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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 people 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
301 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 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 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 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
301 Law School
Notre Dame, IN 46556
(574) 631-8555
E-mail: cchr@nd.edu

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
Notre Dame, IN 46556
(574) 631-6626
E-mail: lawadmit@nd.edu
You may also apply online through the Law School’s website at http://www.law.nd.edu.
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
Notre Dame, IN 46556
(574) 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
(574) 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 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 assistant dean for students 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
Notre Dame, IN 46556
(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: gradad.1@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
Notre Dame, IN 46556
(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: 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.
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

<table>
<thead>
<tr>
<th>Type</th>
<th>GPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cum Laude</td>
<td>3.400</td>
</tr>
<tr>
<td>Magna Cum Laude</td>
<td>3.600</td>
</tr>
<tr>
<td>Summa Cum Laude</td>
<td>3.800</td>
</tr>
</tbody>
</table>

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://law.nd.edu).

Grading and Academic Standing

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

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

The Office of the Registrar no longer mails a paper copy of grades unless a copy is requested. Grade information is available to students on insideND (inside. nd.edu). The Printed Grade Report Request form is available from the Office of the Registrar website.

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, which is randomly generated and assigned prior to examinations.

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 and is available online.

Tuition and Fees

Tuition

The tuition for the 2006–07 academic year is approximately $34,120.

Miscellaneous Fees

Technology and student activity fees amount to approximately $450 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 60 percent 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.
The first-year curriculum is required and demanding. It covers the fundamentals of law using primarily the case method. Course and semester-hour requirements for 2006–07 are as follows.

**First Semester**
- Civil Procedure 2
- Contracts I 3
- Criminal Law 3
- Legal Research I 1
- Legal Writing I 2
- Torts 4

15

**Second Semester**
- Civil Procedure II 3
- Contracts II 2
- Constitutional Law 3
- Ethics I 1
- Legal Research and Writing II (Moot Court) 2
- Property 4

15

The faculty has approved changes as follow in the first-year curriculum to be implemented beginning in academic year 2007–08.

**First Semester**
- Legal Writing 2
- Criminal Law 4
- Contracts or Torts* 4
- Civil Procedure 4
- Legal Research 1

15

**Second Semester**
- Legal Writing 2
- Constitutional Law 4
- Property 4
- Torts or Contracts* 4
- Ethics 1

15

* TBA

The following courses must be completed prior to graduation.

**Required Courses**

<table>
<thead>
<tr>
<th>Course</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Associations</td>
<td>4</td>
</tr>
<tr>
<td>Ethics II, Professional Responsibility, or</td>
<td>1</td>
</tr>
<tr>
<td>an approved clinically related ethics course</td>
<td></td>
</tr>
<tr>
<td>Federal Income Taxation</td>
<td>4</td>
</tr>
<tr>
<td>Jurisprudence</td>
<td>3</td>
</tr>
</tbody>
</table>

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Students 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.

