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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
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
(574) 631-8555
E-mail: cchr@nd.edu

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

The Notre Dame Law School initiated a master of laws
(LL.M.) program in international human rights law in
1988 in response to a growing worldwide need for educa
tion 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 par
ticipants 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 Political Science 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 hu
human rights, but also the social, economic and political
contexts in which human rights are promoted, protected
or violated.

For more information, contact:

Office of Graduate Admissions
Notre Dame Law School
112 Law School
P.O. Box 959
Notre Dame, IN 46556-0959
(574) 631-6626
E-mail: lawadmit@nd.edu

You may also apply on-line through the Law School’s web

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

In 1986, the Notre Dame 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
(574) 631-6626
E-mail: lawadmit@nd.edu

You may also apply on-line through the Law School’s web
DUAL-DEGREE PROGRAMS

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

In 1970, the Law School and the graduate division of the University’s Mendoza College of Business 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
(574) 631-6626
E-mail: lawadmit@nd.edu

Office of Graduate Recruitment and Admissions
Graduate School
502 Main Building
Notre Dame, IN 46556-5602
(574) 631-7706
E-mail: gradadmit@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 21 hours of English courses and count nine 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 21 hours of course work in English during the regular three-year course of study toward the J.D. degree. The other 12 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
(574) 631-6626
E-mail: lawadmit@nd.edu

Office of Graduate Recruitment and Admissions
Graduate School
502 Main Building
Notre Dame, IN 46556-5602
(574) 631-7706
E-mail: gradadmit@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
(574) 631-6626
E-mail: lawadmit@nd.edu

Office of Graduate Recruitment and Admissions
Graduate School
502 Main Building
Notre Dame, IN 46556-5602
(574) 631-7706
E-mail: gradad1@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.
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 fewer than 14 credit hours.

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

Graduation Honors

Cum Laude..............................................3.400
Magna Cum Laude.................................3.600
Summa Cum Laude.................................3.800

The specific requirements for calculating graduation honors are described in the Hoynes Code, an administrative code that governs the Law School and may be found on the Law School’s home page (http://www.law.nd.edu).

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.

Grade Reports

Beginning with final grades for the fall 2003 semester, the Office of the Registrar will no longer mail a paper copy of grades unless a copy is requested. Grade information is available to students on IrishLink (a secure Web-based service). The Printed Grade Report Request form is available from the Office of the Registrar Web site.

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 Hoyes Code, an up-to-date copy of which is maintained in the Kresge Law Library.

Tuition and Fees

Tuition

The tuition for the 2004–05 academic year is approximately $29,740.

Miscellaneous Fees

Technology and student activity fees amount to approximately $400 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.
**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.

<table>
<thead>
<tr>
<th>First Semester</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Procedure</td>
<td>2</td>
</tr>
<tr>
<td>Contracts I</td>
<td>3</td>
</tr>
<tr>
<td>Criminal Law</td>
<td>3</td>
</tr>
<tr>
<td>Legal Research I</td>
<td>1</td>
</tr>
<tr>
<td>Legal Writing I</td>
<td>2</td>
</tr>
<tr>
<td>Torts</td>
<td>4</td>
</tr>
</tbody>
</table>

Total Credits: 15

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<table>
<thead>
<tr>
<th>Second Semester</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Procedure II</td>
<td>3</td>
</tr>
<tr>
<td>Contracts II</td>
<td>2</td>
</tr>
<tr>
<td>Constitutional Law</td>
<td>3</td>
</tr>
<tr>
<td>Ethics I</td>
<td>1</td>
</tr>
<tr>
<td>Legal Research and Writing II (Moot Court)</td>
<td>2</td>
</tr>
<tr>
<td>Property</td>
<td>4</td>
</tr>
</tbody>
</table>

Total Credits: 15

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**Second and Third Years**

The following courses must be completed prior to graduation.

