

LAW SCHOOL

ADMINISTRATION

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The Law School prepares attorneys for both public and private practice. Graduates are trained to provide the highest quality professional services to their clients and to contribute to the development and reform of law and legal institutions. The curriculum is designed to prepare students for admission to the bar in all American states and territories. Students who pursue the three-year Doctor of Law degree (J.D.) must have a bachelor's degree or equivalent. Students wishing to concentrate in international law may be admitted to a program leading to the J.D. "with specialization in international legal affairs." The Law School also offers a limited number of students an opportunity to earn both a J.D. degree and an LL.M. (Master of Laws) degree in international and comparative law.

Students may pursue combined graduate degree programs with the Johnson Graduate School of Management; the Department of City and Regional Planning of the College of Architecture, Art, and Planning; the School of Industrial and Labor Relations; the graduate divisions in economics, history, and philosophy of the College of Arts and Sciences; the Université de Paris I (Pantheon Sorbonne); L'Institut d'Etudes Politiques de Paris; and Humboldt University.

Each year a limited number of students from abroad pursue the LL.M. degree (Master of Laws) and the J.S.D. degree (Doctor of the Science of Law). A small number of law graduates also may be admitted as special students, to pursue advanced legal studies without seeking a degree. Students in other graduate programs and qualified undergraduate students registered with the university are welcome in many classes with the permission of the instructor. In addition, highly qualified undergraduates in the College of Arts and Sciences may register in the Law School during their senior year.

For further information, refer to the Law School web site, or contact the Office of the Registrar, Myron Taylor Hall. Course descriptions are current as of April 2010. For updated law descriptions, visit www.lawschool.cornell.edu.

The professional curriculum at Cornell Law School conforms to American Bar Association Standard 302 for Approval of Law Schools. It provides our students with substantial instruction in: (1) the substantive law generally regarded as necessary to effective and responsible participation in the legal profession; (2) legal analysis and reasoning, legal research, problem solving, and oral communication; (3) writing in a legal context, including at least one rigorous writing experience in the first year and at least one additional rigorous writing experience after the first year; (4) other professional skills generally regarded as necessary for effective and responsible participation in the legal profession; and (5) the history, goals, structure, values, rules, and responsibilities of the legal profession and its members.

It also offers substantial opportunities for: (1) live-client or other real-life practice experiences, appropriately supervised and designed to encourage reflection by students on their experiences and on the values and responsibilities of the legal profession, and the development of one's ability to assess his or her performance and level of competence; (2) student participation in pro bono activities; and (3) small group work through seminars, directed research, small classes, or collaborative work.

FIRST-YEAR COURSES

LAW 5001 Civil Procedure

Full year. 6 credits. Letter grades only.
K. M. Clermont, B. J. Holden-Smith, and F. F. Rossi.

An introduction to civil litigation, from commencement of an action through disposition on appeal, studied in the context of the federal procedural system. Also, a detailed consideration of federalism and ascertainment of applicable law; jurisdiction, process, and venue; and former adjudication.

LAW 5021 Constitutional Law

Fall. 4 credits. Letter grades only.
J. Chafetz, M. Dorf, B. A. Meyler, A. Rana, and S. H. Shiffrin.

A study of basic American constitutional law, including structural aspects of the Constitution and certain of its rights provisions.

LAW 5041 Contracts

Full year. 6 credits. Letter grades only.
R. A. Hillman, J. J. Rachlinski, and R. S. Summers.

An introduction to the nature, functions, and processes of exchange, contract, and contract law. The course focuses on the predominant rules and principles governing contract and related obligation, including the substantive reasons underlying the rules and principles.

LAW 5061 Criminal Law

Spring. 4 credits. Letter grades only.
S. P. Garvey and J. Ohlin.

An introductory study of the criminal law, including theories of punishment, analysis of the elements of criminal liability and available defenses, and consideration of specific crimes as defined by statute and the common law.

LAW 5081 Lawyering

Full year. 4 credits. Letter grades only.
J. Atlas, L. Freed, J. Mollenkamp, A. J. Mooney, U. H. Weigold, and M. A. Whelan.

Introduces first-year students to lawyering skills, with primary emphasis on legal writing, analysis, research, and oral presentations. Assignments are usually set in the context of a simulated law office (or judge's chambers). In the fall semester, students write predictive memoranda that point out the strengths and weaknesses of their client's case. To prepare the memoranda, students may need to determine the facts of the case by conducting interviews or depositions. Acting as junior attorneys, students also make an oral presentation to a supervising attorney. The spring semester focuses on persuasive advocacy. Students prepare a memorandum, motion, or brief for submission to a court and, later, orally argue for their positions in a simulated court session. Throughout the year, students also learn the fundamentals of legal research. Instruction occurs not only in full-class sessions but also in individual conferences. Students receive extensive feedback on each major assignment.

LAW 5121 Property

Spring. 4 credits. Letter grades only.
G. S. Alexander, E. M. Penalver, E. L. Sherwin, and L. S. Underkuffler.

Course in basic property law covering acquisitions of rights in property, estates in land, concurrent ownership, landlord/tenant relations, and regulation of land use.

LAW 5151 Torts

Fall. 4 credits. Letter grades only. M. Heise, O. Herstein, J. A. Henderson Jr., and W. B. Wendel.

An introduction to the principles of civil liability in the tort field: intentional wrongs, negligence, and strict liability. Attention is also given to the processes by which tort disputes are handled in our legal system.

GRADUATE COURSES

LAW 6071 Advanced Legal Research—U.S. Legal Research for LL.M. Students

Fall, first 7 weeks of semester. 1 credit.
Limited enrollment. Limited to graduate students. Graduate program grading: H, S, U, T. Mills.

An introduction to basic legal research in U.S. materials that will be valuable in course work at Cornell and in practice. The focus is on understanding and finding primary legal sources, including statutory codes, session

laws, administrative regulations, and court decisions, as well as explanatory materials, such as law reviews and treatises.

LAW 6761 Principles of American Legal Writing

Fall, spring. 3 credits. Limited enrollment. Limited to graduate students. Satisfies LL.M. writing requirement. Graduate program grading: H, S, U. L. Knight.

Introduces foreign-trained lawyers to the American legal system and essential principles of legal writing in the United States. Students have an opportunity to practice some of the forms of writing common to American legal practice by drafting documents such as memoranda and briefs in the context of representing hypothetical clients. Students are given the opportunity to conference individually with the instructor and to rewrite assignments after receiving the instructor's comments.

LAW 7991 Cornell Research Colloquium

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Seminar course required for all first-year J.S.D. candidates. Also open first to LL.M. students and then to J.D. students to the extent places are available. Visiting scholars and exchange students from foreign institutions highly encouraged to attend in an unofficial capacity. J.S.D. and LL.M. program grading: H, S, U; J.D. program: letter grades only. M. Lasser.

This course in advanced academic research methodology is designed to prepare students to engage in doctoral-level research, analysis, and writing, especially in comparative and international contexts. How is the researcher to select an object or subject of investigation? How should she formulate research questions? How should she engage in the study of foreign and domestic legal institutions, doctrines and/or cultures? How is interdisciplinary work to be accomplished? The early portions of the course involve discussing readings in comparative research methodology, including functionalism, Common Core analysis, legal transplant theory, historicism, law and development, legal pluralism, cultural analysis, colonial studies, and comparative institutionalism. In the latter portions of the course, students present and critique their methodologically reflective research projects. External speakers present their work in progress to generate methodologically oriented discussion.