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>60104</td>
<td>Contracts I</td>
</tr>
<tr>
<td>60105</td>
<td>Contracts II</td>
</tr>
<tr>
<td>60302</td>
<td>Criminal Law</td>
</tr>
<tr>
<td>60305</td>
<td>Civil Procedure I</td>
</tr>
<tr>
<td>60306</td>
<td>Constitutional Law</td>
</tr>
<tr>
<td>60307</td>
<td>Constitutional Law</td>
</tr>
<tr>
<td>60309</td>
<td>Criminal Law</td>
</tr>
<tr>
<td>60310</td>
<td>Civil Procedure II</td>
</tr>
<tr>
<td>60311</td>
<td>Constitutional Law</td>
</tr>
<tr>
<td>60312</td>
<td>Constitutional Law</td>
</tr>
<tr>
<td>60703</td>
<td>Legal Research I</td>
</tr>
<tr>
<td>60705</td>
<td>Legal Writing I</td>
</tr>
<tr>
<td>60707</td>
<td>Legal Research &amp; Writing II-MC</td>
</tr>
<tr>
<td>60801</td>
<td>Ethics I</td>
</tr>
<tr>
<td>60901</td>
<td>Torts</td>
</tr>
<tr>
<td>60902</td>
<td>Torts I</td>
</tr>
<tr>
<td>60903</td>
<td>Torts II</td>
</tr>
<tr>
<td>60906</td>
<td>Property</td>
</tr>
<tr>
<td>70100</td>
<td>Accounting for Lawyers</td>
</tr>
<tr>
<td>70101</td>
<td>Business Associations</td>
</tr>
<tr>
<td>70103</td>
<td>Secured Transactions</td>
</tr>
<tr>
<td>70104</td>
<td>Payment Systems</td>
</tr>
<tr>
<td>70105</td>
<td>Commercial Law - Sales</td>
</tr>
<tr>
<td>70107</td>
<td>Securities Regulation</td>
</tr>
<tr>
<td>70108</td>
<td>Business Planning</td>
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<td>70109</td>
<td>Business Torts</td>
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<tr>
<td>70111</td>
<td>Real Estate Transactions</td>
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<td>70115</td>
<td>Corporate Reorganization</td>
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<tr>
<td>70117</td>
<td>Antitrust Law</td>
</tr>
<tr>
<td>70119</td>
<td>Bankruptcy</td>
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<tr>
<td>70121</td>
<td>Not-for-Profit Organizations</td>
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<tr>
<td>70123</td>
<td>Corporate Finance</td>
</tr>
<tr>
<td>70127</td>
<td>Mergers &amp; Acquisitions</td>
</tr>
<tr>
<td>70129</td>
<td>Equitable Remedies</td>
</tr>
<tr>
<td>70130</td>
<td>Intellectual Property Transactions</td>
</tr>
<tr>
<td>70131</td>
<td>Copyright and Trademark</td>
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<tr>
<td>70133</td>
<td>Trade Regulation/Intellectual Property</td>
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<tr>
<td>70134</td>
<td>Intellectual Property Law Survey</td>
</tr>
<tr>
<td>70135</td>
<td>Cyberlaw</td>
</tr>
<tr>
<td>70139</td>
<td>Econ &amp; Environmental Justice</td>
</tr>
<tr>
<td>70201</td>
<td>Evidence</td>
</tr>
<tr>
<td>70203</td>
<td>Remedies</td>
</tr>
<tr>
<td>70205</td>
<td>Criminal &amp; Scientific Evidence</td>
</tr>
<tr>
<td>70207</td>
<td>Advanced Legal Research</td>
</tr>
<tr>
<td>70301</td>
<td>Immigration Law</td>
</tr>
<tr>
<td>70303</td>
<td>Asylum Law</td>
</tr>
<tr>
<td>70305</td>
<td>Constitutional Law II</td>
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<tr>
<td>70306</td>
<td>The Death Penalty</td>
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<td>70307</td>
<td>First Amendment</td>
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<tr>
<td>70308</td>
<td>Constitutional Theory</td>
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<tr>
<td>70309</td>
<td>First Amendment</td>
</tr>
<tr>
<td>70311</td>
<td>Federal Courts</td>
</tr>
<tr>
<td>70312</td>
<td>Fed Cts-Cont.Prblms/Prac &amp; Pol</td>
</tr>
<tr>
<td>70313</td>
<td>Law of Education</td>
</tr>
<tr>
<td>70314</td>
<td>Legislation</td>
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<tr>
<td>70315</td>
<td>Administrative Law</td>
</tr>
<tr>
<td>70316</td>
<td>Complex Civil Litigation</td>
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<tr>
<td>70317</td>
<td>Local Government</td>
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<tr>
<td>70319</td>
<td>Consumer Law</td>
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<td>70321</td>
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<tr>
<td>70323</td>
<td>Copyright &amp; the Constitution</td>
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<tr>
<td>70327</td>
<td>Environmental Law</td>
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<td>70328</td>
<td>Env Law for Transactional Lyr</td>
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<tr>
<td>70329</td>
<td>Energy Law</td>
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<tr>
<td>70331</td>
<td>Minerals Law</td>
</tr>
<tr>
<td>70333</td>
<td>Water Law</td>
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<tr>
<td>70335</td>
<td>Agricultural Law</td>
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<tr>
<td>70337</td>
<td>Housing Law</td>
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<tr>
<td>70339</td>
<td>Land Use Control Law</td>
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<tr>
<td>70340</td>
<td>Pollution Law</td>
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<tr>
<td>70341</td>
<td>Public Lands Law</td>
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<tr>
<td>70345</td>
<td>Land Use Planning</td>
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<td>70348</td>
<td>Biodiversity &amp; the Law</td>
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<tr>
<td>70349</td>
<td>Environmental Law</td>
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<tr>
<td>70353</td>
<td>Labor and Employment Law</td>
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<tr>
<td>70355</td>
<td>Employment Discrimination Law</td>
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<tr>
<td>70357</td>
<td>Employee Benefits Law</td>
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<tr>
<td>70358</td>
<td>Race &amp; the Law</td>
</tr>
<tr>
<td>70359</td>
<td>Constitutional Crim Procedure</td>
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<tr>
<td>70360</td>
<td>Civil Rights Law</td>
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<tr>
<td>70361</td>
<td>Complex Criminal Litigation</td>
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<tr>
<td>70362</td>
<td>Federal Criminal Law</td>
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<td>White Collar Crime</td>
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<td>70364</td>
<td>Civil Rights Litigation</td>
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<td>70365</td>
<td>Federal Criminal Practice</td>
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<td>70367</td>
<td>Law of the Disabled</td>
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<td>70369</td>
<td>Election Law</td>
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<td>70371</td>
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<td>70411</td>
<td>Int’l Crim Justice, Human Rights &amp; Humanitarian Law</td>
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<tr>
<td>70413</td>
<td>Intro to Human Rights Research &amp; Writing</td>
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<td>70417</td>
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<td>70419</td>
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<td>Int’l Law in US Legal System</td>
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<td>Restorative Justice: New Paradigm</td>
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<td>70441</td>
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COURSE DESCRIPTIONS FOR THE 2006–2007 ACADEMIC YEAR