<table>
<thead>
<tr>
<th>Required Courses</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Associations</td>
<td>4</td>
</tr>
<tr>
<td>Ethics II, Clinical Ethics or Legal Externship Ethics</td>
<td>1</td>
</tr>
<tr>
<td>Federal Income Taxation</td>
<td>4</td>
</tr>
<tr>
<td>Jurisprudence</td>
<td>3</td>
</tr>
</tbody>
</table>

Total Credits: 12

Students who entered in the fall of 2003 and thereafter must also complete the Upper Level Writing Requirement before enrolling for their final semester.
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.

501A  Torts
503  Contracts I
504A  Contracts II
505A  Urban Property Law
505B  Property
507A  Criminal Law
508B  Constitutional Criminal Procedure
509  Civil Procedure I
510  Civil Procedure II
511  Ethics I
512  Legal Research I
513  Legal Research and Writing II (Moot Court)
514  Legal Writing I
515  Ethics II
549  International Criminal Law
549A  International Criminal Justice
549B  Criminal Justice Policy—Restorative Justice
549C  Legal Responses to Terrorism
581  Professional Responsibility
585  Judicial Process Seminar
590  NOTRE DAME LAW REVIEW (cocurricular)
591  Legal Aid (cocurricular)
591A  Legal Aid I & Ethics
591B  Legal Aid II
591C  Clinical Ethics I
591E  Legal Aid Immigration Clinic I
591F  Legal Aid Immigration Clinic II
591I  Legal Aid Immigration Clinic (cocurricular)
591J  Asylum Clinic (cocurricular)
592  Legal Externship (summer only; cocurricular)
592A  Legal Externship—Public Defender (cocurricular)
592B  Legal Externship—Public Defender—Ethics
592C  Legal Externship—Public Defender (cocurricular)
592D  Legal Externship—Prosecutor (cocurricular)
593  JOURNAL OF LEGISLATION (cocurricular)
594  Moot Court—Appellate (cocurricular)
595  Moot Court—International (cocurricular)
596  Moot Court—Trial (cocurricular)
597  JOURNAL OF COLLEGE AND UNIVERSITY LAW (cocurricular)
598  NOTRE DAME JOURNAL OF LAW, ETHICS AND PUBLIC POLICY (cocurricular)
601  Business Associations
601B  Corporate Finance
601C  Not-For-Profit Organizations
602  Secured Transactions
602D  Securitization Seminar
603A  Constitutional Law
603B  Death Penalty
603C  Constitutional Law II
603E  Constitutionalism in Emerging Nations
603F  Election Law
604  Evidence
604A  Criminal and Scientific Evidence
605  Federal Income Taxation
605B  Estate and Gift Taxation
606A  Jurisprudence
606D  Jurisprudence
606E  Jurisprudence
606F  Advanced Jurisprudence
608  Trusts and Estates
609  Federal Courts
609A  Federal Courts—Contemporary Problems in Practice and Policy
609C  Appellate Review of Trial Court Discretion
610  Administrative Law
611  Labor and Employment Law
611B  International and Comparative Labor Law
611C  Advanced Topics in Labor Law
613A  Poverty Law Topics
614  Taxation of Business Enterprises
615A  Directed Readings
615B  Directed Readings
615C  Advanced Legal Research
615X  Legal Writing Teaching Seminar (cocurricular)
616  Family Law
616A  Juvenile Law
616B  Comparative Family Law
618  Conflict of Laws
620  Comparative Constitutional Law
620A  Comparative Legal Traditions
622  Pleading, Discovery and Pretrial
623  GALILEE (Group Alternative Live-in Legal Education Experience) (cocurricular)
625  Antitrust Law
625F  Asylum Law
626  Securities Regulation
626A  Securities Enforcement Seminar
627  Business Planning
627A  Business Torts
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
638C Law of Medical Malpractice
638D Ethics and Law at the End of Life
638E Ethics and Law at the Beginning of Life
639A Accounting for Lawyers
639B Accounting Law Seminar
640 Copyright and Trademark
640A Trade Regulation/Intellectual Property
640B Cyberlaw
640C Copyright and the Constitution
640H Law of International Trade
641 Real Estate Transactions
642 Land Use Planning
642A Environmental Law
642C Environmental Law—Transactional Lawyer
642D Pollution Law
643 Comparative Law
644A Social, Political and Legal Thought of Thomas Aquinas
644B Catholic Social Thought
644C Social Political and Legal Thought of Shakespeare
645 Patent Law
646B Payment Systems
647 Street Law (co-curricular)
648 Law and Religion
648A Law and Religion Seminar
648B Religious Freedoms
648E Morality and the Law
650 Legislation Research
650B Statutory Interpretation
652A Immigration Law
652E Elder Law Seminar
652F Asylum Law
653 White Scholar Program
655 Equitable Remedies
655A Remedies
656 American Legal History
656A Constitutional Convention
656B American Legal History Topics
658A Complex Civil Litigation
660 Mercy and Justice
661 Commercial Law—Sales
662 First Amendment
662A First Amendment—Selected Topics
662B Civil Rights
662D Civil Rights Litigation
671 International Human Rights
671A Regional Human Rights Protection
672C Local Government Law
673A Complex Criminal Litigation
673B Federal Criminal Practice
674A Gender Issues and the Law
677 Bankruptcy, Creditors' Remedies and Debtors' Protections
677A Corporate Reorganization
677B Dispute Resolution
677C Local Government Law
679 Negotiation
679A Dispute Resolution
679B Dispute Resolution
679J International Commercial Arbitration
680A Insurance Law
680B Consumer Law
683 Advanced Constitutional Law
684A International Business Transactions
684C International Taxation
685 Employment Discrimination Law
685A Employee Benefits Law
686 Law and Poverty
687A Canon Law of Marriage
687B Introduction to Canon Law
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
696A Human Rights Practice
696B International Humanitarian Law
697 Ethics of Human Rights
699 J.S.D. Dissertation
700 J.S.D. Nonresident Dissertation
701A J.S.D. Seminar
Accountability for Gross Violations of Human Rights [633C]
(V-0-V) 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) M. 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.

