case studies to gain a better understanding of whether and how various mechanisms of transitional justice have contributed to such goals as peace, justice, and reconciliation.

Prerequisite: International Law or equivalent. Please note that exceptions may be granted, especially if students have prior professional experience in the field of international human rights or international law.

LAW 1498 v00 Transnational Contract and Unified Sales Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201498%20v00)
J.D. Course (cross-listed) | 2 credit hours
This course is divided into two parts. The first part compares different approaches and strategies for analyzing contract law in a transnational context. It offers an overview of comparative contract law, a comprehensive assessment of ways to achieve more harmonization in contract law, and an examination of some of the challenges that arise from differences between common law and civil law systems, with special consideration of the European Union experience. The course will explore the challenges of transnational contract law by looking at four topical issues: the conclusion of contracts; misrepresentation compared to mistake and error; punitive damages compared to penalty clauses; and limits on damages. The second part of the course will focus specifically on international instruments such as the Vienna Convention on Contracts for the International Sale of Goods (CISG). The course will aim at a comprehensive analysis of substantive issues dealt with by CISG by considering various cases. The course will confront the challenges of a uniform Convention that is regulated neither by a common supreme court nor by a single language regime, and will conclude with a discussion of the possibility of unification of law and culture through such transnational instruments.

Overall, the course aims at providing a practical perspective on comparative contract law issues faced by American lawyers working in a transnational practice. It will also show how legal comparison is a means for thinking about strategies in advocating changes in the law as well as solving concrete problems in an international commercial setting.
LAW 1721 v00 Transnational Law Colloquium

J.D. Seminar (cross-listed) | 1 credit hour
The Transnational Law Colloquium, normally held as part of the Center for Transnational Legal Studies (CTLS) in London, UK, will be offered fall 2020 and spring 2021 online to any Georgetown Law upperclass JD or LLM student. It will also be offered synchronously to law students at several universities in Europe. CTLS faculty and other legal scholars will present their own work for discussion by students and faculty from partner schools. The Colloquium will meet every other week for two hours. Over the course of the semester, we will discuss six papers in a broad range of topics relating to transnational law, including public and private international law and comparative law. The papers presented will most often be works in progress although some will be recently published work. They will ordinarily be available on Canvas two weeks in advance of the Colloquium. Students are expected to read works before sessions, write two reaction papers, and participate in class discussion.

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

LAW 989 v01 Transnational Legal Skills Workshop

LL.M Course | 1 credit hour
This is an intensive, problem based course that explores the role of law in a global context. The problem is one that involves both U.S. and non-U.S. law and forces students to examine how to be effective as lawyers in a dispute that crosses borders. Students will be broken into teams to represent "clients" and to participate in a mock negotiation, arbitration, or court hearing.

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

This class is mandatory for, and restricted to, students enrolled in the Two-Year LLM with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.

LAW 2039 v00 U.S. Criminal Procedure

LL.M Course | 2 credit hours
An examination of the basic Fourth, Fifth, and Sixth Amendment principles that govern the interaction of the police and suspects in the investigation of crime. From stop and frisks to coerced confessions, the course will examine the constitutional doctrines developed to regulate police behavior and the admissibility of evidence. The core concepts will include the definition of a "search," the meaning of probable cause and reasonable suspicion, the requirement of a search warrant and the many exceptions to the warrant requirement, Miranda and related limits on interrogation, and the pre-trial right to counsel. The course will also focus on the role of the courts in enforcing the constitutional guarantees, particularly through the exclusionary rule.

Note: This course is only open to foreign-educated LLM students (i.e., those students who do not have a U.S. J.D. degree).

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 780 v01 U.S. and International Customs Law

LL.M Course (cross-listed) | 2 credit hours
As international trade and commerce have increased over the years, customs law has become increasingly more internationalized, important and complex. This course will examine and provide a basic introduction to the rules and principles relating to both U.S. and international customs law. This will include an examination of those rules and principles relating to tariff classification, customs valuation, rules of origin, border enforcement of intellectual property rights and regional trading arrangements. International efforts to facilitate trade and to harmonize and simplify customs laws and procedures will also be examined together with international organizations dealing with customs laws and procedures (such as the World Trade Organization and the World Customs Organization).

No prerequisites.

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

LAW 2039 v00 U.S. Criminal Procedure

LL.M Course | 2 credit hours
An examination of the basic Fourth, Fifth, and Sixth Amendment principles that govern the interaction of the police and suspects in the investigation of crime. From stop and frisks to coerced confessions, the course will examine the constitutional doctrines developed to regulate police behavior and the admissibility of evidence. The core concepts will include the definition of a "search," the meaning of probable cause and reasonable suspicion, the requirement of a search warrant and the many exceptions to the warrant requirement, Miranda and related limits on interrogation, and the pre-trial right to counsel. The course will also focus on the role of the courts in enforcing the constitutional guarantees, particularly through the exclusionary rule.