LAW 8991 Thesis

Fall, spring. 5 credits. Limited to graduate students and students completing joint J.D.-LL.M. program. Satisfies writing requirement. Graduate program grading: H, S, U; J.D./LL.M. program: letter grades only.

Arrangements for a master's thesis are made by the student directly with a faculty member. A faculty member may require the student to submit a detailed outline of the proposed thesis, as well as a summary of previous writing on the subject or other appropriate information. The work is completed during the academic year under the supervision of a law faculty member.

LAW 9901 Graduate Research

Fall, spring. Limited to J.S.D. students.

UPPERCLASS COURSES

LAW 6001 Accounting for Lawyers

Spring. 2 credits. Intended primarily for students with little or no prior background in bookkeeping or accounting. Limited to students who have had no more than 6 credit hours of accounting (or equivalent) or permission of instructor. S-U or letter grades. R. A. Sarachan.

Introduces students to the basic concepts and fundamentals of financial accounting. Focuses on (1) accrual accounting concepts, principles, and conventions, (2) the presentation of financial statements (balance sheets, income statements, statements of cash flow), (3) the interpretation and analysis of financial statements, and (4) the use and misuse of accounting information. The goal is to enable students to critically review a company's financial statements.

LAW 6011 Administrative Law: The Law of the Regulatory State

Fall, spring. 3 credits. Limited enrollment. Letter grades only. C. R. Farina.

An introduction to the constitutional and other legal issues posed by the modern administrative state. Topics include procedural due process, separation of powers, procedural modes of administrative policymaking; judicial review of agency action; and the oversight and control relationships between agencies and Congress or the President. The course provides a working familiarity with the fundamentals of administrative procedure, as well as a larger inquiry into the role of agencies in our constitutional system—and the effect of legal doctrine on shaping that role.

LAW 6012 Administrative Law Research

Fall, first 6½ weeks of semester. 1 credit. Limited enrollment. Satisfies skills requirement. Letter grades only. P. G. Court.

Focuses on practical aspects of administrative law, learning to maneuver through the federal rulemaking process and locating agency adjudications. Students participate in electronic rulemaking and make use of the Unified Agenda. Expands students' skills in using the legal sources discussed in administrative law courses by putting the process into action. Students currently enrolled in the Administrative Law course are particularly encouraged to take this course.

LAW 6051 Advanced Legal Research in Business Law

Spring, 7 weeks of semester. 1 credit. Limited enrollment. Satisfies skills requirement. Prerequisite: Lawyering or Advanced Legal Research: U.S. Legal Research for LL.M.s. Letter grades only. J. M. Callihan.

Business issues, particularly those relating to corporations, are a given in most areas of practice. This course introduces students to online resources providing company information and enables them to evaluate the information to determine whether the resource is the most appropriate for their research. Students learn how to find what the company says about itself, what regulators say about the company, and what third parties say. Classes are short lectures followed by online sessions using business databases. There are assigned readings in lieu of a required textbook, five assignments, and a short due diligence report on a company of the student's choice. There is no final exam.

LAW 6101 Antitrust Law

Fall. 3 credits. Letter grades only. G. A. Hay.

U.S. antitrust laws protect competitive markets and limit the exercise of monopoly power. Topics include price fixing, boycotts, and market allocation agreements among competitors; agreements between suppliers and customers; joint ventures; monopolization; and mergers.

LAW 6121 Bankruptcy

Spring. 3 credits. Letter grades only. T. Eisenberg.

Selected topics in the law of bankruptcy. An overview of the various bankruptcy chapters and a detailed study of the business bankruptcy provision of most general applicability. The relationship between the rights of an Article 9-secured creditor and the bankruptcy trustee's power to avoid liens. Related topics in the enforcement of money judgments and the law of fraudulent conveyance.

LAW 6131 Business Organizations

Fall, spring. 4 credits. Limited enrollment. S-U or letter grades. Fall, C. K. Whitehead; spring, R. C. Hockett.

An introduction to the legal rules and principles, as well as economic factors, that underlie the conduct of productive enterprise in the United States. A principal focus is on the large, publicly traded corporation that dominates much of the U.S. business environment—in particular, its control and the potentially conflicting interests that the form must mediate. Legal topics include basic fiduciary obligations, shareholder voting rights, shareholder suits, corporate control transactions, and insider trading. We also devote some attention to closely held corporations and other business forms.

LAW 6158 Client Counseling

Spring, meets only part of semester. 1 credit. Limited enrollment. Satisfies skills requirement. S-U grades only. L. Freed.

Clients come to lawyers seeking problem-solving advice. This course follows a "client-centered" approach to counseling that examines techniques lawyers can use to help clients make good decisions. Class sessions include role plays that cover different counseling functions, such as advising the client about his or her options, counseling the client about settlement, and preparing the client for his or her deposition.

LAW 6161 Comparative Law: The Civil Law Tradition

Spring. 3 credits. S-U or letter grades. M. Lasser.

Introduces students to the institutional and conceptual organization of "civil law" legal systems (which govern almost all of Western and Eastern Europe and Latin America, as well as significant portions of Africa and Asia). The course therefore provides a broad overview of "civilian" private law and procedure, criminal procedure, administrative law, and constitutional law. The course is particularly interested in the differences between common law and civil law understandings of the relationship between law-making, legal interpretation, and the judiciary.

LAW 6191 Conflict of Laws

Fall. 3 credits. S-U or letter grades. A. Riles.

Addresses the subject of conflict of laws in its theoretical and historical context, and places a

special emphasis on the international elements of conflict of laws. There is a 3-hour in-class final examination that involves both issue spotter questions and more theoretical questions.

LAW 6201 Constitutional Law II: The First Amendment

Spring. 3 credits. S-U or letter grades.
S. H. Shiffrin.

A comprehensive discussion of freedom of speech, press, and association. The free-exercise-of-religion clause and the establishment clause of the First Amendment is also treated to some extent.

LAW 6204 Cornell Prison Education Program Teaching Practicum

Fall, spring. 3 credits. Limited enrollment.
S-U grades only.

Students co-teach a law-related course at either Auburn or Cayuga correctional facilities, as part of the Cornell Prison Education Program (CPEP), which offers college courses to inmates working toward their associates' degrees. Interested students should secure a full-time faculty advisor and submit a course proposal to the CPEP. Accepted students design a detailed course syllabus, procure teaching materials, and teach a two-hour class on a weekly basis. Students are also expected to create, administer, and evaluate midterm and final examinations. Students must travel to and from a correctional facility on a weekly basis, at their own expense. Limited funds are available for teaching materials. Students who have secured a faculty advisor and who have received approval for their course from CPEP should direct inquiries about funding to the associate dean for academic affairs.

LAW 6241 Corporate and White Collar Crime

Fall. 3 credits. S-U or letter grades.
S. P. Garvey.