Administrative Law [610]
(3-0-3) Kelley/Rodes
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 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)

Advanced Legal Research [615C]
(1-0-1) Rees
Examines the statutory and administrative law processes and how to perform legal research using the materials that are produced by the government. Research using printed and online sources will be considered along with the factors to consider when deciding whether to search in print or online.
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 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.

Asylum Clinic [591J]
(2-0-2) Szewda
Students who have completed LAW 591F (Immigration Clinic II) have the opportunity to prepare and defend asylum petitions at hearings held before asylum officers or the Immigration Court. The emphasis is on refining litigation skills.

Prerequisite: Immigration Clinic I and II (Law 591E and 591F)
Enrollment: limited to four students, with permission of the instructor.

Asylum Law [652F]
(2-0-2) Szewda
Provides an overview of U.S. substantive law of asylum, withholding of deportation and the Convention Against Torture, including an interpretation of the standards of proof and the various components of the definition of “refugee.” Includes a study of the procedures both affirmative and defensive used while interacting with asylees in the preparation of their cases.

Bankruptcy [677]
(3-0-3) Edgar
Studies the state and federal laws related to insolvencies, with emphasis on the federal bankruptcy act. Focuses on substantive changes that bankruptcy law makes in the legal relationship between the debtor, the creditors and third parties affected by a bankruptcy case. Explores the different treatment between individuals and artificial legal entities such as corporations. Does not cover the procedural rules of bankruptcy, but rather concentrates on how bankruptcy law affects potential clients in a large number of legal areas including real estate, commercial and business law, torts, family law, environmental law and intellectual property. Also briefly addresses state debtor-creditor laws.

Business Associations [601]
(4-0-4) L. Casey/Velasco
Examines agency law and the basic forms of business organizations including sole proprietorships, partnerships, limited partnerships, limited liability companies, and 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.

