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BULLETIN OF INFORMATION

N O T R E D A M E L A W S C H O O L

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GRADUATE LAW PROGRAMS

J.S.D. Program in International Human Rights Law

Since 1992 the Notre Dame Law School has admitted a small number of students to candidacy for the degree of doctor of juridical science (J.S.D.). This program is designed especially for persons who teach in the field of international human rights law and who seek additional education beyond the LL.M. degree level.

For more information contact:

J.S.D. Program Director
Center for Civil and Human Rights
Notre Dame Law School
135 Law School
Notre Dame, IN 46556
(219) 631-8555
E-mail: cchr@nd.edu

LL.M. Program in International Human Rights Law (Notre Dame Campus)

The master of laws (LL.M.) program in international human rights law at the Notre Dame Law School was initiated in 1988 in response to a growing worldwide need for education in the field of human rights. The program affords lawyers, who come primarily from outside the United States, the opportunity to engage in specialized study and research in international human rights law. Program participants undertake an intensive analysis of human rights issues guided by specialists in the field, and develop the skills necessary to practice or teach international human rights law.

The LL.M. program also draws upon the resources of the University's Helen Kellogg Institute for International Studies, the Joan B. Kroc Institute for International Peace Studies, the Department of Government and International Studies, and other academic units of the University. The interdisciplinary nature of the program allows students to study not only the legal processes and institutions pertaining to human rights, but also the social, economic and political contexts in which human rights are promoted, protected or violated.

For more information, contact:

Director
Center for Civil and Human Rights
Notre Dame Law School
135 Law School
Notre Dame, IN 46556
(219) 631-8555
E-mail: cchr@nd.edu

LL.M. Program in International and Comparative Law (London Campus)

In 1986, the Law School instituted a master of laws (LL.M.) graduate program in international and comparative law at the Notre Dame London Law Centre in London, England. Designed to build upon the full-year and summer programs for J.D. students in London, this LL.M. program allows both American and non-American students to earn a degree from a U.S. law school while studying in England.

The program is designed for law school graduates from common-law countries who seek advanced training, as well as for law school graduates from civil-law countries who seek training in common-law disciplines or who wish to pursue studies comparing their legal systems with those of the United States and Great Britain.

For more information, contact:

Office of Graduate Admissions
Notre Dame Law School
112 Law School
P.O. Box 959
Notre Dame, IN 46556-0959
(219) 631-6626
E-mail: lawadmit@nd.edu

You may also apply on-line through the Law School's web site at <http://www.law.nd.edu>.

DUAL-DEGREE PROGRAMS

The J.D./M.B.A. Program

In 1970, the Law School and the graduate division of the Mendoza College of Business at the University introduced a combined four-year program of study leading to the degrees of *juris doctor* and master of business administration. Students in this dual-degree program divide their time between the Law School and the Mendoza College of Business, studying the full curriculum of both schools. The reduction by one year of what normally would be a five-year program of study is achieved by allowing certain common courses and some elective courses to count toward both degrees.

The M.B.A. program is under the direction of the graduate division of the Mendoza College of Business. The business curriculum combines an intensive study of basic business disciplines with the decision-making experience of case analysis in a unique enterprise workshop and emphasizes a close working relationship between faculty and students.

Students who wish to participate in the joint J.D./M.B.A. program must be accepted for admission by both the Law School and the graduate division of the Mendoza College of Business. For more information, contact both:

Office of Admissions
 Notre Dame Law School
 112 Law School
 P.O. Box 959
 Notre Dame, IN 46556-0959
 (219) 631-6626
 E-mail: lawadmit@nd.edu

M.B.A. Admissions
 276 Mendoza College of Business
 P.O. Box 399
 Notre Dame, IN 46556-0399
 (219) 631-8488
 E-mail: mba.1@nd.edu

The J.D./M.A. in English Program

In 1991, the Law School and the Department of English instituted a program that allows J.D. students to earn an M.A. in English. To complete the M.A., students typically take 18 hours of English courses and count 12 hours of courses within the J.D. curriculum toward the M.A. degree. Normally, program participants would pursue the nonresearch M.A.; those who opt for the research M.A. must also complete an additional six hours of thesis research.

Since the Law School allows nine hours of electives, program participants may complete nine of the required 18 hours of course work in English during the regular three-year course of study toward the J.D. degree. The other nine hours may be completed by enrolling in the University's summer sessions, by enrolling for an additional semester after completing the J.D. degree, or by a combination of these two options. Upon admission to the program, the student creates a program of study with the advice of the director of graduate studies in English and the associate dean for academic affairs in the Law School; the program of studies is coordinated by the Graduate School.

The program is open only to students already admitted to the Law School. Program participants must be admitted to the program through the procedures of the Graduate School and the Department of English. For more information, contact both:

Office of Admissions
 Notre Dame Law School
 112 Law School
 P.O. Box 959
 Notre Dame, IN 46556-0959
 (219) 631-6626
 E-mail: lawadmit@nd.edu

Office of Graduate Recruitment and Admissions
 Graduate School
 502 Main Building
 Notre Dame, IN 46556-5602
 (219) 631-7706
 E-mail: gradad.1@nd.edu

The J.D./M.A. in Peace Studies Program

In 1988, the Law School and the University's Joan B. Kroc Institute for International Peace Studies introduced a combined four-year program of study leading to the degrees of *juris doctor* and master of arts in peace studies. Program participants divide their time between the Law School and the Peace Institute, studying the full curriculum of both schools.

The M.A. in peace studies program is under the direction of the Kroc Institute, which is housed on the Notre Dame campus in the Hesburgh Center for International Studies. The peace studies curriculum offers a multidisciplinary approach to the study of international peace and world order; the cultural, philosophical and religious dimensions of peace and justice; conflict resolution and dispute settlement; and social change for peace, justice and human rights. Students enjoy a unique opportunity to study with similarly focused students from around the world who are participating in the Peace Institute's International Scholars Program.

Students who wish to participate in the joint J.D./M.A. program must be accepted for admission by both the Law School and the Peace Institute. For more information, contact both:

Office of Admissions
 Notre Dame Law School
 112 Law School
 P.O. Box 959
 Notre Dame, IN 46556-0959
 (219) 631-6626
 E-mail: lawadmit@nd.edu

Joan B. Kroc Institute for International
 Peace Studies
 P.O. Box 639
 Notre Dame, IN 46556-0639
 (219) 631-8535
 E-mail: peaceins@nd.edu

The J.D./M.E. in Engineering Program

Students interested in environmental, patent or telecommunications law may apply for a dual-degree program through the Law School and the College of Engineering.

Students who wish to participate in the joint J.D./M.E. program must be accepted for admission by both the Law School and the Graduate School's Division of Engineering. For more information, contact both:

Office of Admissions
 Notre Dame Law School
 112 Law School
 P.O. Box 959
 Notre Dame, IN 46556-0959
 (219) 631-6626
 E-mail: lawadmit@nd.edu

Office of Graduate Recruitment and Admissions
 Graduate School
 502 Main Building
 Notre Dame, IN 46556-5602
 (219) 631-7706
 E-mail: gradad.1@nd.edu

Other Dual-Degree Programs

Where appropriate and with the approval of the departments involved, other dual-degree programs may be fashioned to suit individual interests or needs. Inquiries should be addressed to the particular departments involved.

REQUIREMENTS FOR GRADUATION AND GOOD ACADEMIC STANDING

Graduation Requirements

To graduate from the Notre Dame Law School with the *juris doctor* degree, students must complete 90 hours of approved courses, must maintain a cumulative grade-point average of 2.0 over six semesters, and must be in residence for six semesters. A semester in residence normally is not less than 14 credit hours.

Conferral of the degree is contingent upon successful completion of the prescribed program of instruction. The degree will not be conferred upon any student who has been found guilty of dishonest or dishonorable conduct.

Graduation Honors

<i>Cum Laude</i>	3.400
<i>Magna Cum Laude</i>	3.600
<i>Summa Cum Laude</i>	3.800

The specific requirements for calculating graduation honors are described in the *Hoynes Code*.

Grading and Academic Standing

Grades are divided into letter categories with numerical values as follows:

A.....	4.000	C+	2.333
A-	3.667	C.....	2.000
B+	3.333	C-.....	1.667
B	3.000	D	1.000
B-.....	2.667	F	0.000

Individual grade point averages are calculated for use by the student and for internal use by the Law School in determining academic standing and honors. The minimum acceptable grade point average to maintain good academic standing varies with class level. The complete grading policy is distributed to each entering class. A student who fails to maintain the minimum acceptable grade point average will be ineligible to continue into the next semester.

There is no calculation or publication of "ranking" or "class standing." The Law School does, however, publish the mean grade point average for each class level.

A student who fails a required course must repeat it and obtain a passing grade. This requirement may be relaxed by the faculty member responsible for the course only if good cause is shown. A student who fails an elective course does not need to repeat the course; however, the student earns no credit toward graduation for any failed course.

Cocurricular Courses

Some courses offered are identified as cocurricular. For a complete statement on the policies relevant to cocurricular course work, students should consult the current edition of the *Hoynes Code*.

Course Requirements

Generally, grades are based on a final examination alone. At the discretion of the faculty member responsible for a particular course, multiple examinations, a term paper or term project may be required in lieu of or in addition to a final examination. To be eligible to take an examination in a particular class, students must attend classes regularly and punctually, and must participate in class to the satisfaction of the faculty member responsible for a particular course.