Examines some of the principal statutes used to prosecute corporate and white collar crime. Theories of liability considered include traditional white collar offenses like mail and wire fraud, insider trading, false statements, perjury, and obstruction of justice. They also include more recent entries into the field such as RICO, money laundering, and laws enacted to combat government contract fraud. In addition, the course looks at the workings of the now-advisory Federal Sentencing Guidelines.

LAW 6263 Criminal Procedure—Adjudications

Fall. 3 credits. Prerequisites: none. S-U or letter grades. J. H. Blume.

Focuses primarily on the adjudication phase of the criminal process, including: (1) the right to counsel, including the right to the effective assistance of counsel and conflict-free counsel; (2) the admissibility of incriminating statements and eyewitness identifications; (3) the law of guilty pleas; (4) jury composition and selection; and (5) fair trial procedures including rights afforded by the Confrontation, Double Jeopardy and Due Process Clauses.

LAW 6264 Criminal Procedure—Investigations

Fall. 3 credits. S-U or letter grades.
S. F. Colb.

Examines the constitutional law that governs police attempts to solve crime and bring perpetrators to justice. Considers the role of the Fourth Amendment prohibition against unreasonable searches and seizures as well as

the Fifth Amendment ban on compelled self-incrimination, in guiding police behavior and in structuring the trials that follow constitutional violations. Students evaluate the wisdom and constitutional validity of the Fourth Amendment exclusionary rule, which prohibits the introduction of evidence obtained as a result of an unreasonable search, and the well-known *Miranda v. Arizona* decision as it has evolved over time.

LAW 6291 Deposition Skills

Fall, meets for only part of semester. 1 credit. Limited enrollment. Satisfies skills requirement. Students who take this course are not eligible to take LAW 7630 (Pretrial Discovery: Depositions). S-U grades only.
M. A. Whelan.

Depositions are a critical component of pretrial discovery, and many cases are lost, won, or settled because of information gleaned at a deposition. Attorneys also often modify trial strategies because of a witness's performance at a deposition. Because depositions play such an important role in litigation, most junior litigation attorneys deal with depositions in some manner from the start of their career. This course takes students through all stages of a deposition: preparing the witness, defending the witness, preparing to ask questions, asking questions, how to use documents, and reviewing the transcript. Students can expect to take and defend mock depositions, to serve as witnesses being deposed, and to observe and critique their fellow students' deposition skills.

LAW 6301 Directed Reading

Fall, spring. 1 or 2 credits. S-U grades only. Arrange directly with instructor. Specific credit limits apply—carefully review registration form available from online registration site or registrar's office.

An examination of a topic through readings selected by arrangement between the instructor and an individual student or group of students (not exceeding eight).

LAW 6331 Employment Law

Fall. 3 credits. S-U or letter grades.
S. J. Schwab.

Survey of major statutory schemes, constitutional principles, and common law doctrines that affect the employer-employee relationship in the public and private sectors, other than laws regulating union formation and collective bargaining, which are covered in Labor Law. Topics include unjust dismissal, trade secrets, noncompetition covenants, drug testing, free speech, privacy, and antidiscrimination laws. In addition, the course provides an overview of major statutory schemes affecting the terms and conditions of employment, such as workers' compensation, the Fair Labor Standards Act, ERISA, and the Occupational Safety and Health Act.

LAW 6361 Environmental Law

Fall. 3 credits. Recommended prerequisite: Administrative Law. Letter grades only.
J. J. Rachlinski.

Surveys the major environmental laws, with a primary focus on federal statutes. Emphasizes the various sources of liability to both individuals and corporations from common law, statutory provisions, administrative regulation and enforcement policy. Covers corporate successor liability through mergers and acquisitions, including the increasing importance of performing a full range due diligence review for environmental conditions

in such transactions. Special attention is paid to the economic, social, and political obstacles to efficient regulation of the environment.

LAW 6392 Ethics and Corporate Culture (also NBA 5140)

Spring, second half of semester beginning March 15, 2011. 2 credits. Limited enrollment. Satisfies professional responsibility requirement. Letter grades only. D. Radcliffe and B. Wendel.

In the high-pressure worlds of business and law, all too often good people do bad things. In many cases, the unethical behavior is due in part to a toxic corporate culture. The attitudes, values, and practices that prevail in their organizations induce otherwise ethical employees to take actions that violate widely shared norms of conduct. Such behavior can be costly—even disastrous—leading to ruined careers, tarnished corporate reputations, and legal liability for the individuals and their companies. In an environment where “only results matter,” it can be difficult for a new M.B.A. or law school graduate to recognize the risks. If she does see the dangers, she may still find it hard to avoid them. This course seeks to help M.B.A. and law students understand how a firm's culture can tempt—or push—employees into unethical behavior. It also considers how employees can meet ethical challenges posed by their firms' cultures and what leaders can do to build ethically healthy cultures.

LAW 6401 Evidence

Fall. 3 credits. Letter grades only.
F. F. Rossi.

The rules of evidence in civil and criminal cases with emphasis on relevance, hearsay, authentication, witnesses, experts, and confrontation. The course focuses on the Federal Rules of Evidence, with some attention to how they diverge from the common law.

LAW 6401 Evidence

Spring. 4 credits. S-U or letter grades.
S. F. Colb.

Examines the rules that govern attorneys' trial presentations in criminal and civil cases. Beginning with the requirement that every piece of evidence offered be relevant to a fact that bears on the dispute, the course surveys the obstacles that confront attorneys offering proof at trial. We consider the rules barring character evidence, proof of sexual propensity, and hearsay, among others. The Federal Rules of Evidence (FRE) represents the main source of law for the course, though the case method is used and will accordingly, on occasion, expose students to state analogues of the federal rules. The exam is entirely objective, i.e., true-false and multiple choice.

LAW 6415 Fact Analysis and Investigation

Fall. 1 credit. Limited enrollment. Satisfies skills requirement. S-U grades only.
U. H. Weigold.

Students learn (1) how to investigate, organize, assess, and present facts in a legal context; (2) how to develop various sources of facts and examine effective models of organizing facts; (3) how to assess the legal significance of facts, as well as the credibility of their sources. In learning how to properly interpret and present facts, students consider interdisciplinary research, including insights from cognitive psychology and narrative theory; (4) strategies for responding to their legal adversary's facts, including questioning

the adversary's sources, inferences, and context. Students complete several short projects involving fact analysis and investigation.

LAW 6421 Family Law

Spring. 3 credits. S-U or letter grades.
C. G. Bowman.

Broadly understood, family law is the study of state-imposed rules regulating intimacy and intimate relationships in society. This course evaluates our assumptions and beliefs about the appropriateness of a number of current laws regulating families. Substantial attention is devoted to the social and legal consequences of marriage dissolution, including child custody, child support, property distribution, and spousal maintenance. Other topics include the legal significance of marriage rights and obligations; private ordering within the marital context; nonmarital relationships and their regulation; and the legal rights of parents, children, and foster parents in situations of abuse and neglect.

LAW 6431 Federal Courts

Spring. 4 credits. Prerequisite: Constitutional Law and second semester of Civil Procedure. Students without such background should consult with instructor. Knowledge of basic doctrines of administrative law is very useful, although not a strict prerequisite. S-U or letter grades. M. Dorf.