Canon Law of Marriage [687A]
(3-0-3) Coughlin
Studies the principal canons on matrimony of the 1983 Code of Canon Law in their historical and doctrinal contexts. Topics covered include: the canonical definition of marriage and its ends and properties; canonical preparation for marriage; the requirement of faith; the nature of consent; impediments; mixed marriage; dissolution of the bond; separation; convalidation; and sanction. Includes an examination of the procedural canons pertinent to matrimonial cases, and of jurisprudence regarding capita nullitatis (grounds for nullity) of particular relevance to practitioners in church courts.
Catholic Social Thought [644B]
(3-0-3) 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/Tidmarsh
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) A. Barrett/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.

Commercial Law—Sales [661]
(3-0-3) L. 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 Constitutional Law [620]
(3-0-3) Kommers
Studies the laws of the United States and Germany, the world’s paradigmatic examples of diffuse and concentrated judicial review. Germany’s federal Constitutional Court like the German Constitution (i.e., the Basic Law) has replaced the U.S. Supreme Court and the American Constitution as the leading model of constitutional governance around the globe. Contrasts Germany’s jurisprudence with the decisions and opinions of the U.S. Supreme Court. Examines the decisions in depth of the institutional features of the two tribunals, especially the controversial areas of modern governance, namely, abortion, the death penalty, freedom of speech (defamation, hate speech and pornography), church-state relations and free exercise of religion, party finance and political representation, race and sex discrimination, and selected socioeconomic rights.

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.

Conflict of Laws [618]
(3-0-3) Ripple
Studies the problems inherent in multi-state legal transactions or litigation. Studies and explores the inter-relationship between jurisdiction, the recognition and enforcement of foreign judgments and choice of law methodology. In particular, emphasizes modern choice-of-law approaches.

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 [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.

Contracts I and II [503 and 504A]
(3-0-3) (2-0-2) A. Bellia/Kaveny/Rougeau
Presents a comprehensive study of the creation, transfer and termination of contract rights and duties.

Copyright and Trademark [640]
(3-0-3) Bauer
Surveys several bodies of law, both federal and state (other than antitrust), that proscribe forms of unfair competition. Focuses on: trademark (the Lanham Act); copyright; trade secrets; misappropriation; rights of privacy and publicity; and federal preemption.

Corporate Finance [601B]
(2-0-2) Velasco
This course examines financial theories and legal doctrines relating to the publicly held corporation including problems of valuation, financing options, capital structure, and dividend policy.

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 Justice Policy—Restorative Justice [549B]
(2-0-2) Schmid
Briefly surveys criminal justice policy in the 19th and 20th centuries. Focuses on the advent in the 1990s of restorative justice as a new paradigm in criminal justice policy. Restorative justice has been hailed for giving crime victims a powerful voice, for rebuilding communities, for emphasizing offender accountability and for more effectively reintegrating offenders into society. The course will examine restorative justice programs in New Zealand (family group conference), Australia (reintegrative shaming), Europe, the United States and Canada (sentencing circles). The course will also examine the controversial “Broken Windows” theory as well as other recent criminal justice innovations.

Criminal Law [507A]
(3-0-3) Dutile/R. Garnett/Gurulé
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 Skills [678A] (3-0-3) K. Gallagher/Gozdecki/Seckinger/Sullivan
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 ses-
sion. 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 Resolutions [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.

Election Law [603F] (2-0-2) Nagle
Explores the election law issues that have become so popu-
lar a topic since the 2000 presidential election. Consid-
ers the structure of elections, including voting rights and
redistricting and the ways in which disputed elections are
resolved by state and local election boards, federal and state
courts, special commissions, the legislature, or by con-
ducting a new vote. Also considers the legal issues raised
by the existence of the lame-duck period that follows the
resolution of an election and that precedes the inauguration
of the newly elected officials. The course will require the
completion of a seminar paper as well as active participa-
tion in class discussions.