Examinations are not proctored, but rather, are written on the honor system. Under the Notre Dame Law School Honor Code, every student who enters the Law School is bound neither to give nor to receive unauthorized aid in any examination.

To ensure impartiality, written examinations are taken anonymously, identified only by an examination number selected by the student prior to taking the examination.

All examination papers and written assignments are read and graded personally by the member of the faculty responsible for a particular course.

Change of Regulations

The Law School and the University reserve the right at any time to change any regulation pertaining to admission to, continued enrollment in, or graduation from the Law School. All law students are bound by University regulations contained in *du Lac: A Guide to Student Life*, published and distributed to all students each fall. Law students must also conform to additional regulations listed in *The Hoynes Code*, an up-to-date copy of which is maintained in the Kresge Law Library.

TUITION AND FEES

Tuition

The tuition for the 2001-02 academic year is approximately \$24,920.

Miscellaneous Fees

Technology and student activity fees amount to approximately \$142 annually for all law students. In addition, students may be charged a small additional fee for printed matter related to preparation for the study of law. There is no charge for transcripts.

Payment

Tuition and fees must be paid prior to the beginning of the semester. Checks should be made payable to the University of Notre Dame and sent to:

Office of Student Accounts
 University of Notre Dame
 100 Main Building
 Notre Dame, IN 46556-5602

Change of Fees

Tuition and fees may be changed at any time without prior notice, and new charges may be added without prior notice.

WITHDRAWAL REGULATIONS

Any law student who at any time within the school year wishes to withdraw from the University should contact the Office of the Registrar. To avoid failure in all classes for the semester and in order to receive any financial adjustment, the withdrawing student must obtain the appropriate clearance from the Dean of the Law School and from the Assistant Vice President for Residence Life.

On the first day of classes, a full tuition credit will be made. Following the first day of classes, the tuition fee is subject to a prorated adjustment/credit if the student (1) withdraws voluntarily for any reason on or before the last day for course discontinuance at the University, or (2) is suspended, dismissed or involuntarily withdrawn by the University, for any reason, on or before the last day for course discontinuance at the University, or (3) is later obliged to withdraw because of protracted illness, or (4) withdraws involuntarily at any time because of military service, provided that no credit is received for the classes from which the student is forced to withdraw.

Upon return of the student forced to withdraw for military service, the University will allow that student credit for the portion of tuition charged for the semester in which the student withdrew and did not receive academic credit.

Room and board charges will be adjusted/credited on a prorated basis throughout the entire semester.

Students receiving University and/or federal Title IV financial assistance who withdraw from the University within the first sixty percent (60%) of the semester are not entitled to the use or benefit of University and/or federal Title IV funds beyond their withdrawal date. Such funds shall be returned promptly to the entity that issued them, on a *pro rata* basis, and will be reflected on the student's University account.

This Withdrawal Regulation may change subject to federal regulations. Examples of the application of the tuition credit calculation are available from the Office of Student Accounts upon request.

CURRICULUM

Students entering in fall 2000 and subsequent semesters must complete the following requirements:

First Year

The first-year curriculum is required and demanding. It covers the fundamentals of law using primarily the case method. Course and semester-hour requirements are as follows.

<i>First Semester</i>	<i>Credits</i>
Civil Procedure I	2
Contracts I	3
Criminal Law	3
Legal Research I	1
Legal Writing	2
Torts	4
	15
 <i>Second Semester</i>	 <i>Credits</i>
Civil Procedure II	3
Contracts II	2
Constitutional Law	3
Ethics I	1
Legal Research and Writing II (Moot Court)	2
Property	4
	15

Second and Third Years

The following courses must be completed prior to graduation. It is strongly recommended that these courses be taken in the second year (except for Ethics II, which is a third-year requirement), to permit the student maximum flexibility in arranging the third-year schedule.

<i>Required Courses</i>	<i>Credits</i>
Business Associations	4
Ethics II, Clinical Ethics or Legal Externship Ethics	1
Federal Income Taxation	4
Jurisprudence	3
	12

Students entering prior to the fall of 2000 must complete the first-year course requirements in effect at the time of their enrollment, as well as the following second- and third-year requirements:

<i>Required Courses</i>	<i>Credits</i>
Business Associations	4
Constitutional Law	4
Ethics II, Clinical Ethics or Legal Externship Ethics	1
Federal Income Taxation	4
Jurisprudence	3
Property II	3
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LAW SCHOOL COURSES

Numerical List of Law Courses

This numerical list of courses indicates the courses that have been offered by the Law School in recent years. Individual courses may or may not be offered in a particular semester or academic year at the discretion of the Law School administration.

501	Torts I	598	<i>Notre Dame Journal of Law, Ethics and Public Policy (cocurricular)</i>
501A	Torts	601	Business Associations
502	Torts II	601A	Mergers and Acquisitions
503	Contracts I	601B	Corporate Finance
504	Contracts II	602	Secured Transactions
504A	Contracts II	603	Constitutional Law
505	Urban Property Law	603A	Constitutional Law
505A	Property	603B	Death Penalty
506	Property II (Land Use)	603C	Constitutional Law II
507	Criminal Law I	604	Evidence
507A	Criminal Law	604A	Criminal and Scientific Evidence
508	Criminal Law II	605	Federal Income Taxation
508B	Constitutional Criminal Procedure	606A	Jurisprudence
509	Civil Procedure I	606D	Jurisprudence
510	Civil Procedure II	608	Trusts and Estates
511	Ethics I	609	Federal Courts
512	Legal Research I	609A	Federal Courts — Contemporary Problems in Practice and Policy
513	Legal Research and Writing II (Moot Court)	610	Administrative Law
514	Legal Writing I	611	Labor and Employment Law
515	Ethics II	611B	International and Comparative Labor Law
549	International Criminal Law	611C	Advanced Topics in Labor Law
581	Professional Responsibility	613	Estate Planning
585	Judicial Process	613A	Poverty Law Topics
590	<i>Notre Dame Law Review (cocurricular)</i>	614	Taxation of Business Enterprises
591	Legal Aid (cocurricular)	615A	Directed Readings
591A	Legal Aid I	615B	Directed Readings
591B	Legal Aid II	615C	Advanced Legal Research
591C	Clinical Ethics I	615X	Legal Writing Teaching Seminar (cocurricular)
591E	Legal Aid Immigration Clinic I	616	Family Law
591F	Legal Aid Immigration Clinic II	616A	Juvenile Law
591I	Legal Aid Immigration Clinic (cocurricular)	616B	Comparative Family Law
592	Legal Externship (summer only; cocurricular)	618	Conflict of Laws
592A	Legal Externship — Public Defender	620	Comparative Constitutional Law
592B	Legal Externship — Public Defender — Ethics	620A	Comparative Legal Traditions
592C	Legal Externship — Public Defender (cocurricular)	622	Pleading, Discovery and Pretrial
592D	Legal Externship — Prosecutor (cocurricular)	623	GALILEE (Group Alternative Live-in Legal Education Experience)
593	<i>Journal of Legislation (cocurricular)</i>	625	Antitrust Law
594	Moot Court — Appellate (cocurricular)	626	Securities Regulation
595	Moot Court — International (cocurricular)	627	Business Planning
596	Moot Court — Trial (cocurricular)	627A	Business Torts
597	<i>Journal of College and University Law (cocurricular)</i>	628A	Federal Criminal Law
		628B	Federal Criminal Procedure
		629C	Sports Law
		630	Admiralty Law
		631A	Environmental Law

- 631B Energy Law
- 631C Minerals Law
- 631D Water Law
- 631E Agricultural Law
- 631F Housing Law
- 631G Land Use Control Law
- 631H Public Lands Law
- 631I Biodiversity and the Law
- 633 International Law
- 633A Current Issues in International Law
- 633B International Legal Process
- 633C Accountability for Gross Violations of Human Rights
- 633D International Law in the U.S. Legal System
- 634 LL.M. Thesis
- 634A Human Rights Honors Paper
- 635 Law and Literature
- 636B Constitutional Theory
- 637A International Environmental Law
- 638 Modern Tort Liability
- 638C Law of Medical Malpractice
- 638D Ethics and Law at the End of Life
- 639A Accounting for Lawyers
- 639B Accounting Law Seminar
- 640A Trade Regulation/Intellectual Property
- 640B Cyberlaw
- 640C Copyright and the Constitution
- 641 Real Estate Transactions
- 642 Land Use Planning
- 642A Environmental Law
- 642C Environmental Law — Transactional Lawyer
- 643 Comparative Law
- 644A Social, Political and Legal Thought of Thomas Aquinas
- 644B Catholic Social Thought
- 645 Patent Law
- 646B Payment Systems
- 647 Street Law
- 648 Law and Religion
- 648A Law and Religion Seminar
- 648B Religious Freedoms
- 648E Morality and the Law
- 650 Legislation
- 650B Statutory Interpretation
- 652A Immigration Law
- 652E Elderlaw Seminar
- 652F Asylum Law
- 653 White Scholar Program
- 655 Equitable Remedies
- 656 American Legal History
- 656A Constitutional Convention
- 656B American Legal History Topics
- 658A Complex Civil Litigation
- 660 Mercy and Justice
- 661 Commerical Law — Sales
- 662 First Amendment
- 662A First Amendment — Selected Topics
- 662B Civil Rights
- 662C Race and the Law
- 663A Law and Economics
- 671 International Human Rights
- 671A Regional Human Rights Protection
- 672C Local Government Law
- 673A Complex Criminal Litigation
- 674A Gender Issues and the Law
- 674B Gender Discrimination
- 677 Bankruptcy, Creditors' Remedies and Debtors' Protections
- 677A Corporate Reorganization
- 678A Deposition Techniques
- 679 Negotiation
- 679A Dispute Resolution
- 679B Dispute Resolution
- 680A Insurance Law
- 680B Consumer Law
- 683 Advanced Constitutional Law
- 683A Advanced Constitutional Law Seminar — First Amendment and Race
- 683B Advanced Constitutional Law Seminar — Law and Religion
- 684A International Business Transactions
- 684B International Taxation
- 685 Employment Discrimination Law
- 686 Law and Poverty
- 688 Medieval Legal History
- 689 Law of Education
- 691 International Organizations
- 693 Law of the Disabled
- 694A Universal Protection of Human Rights
- 694B International Humanitarian Law
- 695 Trial Advocacy Comprehensive
- 695B Criminal Trial Advocacy
- 695C Criminal Trial Advocacy
- 696 Introduction to International Human Rights Research
- 696A Human Rights Practice
- 696B International Humanitarian Law
- 697 Ethics of Human Rights
- 699 J.S.D. Dissertation
- 700 J.S.D. Non-resident Dissertation
- 701A J.S.D. Seminar