Note: This course is only open to foreign-educated LLM students (i.e., those students who do not have a U.S. J.D. degree).

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.
Withdrawals are permitted up until the last class for this specific course. Withdrawal from an academic advisor in the Office of Academic Affairs. A student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal. Enrolled students will have until the beginning of the second class to remain enrolled. Failure to attend the first class session in its entirety will result in a withdrawal. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted 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 subsequent class session in its entirety will result in a withdrawal. 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 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.

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

**Note:** WEEK ONE COURSE. This course will meet for one week only on the following days: Monday, January 11, 2021 through Thursday, January 14, 2021, 1:30 p.m. - 4:50 p.m.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. Enrolled students must be in attendance at the start of the first class session in order to remain enrolled. Waitlisted students must be in attendance at the start of the first class session in order to remain eligible to be admitted off the waitlist. All enrolled students must attend each class session in its entirety. Failure to attend the first class session in its entirety will result in a drop; failure to attend any subsequent class session in its entirety will result in a withdrawal. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar; a student who no longer wishes to remain enrolled after the second class session begins will not be permitted to drop the class but may request a withdrawal from an academic advisor in the Office of Academic Affairs. Withdrawals are permitted up until the last class for this specific course.

**LAW 3050 v00 U.S. Employment Taxes**

Introductory course on the workings, issues and challenges of U.S. Employment & Unemployment Taxes at the Federal, State and Local levels. This course will explore what Employment Taxes and Unemployment Taxes are, a brief history, and the role they play in government funding and in the day-to-day living of individuals. Other topics to explore in the course are: Worker Misclassification (independent contractors vs. employees), "Gig Economy" (Uber, Lyft, etc.), so-called "Jock Taxes" (including discussions on Away Games and "Michael Jordan's Revenge"), "Nanny Taxes", Multistate nonresident withholding, SUTA dumping, Employment Tax Crimes and Penalties, and Payroll Taxes in M&A transactions.

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

**Recommended:** Administrative Law; International Law I.

**LAW 962 v03 U.S. Export Controls and Economic Sanctions**

Understanding and dealing with U.S. export control and sanction laws have become increasingly important skills for lawyers advising clients who compete in the global economy, including manufacturers, service enterprises, financial institutions, and companies licensing their technology abroad. This course surveys the federal laws and implementing regulations governing the export and re-export of goods, services, technology and software from the United States or by persons subject to U.S. jurisdiction, the extraterritorial reach of re-export controls, prosecution strategies, restrictions on dealings with or in sanctioned countries, prohibitions against dealing with blacklisted parties, and other sanctions that apply to non-U.S. companies and individuals. We also will examine the policies underlying these rules, which are designed to address ever-changing and developing threats to the United States, including Russian aggression in the Ukraine, the nuclear threat posed by Iran, civil war in Syria, missile development in North Korea, and conventional military tensions between the United States and China.

The course is designed to impart the practical skill sets you will need to use and understand the various complex regulatory systems that implement national security rules related to technology and high-tech transfers, including restrictions on release of technology to non-U.S. persons, foreign policy restrictions and licensing requirements. The regulations are implemented under various statutes, such as the International Emergency Economic Powers Act, Trading with the Enemy Act, Arms Export Control Act, and Atomic Energy Act, and regulations issued by various federal agencies, including the U.S. Departments of Commerce, Treasury, State, and Energy and the Nuclear Regulatory Commission. We will address each regulatory regime as well as the limited body of relevant case law.

In addition, the course will address multilateral export control regimes, the role they play in shaping U.S. trade laws, the impact of new regimes (such as those under the Chemical Weapons Convention) and the direction of U.S. export controls and sanctions policy in response to the changing threats. We will focus on the U.S. Government’s use of embargoes and other economic sanctions to achieve national security and foreign policy goals of target countries. This course also will provide the skill sets necessary to communicate effectively with licensing agencies and the Defense Department regarding key issues of agency jurisdiction and classification and how these issues affect direct investment in the United States as regulated by the Committee on Foreign Investment in the United States.

The course also will focus on the enforcement environment, including the trend of ever-increasing fines, the use of extradition, and imprisonment. We will discuss defense strategies and the potential for global settlements with the Departments of Justice, State, Treasury, and Commerce.