Examines the various constitutional, statutory, and judge-made doctrines that control access to the federal courts to vindicate federal rights. The course is particularly valuable for those planning a career in public interest or the public sector, anyone else expecting to litigate extensively in federal court, and students who have or hope to obtain a judicial clerkship. Topics include case or controversy limitations, including standing; constitutional and statutory limits on jurisdiction; causes of action for constitutional and statutory rights, including 42 U.S.C. §1983 and Bivens actions; bars to such actions, including sovereign immunity and abstention doctrines; and habeas corpus.

LAW 6441 Federal Income Taxation

Fall, spring. 4 credits. S-U or letter grades.
Fall, R. A. Green; spring, R. A. Schnur.

Basic course designed to develop understanding of tax concepts and ability to work effectively with the Internal Revenue Code, regulations, cases, and other tax materials.

LAW 6451 Federal Indian Law

Fall. 2 credits. S-U or letter grades.
D. Jordan.

Focuses on the basics of Federal Indian Law, the ever-changing body of case and statutory law and treaties that define the limits and extent of Indian tribal sovereignty in the United States in the late 20th century. The course explores the nature and extent of tribal sovereignty at the time of European contact, the changing strategies of the United States in relating to tribes, and the lasting impact of those strategies on current-day tribal communities and their rights of self-government. It also explores the role of the United States in protecting tribal sovereignty and tribal resources and examines the powers and jurisdiction of tribal governments with regard to both members and nonmembers of the tribe, as well as the lack or extent, as the case may be, of state jurisdiction over

activities on Indian lands. Students are encouraged to continually identify and question the legal, political, and moral basis of the laws and policies that constitute Federal Indian Law in the United States today.

LAW 6461 Financial Institutions

Fall. 4 credits. S-U or letter grades.
R. C. Hockett.

An introduction to the regulatory structures, as well as economic, technological, and other factors that pattern the conduct of financial intermediation in the United States. The principal focus is on commercial banks, investment companies (mainly mutual funds), insurance companies, pension funds, and securities firms in so far as these institutions discharge a common set of economic functions and give rise to a common cluster of counterparty and third-party ("systemic") risks. Legal topics include entry-, functional, and geographical restrictions; consumer-protection (including disclosure requirements) and competition-promotion; capital adequacy-, solvency-, and related forms of risk-regulation (including deposit insurance); community-reinvestment; and "self-regulation." We also devote some attention to "alternative" financial service providers such as check-cashing services, community development financial institutions, and micro-credit providers; and we take occasional note both of divergent (generally, non-American) jurisdictions' dominant modes of financial intermediation and of the "globalization" of finance, both to place what is distinctive about the dominant American forms into bolder relief and better to understand the forces operating behind recent and still unfolding changes to the American (and global) financial and finance-regulatory environments. No prior background in financial law or economics is required, but it is helpful.

LAW 6471 Health Law

Fall. 3 credits. S-U or letter grades.
H. R. Beresford.

Considers legal aspects of the organization, financing, and distribution of health care in the United States. Emphasis is on issues of access, costs, and quality, and the course addresses the use of regulation, litigation, and market-driven strategies to confront emerging problems. Readings are from a health law casebook, supplemented by occasional handouts of current materials. The goal is to convey an appreciation of the challenges involved in providing health care to those in need and of the role of law and lawyers in meeting these challenges.

LAW 6491 The IPO and M&A Process (also NBA 5630)

Spring. 3 credits. Limited enrollment. S-U or letter grades. T. Willett.

In-depth look at initial public offerings and deal structures from a practitioner's point of view. With respect to IPOs, the course covers the applicable statutory framework, pre-offering corporate preparations, the due diligence process, the implementation of corporate governance policies appropriate for a public company, the offering registration process, liability under federal securities laws, the Securities and Exchange Commission review process, underwriting arrangements, and selection of a trading forum. The course also covers certain nontraditional methods of going public, including reverse mergers. Regarding deal structures, the course explores choosing an appropriate transaction structure,

deal financing alternatives, due diligence, public company transaction issues, and crucial legal aspects of the acquisition, such as caps/collars, letters of intent, successor liability, continuity of employees, and noncompetition agreements.

LAW 6501 Insurance Law

Spring. 3 credits. S-U or letter grades.
M. Heise.

Insurance is an increasingly important tool for the management of risk by both private and public enterprises. This course provides a working knowledge of basic insurance law governing insurance contract formation, insurance regulation, property, life, health, disability, and liability insurance and claims processes. The emphasis throughout is on the links between insurance theory, doctrine, and modern ideas about the functions of private law.

LAW 6511 Intellectual Property

Fall. 3 credits. Letter grades; S-U by permission of faculty member. O. Liivak.
A survey of legal mechanisms for protecting intellectual property including patent, trademark, copyright, trade secret, and related state law doctrines.

LAW 6514 International and Foreign Legal Research

Spring. 2 credits. Satisfies skills requirement. S-U or letter grades.
A. Emerson.

The practice of law becomes increasingly dependent upon a clear understanding of the global context in which it occurs. This course provides an overview of sources, methods, and strategies for researching international and foreign law. Topics include the various legal systems of the world, public and private international law, the European Union, and the United Nations. The course is delivered through lectures and hands-on exercises. Selected readings are available online and on reserve; there is no required textbook. There are a series of assignments and a final research project in lieu of a final exam. Foreign language ability is not required.

LAW 6531 International Commercial Arbitration

Fall. 3 credits (students who have taken international commercial arbitration course in the Paris program receive 1 credit; all others receive 3 credits). S-U or letter grades. J. J. Barceló III.

A study of arbitration as increasingly the dispute resolution method of choice for international trade and international business disputes (where the parties are from different countries). The course introduces the sources and hierarchy of norms governing international arbitration and then studies the legal issues and processes concerning enforcement of agreements to arbitrate, selecting and challenging arbitrators, choosing the procedure and applicable law in arbitral proceedings, and enforcement of the resulting arbitral award. The course gives special attention to the 1958 UN Convention on the Recognition and Enforcement of Foreign Arbitral Awards (and agreements to arbitrate) known as the New York Convention, and the UNCITRAL (U.N. Commission of International Trade Law) Model Law. The course's unique approach—patterned on the nature of international commercial arbitration itself—focuses on commercial arbitration as a transnational phenomenon and not on arbitration under any particular national

system. Course materials include court decisions, arbitral awards, national arbitration statutes, the rules of various arbitration institutions, and scholarly writings—drawn from all over the world.

LAW 6545 International Economics Law

Spring. 3 credits. S-U or letter grades.
O. Lienau.

Overview of the legal context of international business transactions. Units include the sale of goods, letters of credit, foreign investment, nationalization and privatization, finance and the role of international financial institutions, conflicts of law, sovereign debt restructuring, and a brief overview of trade law and dispute resolution mechanisms. When applicable, we pay attention to the complementarity and conflict between the law of international business transactions and other international law areas (e.g., human rights, environmental, emerging commitments to ideas of democracy/good governance).

LAW 6561 International Organizations and International Human Rights

Fall. 3 credits. S-U or letter grades.
M. B. Ndulo.