COURSE DESCRIPTIONS FOR THE 2001-02 ACADEMIC YEAR

This alphabetical list of course descriptions consists of courses that the Law School plans to offer during the 2001-02 academic year. The Law School administration reserves the right to alter the course offerings to meet faculty interest, student interest and the administrative needs of the Law School.

Lecture hours per week, laboratory and/or tutorial hours per week, and credits each semester are in parentheses.

Instructors listed for each course are accurate at the time this catalog was published. Instructors may change to meet the needs of the faculty and administration.

Accountability for Gross Violations of Human Rights [633C]

(3-0-3) Meintjes

Compares the approaches followed in different countries to deal responsibly with past violations of human rights, in order to assess the benefits and shortcomings of each. Draws upon selected readings, as well as upon the individual experiences of course participants. Examines the various means of establishing accountability, including "lustration" laws, truth commissions, and national and international prosecutions. Also considers the influence of obstacles such as political instability, amnesty laws, statutes of limitations and claims of superior orders.

Accounting for Lawyers [639A]

(3-0-3) Barrett

Highlights the importance of issues involving accounting to the practice of law. To practice law effectively, every lawyer should understand certain fundamentals about accounting and financial statements. Topics include: the bookkeeping process; the basic financial statements; the evolving nature of generally accepted accounting principles; audit reports and accountants' legal liability; the time value of money; financial statement analysis and financial ratios; drafting and negotiating agreements and legal documents containing accounting terminology and concepts; responses to an auditor's request for information about legal contingencies and related discovery issues; and cost allocation issues. Designed for students who have little or no accounting background as an aid to the study of Business Associations, Federal Taxation, Business Planning and other courses.

Enrollment: limited to students who have not earned more than six semester hours of college credit or the equivalent in accounting courses

Accounting Law Seminar [639B]

(2-0-2) Barrett

Examines in detail various legal issues and topics that involve financial accounting. Presumes basic knowledge of financial accounting concepts and principles. Topics may include international accounting principles; multidisciplinary practices and "independence" standards; accountants' legal liability; management's discussion and analysis; drafting and negotiating agreements and legal documents containing accounting terminology; revenue recognition and earnings management; "true sale" opinions; potential opportunities for obtaining and using accounting-related information about an underlying lawsuit in litigation; cost allocation issues; various valuation techniques; accounting for business combinations; and other selected topics. Requires writing and presenting a 20-page paper examining some issue considered during the course.

Enrollment: any interested student may enroll in this course, unlike LAW 639A, Accounting for Lawyers.

Administrative Law [610]

(3-0-3) Rodes/Kelley

Studies the powers and procedures of administrative agencies including: the operation of the Administrative Procedure Act; the functioning of the administrative process at the federal and state levels; and the methods and extent of judicial control over agency action.

Admiralty Law [630]

(2-0-2) McLean

Inquires into jurisdiction and substantive principles in the area of maritime law. Investigates the existing and developing law of the sea.

**Advanced Constitutional Law Seminar –
First Amendment and Race [683A]**

(3-0-3) Kupenda

Advanced course on the First Amendment with a special focus on speech issues as shaped by racial considerations and vice versa. Addresses political speech and protest, hate speech, speech and cultural identity, etc. Prior knowledge of First Amendment principles helpful but not required for this course. Grade based on class participation, submission of regular reflection papers, and preparation and presentation of an in-depth study of one or more timely and relevant cases.

Enrollment: limited to 15 students.

**Advanced Constitutional Law Seminar –
Law and Religion [683B]**

(3-0-3) Ross

Explores the historical development of religious freedom in America, beginning with the colonial era, and considers how various political, cultural and social forces have shaped present law concerning religion. Also considers current issues arising under the Free Exercise and Establishment Clauses of the First Amendment, including public-school prayer and curriculum, financial aid to religious schools, school vouchers, church- property disputes, and religious displays on public property. Focuses on how law-and- religion questions relate to broader issues of constitutional law and interpretation such as federalism and separation of powers. Briefly considers the legal relations between religion and the state in other nations.

Advanced Topics in Labor Law [611C]

(2-0-2) Fick

Provides an introduction to various federal labor statutes such as the Fair Labor Standards Act, the Occupational Safety and Health Act, and ERISA, as well as more in-depth discussion of certain aspects of the National Labor Relations Act and Title VII that are not covered in basic labor-law courses. Also examines state statutory and common law such as unemployment insurance, workers' compensation and privacy at work. The specific topics covered will be determined considering the interests of the students enrolled in the course.

Prerequisite: Labor and Employment Law (LAW 611) or Employment Discrimination Law (LAW 685)

Agricultural Law [631E]

(1.5-0-1.5) Kellenberg

Considers various aspects of the law of land, natural resources, energy and the environment as they relate to the provision of food.

American Legal History [656]

(3-0-3) Ross

Examines the historical context of American constitutional law. Considers how politics, economics and culture have influenced the text and interpretation of the Constitution, and how constitutional law has affected the political, economic and social life of the United States. The course proceeds chronologically, focusing on the period from the adoption of the Constitution through the Warren Court era.

American Legal History Topics [656B]

(2-0-2) Pratt

Examines the Supreme Court under chief Justice Earl Warren, 1953-1969, with a goal of understanding the Court in its own times. Studies the actions of the Court in chronological order, beginning with the controversy over Warren's appointment and concluding with the debate about his successor. One class each week will be devoted to a discussion of major events in the public life of the nation, based on surveys of newspapers and magazines from the period. The other class will be devoted to a discussion of a significant decision by the Warren Court, paying particular attention to trying to understand how the contemporaneous events shaped the decision.

Antitrust Law [625]

(3-0-3) Bauer

Surveys the legal and economic principles and policies developed by the courts in applying the major federal antitrust laws including the Sherman, Clayton and Federal Trade Commission Acts.

Bankruptcy, Creditors' Remedies and Debtors' Protections [677]

(3-0-3) Dees

Studies the state and federal laws related to insolvencies, with emphasis on the federal bankruptcy act. Concentrates on personal bankruptcies and the most fundamental aspects of corporate bankruptcies, using the bankruptcy code as an analytical framework.

Biodiversity and the Law [631]

(2-0-2) Nagle

Examines the evolving legal rules protecting the vast but shrinking number of species of wildlife and plants in the United States and throughout the world. Focuses on the U.S. Endangered Species Act, which imposes strict duties upon governmental and private actors whose conduct threatens rare wildlife or their habitats. Also considers the growing body of international legal rules that address the preservation of biodiversity, along with other federal statutes and illustrative state and local laws that seek the same end.

Business Associations [601]

(4-0-4) Velasco

Examines agency law and the basic forms of business organizations including sole proprietorships, partnerships, limited partnerships, limited liability companies, limited liability partnerships and corporations. Underlying themes include formation, capitalization, operation, fiduciary duties and dissolution.

Business Torts [627A]

(2-0-2) Peralta

Addresses a form of commercial litigation that has become popular in federal and state courts. Covers commercial defamation, trade libel, deceptive advertising and fraudulent transfers. Also analyzes enforcement of and defense against Uniform Trade Secrets Act claims, claims concerning employment covenants-not-to-compete and covenants-not-to-compete ancillary to the sale of a business.

Catholic Social Thought [644B]

(2-0-2) Rougeau

Introduces students to the major documents that comprise the Catholic Church's social teachings. The documents will serve as a basis for a broader discussion of whether the social teaching has anything relevant to say about current trends in American law. Considers: whether lawyers of faith are obliged to move the law in a direction that comports with their core religious values and how that can be done in a pluralistic society; whether Catholic social teaching offers ideas and values that might find broad-based acceptance; and what happens if a lawyer determines that the profession and/or the society are hostile to the values presented in the social teaching.

Civil Procedure I [509]

(2-0-2) Bauer/Robinson

Focuses on the constitutional and statutory framework within which the civil justice system operates. In particular, examines the sources and limitations of judicial power over people and organizations (personal jurisdiction) and over cases (subject matter jurisdiction). Also explores the extent to which state law must be applied in federal court. Topics addressed more briefly include venue, transfer, forum non conveniens and removal.