This alphabetical list of course descriptions consists of courses that the Law School plans to offer during the 2006–07 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 [70409]
(3-0-3) TBA
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 [70100]
(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.

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

Administrative Law [70315]
(3-0-3) P. Bellia/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.

Advanced Topics in Labor Law [73353]
(2-0-2) Fick
Provides an introduction to various labor statutes such as the Fair Labor Standards Act, the Occupational Safety and Health Act, unemployment insurance, and workers compensation. Additional specific topics to be covered are determined considering the interests of the students enrolled in the course.

Prerequisite: Labor and Employment Law (LAW 70353) or Employment Discrimination Law (LAW 70355)

Advanced Legal Research [70207]
(2-0-2) 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.

Antitrust Law [70117]
(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  [70119]  
(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.

Biodiversity and the Law  [70348]  
(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.

Bioethics and the Law Seminar  [73828]  
(3-0-3) Snead
Explores the ethical, legal, and public policy issues arising from various advances in biomedical science and biotechnology. Students will be invited to consider the ways in which such developments affect law and public policy, as well as the issues that may arise in attempts to govern and regulate science according to ethical principles. Topics covered will include human reproduction (including maternal/fetal conflicts and assisted reproduction), stem cell research, human cloning, genetic screening and modification, research involving human subjects, neuroscience/neuron-ethics, end of life matters, and relevant issues touching and concerning both intellectual property and constitutional law.

Business Associations  [70101]  
(4-0-4) 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  [70109]  
(2-0-2) Peralta/Pruitt
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. Paper requirement.

Canon Law  [70833]  
(2-0-2) Coughlin
This introductory course focuses on certain aspects of Book II and related canons of the 1983 Code of Canon Law. The methodology of the course reflects historical, theological, canonical, and comparative approaches. The course begins with a consideration of the canon law’s understanding of the Christian faithful. In particular, it explores the rights and duties of all the Christian faithful. The hierarchical constitution of the Church, from the Holy See to the notions of the particular and local churches, is next examined. Special emphasis is placed on the nature of the governing power, the juridical parameters of the Church’s teaching office, as well as key structures in the organization of the diocese. Consistent with the theology of Vatican II, these various juridical structures of the Church are considered as manifestations of the mystery of communion. Throughout the course material, comparisons are made to the legal theory of modern liberal state.

Catholic Social Thought  [70835]  
(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  [60304]
(2-0-2) Bauer/A. Bellia
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  [60305]
(3-0-3) A. Barrett/Robinson
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 Law  [70360]
(3-0-3) Mason
Primarily examines the processes by which federal constitutional and statutory rights are enforced in federal and state court against officials and private citizens. Focuses on 42 U.S.C. sec. 1983 and the doctrines that surround this statute. Also focuses on other Civil War-era legislation that grants substantive civil rights, especially 42 U.S.C. sec. 1981, 1982 and 1985. If time permits, examines selected aspects of modern civil rights legislation concerning sex discrimination, and how civil rights remedies are enforced in cases of structural reform.

Commercial Law of Intellectual Property Seminar  [73136]
(2-0-2) Ward
 Begins with an examination of the nature of intellectual property within the spectrum of rights we think of as "property." In the early classes, vested exclusivity rights are contrasted with covenants, licenses, and rights based primarily on promise. The early classes also emphasize the difficult commercial law distinctions between intangible rights and any tangible embodiment of those rights. After an exploration of these basic property and contract concepts, the course focuses on three important intersections of commercial law and intellectual property: (1) The unsettled issues that arise when intellectual property is used as collateral in secured transactions; (2) Creditor access to a debtor's intellectual property rights; and (3) Intellectual property related issues that arise in the bankruptcy process. There are no prerequisites for the seminar, but one or two of the following courses are highly recommended: Intellectual Property Survey, Copyright and Trademark, Patent Law, Commercial Law, Secured Transactions, and Bankruptcy.