Finally, the course will emphasize developing the working knowledge necessary for hands-on practice and problem-solving in this field. In addition, the course will provide skills sets to assess proposed legislation and regulations in depth, as well as advocacy skills related to legislation and rulemaking.

**Recommended:** Administrative Law; International Law I.
LAW 763 v00 U.S. Income Tax: Policies and Practices

LL.M Course | 4 credit hours
This course is designed to provide an introduction to the U.S. income tax for foreign graduate students.

In the United States, the income tax is not just the principal means of financing government. Sooner or later, nearly every legal problem, no matter what the subject, raises an income tax issue. Whether the legal matter involves environmental regulation, corporate governance, or criminal behavior, money is likely to change hands, and the parties will need to know how the income tax treats the payment and receipt of the money.

Although the reading includes judicial opinions, statutory provisions, and regulatory decisions, its primary goal is to teach the deeper structure, or what might be called the conceptual or theoretical map, which underlies the federal income tax. Not even the most knowledgeable tax lawyer knows more than a tiny fraction of the thousands and thousands of details of the U.S. income tax law. Fortunately, lurking beneath the mass of technical detail is a deeper structure, a conceptual or theoretical map, which enables the practitioner to spot problems and identify issues even before the actual legal research begins. The principal objective of this course is to convey that conceptual or theoretical map.

A second objective of these materials is to place the tax law in a broader social and economic context. The tax law has an enormous impact, pervading every sphere of public and even private life. It may be a major cause of America's reliance on private automobiles, rather than mass transit, for transportation and on single-family dwellings, rather than apartment buildings, for housing. It may also affect a couple's decision to marry or have children. To study the tax law, then, can be to examine the basic value choices that Americans have made.

Being so pervasive, taxation is naturally an intensely political subject. A myriad of groups lobby the U.S. Congress to amend the tax laws to serve their particular, and often conflicting, interests. The degree to which one group succeeds, rather than another, reflects the distribution of political power.

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

Note: This course is required for and limited to foreign-trained students pursuing the LL.M. in Taxation.

The midterm for the course will be on Tuesday, October 9, 2018. (Monday classes meet instead of Tuesday classes on October 9th, 2018.)

LAW 986 v01 U.S. International Inbound Tax

LL.M Course (cross-listed) | 2 credit hours
Concentrates on the U.S. taxation of foreign persons and foreign investments in the United States. The course covers the U.S. taxation of passive and business income of nonresident aliens and foreign corporations, the source rules, the principles and application of U.S. tax treaties, special rules governing foreign investment in U.S. real estate and other business, cross border financing transactions, the base erosion and anti-abuse tax, and tax planning possibilities involved in the foregoing.

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

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. course International Tax Law or U.S. Taxation of International Transactions.

Note: Required for U.S. trained students pursuing the Certificate in International Taxation.

LAW 756 v01 U.S. International Outbound Tax

LL.M Course (cross-listed) | 2 credit hours
Concentrates on the U.S. taxation of U.S. persons and businesses earning income outside of the United States. The course examines, in depth, U.S. taxation of the international operations of U.S. multinational corporations. It covers the recently enacted GILTI rules, the Foreign Tax Credit provisions, Subpart F, repatriation, section 367, foreign currency considerations, Passive Foreign Investment Companies, and overall strategic tax planning, including the significant new U.S. international tax rules and other changes introduced by the 2017 Tax Cuts and Jobs Act.

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

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. seminar, Congress and the Department of Justice Seminar: Conflict and Cooperation; or the J.D. seminar, International Tax Planning Seminar; or U.S. Taxation of International Transactions.

Note: Required for U.S. trained students pursuing the Certificate in International Taxation.
LAW 844 v06 U.S. Legal Research Analysis & Writing [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20844%20v06]  
LL.M Seminar | 2 credit hours  
Introduces students to U.S. legal resources, research methods, and analytical paradigms. Writing assignments give students the opportunity to develop written analysis using the approaches, forms, and conventions common in U.S. law. Students will write a series of documents that are related to their representation of a client in the context of a U.S. law firm. Students will analyze the client’s legal position, perform individual legal research on the related law, and write a legal memorandum that will address the client’s concerns. Students will also give oral presentations of their research findings. Students will receive individual feedback on both written and oral work.

Mutually Excluded Courses: Students who enroll in this course may not enroll in any other sections of U.S. Legal Research Analysis & Writing (formerly: U.S. Legal Discourse I and II).

Note: The course is graded honors-pass-fail and is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree). Enrollment is limited to a small number of students.