Civil Procedure II [510]

(3-0-3) Robinson/Tidmarsh

Examines how litigation is conducted in federal courts, from the initiation of the lawsuit (pleadings) to the manner in which claims and parties are added to or dropped from the lawsuit (joinder, intervention, interpleader, class actions), to the exchange of information among parties to the lawsuit (discovery), to the resolution of the lawsuit (summary judgment, trial, appeals), to the impact of the completed lawsuit on future litigation (claim and issue preclusion). If time allows, also examines alternatives to litigation including settlement and alternative dispute resolution.

Civil Rights [662B]

(3-0-3) Kupenda

Examines the issues that arise in litigation under 42 U.S.C. § 1983, probably the most important federal civil rights statute. Focuses on litigation to enforce civil rights and considers defenses, remedies, immunities, damages and rights to attorney fees. Understanding civil rights and § 1983 requires exploring the question of "What is the best way to protect society?" Perhaps society is better protected by giving law enforcement and other governmental officers greater leeway in performing their duties and protections when they make mistakes, even when individuals suffer as a result of these "mistakes." Or perhaps society is better protected by providing remedies to individuals for governmental abuses, which in turn may motivate government to do a better job in protecting society.

Clinical Ethics I [591C]

(2-0-2) Clinical Faculty

Applies principles of legal ethics to legal problems and situations. Includes moral and regulatory dimensions of cases and situations. Satisfies Ethics II requirement.

Enrollment: in the fall 2001 semester, limited to students who interned at the clinic in summer 2001.

Commercial Law — Sales [661]

(3-0-3) Casey

Sales is one of three courses in the basic commercial law curriculum. Building upon principles and themes of contract law taught during the first year of law school, sales covers in greater depth the law concerning transactions in goods. Specifically, the course surveys UCC Articles 2 and 2A. Course topics include contract formation, warranties, risk of loss, breach and remedies, as well as the developing law governing sales in the e-commerce world.

Comparative Legal Traditions [620A]

(3-0-3) Carozza

Introduces students to the comparative study of law through an examination of the basic features of the civil law (or Romano-Germanic legal tradition) of Continental Western Europe. Surveys: the principal legal institutions, their actors and their roles; sources of law; procedures; and methods of legal reasoning and analysis characteristic of the legal systems of France, Germany and Italy, including European-wide law, institutions of the European union and the European human rights system. Concludes with case studies of selected substantive legal norms in those legal systems as well as with comparisons to United States law.

Complex Civil Litigation [658A]

(3-0-3) Tidmarsh

Examines the theoretical and practical problems posed by large-scale civil litigation. Subjects covered include: jurisdiction; choice of law; class actions and other joinder devices; case management strategies; settlement; and trial and appeal. Students will act as attorneys and judges, and will brief, write and argue judicial opinions on selected topics covered by the course.

Constitutional Convention [656A]

(2-0-2) Pratt

Examines the events surrounding the U.S. Constitutional Convention of 1787, through reading Madison's notes on the convention debates. Students who enroll are expected to participate in discussions and to write a paper on one of the delegates to the Convention.

Constitutional Criminal Procedure [508B]

(3-0-3) R. Garnett

Examines the manner in which, and the extent to which, the U.S. Constitution — particularly the Fourth, Fifth and Sixth Amendments — regulates the investigation and prosecution of crime. Topics include the incorporation of the Bill of Rights, search and seizure, interrogation, the right to counsel, pre-trial procedure, trial-by-jury, and double jeopardy. Although no longer required for graduation, this course is recommended for students interested in advanced study and/or practice in the criminal-law field. While not a formal prerequisite, the course is highly recommended for students interested in enrolling in Federal Criminal Law (LAW 628A), Criminal and Scientific Evidence (LAW 604A) or Complex Criminal Litigation (LAW 673A).

Constitutional Law [603]

(4-0-4) Kupenda

Focuses primarily on "power" and, more specifically, the distribution of and limitations on governmental power. The first half of the course covers the powers of the three branches of the federal government and the limitations on those powers, especially the limitations caused by the powers retained by the states and the people. The second half of the course focuses on the rights of the individual. Topics covered include equal protection, due process and a limited introduction to the First Amendment.

Constitutional Law [603A]

(3-0-3) P. Bellia/Kelley

Examines the structure of our government as defined by the federal Constitution, Supreme Court precedents interpreting that document and the traditional practice of the elected branches. Focuses on the distribution of power among the three branches of the federal government, and the division of power between the federal government and the states.

Constitutional Law II [603C]

(3-0-3) Kelley

Covers issues relating to individual rights not covered in the first-year Constitutional Law course (LAW 603A). Considers primarily due process and equal protection, but also addresses other sources of individual rights under the Fifth and Fourteenth Amendments. Other topics include the protection of substantive rights pursuant to the Due Process Clause, and the anti-discrimination norms of the Equal Protection Clause. Also considers the doctrine, history and theory of these subjects, as well as basic questions concerning the role of courts in a democracy and the manner in which the Constitution should be interpreted.

Enrollment: Limited to students who have *not* taken the four-credit course in Constitutional Law (LAW 603) required of students admitted to the Law School prior to the fall of 2000.

Prerequisite: Constitutional Law (LAW 603A)

Contracts I and II [503 and 504A]

(3-0-3) (2-0-2) A. Bellia/Kaveny

Presents a comprehensive study of the creation, transfer and termination of contract rights and duties.

Copyright and the Constitution [640C]

(2-0-2) P. Bellia

Considers the constitutional bases for and limitations upon copyright protection. Topics covered include: the scope of the Copyright Clause and its relationship to other potential sources of copyright protection, including the Commerce Clause and the Treaty Power; potential First Amendment limitations on copyright laws; and the relationship between copyright laws and privacy rights. Examines recent legal developments affecting copyright law, including issues raised by legislation extending copyright term duration, proposed database protection bills, the use of copyright law by religious entities to suppress dissent, and the circulation and use of programs designed to evade technical copyright protection mechanisms.

Enrollment: Course requires a basic understanding of copyright principles. Limited to students who have taken or are currently taking Trade Regulation/Intellectual Property (LAW 640A) or Cyberlaw (LAW 640B), or who receive permission from the instructor.

Corporate Reorganization [677A]

(2-0-2) Murray

Studies in-depth the law of business reorganizations under Chapter 11 of the Bankruptcy Code. Focuses on the steps that must be taken to resurrect a distressed business under Chapter 11 including: the decision to file a Chapter 11 case; the initial steps of staying proceedings against the debtor; finding cash with which to operate; the actual turnaround of the business; the adjudication of claims by and against the estate; the restructuring of the estate's capital structure; the confirmation of a restructuring plan; and the issues that arise after the consummation of the bankruptcy.

Criminal Law [507A]

(3-0-3) Dutile/R. Garnett

Deals with the basic principles of American criminal law such as the definition of crime, defenses, proof and punishment, and the basic structure and operation of the American criminal justice system.

Cyberlaw [640B]

(3-0-3) P. Bellia

Focuses on fundamental questions about how, if at all, existing legal rules should apply to new technologies. Explores various legal and policy problems that arise in cyberspace including: issues of sovereignty and jurisdiction; legal and technological regulation of on-line speech; issues of privacy, anonymity and accountability; computer crime; and ownership and protection of intellectual property in digital form.

Deposition Techniques [678A]

(3-0-3) K. Gallagher/Seckinger

Studies the skills, techniques, tactics, strategies and ethical considerations of witness preparation for depositions and the taking and defending of depositions under federal and state rules of civil procedure. Meets twice a week: One meeting consists of a 60-minute lecture, demonstration and discussion of the analytical framework for the preparation, taking and defending of depositions; the other meeting consists of a 75-minute learning-by-doing laboratory session. Each laboratory session will be videotaped, with each student receiving an individual videotape.

Directed Readings [615A and 615B]

(V-0-V) Faculty

Allows independent research under the supervision of one faculty member.

Dispute Resolution [679A]

(3-0-3) Fick

Considers the theory and procedure of different methods for resolving disputes, with an emphasis on negotiation, mediation and arbitration. Consists of readings, analysis of disputes (both real and hypothetical) and methods for resolving them, and simulated problems.

Employment Discrimination Law [685]

(3-0-3) Fick

Studies the substantive and procedural aspects of federal legislation dealing with employment discrimination, including Title VII of the Civil Rights Act of 1964, the Reconstruction Era Civil Rights Acts, the Age Discrimination in Employment Act, the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

Energy Law [631B]

(1.5-0-1.5) Kellenberg

Considers the laws affecting such energy resources as water, coal, oil, natural gas, uranium, electricity, the sun, wind and geothermal steam.

Environmental Law [631A]

(1.5-0-1.5) Kellenberg

Considers environmental law and policy, with particular emphasis on the Clean Air Act, the Federal Water Pollution Control Act and the National Environmental Policy Act.

Environmental Law [642A]

(3-0-3) Pearson

Surveys federal environmental law, concentrating on the Clean Air Act, the Clean Water Act, CERCLA, NEPA, environmental justice and questions of solid and toxic waste disposal.