This course has two segments: (1) international organizations and (2) international human rights. The first segment provides a comprehensive legal analysis of problems concerning membership, the structure of the United Nations organization, and its functions in the context of the United Nations Charter. It also considers the use of force under international law with specific reference to the United Nations Charter. The course further considers the structure, jurisdiction, and functions of the International Court of Justice. The second segment introduces the theory, norms, and institutions central to the international human rights legal regime. The course explores the emergence and the enforcement of international human rights norms, the international machinery for the protection of human rights in the world community including the United Nations Human Rights Committee, the European Court of Human Rights, the Inter-American Court of Human Rights, and the International Criminal Court. Relevant decisions of these courts and of municipal courts are studied as well as basic documents.

LAW 6565 Interviewing Skills

Fall, meets for only part of semester.
1 credit. Limited enrollment. Satisfies skills requirement. S-U grades only.
A. J. Mooney.

Covers (1) the components of effective interviewing, particularly client interviewing; (2) the purposes and types of interviews, interviewing for various purposes, information-gathering techniques, verbal and nonverbal communication, ethical considerations, counseling and decision making; and (3) special contexts such as interviewing witnesses, difficult clients, and children.

LAW 6570 Introduction to Chinese Law

Fall. 3 credits. No prerequisites. S-U or letter grades. Z. Yu.

Introduction to the nature and function of law in China. Future legal practitioners and persons who may fill offices dealing with China will gain the knowledge needed to understand how successfully to interact with the Chinese legal system. The course has three parts: (1) a brief review of the historical and theoretical foundations necessary for an

understanding of contemporary Chinese law; (2) an introduction to the current legal system of the People's Republic of China (PRC), with particular focus on major legal institutions and processes; (3) an examination of selected issues in the substantive law of the PRC.

LAW 6592 Labor Law, Practice and Policy

Fall. 3 credits. S-U or letter grades.
A. B. Cornell.

Focuses on the federal laws regulating the organization of private-sector workers and unions and the process of collective bargaining in addition to addressing protected concerted activity unrelated to union organizing. Practice in the field of labor and employment law is highlighted along with important and timely public policy issues.

LAW 6613 Law and Development

Spring. 3 credits. S-U or letter grades.
C. Thomas.

Explores changing ideas about law's role in the economy and the development assistance practices these ideas have inspired. The idea that a "modern" legal system is central to economic development can be traced back to the 19th century. In the 1950s, this idea became the basis for organized development assistance. Today, agencies like the World Bank devote substantial resources to "law and development" and the "rule of law." This growing body of "law and development" practice and policy rests upon key premises regarding the definition of law, the relationship of law to market activity, the role of the state in economic governance, the definition of modernity, and the efficacy of external intervention. These assumptions change over time, and in turn change the policies and practices of the agencies. The course consists of three parts: (1) It sets up the intellectual and historical framework of the most influential development models since World War II (modest interventionism, export-led growth, post-Washington Consensus), examining the economic theories, policies, and legal ideas underpinning these models; (2) discussion of current development projects aimed at changing the legal regimes of developing countries, including judicial reform, land titling, market deregulation, and promotion of human rights; (3) examination of the transnational legal architecture of trade and labor, exploring its links to different experiences of national economic growth. Throughout this course, we reflect on how legal analysis can enhance our understanding of existent choices in a process often presented as inevitable as well as illuminate the moral and political questions involved in development projects.

LAW 6631 Law for High-Growth Business (also NBA 6890)

Fall. 3 credits. Limited enrollment. BR Legal students must preregister to receive first priority for course. S-U or letter grades.
Z. J. Shulman.

In-depth analysis of key issues that an emerging high-growth business must consider and address, including: (1) choosing type of business entity, (2) protecting confidential information and inventions, (3) sources of capital, (4) understanding capitalization structures and venture capital financing terms (common stock, preferred stock, etc.), (5) use of stock options as employee incentives, (6) fundamental employment practices, (7) proper establishment and utilization of boards of

directors, and (8) acceptable business practices and the Foreign Corrupt Practices Act.

LAW 6641 The Law Governing Lawyers

Spring. 3 credits. Satisfies professional responsibility requirement. Enrolling in this course does not prohibit enrollment in another professional responsibility course. Letter grades only. W. B. Wendel.

Comprehensive overview of the law governing lawyers in a variety of practice settings, including transactional, counseling, and civil and criminal litigation. The course is not focused merely on the ABA's Model Rules, but draws extensively from judicial decisions in malpractice and disqualification cases, the new Restatement of the Law Governing Lawyers, and other sources of law. A major theme is the relationship between state bar disciplinary rules and the generally applicable law of tort, contracts, agency, procedure, and crimes. Another significant theme is the prevention of attorney discipline and malpractice liability through advance planning.

LAW 6651 The Law of Branding and Advertising: Trademarks, Trade Dress, and Unfair Competition

Fall. 2 credits. S-U or letter grades.
N. St. Landau and J. Campbell.

Fundamental trademark, trade dress, and false advertising laws are examined in the context of assisting clients to execute branding and marketing strategies. Special focus is given to branding as it relates to "consumer products companies"; the impact of e-business and the internet on branding strategies and acquisitions; and complex proof issues in trademark and domain name litigation. Marketing strategies embody fundamental and long-established principles of the trademark laws. The Lanham Act is used to address issues ranging from confusingly similar words and designs, to false and unsubstantiated advertising claims, and public appropriation—and misappropriation—of long-established corporate icons in today's e-commerce world. This course examines the basics of this rapidly changing body of law.

LAW 6661 Constitutional Law of the European Union

Fall. 3 credits. S-U or letter grades.
M. Lasser.

Introduces students to the law and institutions of the European Union (E.U.). It examines the composition, organization, functions, and powers of the E.U.'s governing bodies; analyzes the E.U.'s governing treaties and constitutional law; and studies the E.U.'s decision-making processes. The course also explores broader questions of political, economic, and legal integration.

LAW 6681 International Law and Foreign Direct Investment

Spring. 3 credits. S-U or letter grades.
M. B. Ndulo.

Studies legal aspects of direct foreign investments. It seeks to identify legal problems that are likely to affect a commercial investment in a foreign country. Inter alia, it deals with the public international law principles and rules governing the establishment by foreign businesses of various factors of production (persons and capital) on the territory of other states and the protection of such investments. Thus, the course includes a discussion of the following topics: economic development and foreign capital; obstacles to the flow of investments to developing

countries; guarantees to investors and investment codes; bilateral treaties; nationalization; joint ventures; project financing; transfer of technology; arbitration; investment insurance; unification of trade law; and the settlement of investment disputes.

LAW 6701 Legislation

Spring. 3 credits. S–U or letter grades.
J. Chafetz.

Much of the “law” that lawyers work with is statutory. This course examines both how legislatures go about doing their work (i.e., legislative process) and how courts and others use legislative output (i.e., statutory interpretation). We begin with a case study of the drafting and judicial interpretation of the 1964 Civil Rights Act. We then devote substantial attention to theoretical and practical issues in statutory interpretation, including theories of interpretation generally, the canons of construction, and the use of legislative history. We also examine the rules governing legislative behavior and debate, and we consider how the different roles of legislators and judges affect our interpretation of statutes and cases.

LAW 6713 Prelude to the U.S. Supreme Court and Labor and Employment Law

Winter intersession (students register in Oct. during spring registration period). 1 credit. Limited to 6 students with priority given to third-year students. Satisfies skills requirement. S–U grades only. A. Cornell.