LAW 844 v07 U.S. Legal Research Analysis & Writing [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20844%20v07]  
LL.M Seminar | 2 credit hours  
This section is for foreign-trained students pursuing an LL.M. in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis. Students who enroll in this course may not enroll in any other sections of U.S. Legal Research Analysis & Writing.

Mutually Excluded Courses: Students who enroll in this course may not enroll in any other sections of U.S. Legal Research Analysis & Writing (formerly: U.S. Legal Discourse I and II).

Note: The course is graded honors-pass-fail and is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree).

LAW 844 v08 U.S. Legal Research Analysis & Writing (Tax Program) [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20844%20v08]  
LL.M Seminar | 2 credit hours  
Students will write a series of documents that are related to their representation of a client in the context of a U.S. law firm. Students will analyze the client’s legal position, perform individual legal research on the related law, and write a legal memorandum that will address the client’s concerns. Students will also give oral presentations of their research findings. Students will receive individual feedback on both written and oral work.

Mutually Excluded Courses: Students who enroll in this course may not enroll in any other U.S. Legal Research Analysis & Writing.

Note: This section is for foreign-trained students pursuing an LL.M. in Taxation only. The course is graded honors-pass-fail and is only open to foreign educated LL.M. students (i.e., those students who do not have a U.S. J.D. degree). Enrollment is limited to a small number of students.

LAW 844 v09 U.S. Legal Research Analysis & Writing (Two-Year Program) [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20844%20v09]  
LL.M Seminar | 2 credit hours  
This section of USLRAW provides a comprehensive introduction to US legal writing that is designed exclusively for students in the Two-Year LLM Program.

In the first half of the semester, students will explore US legal discourse through a critical examination of legal resources, research methods, and analytical paradigms. During this first half of the semester, students will meet as a large group with Legal English faculty to review language, form, and rhetorical conventions that U.S. lawyers use in legal writing.

In the second half of the semester, students will meet in smaller groups with adjunct faculty where students will apply what they have learned in the first half of the semester. Each student will do independent legal research and write a legal memorandum. As part of this legal writing project, students will also meet with law librarians to learn more about legal research and citation.

Each student will submit a first draft of the memorandum, and the Legal English faculty and the adjunct faculty will provide written feedback on the first draft. After an individual conference with a faculty member, each student will submit a final draft of the memorandum.

Note: This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. Program. This course is graded on an honors-pass-fail basis. Students who enroll in this course may not enroll in any other sections of U.S. Legal Research Analysis & Writing.

LAW 3056 v00 U.S. Legal Research Analysis & Writing Workshop [http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203056%20v00]  
LL.M Seminar | 0 credit hours  
The U.S. Legal Research Analysis & Writing Workshop is a part of the required U.S. Legal Research Analysis & Writing class for students enrolled in the Two-Year LL.M. with Certificate in Legal English. In the Workshop, students will have the opportunity to build on the assignments that they are working on in the Class. In addition to providing support for the work in the Class, the Workshop will introduce supplemental material that will help students to deepen their understanding of how U.S. lawyers create and use legal texts.

Note: This class is mandatory for, and restricted to, students enrolled in the Two-Year LL.M. with a Certificate in Legal English. This course is graded on an honors-pass-fail basis.
LAW 881 v00 U.S. Taxation of International Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20881%20v00)
LL.M Course (cross-listed) | 3 credit hours
The course will address the principal elements of the U.S. taxation of international transactions, including trade, investment and labor. The initial portion of the course will address the way in which individual and corporate foreign taxpayers are taxed in the United States. The second portion of the course will deal with the way in which U.S. individual and corporate taxpayers are taxed on income earned in other countries. The impact of tax treaties will be addressed in both portions of the course.

Prerequisite: Federal Income Taxation (formerly Taxation I) or equivalent from home country. Strongly recommended for U.S.-trained students: A prior or concurrent course in the taxation of corporations and shareholders.

Mutually Excluded Courses: Students who take this course may not enroll in U.S. International Inbound Tax (formerly U.S. Taxation of Foreign Persons in the United States) or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons outside the United States), or International Tax Law. Students who have taken any of these or are currently enrolled in these three courses may not enroll in this course.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Taxation.

LAW 881 v01 U.S. Taxation of International Transactions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20881%20v01)
LL.M Course | 3 credit hours
The course will address the principal elements of the U.S. taxation of international transactions, including both the way in which individual and corporate foreign taxpayers are taxed in the United States (Inbound Taxation) and the way in which U.S. individual and corporate taxpayers are taxed on income earned in other countries (Outbound Taxation). The impact of transfer pricing rules and tax treaties will be addressed in both portions of the course.