Employee Benefits Law [685A] (2-0-2) DeJong
Studies the key sources of law and policy issues relating to
employer-sponsored retirement and welfare-benefits plans,
including primarily the Internal Revenue Code of 1986,
the Employee Retirement Income Security Act of 1974 and
case law. Gives special attention to employee-benefits issues
arising from the Enron bankruptcy, the treatment of em-
ployee benefits in major corporate transactions and ethical
issues arising in the practice of employee-benefits law.

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 Discrimi-
nation in Employment Act, the Rehabilitation Act of

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 Clean Water Act,
CERCLA, NEPA, FIFRA, TSCA and RCRA.

Environmental Law [642A] (3-0-3) Nagle/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.

Estate and Gift Taxation [605B] (3-0-3) Kirsch
Examines the federal wealth transfer tax system. Focuses
on the estate and gift taxes that apply to transfers of
property during life or at death. Also considers common
estate-planning techniques used to minimize these taxes,
such as bypass trusts, life insurance and inter-spousal
transfers.

Ethics I [511] (1-0-1) Coughlin
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) A. Barrett/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.

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 Criminal Practice  [673B]
(2-0-2) Gallo
Taught by a former federal prosecutor and present white-collar defense attorney, focuses on strategic thinking in federal criminal litigation, as well as topical issues facing federal-criminal practitioners today. In particular, the course focuses on critical substantive issues in federal criminal law. The course further analyzes the chronology of complicated federal-criminal investigations beginning with issues relating to the start of investigations by federal authorities, continuing with grand-jury proceedings and indictment, and finishing with strategic issues relating to trial and sentencing. With regard to these stages, the instructor will present issues that the government, corporate counsel, and criminal-defense counsel face, such as the propriety of various undercover techniques, decisions regarding joint representation of targets and relating to joint-defense agreements, and strategies regarding plea negotiations.

Federal Income Taxation  [605]
(4-0-4) M. 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
This course covers various aspects of the First Amendment with a particular emphasis on freedom of expression and the questions of church and state. Regarding expression, the subjects will include advocacy of unlawful conduct, commercial speech, obscenity and pornography, offensive speech, symbolic expression, restrictions on speech in schools and colleges, protest in public places, the regulation of electronic media such as the Internet, and more. The course will further examine Free Exercise and Establishment Clause issues such as tuition vouchers, school prayer, evolution in the schools, holiday religious displays, government duties to accommodate religion, etc.

GALILEE (Group Alternative Live-in Legal Education Experience) (cocurricular)  [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 Organization, 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 Law [633]
(3-0-3) Davis
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.

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

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. Nonresident 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]
(1-0-1) TBA
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 Seminar [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 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 [606E]
(3-0-3) Carozza
A survey of the principal jurisprudential approaches to law throughout the history of the Western legal tradition, and an examination of contemporary legal problems in the light of principal currents of modern legal theory.

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 decision making. 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.

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]
(3-0-3) 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.
Law and Poverty
(2-0-2) Broden
Examines the situation of the poor in the American legal system. Includes field work and clinical work with clients in northern Indiana and southern Michigan.

Law of Education
(3-0-3) Dutile
Examines selected legal aspects of education including students’ rights, teachers’ rights, desegregation, educational finance, and church-state matters.

Law of the Disabled
(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.

Law of Medical Malpractice
(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.

Legal Aid I & Ethics
(5-0-5) Fox/Jones
Legal Aid I and Ethics is a 5-credit, graded course providing training in basic lawyering skills, ethics, substantive civil law, and Indiana procedural and evidentiary law relevant to the representation of low-income clients in the courts and administrative agencies. This course satisfies the upper-level ethics requirement. The course will use a combined lecture and mock exercise format. Each student will represent a minimum of two clients during the semester for which he/she is the primary attorney. The students may also be assigned up to two additional cases for which he/she is the second chair attorney, in cases that are particularly complex or require multiple court appearances. Students will receive a student practice certification from the Indiana Supreme Court allowing them to conduct motion hearings, evidentiary hearings, negotiations, and administrative hearings on behalf of their clients. Due to the requirements of the Indiana student practice rule, this course is limited to students who have completed at least three semesters of law school.