Exposes students to a timely labor and employment law topic pending before the U.S. Supreme Court. The class travels to D.C. sometime during the semester to hear the oral argument. During the intersession period, students are required to read the briefs in the case, prepare a five-page paper on a related topic, and present their research in class. Over the break, students are required to read *The Nine: Inside the Secret World of the Supreme Court*, by Jeffrey Toobin or another book about the Court agreed upon by the professor. A one-page review of the book is also required. Additional reading may be assigned.

The course meets for two hours at the end of the fall examination period. During the second week in January, the class meets for two four-hour days to discuss the substantive law in the case and hearing student presentations. The discussion of the case continues on the six-hour drive to D.C. and debriefing on the return leg of the trip. Students have one class session in spring with professors who have clerked in the Supreme Court. During the intersession period, students are required to communicate with the professor regarding their paper topics and research agendas. Note: this course may require students to miss at least one day of class during the semester for travel.

LAW 6731 Dispute Resolution: Negotiation, Mediation, and Arbitration

Fall. 2 credits. Limited enrollment. Satisfies skills requirement. Letter grades only.
J. P. Meyer and S. G. Yusem.

The field of alternative dispute resolution has virtually transformed the practice of law. Today, every lawyer has a professional responsibility to his or her clients to consider the most appropriate process available to resolve issues. The course explores the characteristics of negotiation, mediation, and arbitration as well as the ethical concerns

inherent in them, employing interactive and videotape dispute simulations, enabling the student to engage as a negotiator, dispute resolution advocate, mediator, and arbitrator.

LAW 6732 Cross-Cultural Negotiations

Fall, meets Oct. 20, 21, 22, 23 and Nov. 3, 4, 5, 6, 2010; attendance mandatory for all course sessions. 2 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: LL.M.s and third-year students more likely to benefit than second-year students in fall term. S–U grades only.
D. Plant.

Workshop that gives law students an intensive opportunity to develop negotiation skills that can be used in the global marketplace to create and repair relationships and manage conflict. Classes consist primarily of interactive negotiations and communication exercises, together with some lectures. Problems to be negotiated have rudimentary IP overtones.

LAW 6737 National Security Law

Spring. 3 credits. S–U or letter grades.
A. Rana.

In the wake of 9/11, the question of American national security has been at the forefront of legal and political debate. This course examines the current constitutional framework guiding national security institutions as well as its historical emergence—especially in the late 19th century and during the early period of the Cold War. We cover such themes as the allocation of power between Congress and the President on matters of foreign policy and war making, as well as the role of the judiciary in checking the political branches. Special attention is paid to how key statutes have shaped national security practices, including the National Security Act, the War Powers Resolution, the Foreign Intelligence Surveillance Act, and the Military Commissions Act. The course also explores such topics as American detention policy (treatment of unlawful combatants and prisoners of war) in the context of international humanitarian law and the use of deportation and immigration powers in the service of national security aims.

LAW 6738 Negotiation Skills

Spring, meets for only part of semester. 1 credit. Limited enrollment. Satisfies skills requirement. S–U grades only.
J. Mollenkamp.

Attorneys in all practice areas negotiate frequently. Neither deal lawyers nor litigators can claim negotiation as “theirs” to the exclusion of attorneys in other practice areas. This course gives students an opportunity to learn and begin refining negotiation skills in various transactional and litigation settings. Students engage in several negotiations and receive frequent feedback about them.

LAW 6740 Online Legal Research: Free Sources

Spring, meets first 6½ weeks of semester. 1 credit. Limited enrollment. Satisfies skills requirement. Prerequisite: Lawyering or U.S. Legal Research; LL.M. students who have not taken U.S. Legal Research may be admitted subject to instructor approval.
S–U or letter grades. I. Haight.

Free online sources of legal information have proliferated in recent years. This course prepares students to become thoughtful, adaptive researchers who can use these resources to their advantage. Students learn how to evaluate online content, develop strategies for finding legal and nonlegal

information, and use free Web-based applications to organize their research and keep current in their fields. In addition to helping students develop practical research skills, this course considers the role of free resources in the overall legal information context. Weekly problem sets are assigned, and students prepare a final project on a topic of their choice (subject to instructor approval).

LAW 6741 Online Legal Research: Subscription Sources

Fall, meets first 6½ weeks of term. 1 credit. Limited enrollment. Satisfies skills requirement. Prerequisite: Lawyering required for JD students. LL.M. students concurrently enrolled in U.S. Legal Research for LL.M. Students may take this course. S–U or letter grades. M. Morrison.

With the ongoing evolution of legal information, online legal research skills are fundamental. This half-semester course helps students become effective, efficient researchers by developing skills and strategies in using subscription-based sources, including BNA, Bloomberg, Loislaw, Westlaw, Lexis, and others. We explore when and how to use various resources, considering their relationship to each other and to traditional print sources. Weekly problem sets are assigned.

LAW 6742 Patent Law and Trade Secrets

Spring. 3 credits. Prerequisite: intellectual property survey course, e.g., LAW 6511, recommended but not required. Letter grades; S–U by permission of faculty member. O. Liivak.

Focuses on U.S. patent law giving comprehensive coverage of doctrinal elements and touching on key policy issues. No technical background is required.

LAW 6752 Persuasive Oral Presentations

Fall, meets only part of semester. 1 credit. Limited enrollment. Satisfies skills requirement. S–U grades only. J. Atlas.

Explores ways to compile, organize, summarize, and present information effectively. With particular attention to the concepts of clarity, brevity, and audience, students make—and critique—a series of in-class presentations designed to inform and persuade the listener.

LAW 6755 Pretrial Discovery: Depositions

Spring. 2 credits. Limited enrollment. Satisfies skills requirement. S–U grades only. M. A. Whelan.

A more in-depth deposition experience than the Deposition Skills course (LAW 6291), which is a concentrated 1-credit course. Teaches students how to prepare for and take depositions, how to defend a witness at deposition, and how to prepare a witness for deposition. Students have several more opportunities to take and defend mock depositions, to serve as witnesses being deposed, and to observe and critique others doing these things. Students also learn how to handle difficult witnesses and obstructionist opposing counsel. Students who take this course are not eligible to take LAW 6291 (Deposition Skills).

LAW 6781 Products Liability

Fall. 3 credits. Letter grades only.
J. A. Henderson, Jr.

Applications of products-liability doctrine and theory to a variety of problems drawn from or closely approximating actual litigation. An overview of the relevant case law, statutes,

and administrative regulations, including the Restatement, Third, of Torts: Products Liability.

LAW 6791 Public International Law

Fall. 3 credits. S-U or letter grades.
J. Ohlin.

An introduction to the legal rules governing the conduct of states vis-à-vis other states, individuals, and international organizations, with reference to major current events and issues. Topics include the nature, sources, and effectiveness of international law; the establishment and recognition of states; principles concerning state sovereignty, territory, and jurisdiction; the law of treaties; state responsibility; international criminal and humanitarian law; terrorism; and human rights. Special attention is given to the law governing the use of force.

LAW 6801 Remedies in Litigation

Fall. 3 credits. Letter grades only.
E. L. Sherwin.