Commercial Law–Sales  [70105]
(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 Constitutional Law  [73449]
(3-0-3) Kommers
This seminar compares selected provisions of the United States Constitution with those of Germany’s Basic Law, Canada’s Charter of Rights and Liberties, and the European Convention on Human Rights, largely through the medium of judicial decisions interpreting and applying these provisions. Topical areas covered include constitutional cases involving the right to life (abortion, death penalty, and assisted suicide), freedom of speech (libel and hate talk), church-state relations, equal protection (gender and sexual orientation), and socio-economic rights. One purpose of the seminar is to examine these cases in light of their competing conceptions of liberty, equality, democracy, and the human person and from the standpoint of their respective approaches to constitutional interpretation.
Comparative Legal Traditions [70407]
(3-0-3) Carozza
Introduces students to the comparative study of law through an examination of the basic features of Western European legal systems, including their principal legal institutions and actors; sources of law; procedures; and characteristic methods of legal reasoning and analysis. Covers both the civil law (or Romano-Germanic) legal traditions of Continental Europe and the English common-law tradition, as well as the supranational law and institutions of the European Union and the European human rights system. Concludes with case studies comparing substantive legal norms in those legal systems to United States law.

Complex Civil Litigation [70316]
(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.

Complicity Seminar [73830]
(3-0-3) Kaveny
Seminar grapples with the theological, ethical, and legal aspects involved in complicity with other people’s wrongdoing. The first half of the course will introduce students to the relevant theoretical literature. Sources will include Roman Catholic tradition on “cooperation with evil,” philosophical analysis of complicity, and legal reflections on topics such as conspiracy and accessory liability in the criminal law. The second half of the course will allow students to explore specific topics of complicity in different contexts, including but not limited to complicity in enacting unjust legislation, a lawyer’s complicity in the wrongdoing of his clients, and the use of scientific data obtained from immoral experimentation on human subjects. In addition to regular participation in the seminar, the course will require a 25–30 page seminar paper. Students will also be asked to lead discussions on their paper topics.

Conflict of Laws [70371]
(3-0-3) Ripple
Studies the problems inherent in multi-state legal transactions or litigation. Studies and explores the interrelationship between jurisdiction, the recognition and enforcement of foreign judgments, and choice of law methodology. In particular, emphasizes modern choice-of-law approaches.

Constitutional Criminal Procedure [70359]
(3-0-3) Blakey/Snead
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 70362), Criminal and Scientific Evidence (LAW 70205), or Complex Criminal Litigation (LAW 70361).

Constitutional Law [60307]
(3-0-3) Horwitz/Tidmarsh
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 [70305]
(3-0-3) TBA
Covers issues relating to individual rights not covered in the first-year Constitutional Law course.

Consumer Law [70319]
(3-0-3) Fox
Provides students with the necessary tools to understand basic consumer protection laws at both the state and federal levels regarding unfair and deceptive practices, credit transactions (including collection activity), and quality protections such as “lemon law” and warranties. Examines federal statutes such as the Fair Credit Recording Act, the Truth in Lending Act, and the Fair Debt Collection Practices Act.

Contracts I and II [60104 and 60105]
(3-0-3) (2-0-2) Brinig/Cozzillio/Rougeau
Presents a comprehensive study of the creation, transfer, and termination of contract rights and duties.
Corporate Reorganization  [70115]
(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  [70429]
(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  [60302]
(3-0-3) Dutile/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.

Deposition Skills  [75715]
(3-0-3) K. Gallagher/Gozdecki/Kuehn/La Due/O’Rear/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 session. Each laboratory session will be videotaped, with each student receiving an individual videotape.

Directed Readings  [76101]
(V-0-V) Faculty
Allows independent research under the supervision of one faculty member. Letter grading system.

Directed Readings  [76103]
(V-0-V) Faculty
Allows independent research under the supervision of one faculty member. Satisfactory/Unsatisfactory grading system.

Election Law  [70369]
(3-0-3) Mayer
Explores the laws governing democratic politics both before and after the voters cast their ballots. Considers the structure of elections, including the standards for and battles over redistricting, voting rights, and campaign financing. Also considers how disputed elections are resolved (Bush v. Gore and more) and the role of political parties. No background in politics or political science is required.

Employee Benefits Law  [70357]
(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 employee benefits in major corporate transactions, and ethical issues arising in the practice of employee-benefits law.