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

Mutually Excluded Courses: Students who take this course may not enroll in U.S. International Inbound Tax (formerly: U.S. Taxation of Foreign Persons in the United States) or U.S. International Outbound Tax (formerly: U.S. Taxation of Domestic Persons outside the United States), or International Tax Law. Students who have taken any of these or are currently enrolled in these three courses may not enroll in this course.

Note: Required for foreign-trained Tax LL.M. students pursuing the Certificate in International Transactions.

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

LAW 1282 v00 Urban Laboratory: Land Use Planning Law in Practice (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201282%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
Washington, DC, is undergoing its greatest physical and social transformation of the past half century. Students will engage with legal and planning issues of current real estate developments, analyzing issues of planning, zoning, historic preservation, environmental and other laws that are shaping the transformation. They will work in cooperation with students in Georgetown's program in Urban and Regional Planning to study and participate in real planning efforts, involving projects such as the redevelopment of Union Station and of the air rights over I-395. Students will write short analytic papers, some of which may be comments submitted to regulatory agencies. Some classes will be held at Georgetown's School of Continuing Studies or replaced by Saturday field trips.

Recommended: Prior or concurrent study of Land Use Law or Historic Preservation Law is recommended but not required.

LAW 1453 v00 Vatican City State, Holy See, and United Nations Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201453%20v00)
J.D. Seminar (cross-listed) | 1 credit hour
The purpose of the Seminar is to lead the participants to the understanding of the position and operations in international law of Vatican City, a small but sovereign state, of the Holy See, the representative of an international religious corporation – in particular in their relationships to the United Nations. The sessions will focus (1) on the historical background of the emergence of the modern Vatican; (2) the consolidation of its position among the nations through the Treaty of Lateran in 1929; (3) its developing relationship with the United Nations; (4) its specific contribution as advocate of peace and justice. Each student will be asked to study either a relevant historical event or a major document related to the main topic, and to report on it in a paper of about 12 pages.

Note: This class will meet on the following seven dates in Spring 2018: 1/18, 2/1, 2/15, 3/1, 3/22, 4/5 and 4/19.
**LAW 1477 v00 Video Games in the 21st Century: Creativity and Innovation in Action**

This course is devoted to current legal and policy issues specifically relevant to the video game industry, a business sector that generated over $43 billion in revenue in the United States, and over $120 billion worldwide, in the last year alone. In class, we will look at video games as both software and audiovisual works and examine how intellectual property, contracts, and the Internet help shape and drive their creation and distribution. Current issues in First Amendment jurisprudence, communications law, international trade, privacy, and the online marketplace will be discussed. A wide range of novel issues associated with new developments in media and technology, (i.e. esports, virtual reality, location-based gaming, and artificial intelligence) will be highlighted. This class will show how video games combine innovation with creativity, and are considered subjects of both commerce and art, continue to contribute to American life and culture.

Class participation is critical and counts as 25% of your grade.

**Recommended:** Courses that cover Communications Law, Entertainment Law, and Antitrust.

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

**Note:** Gamers wanted!

**LAW 937 v01 War Crimes & Prosecutions**

This course focuses on international war crimes and legal actions taken against war crimes violators. Using such topics as the abuse allegations as irregular rendition, the trial of Saddam Hussein, the arrest warrant for Omar Al-Bashir, the Armenian Genocide, and other events, the course will explore in depth topics such as the principal international war crimes, universal jurisdiction and issues surrounding jurisdiction to conduct war crimes trials, civil remedies for war crimes under the Alien Tort Statute, who should conduct war crimes trials, and other matters. Students will be expected to write a paper, approximately 12-15 pages, on a topic of their choosing pertaining to war crimes, and to participate in class discussions.

**Mutually Excluded Courses:** Students may not receive credit for both this seminar and Law of War, Law of War Seminar, or War Crimes, Terrorism and International Criminal Procedure.

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

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

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**LAW 672 v01 War Crimes Terrorism & International Criminal Procedure**

Throughout the twentieth century and into the present, international humanitarian law developed not only to regulate the conduct of war, but to punish those who would violate it; be it national prosecutions for war crimes or international criminal courts. In recognition of that fact, international humanitarian law seeks to divide the politics of war from the law of war by requiring minimal standards of due process, even for the most heinous offenders. Common Article 3 of the Geneva Conventions, for example, famously provides that in armed conflict, all criminal punishment must be "pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples."

But what is a "regularly constituted court" and what are indispensable "judicial guarantees"? When war often means a threat to and even a breakdown of civilized society, how is the balance struck between due process, public safety and vindicating the victims of war crimes?