Examines the remedial consequences of lawsuits and the remedial choices open to litigants: essential strategic information for students considering a litigation-oriented practice. The course covers compensatory remedies, injunctions, and special remedies such as constructive trusts. It also clarifies the meaning of equity and the role of equity in modern American law, as well as the developing law of unjust enrichment. The course focuses on private law (tort, contract, property), but it also includes some coverage of remedies for enforcement of Constitutional rights and public law.

LAW 6821 Securities Regulation

Spring. 4 credits. Prerequisite: Corporations/Business Organizations. Students may enroll concurrently only with permission of instructor. S-U or letter grades. C. K. Whitehead.

Analyzes key issues under the U.S. federal securities laws, principally the Securities Act of 1933 and the Securities Exchange Act of 1934, with respect to the domestic and international offer and sale of securities. Includes a study of what constitutes a security, the public offering process, mandatory disclosure requirements for public companies, exemptions from registration (including exempt global offerings), and potential liabilities and sanctions.

LAW 6822 Social Science and the Law

Fall. 3 credits. S-U or letter grades.
V. Hans.

Examines the relationship of social science to law, focusing on the growing use of social science in the legal system. Over the past several decades, increasing numbers of social scientists have conducted systematic research on the operation of law and legal institutions. At the same time, social scientists themselves are testifying as experts in increasing numbers, encouraging lawyers and judges at both the trial and appellate levels to rely on social science evidence to decide cases. Social science research is also used as a tool in law reform. The aim of the course is to develop a critical analysis of these uses of social science in law and litigation. Are social scientists asking the right questions? Are lawyers, judges, legislators, and legal reformers using social science findings appropriately? Is the law's increasing reliance on social science problematic or advantageous—or both?

LAW 6841 Sports Law

Spring, meets for 10 weeks. 2 credits. Recommended prerequisites: Antitrust Law and Labor Law. S-U or letter grades.
W. B. Briggs.

Traces the development of sports law in the United States. Particular attention is given to the relationship of sports with antitrust and labor law. Contemporary issues involving arbitration, collective bargaining, amateur athletics, agents, franchise movement, and constitutional law are addressed.

LAW 6844 State and Local Government

Spring. 3 credits. S-U or letter grades.
L. S. Underkuffler.

State and local governments have long been regarded as "laboratories" for possible solutions to difficult social issues, and as political institutions that are closest to the people. In addition to traditional concerns, state and local governments in recent years have been the primary actors in contentious areas such as health care reform, gay marriage legalization, campaign finance reform, property rights protection, and other issues. This course examines the powers of and legal restraints on state and local governments in state systems, and as a part of the American constitutional order. Topics include state constitutions, the rights that they confer, and their methods of interpretation; local government boundary formation and boundary change; state and local service, police, and taxing powers; the emergence of supra-local (regional) government; and the place of state and local governments in the federal system (including commerce clause, privileges and immunities clause, and taxation issues). The final part considers several areas of recent and future litigation as a way to illustrate the difficult issues of conflicting sovereignty that this area of law presents.

LAW 6861 Supervised Teaching

Fall, spring. 1 or 2 credits. S-U grades only. Arrange directly with instructor. Specific credit limits apply—carefully review registration form available from online registration site or registrar's office.

LAW 6871 Supervised Writing

Fall, spring. 1, 2, or 3 credits. S-U grades only. Arrange directly with instructor. Specific credit limits apply—carefully review the registration form available from online registration site or registrar's office.

LAW 6881 Supervised Teaching and Supervised Writing—Lawyering Program Honors Fellows

Full year. 4 credits. Prerequisite: application process. Specific credit limits apply—carefully review registration form available from online registration site or registrar's office. S-U grades only. Lawyering Program honors fellows serve for the full academic year as teaching assistants in the Lawyering course. With training and guidance from the Lawyering faculty, honors fellows work on myriad course-related tasks and some program-wide initiatives. In addition to meeting regularly with first-year students and critiquing papers, honors fellows may help design course assignments and documents, participate in simulations, and assist the research attorneys with the teaching of legal research. honors fellows also teach classes on the Bluebook. Additionally, honors fellows serve as educational mentors to first-year students and may participate in workshops on basic law-school skills. During

the spring semester, honors fellows may, under the direction of the dean of students, tutor first-year students.

LAW 6891 Taxation of Corporations and Shareholders

Spring. 3 credits. Prerequisite: Federal Income Taxation. LL.M. students must secure permission of instructor. S-U or letter grades. R. A. Green.

Examines the federal income taxation of corporate transactions, including incorporations, dividends, redemptions, liquidations, and reorganizations.

LAW 6892 Negotiated and Collaborative Decision-Making (also ILRLR 6892)

Spring. 3 credits. Limited enrollment. Letter grades only. C. R. Farina and M. J. Newhart.

Increasingly, systematic and collaborative techniques are being used both to address conflict and to reach decision in diverse settings, including the workplace, communities, and government. This course focuses on the nature of conflict; personal, cognitive, and cultural factors affecting collaboration and negotiation; systems for conflict management, and different orientations for negotiation, mediation, and facilitation. Private and public settings are considered; emerging processes are discussed. Case studies and exercises are used to develop critical thinking and reasoning abilities, improve negotiation skills, and illustrate the collaborative, creative, and response methods for resolving disputes. Course is cross-listed with ILR and open to ILR graduate students.

LAW 6921 Trial Advocacy

Spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: Evidence recommended. Students without prior Evidence study should speak with instructor before enrolling. S-U or letter grades. G. G. Galbreath.

The study and weekly performance of the full range of trial techniques. Fundamental skills are taught in the context of challenging procedural and substantive law problems. Each stage of the trial is examined: jury selection, opening statement, direct examination, cross-examination, objections, impeachment, exhibits, expert witnesses, child witnesses, pre-trial, and closing argument. In addition to a lecture and student exercises every week, students do a full-day jury trial exercise at the completion of the course on a weekend at a local court with an actual judge and jury. All weekly performances are digitally recorded and reviewed and then re-reviewed by another faculty member with the student individually. There are occasional written assignments and class attendance is mandatory for all exercise sessions and the first class lecture.

LAW 6941 Trusts and Estates

Fall. 4 credits. Prerequisite: first-year Property. Letter grades only.
G. S. Alexander.

Surveys the law of succession to property, including wills and intestate succession, as well as the law of trusts. The course covers the basic aspects of the federal gift and estate taxes, but does not examine them intensively.

LAW 6981 WTO and International Trade Law

Spring. 3 credits. S-U or letter grades.
J. J. Barceló III.

The law of the World Trade Organization (WTO), including international trade theory, the basic WTO rules and principles limiting national trade policy, and the WTO dispute settlement process. A study of national (U.S.) fair and unfair trade law within the WTO framework (safeguard, antidumping, subsidies, and countervailing duty remedies). Consideration is also given to nontrade values within the WTO system (environment, labor rights, and human rights).

COLLOQUIUMS, SEMINARS, AND PROBLEM COURSES

All problem courses and seminars satisfy the writing requirement and are limited enrollment. However, students selecting a seminar or problem course that satisfies the skills requirement or the writing requirement may use the course to fulfill one of the requirements, but not both. A student selecting a Colloquium, Seminar, and Problem Course designated as fulfilling the professional responsibility and writing requirement may fulfill both requirements.