Consumer Law Focus: Both the case selection and the classroom component of this section of Legal Aid I & Ethics will focus on consumer protection issues. Some of the current cases the Clinic is handling include violations of the Indiana Deceptive Consumer Sales Act, fraud and violations of the Indiana’s Home Improvement Contracts Act.

Landlord-Tenant Focus: Both the case selection and the classroom component of this section of Legal Aid I & Ethics will focus on landlord-tenant problems, although students will likely work on other cases as well.

Legal Aid II
(3-0-3) Fox/Shaffer
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)
(5-0-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) Robinson
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—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
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 Research and Writing II (Moot Court)  [513] 
(2-0-2) E. Blakey/Byrnes/Nuttle/Phelps/Taylor/T. Thomas/Venter
Introduces students to techniques of appellate advocacy. Requires each student to brief and argue one appellate Moot Court case.

Legal Responses to Terrorism  [549C] 
(3-0-3) Gurulé
Explores many issues, including the definition of “terrorism,” the characteristics of terrorism that distinguish it from simple criminal conduct, how terrorism differs from other international crimes against humanity, war crimes, genocide and torture, what legal rights should be afforded terrorists, the international legal framework to combat terrorism, and the U.S. domestic legal response to terrorism.
Legal Writing I  [514]
(2-0-2) E. Blakey/Byrnes/Nuttle/Phelps/Taylor/
T. Thomas/Venter
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.

LL.M. Thesis  [634]
(V-0-V) Meintjes
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

Local Government Law  [672C]
(3-0-3) N. Garnett
Examines the laws regulating the relationships between
local governments and their citizens and between local
governments and state and federal governments. Covers:
forms of local government; the scope of local governmental
power, statutory and constitutional limits on local govern-
ments; provision, financing and privatization of services;
annexation, secession and other boundary issues; inter-local
cooperation and conflict, especially between cities and their
suburbs; and the growth of “private” regulatory bodies.

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.

Minerals Law  [631C]
(1.5-0-1.5) Kellenberg
Begins with an overview of geology, exploration and devel-
opment. Considers major legislation and its interpretation,
mining claims, mineral leases and international aspects of
mining.

Moot Court—International (cocurricular)  [595]
(1-0-1) Carozza
Second- and third-year students may earn academic credit
through participation in the Philip C. Jessup Interna-
tional Moot Court competition as research fellows or as
members of the Law School’s International Moot Court
Team.

Pre- or corequisite: International Law (LAW 633) or Inter-
national Legal Process (LAW 633B)

Moot Court—Trial (cocurricular)  [596]
(V-0-V) Jourdan/K. Singer
Moot Court Trial is a class designed to prepare sec-
ond- and third-year students for the National Trial
Competition and the ATLA Trial Competition. Tryouts
for the NTC team are held during the first week of class
in the fall. Moot Court Trial is a mandatory class for
members of the NTC team. This class is suggested, but
not required, for students who wish to try out for the
ATLA team. Tryouts for the ATLA team are held during
the first week of class in the spring semester. The class
focuses on trial skills using one case file for the semester.
Students will be required to incorporate powerpoint pre-
sentations into their trial performance. To be a member
of the NTC team students must have completed Trial
Advocacy. It is strongly suggested that they either take
concurrent or have completed Evidence.

The NTC team will consist of six (6) third-year students
and the ATLA team will consist of eight (8) second-year
students.