Employment Discrimination Law  [70355]
(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 Age Discrimination in Employment Act, the Rehabilitation Act of 1973, and the Americans with Disabilities Act.

Environmental Law  [70349]
(3-0-3) Camacho
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  [70607]
(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  [60801]
(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  [70827]
(1-0-1) Rodes
Applies the principles of ethics to practical legal problems and situations.

Evidence  [70201]
(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  [70503]
(3-0-3) Brinig
Explores the relationship between law and the most fundamental human institution. Covers the law of marriage, annulment, and divorce; other less traditional adult relationships; the relationship between family autonomy and state or third party intervention; contracts between family members (before, during, and after relationships); courtship and cohabitation between unmarried adults; the interaction between constitutional law and family law, especially concerning privacy; the law of parent and child; custody, adoption, and surrogacy; state intervention to protect child welfare; child support and its enforcement; and the accommodation of family law to pluralism in race and religion. Students are encouraged to think in terms of pervasive themes and functions of families and family law and to address family law problems through legal and non-legal materials.

Federal Courts  [70311]
(3-0-3) Ripple
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 Law  [70362]
(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.

Federal Criminal Practice  [70365]
(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 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 Criminal Procedure  [70366]
(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 prosecutorial memorandum and draft indictment.
Federal Income Taxation [70605]
(4-0-4) M. Barrett/Kirsch/Mayer
Functionally introduces basic concepts of federal income taxation including gross income; exemptions; allowable deductions and credits; accounting methods; assignment of income; capital gains and losses; and certain nonrecognition transactions.

Federalism [70372]
(3-0-3) A.J. Bellia
Examines what the Supreme Court has described as "the oldest question of constitutional law" in America: the allocation of authority between national and state governments. It considers the historical underpinnings and political theory of federalism, American constitutional doctrines of federalism, and questions of judicial federalism. Specific topics include the nature and purposes of federalism, institutional responsibility to safeguard federalism, and the relationship between enumerated-powers and state-sovereignty doctrines of federalism. Topics also include the respective roles of federal and state courts in the making and enforcement of federal and state law, and the place of other sources of law (such as international law) in the American federal system. Though the focus of the course is on American federalism, the matters examined implicate questions involving international law and comparative analysis.

First Amendment [70307]
(3-0-3) Horwitz
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) [75700]
(V-V-1) Jones
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.

Human Rights Honors Paper [88701]
(0-0-1) Cassel
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 [70415]
(3-0-3) O’Brien
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 [70301]
(3-0-3) Bruch
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 70315) Constitutional Law (LAW 60301)
Intellectual Property Law Survey [70134]
(3-0-3) Ward
Provides an overview of U.S. intellectual property law along with some exposure to the relationships between U.S. law and various international regimes. It will provide roughly one credit of exposure to federal patent law and one credit to federal copyright law with the third credit devoted to trade secrets, trademarks, and unfair competition. Relying on a combination of cases and problems, the course aims to give students a working familiarity with foundational principles of intellectual property law and practice.

Intellectual Property Transactions [70130]
(2-0-2) Flanagan
Explores transactions involving a range of intellectual property, including patents, copyrights, and trade secrets. Begins with a brief overview of the core theoretical principles underlying each of the fundamental classes of intellectual property and progresses toward an advanced, practical exploration of the ways in which intellectual property rights are transferred and used in modern commercial transactions. Examines relevant concepts of contract and commercial law to demonstrate the ways in which intellectual property rights are utilized, including transfers or assignments of rights and licenses to exploit rights. Also examines other legal and regulatory frameworks that affect intellectual property transactions, such as taxation, bankruptcy, and antitrust considerations. Includes practical exercises as well as a final examination.

International Art Law [73402]
(2-0-2) O’Connell
International art law is a well-established subfield of international law. In this seminar we will consider some of the major aspects of this field, such as the protection of great art and antiquities in war and peace, the illicit trade in art and antiquities, title disputes, and issues involving museums and their right to possess and display cultural heritage. In addition to studying these central topics, guest speakers will introduce course members to other topics, such as intellectual property law relevant to visual art and to the history of certain works of art that will be featured in the course. One or more trips to area art museums are planned as well.

This is a two credit-hour seminar. A prior course in public international law is not required but highly recommended. We will use the text, John Henry Merryman and Albert E. Elsen, Law, Ethics and the Visual Arts (4th ed. 2002). Evaluation will be based on class participation, a moot on an issue of international art law, and a research paper on the same topic as the moot.