This class will guide students through the salient areas of international criminal law by reading, analyzing and discussing the statutes and precedents from WWII, modern IHL tribunals, and the Military Commissions convened at Guantánamo Bay. The issues covered will range from how crimes are defined, to who is subject to law of war jurisdiction, to theories of liability, to the rules of evidence, including the use of national security information and evidence derived from torture, to the problems associated with distinguishing lawful acts of guerrilla warfare from terrorism.

Over and above this treatment of the substantive aspects of the law, the course will encourage students to consider such problems as fact-finding through adversarial litigation, the reliance on common law crimes, the use of such tribunals in place of domestic courts and truth and reconciliation commissions, the liability of lawyers for war crimes and what due process is possible before law of war tribunals.

Students will be evaluated on the basis of class participation and a research paper on one aspect of international criminal law. Course administration will be conducted through TWEN, where students can download the readings for class and pose questions for class discussion.

**Mutually Excluded Courses:** Students may not receive credit for both this course and for Terrorism as a War Crime: Military Commissions and Alternative Approaches or War Crimes and Prosecutions.
LAW 1515 v00 Water Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201515%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course provides a survey of the key elements of domestic water resources law and policy. Students will study the relevant state and federal law, legal opinions and interpretations, and development of underlying policies relating to water resources. The course will provide an overview of the basic doctrines relating to water law – prior appropriation and riparianism, and will consider hybrid systems of water allocation developed to address today’s needs and challenges. Students will examine the legal issues surrounding groundwater and water as a shared regional resource. The course will review the law of federal and Indian reserved water rights. Finally, the course will address some of the pressing water resources topics of today, such as sustainable management and climate change adaptation, ecosystem management and Endangered Species Act compliance in watersheds and river basins, and strategies for addressing future water needs. Throughout the course, we will consider the successes and failures of water resources law and policy and prospects for effective water resources management, including conservation, infrastructure development, and the importance of science and data. Students will be expected to participate in class discussions, as well as to complete a final paper. This is a two-credit seminar.

Learning Objectives:

1. By the end of this course, you should have a good understanding of the legal framework for the administration of domestic water resources. The focus will be on relevant federal and state legal and policy regimes, and the respective roles of the federal and state governments. You should also gain insights regarding the impact and adjudication of Indian water rights into selected international topics. You will learn about certain major river basins which illustrate these concepts.

2. During this course, you should attain an appreciation of the history of the development of water resources law and policy, the role this law and policy has played in the development of the United States, and how water resources law and policy has reflected the values of the nation historically.

3. The course should provide you with a context for evaluating ongoing legal and policy issues and controversies relating to the current management of water resources.

4. The course is intended to help you develop your legal skills. Through role-playing as a part of an in-class exercise, you will consider and practice skills relating to the preparation, writing and oral presentation of testimony and public statements for mock Congressional hearings and mock public meetings. Students will gain experience in considering the perspective of the person they are role-playing and how best to present the position they represent. Through these in-class exercises and the class readings, you should develop practical skills and a greater facility with actual Congressional and administrative documents relevant to many legal practices, in addition to case law.

5. Students also will prepare a final paper and present it orally. In doing so, you will have an opportunity to hone your legal writing and oral presentation skills and to develop more in-depth expertise on a water resource issue of your choice.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Water Law Seminar: Allocation and Use in Times of Scarcity.

LAW 1456 v00 Water Law Seminar: Allocation and Use in Times of Scarcity (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201456%20v00)
J.D. Seminar (cross-listed) | 2 credit hours
This course focuses on the laws governing surface and ground water resources, with an emphasis on allocation and use. Disputes over water both within and between states are intensifying because of increased pressure on limited supplies. This course will provide students with an understanding of the basic principles of water use law in states that have adopted riparian, prior appropriation, and hybrid systems; the historical context in which water law evolved; the role of federal law and institutions; and current trends in this field. This class will focus primarily on the appropriation and use of water resources rather than on regulation of water quality. Students will examine how water law doctrines and water law institutions have evolved in two example states, Florida for riparian law and New Mexico for the law of prior appropriation. We will then consider interstate conflicts and different approaches for conflict resolution.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Water Law Seminar: Allocation and Use in Times of Scarcity (LAW/J/G-1515-05).
LAW 2096 v00 White Collar Crime (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202096%20v00)
LL.M Course (cross-listed) | 2 credit hours
This course is designed to provide students with an understanding of the elements and practical issues faced in complex white collar crime investigations, with a particular focus on criminal securities fraud matters. Recent federal criminal prosecution trends and issues will be examined and applied to specific cases. Students will understand the relationship between the Department of Justice and the SEC in conducting parallel criminal and civil investigations, as well as particular issues arising from international investigations and the prosecution of business organizations.