Environmental Law-Transactional Lawyer [642C]

(2-0-2) Smary

Provides an overview of environmental law for the student who might become a corporate and real property lawyer involved in transactional work. Intended to help develop skills in evaluating the status of environmental compliance at businesses or properties to be purchased or sold, and in selecting environmental professionals to assist in that evaluation. Substantive areas covered include consideration of the attorney-client privilege, the evolving law of environmental audit privilege, structuring environmental audits and assessments, and contracting with environmental consultants. Introduces students to the laws and policies regulating remediation of contaminated sites, including the federal Superfund law and selected state remediation laws, commonly known as Brownfield Redevelopment laws. Analyzes specific examples of corporate and real property transactions involving contaminated properties, and considers the liability protection mechanisms and incentives currently being used by environmental practitioners.

Equitable Remedies [655A]

(3-0-3) Ross

After a brief survey of the historical origins of equity, provides a detailed exploration of the procedures for obtaining temporary restraining orders and preliminary and permanent injunctions. Addresses various other equitable remedies, including declaratory judgments, rescission, restitution and reformation of instruments. Also considers the circumstances under which juries may hear claims for equitable remedies.

Ethics I [511]

(1-0-1) Robinson

Studies and analyzes law as a profession, as well as the duties and responsibilities of lawyers to society, clients and the profession. Develops in prospective lawyers an awareness and an understanding of their relationship with and function in our legal system, and the consequent obligation of lawyers to maintain the highest standards of ethical and professional conduct.

Ethics II [515]

(1-0-1) Rodes

Applies the principles of ethics to practical legal problems and situations.

Evidence [604]

(4-0-4) Smithburn

Studies the legal principles governing the proof process in judicial proceedings, with an introduction to techniques of presentation. Analyzes common-law and federal rules of evidence.

Family Law [616]

(3-0-3) Smithburn

Concerns problems in the following areas: state interest in marriage regulation versus individual choice; extension of marital rights to unmarried cohabitants; annulment of marriage; prenuptial agreements; contraception and sterilization; artificial conception and surrogate law; establishing parenthood; rights of children born out of wedlock; adoption; family torts; dependency, neglect and abuse of children; medical treatment of children; termination of parental rights; dissolution of marriage and its incidents, including custody of children, support for children and spouses, visitation and division of property; negotiation and settlement; mediation; ethics and professional responsibility in family law practice; federalization of family law and state adoption of uniform acts; the use of some nonlegal materials; and the need for interprofessional cooperation in the solution of family-based problems.

Federal Courts [609]

(3-0-3) A. Bellia

Focuses on the federalism issues created by the existence of dual state- and federal-court systems. Topics covered include: constitutional and statutory limits on the jurisdiction of the federal courts; appellate and collateral review of state-court judgments; and federal common law rulemaking.

Federal Courts — Contemporary Problems in Practice and Policy [609A]

(2-0-2) Ripple

Focuses on several contemporary issues involving the federal courts and federal practice. Examines the history, traditions and contemporary institutional problems of the federal courts. In class sessions that will include both lecture presentations by the instructor and class discussion, those aspects of present-day federal practice that have engendered significant public policy debate and that will shape the nature of federal practice in the future will be explored. Emphasizes evaluating current practice and assessing alternative approaches. Requires a term paper on a topic approved by the instructor.

Prerequisites: Civil Procedure (LAW 510) and Constitutional Law (LAW 603)

Federal Criminal Law [628A]

(3-0-3) Blakey

Considers through lectures, readings, and class discussions the development of federal criminal law. Examines the Hobbs Act, Travel Act, mail fraud, drugs, tax evasion and RICO (both criminal and civil aspects). Students conduct a simulated criminal investigation that culminates in the preparation of a prosecutorial memorandum and draft indictment. Students must also complete a substantial essay.

Prerequisite: There are no prerequisites for this course, although it is *recommended* that students take Constitutional Criminal Procedure (LAW 508B) prior to taking this course.

Federal Criminal Procedure [628B]

(3-0-3) Blakey

Considers through lectures, reading and class discussions issues such as screening, charging, bail and pretrial release, discovery, pleas, speedy trial, joinder and severance, trial by jury sentencing and post-conviction proceedings. A simulated criminal investigation is conducted that culminates in the preparation of a prospective memorandum and draft indictment.

Prerequisite: There are no prerequisites for this course, although it is *recommended* that students take Constitutional Criminal Procedure (LAW 508B) prior to taking this course.

Federal Income Taxation [605]

(4-0-4) Barrett/Kirsch

Functionally introduces basic concepts of federal income taxation including: gross income; exemptions; allowable deductions and credits; accounting methods; capital gains and losses; and certain nonrecognition transactions.

First Amendment [662]

(3-0-3) R. Garnett

Examines the text, history and meaning of the First Amendment, focusing on several current problems in constitutional law including campaign finance reform, school choice and aid to religious schools, the associational rights of private groups, hate-speech regulation, and commercial speech rights.

GALILEE (Group Alternative Live-in Legal Education Experience) [623]

(V-V-1) Phelps

Provides students with the opportunity to live for a few days in the inner city (Chicago, New York, Los Angeles and other cities) to learn the legal needs of the urban poor, and to observe the ways in which these needs presently are met. As a result, students develop ways to incorporate their religious and ethical value systems into their future practice of law.

Gender Issues and the Law [674A]

(3-0-3) Phelps

Focuses on those legal situations in which gender is an issue before the court. Topics covered include the workplace, equal protection, criminal law, the first amendment (freedoms of speech and association) and education. Focuses on case analysis as well as on other documents that comprise the cases such as testimony transcripts and briefs. Students will read articles written from various jurisprudential perspectives.

Housing Law [631F]

(1.5-0-1.5) Kellenberg

Considers the laws relating to the provision of shelter, as well as matters such as rehabilitation and preservation, redevelopment, and growth management by communities.

Human Rights Honors Paper [634A]

(0-0-1) Meintjes

This elective is available to participants in the human rights LL.M. program who wish to undertake an extended writing assignment within the framework of a particular course and with the permission and supervision of its instructor. If chosen, this assignment may be substituted for the program's independent research requirement.

Enrollment: limited to participants in the human rights LL.M. program

Human Rights Practice [696A]

(3-0-3) Meintjes

Examines the practice of human rights reporting and monitoring including the methods used in fact-finding, the use of statistics, and the evolution of evidentiary rules and standards. Carefully considers the ethical issues of professional responsibility and confidentiality.

This course is required of, but not limited to, the participants in the human rights LL.M. program.

Immigration Law [652A]

(3-0-3) Szweda

Surveys the law and practice under the Immigration and Nationality Act, as amended (Title 8, U.S. Code). Covers questions of immigration, removal proceedings, asylum and naturalization and the federal sources of that power. Procedural issues focus on practice before the Immigration and Naturalization Service, the Department of Labor, the Department of State and federal courts.

Recommended pre- or corequisites:

Administrative Law (LAW 610)

Constitutional Law (LAW 603 or LAW 603A)

International and Comparative Labor Law [611B]

(2-0-2) Fick

Examines the structure and operation of the International Labour Organisation, a specialized agency of the United Nations system charged with promulgating and enforcing international labor standards. Places particular focus on the content and interpretation of ILO conventions 87, 98 and 111. Includes a comparative examination of the labor-law systems of two countries, with an analysis of whether those systems comply with the relevant ILO conventions.

International Business Transactions [684A]

(3-0-3) Carozza

Surveys the principal international and domestic laws regulating transnational business activity. Topics addressed include: basic background concepts of international law, economics and institutions; the structure and regulation of international financial transactions; international trade in goods and services; and the organization and conduct of international businesses with respect to direct investments, competition, taxation and the ownership and use of property.

International Environmental Law [637A]

(3-0-3) Timoshenko

Studies the body of international legal norms that regulate behavior in the field of environmental protection and sustainable development at national, regional and global levels. Reviews the established regimes as well as new and emerging principles and approaches. Addresses the place and role of international environmental law in the system of international law. Focuses on major processes, techniques and dynamics of international environmental law-making and enforcement, and evaluates the system of international environmental governance. Considers the

role of environmental security in the system of international security. The issues discussed in this course will be viewed in the general context of the World Summit on Sustainable Development (2002) and the related preparatory process.

Prerequisites: There are no prerequisites for this course, although it is *recommended* that students take International Law (LAW 633) or International Legal Process (LAW 633B) before taking this course.

International Humanitarian Law [694B]
(3-0-3) TBA

Examines the body of norms applicable to armed conflict, and its relationship with other aspects of international law, particularly international human rights law, international criminal law and international organizations. Discusses international-law standards for the legitimate use of force and the legal regulation of warfare. Gives students a sense of the contents of the Geneva Conventions of 1949 and Additional Protocols of 1977, the Hague Conventions of 1899 and 1907, several thematic conventions such as the recent Land Mines Convention, and customary international-law norms binding on the parties to war. Emphasizes the notion of limitation on weapons and tactics of war, of the principle of distinction between combatants and civilians, and on the rule of proportionality. Discusses special rules designed for civil wars, and the regimen to be applied in protracted civil strife, "failed states" and international peace-keeping operations. Covers responsibility for the violation of those norms, in terms of both states and individuals, stressing the unavailability of the defense of obedience to orders and the doctrine of command responsibility. Explores specific examples of implementation of the laws of war, including international war-crimes tribunals and a future International Criminal Court.

International Law [633]
(3-0-3) Shelton

Introduces the international legal system and its lawmaking process. Begins by discussing the means by which state and non-state actors develop norms governing transnational conduct such as the sources of international law. Also includes a discussion of international legal personality including the concept of states and state sovereignty; the law of international obligations; jurisdiction; dispute settlement; and enforcement. A special section will be devoted to the relationship of international and municipal law in the United States and selected other

countries. Intended for those students with no prior study in international law.