International Criminal Justice, Human Rights and Humanitarian Law [70411]
(3-0-3) Cassel
Considers the use of international criminal law to prosecute cases of genocide, crimes against humanity, and war crimes. The first half concentrates on the evolution of enforcement institutions. Beginning with the 1945 Nuremberg Tribunal, it considers the ad hoc tribunals for Yugoslavia and Rwanda, mixed national and international tribunals, national prosecutions by territorial and other states, and the International Criminal Court. The second half focuses on substantive law, examining treaties and leading cases on the meaning of genocide, crimes against humanity, and war crimes, including gender crimes, as well as such theories of criminal responsibility as command responsibility and joint criminal enterprise. It also addresses the potential defenses of superior orders, duress, and necessity. Readings are from materials assigned by the instructor; grades are based 80 percent on a research paper and 20 percent on class participation.
International Environmental Law [70431]
(3-0-3) O’Connell

International environmental law, along with human rights law and international trade law, was born after the Second World War and is today one of the core subfields of international law. Through a series of important treaties and principles of customary international law, the international community has sought to protect all aspects of the international environment from plants and animals to the world’s oceans to the atmosphere. The course will look at the history of international environmental law, the major processes of law-making and enforcement, important institutions, the major protection regimes, as well as environmental aspects of related law, such as international trade and human rights law.

A prior course in public international law is highly recommended, but not required. Evaluation will be on the basis of class participation and a final exam.

International Law [70401]
(3-0-3) Carozza

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 Taxation [70423]
(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 corequisite: Federal Income Taxation (Law 70605)

Introduction to International Human Rights Research and Writing [70413]
(1-0-1) O’Brien

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) [75739]
(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) [75753]
(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 [88703]
(0-0-V) Carozza

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

J.S.D. Nonresident Dissertation [88705]
(0-0-1) Carozza

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

J.S.D. Seminar [83429]
(1-0-1) Carozza

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.

Jurisprudence [70813]
(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 to help students relate their personal commitments to their professional lives, and to give students a better understanding of particular legal dispositions through studying them within the context of the whole fabric of the law.
Jurisprudence [70815] (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 [70501] (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 [70353] (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.

Law and Economics Seminar [73145] (3-0-3) Brinig
Provides a one-semester introduction to the field of Law and Economics, including both its more traditional form and the newer ways of using economic and other social science tools to study and perhaps solve legal problems. Many of the topics covered will be those in the first-year curriculum, though others, including corporate law, insurance, family law, and various regulatory topics, may also be discussed. The questions to be addressed are both positive (How do legal rules affect behavior?) and normative (Do legal rules enhance social welfare?). The impact of legal rules on resource allocation, risk-bearing, and the distribution of economic well-being are examined, as is the process by which legal rules are created. Both the relevant legal material and the necessary economic theory are developed over the course of the class. No formal mathematics is used. Students should have taken microeconomics, though consent of the instructor can be obtained in special cases.

Law and Poverty [75727] (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 and Psychology [70845] (3-0-3) Jenuwine
Applies perspectives from psychology to familiar legal issues and institutions by examining the influence and implications of theory and research in clinical, cognitive, and social psychology on legal procedures, practices, and decisions. Covers psychological principles in the areas of decision making by lawyers, clients, and judges, as well as expert and lay witnesses in a variety of legal contexts, including health law, criminal law, tort law, contract law, and criminal and civil procedure. Explores the influence of psychological research in cases involving eyewitnesses, child custody, and various syndromes together with perceptions of justice, and the psychology of negotiation and settlement.
Law of the Disabled  [70367]
(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 Education  [70313]
(3-0-3) Dutile
Examines selected legal aspects of education including students’ rights, teachers’ rights, desegregation, educational finance, and church-state matters.

Law of Medical Malpractice  [70911]
(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 Terrorism  [70434]
(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 Aid I and Ethics  [75721]
(5-0-5) Fox/Jenuwine/Jones/Shaffer
Provides an opportunity to represent clients through the Notre Dame Legal Aid Clinic. Provides 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. Satisfies the upper-level ethics requirement. The classroom component uses a combined lecture and mock exercise format. Each student represents multiple clients as the primary attorney under the close supervision of a faculty member. Different sections focus on different types of cases. Cases include consumer protection, mortgage fraud, mental health and disability, landlord-tenant, and elder law.

Legal Aid II  [75723]
(3-0-3) Fox/Jenuwine/Jones
Allows students who have satisfactorily completed Legal Aid I and Ethics to progress to more advanced lawyering skills. Enrollment is by permission of the instructor.

Enrollment: limited at the discretion of the clinic faculty.