Some prior course work in criminal law or criminal justice is helpful but not required.

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

LAW 2087 v00 White Collar Crime and Securities Fraud (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202087%20v00)
LL.M Course (cross-listed) | 2 credit hours
Financial fraud affects investor confidence in the economy, causes turmoil in securities and commodities markets, and results in some of the largest losses of any criminal enterprise. This course will examine notable securities and financial frauds including Enron, WorldCom, Madoff’s billion-dollar Ponzi scheme, Galleon insider trading cases, and others. Topics will also include other fraud schemes involving banks, accounting, mortgages, health care, disasters, and use of mails and wires. Students will gain a practical understanding of the statutes and investigative tools used to combat securities and other types of financial fraud, the working relationship between various government agencies, and a practical approach to the issues involved in the adjudication of these offenses.

Learning objectives:

The aim of this course is to provide students with a holistic view of how federal white collar crimes are investigated, prosecuted, defended, and adjudicated. We will examine substantive offenses, cases, statutes, and address the practical challenges presented by them together.

At the end of this course, students will have a comprehensive understanding of white collar criminal cases from the investigation stage through sentencing. Students will be able to identify the commission of white collar offenses, apply the law to facts, craft arguments from the perspectives of the government and defense, assess the strengths and weaknesses of a particular case, and refine their legal reasoning and advocacy skills.

Recommended: Prior enrollment in Securities Regulation.

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

LAW 3048 v00 Wills & Trusts (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%203048%20v00)
LL.M Course | 2 credit hours
This course deals with (i) intestate succession; (ii) wills: the formalities of their execution and revocation, problems with their construction, and will contests; (iii) trusts and other will substitutes: their nature, creation, modification and termination; and (iv) the interpretation and consequences of dispositive will and trust provisions, including powers of appointment.

Mutually Excluded Courses: Mutually Excluded Course: Students may not receive credit for both this course and the course Decedents’ Estates.
LAW 1075 v00 Women and Immigration (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201075%20v00) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This fieldwork practicum course will focus on government protection for women fleeing gender-based persecution and abuse. Students will participate in a two-hour/week seminar and carry out 10 hours/week of fieldwork for private law firms and nonprofit agencies located in the D.C. metro area that are representing women fleeing their countries because of gender-related violence.

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will discuss how shifting migration patterns and societal forces have caused more women to leave their home countries and attempt to enter the United States. While a woman may flee her home country for the same reasons as a man, research shows that refugee women also flee their countries for gender-related reasons. In many countries, women face persecution and violence just for being women. This includes the use of rape as a weapon of war, domestic violence, so-called honor crimes, forced marriage, widow rituals, one child policies, forced sterilization policies, and female genital mutilation. In seminar, students will study and learn through experience about the societal forces causing the forced migration of women and how U.S. laws and policies address the immigration status of these female immigrants. We will focus on forms of relief that, while available to both men and women, are almost exclusively accessed by women to obtain legal status in the United States. Specifically, we will focus on: Asylum (specifically the gender-based prong of “membership in a particular social group”), the Violence against Women Act (for abused women who are or were married to U.S. citizens), U Visas (for victims of crime), and T Visas (for victims of trafficking).

FIELDWORK: In the two-credit, mandatory pass/fail, fieldwork portion of the practicum, students will work with lawyers from private law firms and nonprofit agencies on actual cases of women fleeing their countries because of gender-based violence. Students will be assigned in teams to interview clients, prepare research and briefs, and assist the principal lawyer conducting the case. Students will also work directly with attorneys at local legal services agencies who are representing female survivors of gender-based harm seeking legal status in the United States.

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

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

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

This course is suitable for evening students who can commit to working 10 hours/week (during business hours) for private law firms and nonprofit agencies. Students are responsible for organizing their own transportation to meet clients in the D.C. metro area, which includes clients in Virginia. PLEASE NOTE: There will be two class sessions in the first week – one at the regularly scheduled Tuesday meeting time and the second on Wednesday from 3:00-5:00 p.m. FIRST AND SECOND CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first and second class sessions in order to be eligible for a seat in the class, and must attend both class sessions in their entirety. Due to the case and team structure of this practicum, students may only drop this class up until the start of the second class session on Wednesday, January 19. After that time, students will only be withdrawn from both the seminar and fieldwork components. A student wishing to withdraw from the course will be withdrawn from the practicum course; he or she must speak to the professor as soon as possible to discuss the absence. Unless the professor indicates otherwise, a student with more than one unexcused absence from the practicum seminar (out of 13 total seminar sessions), or one week of unexcused fieldwork or project work (out of a total of 11 weeks of fieldwork or project work), may receive a lower grade or, at the professor's discretion, may be withdrawn from the practicum course.