International Organizations [691]
(3-0-3) Timoshenko

Surveys legal issues confronting intergovernmental organizations globally and regionally (excluding the European Union). Includes: analyses of express and implied powers; legislative, executive and adjudicatory functions of international organizations; sanctions, privileges and immunities; and membership and voting. Overarching themes include the process of international law-making and the role of state consent, as well as changing concepts of state sovereignty. Particular attention is given to the United Nations system, with case studies of both the separation-of-powers issues raised by the Lockerbie case, as well as by the establishment of an international criminal tribunal.

International Taxation [684B]
(3-0-3) Kirsch

Examines U.S. income tax laws and policies relating to transnational transactions. Covers taxation of U.S. income received by foreign individuals and entities, as well as taxation of foreign income received by U.S. citizens, residents and corporations. Emphasizes fundamental issues in international tax including jurisdiction to tax, source of income, foreign tax credit, tax treaties and the use of controlled subsidiaries and other entities to conduct business overseas.

Pre- or co-requisite: Federal Income Taxation (LAW 605)

Introduction to International Human Rights Research [696]
(1-0-1) Verloren

Introduces participants to the resources available within the University to aid research in the field of human rights. Also provides ideas and suggestions for the choice of research topics, methods and writing styles.

Enrollment: required of, and limited to, participants in the human rights LL.M. program

Journal of College and University Law (cocurricular) [597]

(V-0-V) Hoye/Robinson
Student staff members may earn academic credit by researching, writing or editing material for publication in the *Journal of College and University Law*.

Journal of Legislation (cocurricular) [593]

(V-0-V) Nagle

Student staff members may earn academic credit by researching, writing or editing material for publication in the *Journal of Legislation*. Work includes preparation and publication of the *Journal*, as well as participation in projects sponsored by the Legislative Research Service, which involves research, drafting of statutes or preparation of memoranda demonstrating significant intellectual and professional accomplishments in the legislative area.

J.S.D. Dissertation [699]

(0-0-V) CCHR Faculty

Enrollment: limited to students in the J.S.D. program in international human rights law.

J.S.D. Non-resident Dissertation [700]

(0-0-1) CCHR Faculty

Enrollment: limited to students in the J.S.D. program in international human rights law.

J.S.D. Seminar [701A]

(0-0-1) Shelton

Seminar devoted to the work of J.S.D. students engaged in the writing of their dissertations.

Enrollment: limited to students in the J.S.D. program in international human rights law.

Judicial Process [585]

(2-0-2) Ripple

Affords students the opportunity to confront the question that Justice Cardozo presented in his famous work on the judicial process: "What is it that I do when I decide a case?" Through and class discussion, explores the intellectual roots of the American judicial tradition and addresses the problems that confront that tradition in the modern American courtroom. Explores critically the judicial role in the common-law context, in modern statutory interpretation, in administrative practice, and in constitutional adjudication. Helps students appreciate how the judicial mind goes about the craft of deciding a case in the hope that the student, once admitted to practice, will be able to better respond to the needs of that mind, and therefore, will be a better advocate. Requires a term paper on a topic approved by the instructor.

Jurisprudence [606A]

(3-0-3) Rodes

Studies different accounts of the nature of law and the place of non-legal elements — moral, historical, sociological, economic — in legal decisionmaking. Emphasizes concrete legal cases, and attempts to relate philosophical and theological insights to professional insights developed in other courses. Aims at helping students relate their personal commitments to their professional lives, as well as at giving students a better understanding of particular legal dispositions through studying them within the context of the whole fabric of the law.

Jurisprudence [606D]

(3-0-3) Blakey

Examines through lectures, readings and class discussions the fundamental theories of the meaning of the rule of law in Western society, including skepticism, natural law, natural rights, positivism, realism, economic analysis, critical legal studies, feminist jurisprudence, critical race theory, and postmodernist jurisprudence. Critiques the contributions of Aristotle, Plato, Pyrrho, Cicero, Justinian, Aquinas, Bacon, Locke, Hume, Bentham, Austin, Hart, Posner, Jhering, Pound, Holmes, Llewellyn, Frank, Marx, Wittgenstein, Habermas, Quine, James, Nietzsche and others. Requires a substantial essay evaluating a major person in the history of jurisprudence or on another topic with the permission of the instructor.

Juvenile Law [616A]

(2-0-2) Smithburn

Surveys the juvenile justice system — past and present — including: substantive law dealing with children as both perpetrators and victims; arrest and investigation of juvenile delinquency; intake and diversion; rights of children in public schools; whether to treat the child as an adult; adjudication; dispositional and post-dispositional proceedings; abuse and neglect and dependent children; medical and psychological issues; rights of foster parents; mental-health commitment of children; special advocacy for children; and termination of parental rights.

Labor and Employment Law [611]

(3-0-3) Fick

Examines how both the common law and the statutory law impact the employment relationship in the private sector. Gives special attention to: contract- and tort-based exceptions to employment-at-will; the National Labor Relations Act and the role of unions in the workplace; and employment problems raised by safety and health issues.

Land Use Control Law [631G]

(1.5-0-1.5) Kellenberg

Analyzes zoning laws and procedures, subdivision regulation, eminent domain, taxation as a planning and control device, and planned developments.

Land Use Planning [642]

(2-0-2) Pearson

The underlying proposition governing this class is that there has always been and will always be land-use planning in this society. There has never been a time when a person was completely free to do what he or she wanted with the land. The course examines the ways in which that planning is done, from the reactive and most ancient (nuisance law), to the proactive and common (zoning) to the relatively new and not-so-common (growth controls). Asks questions not only about the effectiveness of these tools, but also about their desirability. Course requires a substantial paper and class participation; there will be no examination.

Law and Literature [635]

(V-0-V) Phelps

Focuses on works of literature that deal with significant moral and legal revenge, issues such as crime and punishment, the death penalty, the conflict between moral law and civil law, the qualities of lawyers and judges, and the law's treatment of marginalized groups. Requires short weekly papers and, if taken for three credits, a 20-page paper.

Law and Poverty [686]

(2-0-2) Broden

Examines the situation of the poor in the American legal system. Includes fieldwork and clinical work with clients in northern Indiana and southern Michigan.

Law of Education [689]

(3-0-3) Dutile

Examines selected legal aspects of education including students' rights, teachers' rights, desegregation, educational finance and church-state matters.

Law of Electronic Commerce [640D]

(3-0-3) A. Bellia

Examines various legal issues that arise in the facilitation and regulation of electronic commerce, including: formation and scope of contracts made electronically; authentication and proof of electronic evidence; encryption and electronic payment systems; taxation of internet commerce; electronic fraud; and choice of law.

Law of Medical Malpractice [638C]

(2-0-2) Spalding

Provides a practical review of medical liability. Examines the elements and defenses of a medical malpractice claim, and considers issues of insurance, access, product liability and peer review. While not a trial-advocacy course, most topics are reviewed from a litigation or trial perspective.

Law of the Disabled [693]

(2-0-2) Hull

Emphasizes federal legislation and implementing regulations together with Supreme Court decisions interpreting those statutes and rules. Considers selected state authorities in connection with topics such as appropriate placement and treatment of institutionalized mentally disabled persons and appropriate public education of disabled students. Other topics include the Social Security Disability system and issues pertaining to accessibility of public buildings and transportation services. A significant part of the course concerns the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Considers difficulties encountered in implementing the Rehabilitation Act, Supreme Court interpretations of that act and the resulting effects on the Americans with Disabilities Act.

Legal Aid (cocurricular) [591]

(V-0-V) Fox

Students may earn academic credit through clinical work and participation in seminars relating to legal-aid topics. Activities selected may include trial work on family law issues, landlord-tenant relations, immigration, and legal issues relating to homelessness and its prevention. See the Legal Aid Clinic director for particulars.

Legal Aid I [591A]

(3-0-3) Fox

Introduces students to the basic skills needed for effective client advocacy. The classroom component of the course examines local administrative and court procedures, law office procedures, interviewing and counseling techniques and theory, and generally introduces the student to the substantive areas of law encountered in a poverty law clinic. The clinical component of the class is modeled after a traditional law office and requires the student to work with real clients, from the initiation of the case to a resolution, under the supervision of practicing attorneys.

Enrollment: limited to 10 students.

Legal Aid II [591B]

(3-0-3) Fox

Allows for a concentrated examination of the substantive areas of law handled in the clinic to provide students with an opportunity to explore areas of particular interest. Allows a more in-depth interaction with community attorneys, judges, officials and professionals who provide services to clinic clients. Course work includes clinical work with clients under the supervision of practicing attorneys.

Enrollment: limited at the discretion of the clinic faculty.

Legal Aid Immigration Clinic (cocurricular) [591I]

(V-0-V) Szweda

Allows students who have completed Legal Aid Immigration Clinic I and II to work exclusively on immigration cases.

Legal Aid Immigration Clinic I and II [591E and 591F]

(3-0-3) (3-0-3) Szweda

Allows students to work with clients in need of immigration assistance, including the filing of petitions and representing clients before the INS, the BIA and the immigration courts in matters including removal proceedings, asylum hearings and appeals.

Pre- or corequisite: Immigration Law (LAW 652A)

Enrollment: limited to six students, with permission of instructor.