Legal Externship
(summer only; cocurricular)  [75731]
(V-V-1) Faculty
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 assistant dean for students. 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 (cocurricular) [75733]
(2-0-2) Bradley
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 (cocurricular) [75735]
(2-0-2) Bradley
Students who have completed the externship requirements of LAW 75733 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 75733)

Enrollment: limited each semester at the discretion of the instructor

Legal Externship—Public Defender—Ethics [70803]
(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 75733)

Legal Research I [60703]
(1-0-1) Edmonds/King/O’Byrne/Rees
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) [60707]
(2-0-2) Bowers/Callahan/Cole/Griffin/Maher/Moo/Simon/Thomas/Venter
Introduces students to techniques of appellate advocacy. Requires each student to brief and argue one appellate moot court case.

Legal Writing I [60705]
(2-0-2) Bowers/Callahan/Cole/Griffin/Maher/Moo/Simon/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 [88700]
(V-0-V) Cassel
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 [73835]
(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 Seminar [73827]
(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 wrongdoing such as whether there can or should be criteria for the exercises 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 or the social face of mercy; and (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.

Moot Court—Appellate (cocurricular) [75743]
(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) [75745]
(1-0-1) Carozza
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.

Pre- or corequisite: International Law (LAW 70401)

Moot Court—Trial (cocurricular) [75747]
(V-0-V) K. Singer/Williams
Moot Court Trial is a class designed to prepare second- 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 presentations 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 concurrently or have completed Evidence.

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

Morality and the Law [70843]
(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 by 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, Roman, 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.
**Not-For-Profit Organizations**  [70121]
(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.

**NOTRE DAME JOURNAL OF LAW, ETHICS and PUBLIC POLICY (cocurricular)**  [75751]
(V-0-1) Rougeau
Third-year staff members 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 JOURNAL OF LAW ETHICS and PUBLIC POLICY (academic credit)**  [75741]
(V-0-2) Rougeau
Second-year staff members 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.

**NOTRE DAME LAW REVIEW (cocurricular)**  [75749]
(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**  [70909]
(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.

**Professional Responsibility**  [70807]
(3-0-3) Coughlin
Takes 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 Rules of Professional Conduct and 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. This course satisfies the Ethics II requirement for graduation.

**Property**  [60906]
(4-0-4) Camacho/TBA
The course deals with the nature of and justification for the ownership of property, including land, personal property, and intellectual property. It considers which things may be treated as property, how property is acquired, and the rights included with property ownership. Much of the course considers the ownership and use of land, covering such topics as the estates system, easements, covenants, and servitudes, zoning, the government's eminent domain power, and takings law.

**Real Estate Transactions**  [70111]
(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 [70421]  
(3-0-3) Carozza/Cassel  
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 70401)

Regulation and Regulatory Reform [73326]  
(2-0-2) Camacho  
In the U.S. and abroad, government institutions are experiencing an intense period of experimentation in regulation. International, national, and local government institutions are being transformed in areas as diverse as environmental law, securities regulation, education, and criminal justice, through an ever-increasing variety of innovations that fundamentally change the way society makes decisions. These transformations are altering the way lawyers interact with agencies, politicians, and other government officials on behalf of clients.

After examining the traditional “command and control” model to regulation, this course explores a range of recent public sector reforms and innovations. These include market-based approaches, negotiated and collaborative innovations to decision-making, privatization, and devolutionary proposals. In this context, the course will examine the nature and purpose of regulation, and concerns with its uneasy interface with democracy, agency expertise, economics, and science. The course will place particular emphasis on recent approaches to environmental regulatory innovation because of the especially vigorous experimentation in this area, but will explore regulatory reform elsewhere as well. Students will be expected to write a substantial research paper.

Remedies [70203]  
(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 [70103]  
(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.
Sports and Inequality Seminar [73908]
(2-0-2) Cozzillio
Examines the legal and social implications of discrimination in both professional and amateur sports contexts. In particular, the course addresses various issues involving inequality and the absence of diversity resulting from disparate treatment based on race, gender, disability, sexual orientation, ethnic background, and age. Among the topics covered will be the establishment and demise of the Negro Leagues; the breaking of the color barrier in Major League Baseball and other professional sports; the unavailability of opportunities for minorities and women as athletes, managers, coaches, officials, and media representatives; the scope of Title IX and its impact upon intercollegiate athletic programs; policies and practices of private clubs; exploitation of young athletes; the problems of abuse from the standpoint of both the athlete as victim and as predator; and the sports world’s response to the disabled and otherwise disadvantaged athlete and aspiring athlete. The course requirements and basis for the final grade will include an annotated research paper and active class participation.