Learning Objectives:
1. We hope that, by the end of this class, you will have a working understanding of the most common causes of wrongful convictions and the most common issues that arise when litigating them.
2. We also hope that, throughout the course, you will develop a broader sense for what the fact of wrongful convictions means for our criminal justice system overall, and what if anything we can improve.
3. Finally, we hope that you will develop and demonstrate improved critical thinking, persuasive writing, and oral advocacy through the written and oral components of this class.

LAW 872 v00 World Trade Organization: Agreements, Negotiations & Disputes (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20872%20v00)
LL.M Course (cross-listed) | 2 credit hours

The course analyzes the World Trade Organization (WTO) and its agreements, including the General Agreement on Tariffs and Trade (GATT), and the substance and status of negotiations to amend the agreements. It concentrates on the coverage of the agreements, based on their text and interpretive guidance from key dispute settlement decisions. The course also reviews the relevant economic, policy and legal aspects of the international trading system.

LAW 1622 v00 Wrongful Convictions (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201622%20v00)
J.D. Seminar (cross-listed) | 2 credit hours

This course will survey the problem of wrongful convictions. We will first examine the primary causes of wrongful convictions, including “junk science,” false confessions, prosecutorial misconduct, misidentifications, jailhouse snitches, and ineffective assistance of counsel. Next, we will explore the legal landscape of actual innocence litigation, including habeas corpus, Section 1983, and the lingering question of whether innocence alone is a constitutional basis for relief. Finally, we will consider the moral, ethical, and philosophical implications of wrongful convictions for our justice system, and the difficulty of administering a functioning system while also correcting its mistakes.

Learning Objectives:
1. We hope that, by the end of this class, you will have a working understanding of the most common causes of wrongful convictions and the most common issues that arise when litigating them.
2. We also hope that, throughout the course, you will develop a broader sense for what the fact of wrongful convictions means for our criminal justice system overall, and what if anything we can improve.
3. Finally, we hope that you will develop and demonstrate improved critical thinking, persuasive writing, and oral advocacy through the written and oral components of this class.
LAW 703 v00 WTO & Public International Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20703%20v00)  
LL.M Course (cross-listed) | 2 credit hours  
Since the institution of the WTO’s Dispute Settlement Understanding in 1994, WTO jurisprudence has increasingly addressed disputes involving the interaction between trade related values and other domestic or international policy values. The various WTO instruments that are subject to the discipline of the Dispute Settlement Understanding address the relationships between international trade and other fields such as public health, the environment, intellectual property, and even public morality. The treatment of these issues in the WTO Agreements simultaneously demonstrates the linkages among these fields, and the separation of each from the others. Moreover, many of these “trade-related but not trade” policy areas are covered by other international agreements and understandings, as well as by domestic laws, and are in some cases subject to different judicial or quasi-judicial dispute resolution mechanisms, each applying its own rules of decision. Finally, even within the international trade arena, the proliferation of regional trade arrangements with their own dispute settlement mechanisms presents another potential source of conflict with the jurisprudence of the WTO.

This state of affairs has, since about 1995, given rise to serious concerns over what has been termed the “fragmentation” of international law. Although abstract, the question of whether international law should be viewed as a “system” of law, or merely as an aggregation of rules formed principally by agreements between sovereign states, has become one of more than theoretical interest. The resolution of actual or potential conflicts between various specialized international regimes, as well as between such regimes and domestic legal regimes, has become of increasing practical importance. In many respects, WTO jurisprudence stands at the heart of these developing concerns.

This course will examine the jurisprudence of the WTO through the lens of the issue of fragmentation. Through a close study of relevant decisions and hypothetical disputes, the course will address actual and potential regime conflict issues between the international trade regime and competing norms in the environmental, public health, and intellectual property spheres. It will also address the challenges to the integrity of general international law, and of the WTO regime itself, that are posed by the proliferation of regional trade regimes with their own dispute settlement mechanisms, and by emerging questions about the effect of WTO norms within domestic legal regimes. The course will seek to balance a case-driven approach to these issues with a consideration of the underlying theoretical questions, and will regularly return to the question of the future role of the WTO in the new world order of international law.

**Recommended:** Prior exposure to WTO law, or concurrent enrollment in a basic course in WTO law.