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, natu-
ral 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, Hol-
mes, 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 termina-
tion 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.
Not-For-Profit Organizations [601C]
(3-0-3) M. Barrett
Examines the legal regulation of not-for-profit organizations under both state law and federal tax law. Topics covered include an overview of the not-for-profit sector; formation and dissolution of not-for-profit organizations; operations and governance, including the legal duties and liabilities of directors and trustees; regulation of charitable solicitation; requirements to qualify and maintain tax-exempt status under federal and state law; the unrelated business income tax; the distinction between public charities and private foundations; and basic charitable giving strategies. The course will include a final examination.

Poverty Law Topics [613A]
(2-0-2) Shaffer
Clinical seminar on the planning and drafting of wills and trusts.

Enrollment: limited to students who are interns at the Notre Dame Legal Aid Clinic in the fall 2004 semester, or who worked at the clinic during the summer of 2004 or who have been certified under the Indiana student-practice rule. Further limited to 10 students.

Professional Responsibility [581]
(3-0-3) Coughlin
Take an in-depth view of certain ethical issues in the legal profession. Among the issues discussed are: confidentiality, conflict of interests, unpopular clients, lawyers' speech and advertising, admission to and regulation of the bar, and responsibilities to some special clients. The course examines the ABA Model relevant cases. In an attempt to uncover the foundation that might be claimed to underpin the rules, a spectrum of philosophical, theological, pragmatic, and utilitarian theories are considered. The course thus deals with the application of the rules of professional responsibility to real ethical conflicts and critically examines the possibilities of the moral values reflected in the law.

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

Property [505B]
(4-0-4) N. Garnett/Nagle/Pearson
Encompasses estates in land and conveyances. Covers common-law and statutory devices concerning: 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.
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) Davis
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)

Remedies [655A]
(3-0-3) R. Gallagher
Substantive courses (Contracts, Torts, Property, etc.) address the question of what rights will be recognized and enforced by courts. This course addresses the bottom line – what form will that enforcement take: damages for a plaintiff’s loss, recovery of the defendant’s unjust enrichment (“Restitution”), or an order to a party to do or refrain from doing something (injunction). Since the system of measurement of any monetary recovery is important to any litigant, that topic will be explored in detail. The court’s power to use contempt in aid of enforcement of its decrees will also be considered.

Secured Transactions [602]
(3-0-3) R. Gallagher
Covers Article 9 of the Uniform Commercial Code on security interests in personal property to secure repayment of an obligation and the sales of certain types of payment obligations. Analyzes: the creation and perfection of security interests; the continuation of security interests in collateral transferred by the debtor and in the proceeds of any disposition of collateral; the priority of interests in collateral among secured parties, lien creditors and buyers; and the remedies of the secured party against the collateral in case of default. Also briefly addresses those elements of the Bankruptcy Code that affect secured transactions. Includes detailed analyses of problems under the applicable statutes, as well as discussions of the policy reasons behind the statutes, the incentives that different rules create, the methods of avoiding uncertainties in the statutes, the business background behind transactions and the ways in which transactions can be structured to effect the intentions of the parties.

Securities Regulation [626]
(3-0-3) L. Casey
Studies federal securities laws governing the distribution of and trading in securities, as well as emerging federal corporate law.

Pre- or corequisite: 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.

Social, Political and Legal Thought of Shakespeare [644C]
(1-0-1) Finnis
Through a close study of the thought, language, and imagery of four or five Shakespeare plays (with allusions to other of his works), discloses the penetrating thought of the author on conscience, legitimacy and revolution, the rule of law, bad government, faith and politics, and related matters.
Sports Law  [629C]
(2-0-2) R. Gallagher
Covers both professional and collegiate sports. 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.

Statutory Interpretation Seminar  [650B]
(2-0-2) A. Barrett
Explores and critically evaluates leading contemporary approaches to statutory interpretation, paying particular attention to the constitutional and public-choice theories that drive the modern debate. Topics include purposive interpretation, dynamic statutory interpretation, textualism, canons of construction, and the use of legislative history.