The Securities Enforcement Process [73142]
(2-0-2) Marcus
This course will examine the enforcement of the federal securities laws from the perspective of the SEC, while also discussing issues faced by the defense bar who practice before the Commission. The class will use the semester to explore the various stages of an investigation by the SEC's Division of Enforcement through the study of SEC materials, law review articles, recent cases, statutes, rules, and other commentary. It will begin with the SEC's sources of authority and considerations for opening an investigation, and then use recent high-profile litigation such as Enron, WorldCom, and the prosecution of Martha Stewart as case studies to examine the various types of matters currently being brought by the SEC. The class will discuss the resources and technology the SEC uses to catch individuals trading on inside information or using the Internet as a vehicle to commit securities fraud. It will also consider available remedies, wells submis-
sions, and settlements. The seminar will conclude with a testimony workshop.

Securities Regulation [70107]
(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 corequisite: Business Associations (LAW 70101)

Social, Political and Legal Thought of Thomas Aquinas [73809]
(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 [73807]
(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.

Statutory Interpretation Seminar [73370]
(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) [75732]
(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 [70609]  
(3-0-3) Mayer  
Introduces the federal income tax rules for corporations, partnerships, and their owners, including choosing the appropriate tax classification for a business enterprise. Specific topics include the tax treatment of corporation and partnership operations, distributions from corporations and partnerships to their owners, contributions by shareholders and partners to new or ongoing businesses, the sale of interests in a business, and the liquidation or termination of businesses.

Pre- or corequisite: Federal Income Taxation (LAW 70605)

Torts [60901]  
(4-0-4) Snead/Tidmarsh  
Addresses the legal rules that determine whether civil liability attaches to conduct that results in harm to others.

Trial Advocacy Comprehensive/Intensive [75709]  
(4-2-4) Bradley/Brook/Chamblee/Grimmer/Jourdan/La Due/Marnocha/Miller/Scopelitis/Seckinger/K. Singer/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 [70507]  
(3-0-3) 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.

Universal Protection of Human Rights [70417]  
(3-0-3) Cassel  
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 70401) before taking this course.

White-Collar Crime [70363]  
(3-0-3) Gurulé  
White-collar crime is one of the fastest growing legal specialties in the United States with prestigious law firms building new litigation sections devoted to the civil prosecution or defense of white-collar crimes. At the same time, the prosecution and defense of white-collar crime is vastly different from the prosecution and defense of street crime. The principal objective of the white-collar crime course is to thoroughly cover the substantive law of white-collar crime, including mail fraud; RICO; money laundering; asset forfeiture; fraud upon financial institutions; securities fraud; tax fraud; computer fraud; health care fraud; and criminal liability of corporations and corporate executives. White-collar criminal cases are document cases that involve following the paper and money trail. These types of cases are often preceded by months, if not years, of grand jury investigation. The course will further examine multiple issues associated with the use of the grand jury: grand jury powers in general; grand jury secrecy; Fifth Amendment protection against self-incrimination; and prosecution of immunized witnesses. Finally, issues and problems that arise in litigating white-collar crime cases will be examined through case studies of actual white-collar crime cases.
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<thead>
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<th>Title</th>
<th>Institutions</th>
</tr>
</thead>
<tbody>
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^ teaching in the London program during the 2006–07 academic year  
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* on leave for the fall 2006 semester  
** on leave for the spring 2007 semester
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Fall Semester 2006
Orientation (incoming first-year students) Friday through Sunday.............August 18–20
Enrollment.................................... Online via Web ................................August 7-25
First Class Day............................... Monday...........................................August 21
Last Day to Add Courses ............. Friday.................................................August 25
Last Day to Drop Courses
  without Dean's Approval............. Friday...............................................August 25
Midsemester Break ...................... Saturday through Sunday.................October 14–22
Thanksgiving Break ..................... Thursday through Sunday.................November 23–26
Thursday/Friday Classes Held ...... Monday/Tuesday...............................December 4–5
Last Class Day ............................. Tuesday...........................................December 5
Study Period .............................. Wednesday and Thursday.................December 6–7
Examinations.............................. Friday through Saturday...............December 8–16

Spring Semester 2007
Enrollment.................................... Online via Web .............................Dates TBA
First Class Day............................... Monday...........................................January 15
Last Day to Add Courses ............. Friday.................................................January 19
Last Day to Drop Courses
  without Dean's Approval............. Friday...............................................January 19
Midsemester Break ...................... Saturday through Sunday.................March 10–18
Easter Break................................. Friday through Monday.................April 6–9
Friday Classes Held ..................... Tuesday............................................May 1
Last Class Day............................. Tuesday............................................May 1
Study Period .............................. Wednesday and Thursday.................May 2–3
Examinations.............................. Friday through Tuesday.....................May 4–15
Commencement............................ Sunday...........................................May 20
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