Legal Externship (summer only; cocurricular) [592]

(V-V-1) Rougeau

Students may earn one unit of cocurricular externship credit for student volunteer legal work of six weeks or more during the summer months in any court, agency or public or private law office. Externship work must be conducted under faculty supervision, conform to the approved standards of the faculty, and have the advance approval of the associate dean for academic affairs.

This one unit of cocurricular credit may count as one of the four maximum allowable cocurricular credits toward graduation requirements, but cannot count toward the minimum hours required during any semester for residency. It will be reflected on a student's transcript.

Legal Externship — Prosecutor (cocurricular) [592D]

(1-0-1) Jourdan/Williams

Involves assisting the Prosecutor's Office at the St. Joseph County Courthouse.

Enrollment: limited to 10 students each semester.

Legal Externship — Public Defender [592A]

(2-0-2) Bradley/Payne

Involves assisting actual public defenders in representing indigent clients at the St. Joseph County Courthouse — Trial and Misdemeanor Division. Students can expect to represent clients in many capacities, some of which include: negotiating plea bargains with prosecutors; preparing and conducting bench trials; interviewing and subpoenaing witnesses; writing and filing discovery motions; and other activities within the administration of justice. Students are expected to work at the courthouse one full morning or afternoon each week. Besides the courtroom experience, students must attend class sessions once per week that feature prosecutors, police officers, public defenders, judges and probation officers lecturing on their duties as officers of the court.

Enrollment: limited each semester at the discretion of the instructor.

Legal Externship — Public Defender**— Ethics [592B]**

(1-0-1) Bradley

Involves formulating solutions to ethical problems in the criminal justice system. Meets once per week. May be graded at the option of the instructor. Satisfies Ethics II requirement.

Pre- or corequisite: Legal Externship — Public Defender (LAW 592A)

Legal Externship — Public Defender — (cocurricular) [592C]

(2-0-2) Bradley/Payne

Students who have completed the externship requirements of LAW 592A may enroll for additional cocurricular credit. Students may work in the Trial and Misdemeanor division at the St. Joseph County Courthouse, or may assist felony public defenders. Those who work for the felony public defenders must agree to work at least 60 hours over the course of the semester.

Prerequisite: Legal Externship — Public Defender (LAW 592A)

Enrollment: limited each semester at the discretion of the instructor

Legal Research I [512]

(1-0-1) Library Faculty

Designed to introduce first-year students to the tools and methodology of legal research and to help develop the research skills that are essential both in law school and in law practice.

Legal Writing I [514]

(2-0-2) Phelps

Introduces students to the world of legal discourse and provides instruction, experience and guidance in learning to write legal documents. Emphasizes writing as a process and focuses on prewriting, drafting and revising strategies designed to produce effective written work.

Legal Research and Writing II (Moot Court) [513]

(2-0-2) Phelps

Introduces students to techniques of appellate advocacy. Requires each student to brief and argue one appellate Moot Court case.

Legal Writing Teaching Seminar (cocurricular) [615X]

(V-0-V) Phelps

Includes a day-long seminar and weekly hour-long classes. Examines aspects of composition theory that apply to teaching legal writing, and explores general practical teaching issues including grading techniques, workshop procedures and student conferences.

Enrollment: Class participation involves both fall and spring semesters and is limited to third-year students selected as legal writing teaching assistants

LL.M. Thesis [634]

(V-0-V) Meintjes/Méndez

Requires written work of substantial quality completed under the direction of a faculty sponsor.

Enrollment: limited to students in the human rights LL.M. program

Medieval Legal History [688]

(2-0-2) Rodes

Studies the formative period of the Anglo-American legal system using 14th-century yearbooks and other materials from the same period.

Mercy and Justice [660]

(3-0-3) Kaveny

Explores the meaning of mercy, particularly in its relationship to justice. Examines four major topics: (1) Mercy in its relation to retributive justice, focusing on the role of mercy or clemency in the case of criminal sentencing, as well as broader questions of retribution and wrong-doing such as whether there can or should be criteria for the exercise of mercy, whether mercy can be exercised unjustly, and the relationship of forgiveness to mercy. (2) Mercy in its relation to distributive justice, focusing on the corporal works of mercy and issues such as the relationship between justice and “private charity.” (3) Mercy in its relationship to social justice, focusing on the role of solidarity and the question of whether solidarity is an aspect of social justice or the social face of mercy. (4) Divine mercy, focusing on the various ways theologians have attempted to reconcile divine mercy and divine justice. Readings for the class will be interdisciplinary, and will include materials from legal, philosophical and theological sources.

Minerals Law [631C]

(1.5-0-1.5) Kellenberg

Begins with an overview of geology, exploration and development. Considers major legislation and its interpretation, mining claims, mineral leases and international aspects of mining.

Moot Court — Appellate (cocurricular) [594]

(1-0-1) Palmer/Sullivan

Second- and third-year students may earn academic credit through participation in Moot Court arguments and as members of the Law School's National Moot Court Team, as well as through the representation of indigent defendants at the appellate level. Includes brief writing and oral arguments. Students will participate in weekly workshops to develop their skills in all aspects of trial practice.

Moot Court — International (cocurricular) [595]

(1-0-1) Shelton

Second- and third-year students may earn academic credit through participation in the Philip C. Jessup International Moot Court competition as research fellows or as members of the Law School's International Moot Court Team.

Prer- or co-requisite: International Law (LAW 633) or International Legal Process (LAW 633B)

Moot Court — Trial (cocurricular) [596]

(V-0-V) Jourdan/K. Singer

Second- and third-year students may earn academic credit through participation in mock trials in the intra-law school competition and as members of the Law School's National Mock Trial (Barristers) Team.

Enrollment: limited in the spring semester to eight students selected to be members of the Barristers Team.

Morality and the Law [648E]

(3-0-3) Rice

Examines in detail the central jurisprudential issue of this century — the relation between the human law and the higher law as that law is seen in the natural law and revelation. Focuses on the Treatise on Law of St. Thomas Aquinas and its intellectual foundations. Emphasizes original sources in the examination of Marxist, natural rights, utilitarian, positivist and other theories of law. Readings include Aristotle, Cicero, Aquinas, Kant, Hobbes, Locke, Rousseau, Jhering, Savigny, Bentham, Mill, Stephen, H.L.A. Hart, Devlin, Kelsen, Austin, Holmes, Pound, Rommen, Solzhenitsyn and Pope John Paul II. Studies the theoretical and practical differences among the various approaches, with particular reference to issues involving legal personhood, the inception and termination of life, the legal status of the family, economic justice, national defense and other matters. Includes an evaluation of these issues with reference to the social teachings of the Catholic Church.

Notre Dame Journal of Law, Ethics and Public Policy (cocurricular) [598]

(V-0-1) Pearson

Third-year White scholars may earn one unit of academic credit each semester for editorial work on the *Notre Dame Journal of Law, Ethics and Public Policy*.

Notre Dame Law Review (cocurricular) [590]

(V-0-V) Tidmarsh

Second- and third-year students may earn academic credit by researching, writing and editing material in conjunction with the preparation for publication of the *Notre Dame Law Review*.

Patent Law [645]

(3-0-3) Hall

Studies statutory subject matter of and conditions for a patent (Title 35, U.S. Code); infringement of claims; protection of know-how; licensing including property and contract interests in patents and know-how; and litigation procedures, remedies, defenses and judgments. Introduces practical aspects of patent law such as forms and agreements where relevant. This course has no prerequisites, either scientific or legal.

Payment Systems [646B]

(3-0-3) Overby

Provides an introduction to the law of payments. Focuses on the structure and regulation of checking accounts, credit cards, debit cards, wire transfers, letters of credit, stored value cards, e-cash and promissory notes (*i.e.*, credit systems). Statutes covered will include Articles 3, 4, 4A, and 5 of the UCC, as well as numerous federal statutes and international rules that regulate or affect payments.

Pleading, Discovery and Pretrial [622]

(3-0-3) Rodes

Studies the stages of a lawsuit from the decision to litigate through the final pretrial conference including: pleadings; preliminary relief; uses and abuses of discovery; development and management of class actions and other forms of complex litigation; summary judgment and other motion practice; preparation and conduct of pretrial conferences; and award of attorneys' fees.

Poverty Law Topics (Domestic Violence) [613A]

(2-0-2) Fox

Surveys the impact of domestic violence on the lives of the poor. Explores topics such as homelessness, immigration, dissolution, the Adoption and Safe Family Act of 1997, and the Violence Against Women Act. Students will learn about domestic violence through classroom discussions and interactions both with clients and community agencies that aid victims of domestic violence. Each student will represent at least one client in a civil matter where domestic violence is a substantial issue.

Enrollment: limited to 10 students.

Professional Responsibility [581]

(3-0-3) Ross

Examines the moral and ethical responsibilities of lawyers and judges. Comprehensively examines the text, history and judicial interpretations of the American Bar Association's Model Rules of Professional Conduct and Model Code of Judicial Conduct. Considers the cultural, economic and moral implications of these rules for the legal profession and American society. Also explores the ethical and moral duties of lawyers and judges beyond the formal rules.

Note: this course DOES NOT satisfy the Ethics II requirement for graduation.