Street Law (cocurricular)  [647]
(2-0-2) Robinson
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 corequisite: 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/Intensive  [695]
(4-2-4) Bradley/Brook/Grimmer/Jourdan/Marnocha/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]
(3-0-3) Robinson/Shakour
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.

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 and 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.
Universal Protection of Human Rights [694A]
(3-0-3) Davis
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.

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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President of the University

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Vice President for Finance and Chief Investment Officer

J. ROBERTO GUTÍÉRREZ
Vice President for Public Affairs and Communication

M. CATHERINE ROEMER, B.A.
Assistant Dean for Law School Administration
# LAW SCHOOL FACULTY

<table>
<thead>
<tr>
<th>Name</th>
<th>Title and Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMY CONEY BARRETT, B.A., J.D.</td>
<td>Assistant Professor of Law</td>
</tr>
<tr>
<td>MATTHEW J. BARRETT, B.B.A., J.D.</td>
<td>Professor of Law</td>
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<td>JOSEPH P. BAUER, A.B., J.D.</td>
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<td>ANTHONY J. BELLIA JR., B.A., J.D.</td>
<td>Associate Professor of Law (on leave fall 2004)</td>
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<tr>
<td>PATRICIA L. BELLIA, A.B., J.D.</td>
<td>Associate Professor of Law (on leave fall 2004)</td>
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<tr>
<td>ELIZABETH E. BLAKEY, B.A., J.D.</td>
<td>Adjunct Assistant Professor of Law</td>
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<td>G. ROBERT BLAKEY, A.B., J.D.</td>
<td>William and Dorothy O'Neill Professor of Law</td>
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<td>GERARD V. BRADLEY, B.A., J.D.</td>
<td>Professor of Law (on leave 2004)</td>
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<td>THOMAS F. BRODEN, LL.B., J.D.</td>
<td>Professor Emeritus of Law</td>
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<td>Director, Notre Dame Legal Aid Clinic</td>
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Senior Lecturer in Law, School of Oriental and African Studies, University of London
LAW SCHOOL 2004–2005 CALENDAR

Fall Semester 2004
Orientation (incoming first year students) ....... Friday through Sunday............... August 20–22
Enrollment ............................................. Online via Web ................................. Dates TBA
First Class Day ..................................... Monday ........................................ August 23
Last Day to Add Courses ...................... Friday ............................................. August 27
Last Day to Drop Courses
 without Dean’s Approval ...................... Friday ............................................. August 27
Midsemester Break ............................... Saturday through Sunday ............. October 16–24
Thanksgiving Break ................... Thursday through Sunday .................. November 25–28
Thursday/Friday Classes Held .......... Monday/Tuesday .................................. December 6–7
Last Class Day .................................... Tuesday ........................................ December 7
Study Period ..................................... Wednesday and Thursday ............ December 8–9
Examinations ................................. Friday through Saturday .................. December 10–18

Spring Semester 2005
Enrollment .............................. Online via Web ................................. Dates TBA
First Class Day ..................................... Monday ........................................ January 10
Last Day to Add Courses ...................... Friday ............................................. January 14
Last Day to Drop Courses
 without Dean’s Approval ...................... Friday ............................................. January 14
Midsemester Break ............................... Saturday through Sunday ............. March 5–13
Easter Break ................................. Friday through Monday .................. March 25–28
Friday Classes Held ............................ Tuesday ........................................ April 26
Last Class Day .................................... Tuesday ........................................ April 26
Study Period ..................................... Wednesday and Thursday ............ April 27–28
Examinations ................................. Friday through Tuesday .................. April 29–May 10
Commencement ......................... Sunday ........................................ May 15

IMPORTANT ADDRESSES

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E-mail: lawadmit@nd.edu

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Notre Dame, IN 46556-5602
(574) 631-7043

Office of Student Accounts
100 Main Building
University of Notre Dame
Notre Dame, IN 46556-5602
(574) 631-7113

Office of Student Residences
305 Main Building
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University Health Center
University Health Center
Notre Dame, IN 46556
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