Property [505A]

(4-0-4) N. Garnett/Pearson

Encompasses estates in land and conveyances. Covers common-law and statutory devices concerning: promoting the alienability of land; regulating claims to property made by family members against one another; and reconciling and adjusting claims of suppliers and consumers of land in the common types of land-financing relationships. Also considers the chief methods used for promoting the security of land titles: title recording; title registration; title insurance; and adverse possession.

Public Lands Law [631H]

(1.5-0-1.5) Kellenberg

Considers public lands with specific reference to timber, range, wildlife, recreation and preservation resources.

Race and the Law [662C]

(3-0-3) Kupenda

Race and the law is a delicate, but essential, topic with which the United States continues to struggle. This course focuses on study and discussion of race and the law facilitated through both traditional legal resources and non-traditional resources. In particular, the course examines race and the law using from three different perspectives: law, using a casebook examining historically recorded principles; life, using narratives or historical biographies and other writings; and literature, with certain fictional, but historical, truths.

In the first half of the course, students will read materials from the voices of African-Americans. Students will prepare a short, directed reflection paper on the three assigned readings, focusing on how the readings relate to ongoing legal themes. The first half of the course concludes with a work of African American literature and a fourth directed reflection paper.

The second half of the course will be student directed and facilitated. Students will select a chapter/topic from the assigned casebook for more focused study and for a presentation and facilitation of a class discussion. Possible topics include: racial classifications; American Indians; Latinos; Asian Americans; whiteness; equality notions; unavoidable segregation; race and sexuality; race and popular culture; racism and legal response. Students will select a topic with professor approval, study the materials in the chapter and perhaps outside related materials, assign sections for the entire class to read, prepare and make a presentation of the material, facilitate class discussion, and prepare a directed paper about the materials, presentation and discussion.

Grading will be determined by the four short reflection papers, class participation and the final presentation and related paper.

Enrollment: limited to 15 students.

Real Estate Transactions [641]

(3-0-3) Rougeau

Introduces students to the major legal issues that arise in the sale and purchase of real estate and to the fundamentals of real estate transactions. The residential real estate transaction will be used as the foundation for understanding how all real estate transactions work, from the offering contract negotiations, through financing, to the closing. Also explores issues in real estate development from both practical and policy perspectives, and examines current trends and issues in real estate such as anti-sprawl legislation, neo-traditional planning and sustainable development, and government manipulation of the market demand for real estate.

Regional Human Rights Protection [671A]

(3-0-3) Méndez

Studies the regional systems that currently exist to protect human rights in the Americas, Europe and Africa. Compares the rights guaranteed and the procedures established to enforce them. Addresses selected topics such as the death penalty, impunity and disappearances. Emphasizes the mechanisms for bringing a case and the remedies available. Includes discussions of a potential Asian human rights protection system.

Prerequisite: International Law (LAW 633) or International Legal Process (LAW 633B)

Secured Transactions [602]

(3-0-3) R. Gallagher

Covers Article 9 of the Uniform Commercial Code on security interests in personal property as well as Article 6 on bulk transfers. Adopting the problem approach, this course is designed to familiarize students with the language and interpretation of the UCC and other statutes.

Securities Regulation [626]

(3-0-3) Velasco

Studies federal securities laws governing the distribution of and trading in securities, as well as emerging federal corporate law.

Pre- or co-requisite: Business Associations (LAW 601)

Social, Political and Legal Thought of Thomas Aquinas [644A]

(2-0-2) Finnis

Examines the ethical and methodological foundations of social theory along with a selection of topics of current interest including: limited government; law's authority and obligation; the bases and limits of property rights; and unconditional human rights. The course text is a draft book-in-progress on these aspects of Aquinas' thought; selected texts/translations from Aquinas will be supplied.

Sports Law [629C]

(2-0-2) R. Gallagher

Offers an overview of several areas of law as applied to professional sports. Explores antitrust law and labor law, as well as the conflict between the policies behind these areas of law, particularly in regard to "reserve clauses" in players' contracts. Considers the application of contract law, equity and other areas to sports issues.

Enrollment: preferred for, but not limited to, third-year students.

Street Law [647]

(2-0-2) Roemer

Presents practical legal issues in the areas of criminal, juvenile, family, housing, consumer, individual rights and environmental law. Law students participate in a weekly seminar designed to prepare them for their respective teaching assignments in local high schools.

Taxation of Business Enterprises [614]

(3-0-3) Gunn

Introduces the federal income taxation of corporations and shareholders and taxation of partners. Includes discussions on: choosing the appropriate business entity for conducting business ventures; formation of corporations and partnerships; taxation of operations and distributions; sales of interests in incorporated and unincorporated businesses; and liquidations.

Pre- or co-requisite: Federal Income Taxation (LAW 605)

Torts [501A]

(4-0-4) Gunn/Tidmarsh

Addresses the legal rules that determine whether civil liability attaches to conduct that results in harm to others.

Trial Advocacy Comprehensive [695]

(4-2-4) Bradley/Brook/Grimmer/Jourdan/Seckinger/T. Singer

Studies and analyzes trial advocacy techniques, and is designed for students whose primary career interest is litigation. This course is intended to help students develop a familiarity with the techniques by which evidence of controverted facts is presented in litigation before judicial tribunals. Classroom sessions in conjunction with a jury trial for each student provide an examination and analysis of trial advocacy skills and issues of professional responsibility. Involves workshop sessions and learning-by-doing through simulated courtroom exercises. Studies trial advocacy techniques through student participation, faculty critique, lectures and demonstrations by practicing lawyers. The various trial advocacy skills are put together in a full trial that proceeds from the initial stage of client and witness interviews through a jury trial and verdict.

Trusts and Estates [608]

(4-0-4) Robinson

Introduces students to the fundamentals of the law governing the intergenerational transfer of wealth. Using the Uniform Probate Code as a model, surveys the law of intestacy, wills, will substitutes and trusts. As time allows, also touches upon the law of future interests, perpetuities law and the rudiments of estate and gift taxation. At every point, is sensitive to the ethical challenges that are inherent in the practice of this body of law.

Universal Protection of Human Rights [694A]

(3-0-3) Méndez

A foundational course in international human rights law. Focuses primarily on examples from United Nations-related human rights regimes, and examines: the historical and jurisprudential bases of international human rights law; the normative frameworks of the principal universal human rights treaties and of customary international law; and the institutional mechanisms for interpreting, monitoring compliance with and enforcing those norms.

Prerequisite: There are no prerequisites for this course, although it is *recommended* that students take International Law (LAW 633) or International Legal Process (LAW 633B) before taking this course.

Urban Property Law [505A]

(2-0-2) N. Garnett

Explores a number of important issues facing cities today including: legal efforts to develop more livable communities such as suburban growth controls, "anti-sprawl" initiatives, "greenbelts" and other environmental measures; laws designed to increase the availability of improve the quality of affordable housing; the regulation of private behavior in public spaces; economic development efforts; and innovative uses of property law to prevent and control crime.

Water Law [631D]

(1.5-0-1.5) Kellenberg

Deals with property systems in water, the development of new water supplies, transfer of rights in developed supplies and groundwater management.

White Scholar Program [653]

(V-0-2) Pearson

Second-year White scholars may earn academic credit by successfully completing staff work and by writing a publishable article for the *Notre Dame Journal of Law, Ethics and Public Policy*.

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LAW SCHOOL 2001-02 CALENDAR

Fall Semester 2001

Enrollment and Orientation.....Saturday and Sunday.....August 25-26
 First Class Day.....Monday.....August 27
 Last Day to Add Courses.....Friday.....August 31
 Last Day to Drop Courses
 without Dean's Approval.....Friday.....August 31
 Midsemester Break.....Saturday through Sunday.....October 20-28
 Thanksgiving Break.....Thursday through Sunday.....November 22-25
 Last Class Day.....Tuesday.....December 11
 Study Period.....Wednesday and Thursday.....December 12-13
 Examinations.....Friday through Saturday.....December 14-22

Spring Semester 2002

Enrollment and Classes Begin.....Monday.....January 14
 Last Day to Add Courses.....Friday.....January 18
 Last Day to Drop Courses
 without Dean's Approval.....Friday.....January 18
 Midsemester Break.....Saturday through Sunday.....March 9-17
 Easter Break.....Friday through Monday.....March 29-April 1
 Last Class Day.....Tuesday.....April 30
 Study Period.....Wednesday and Thursday.....May 1-2
 Examinations.....Friday through Tuesday.....May 3-14
 Commencement.....Sunday.....May 19

IMPORTANT ADDRESSES

Office of Admissions

Notre Dame Law School
 112 Law School
 P.O. Box 959
 Notre Dame, IN
 46556-0959
 (219) 631-6626
 Fax (219) 631-3980
 E-mail: lawadmit@nd.edu

Office of Financial Aid

115 Main Building
 University of Notre Dame
 Notre Dame, IN 46556-5602
 (219) 631-6436

Office of the Registrar

105 Main Building
 University of Notre Dame
 Notre Dame, IN 46556-5602
 (219) 631-7043

Office of Student

Residences
 305 Main Building
 University of Notre Dame
 Notre Dame, IN 46556-5602
 (219) 631-5878

Office of Student Accounts

100 Main Building
 University of Notre Dame
 Notre Dame, IN 46556-5602
 (219) 631-7113

University Health Center

University Health Center
 University of Notre Dame
 Notre Dame, IN 46556
 (219) 631-7497

Notre Dame Law School Web site: <http://www.law.nd.edu>

University of Notre Dame Web site: <http://www.nd.edu>

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