Admission to all problem courses and seminars is determined by lottery.

LAW 7012 Advanced Criminal Procedure: Post-Conviction Remedies

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: Criminal Procedure strongly recommended. Concurrent enrollment acceptable. S–U or letter grades. K. M. Weyble.

Examines the procedural and substantive law governing collateral challenges to criminal convictions in state and federal courts, and explores the tensions between the criminal justice system's competing interests in finality and production of reliable convictions and sentences. The course includes a historical overview of modern habeas corpus, studies substantive claims for relief common to collateral proceedings, and examines important procedural limitations on relief including the exhaustion requirement, procedural default, and nonretroactivity. Much of the course concentrates on the meaning, application, and impact of the modifications to the federal habeas corpus statutes made by the Antiterrorism and Effective Death Penalty Act of 1996.

LAW 7034 Advanced Legal Writing: Craft and Style

Spring. 3 credits. Limited enrollment. Can be used to satisfy writing requirement or skills requirement, but not both. S–U or letter grades. U. Weigold.

Sharpens students' skills in predictive and persuasive legal writing and enhances their ability to create sophisticated legal arguments. Topics include advanced strategies for achieving clarity, precision, and conciseness, as well as effective tone, structure, and style. Students analyze the specific needs of legal and non-legal audiences and explore the ethical and professional issues inherent in legal writing. They examine interdisciplinary theories of persuasion and specialized techniques for crafting arguments at a high level of discourse. Students refine their writing skills by critiquing and rewriting short sample passages from a variety of legal contexts, as well as by creating original documents, like opinion letters, pleadings, motions, briefs, or

transactional documents. The grade is based on several writing projects and participation in class exercises and small-group work.

LAW 7052 Advanced Persuasive Writing and Appellate Advocacy

Fall. 3 credits. Limited enrollment. Can be used to satisfy writing requirement or skills requirement, but not both. S–U or letter grades. B. R. Bryan.

Students master the art of persuasive writing and oral advocacy. Lecture topics include knowing your audience; writing a Statement of Facts that appears objective but subjectively persuades; what good judges are taught about good writing; methods to achieve clarity, brevity, and logic; issue selection; the effective use of precedent; establishing credibility; understanding nonlegal factors that influence decisions; the interplay between judges and their law clerks; appellate procedure and standards of review; the winning opening statement; and handling questions from the bench. Students critique actual briefs, judicial opinions and oral arguments for technique and persuasive value. Guest speakers, including judges of the United States Court of Appeals for the Second Circuit and federal prosecutors, provide advice and recommendations. Students apply what they have learned to the drafting of an appellate brief based on an actual court record. The brief is written in stages and followed by one-on-one critiques. Students also present an oral argument. Initial practice arguments are critiqued by the professor and student panels (to permit students to see an argument from a judge's perspective), and the final argument is judged by the professor.

LAW 7070 Animal Law

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S–U or letter grades. D. Campbell.

This cutting-edge and constantly evolving field of law will explore the statutory and case law in which the legal, social, or biological nature of nonhuman animals is an important factor. The course encompasses companion animals, wildlife, and animals raised for food, entertainment, and research, and surveys traditional law topics like torts, contracts, criminal law, constitutional law, and federal laws as they intersect with animals. Grades are based on participation in open-minded discussions and a paper that satisfies the writing requirement.

LAW 7072 Animal Rights

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S–U or letter grades. S. F. Colb.

Seminar examining the moral assumptions underlying the legal status and human use of nonhuman animals. State and federal law treat animals primarily as property, sometimes modified to take account of animals' subjective experience. We study a variety of legal and philosophical writings that address the legal and moral status of animals, including the debate between supporters of an "animal welfare" approach that aspires to the reduction of animal suffering, and supporters of an "animal rights" approach that aims to abolish the use of animals. Among the questions the seminar poses are: What capacities, if any, warrant shielding animals from various forms of exploitation? Do animals have interests in continued existence or merely in avoiding suffering? Might some but not other human uses of animals be

justified, and if so, which ones? Medical experimentation? The use of animal products (e.g., milk and eggs) for food? The keeping of animals as pets? In addition to the assigned readings and regular class participation, students are responsible for a research paper. Class participation represents 60 percent of the final grade.

LAW 7091 Biblical Law

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S–U or letter grades. C. M. Carmichael.

Analysis of law and narrative in the Bible from the perspective of ancient law and legal history. Topics include the nature of the law codes (e.g., hypothetical formulation versus statutory law), legal issues in the narratives (e.g., law of adultery and women's rights), law and morality (e.g., the Ten Commandments), law and religion (e.g., institutions guaranteed by the law but condemned by religious authority), the transformation of extralegal relations into legal ones (e.g., with the introduction of money), legal interpretation in antiquity (e.g., the Sermon on the Mount), social factors in legal development (e.g., shame and guilt), and aspects of criminal, family, and private law (e.g., an eye for an eye, incest rules, and unjust enrichment).

LAW 7101 Central Topics in Jurisprudence and Legal Theory

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Letter grades only. R. S. Summers.

This seminar addresses four related topics that cut across, yet arise within, all discrete law school courses: (1) the basic features of the overall form and complementary content of a legal system, (2) the distinctive relations between law, legal form, and justice, (3) the special nature of the resources of reason and argument as commonly deployed in the law, and (4) the classic "legal positivism vs. natural law" debate. In the usual law school course, many occasions arise to give such topics as these frontal and systematic treatment, yet there is little or no time to do so without sacrificing important course coverage. The well-educated lawyer should, however, be conversant with the general issues involved, and with at least some of the now very rich literature bearing on their resolution.

Seminar materials include a recent book by the instructor, *Form and Function in a Legal System—A General Study*, published by Cambridge University Press; draft chapters of a book in progress on legal reasons and reasoning by Robert S. Summers; judicial opinions; statutes; and other primary sources. Students have extensive opportunity for class discussion. The grade is based on a seminar paper and class discussion.

LAW 7102 Capital Punishment Law

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S–U or letter grades. K. Weyble.

Seminar examining the complex body of law governing imposition of the death penalty in the United States. It aims to provide a historical overview of capital punishment law, critically analyze its constitutional doctrines, and introduce aspects of criminal procedure that are unique to death penalty cases. The primary focus is on Eighth Amendment jurisprudence, including challenges to the arbitrary and discriminatory application of the death penalty, the development of modern death penalty statutes, the role of aggravating

and mitigating circumstances in the capital sentencing trial, and constitutional limitations on eligibility for the death penalty. The course also examines the performance standards for counsel in capital cases, difficult problems raised by volunteer defendants who wish to waive mitigation, and the constitutionality of certain methods of execution. The seminar is recommended for students interested in the Capital Trial Clinic or the Capital Appellate Clinic.

LAW 7132 Constitutional Law and Theory Colloquium

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: first-year Constitutional Law. Letter grades only.

J. Chafetz and M. Dorf.

Examines current and classic topics in advanced constitutional law and constitutional theory. Roughly half of the sessions feature presentations of works in progress by constitutional scholars. During the other sessions, assigned readings mostly consist of canonical works in the field. For class meetings in which no faculty presentation occurs, responsibility for presenting the assigned reading rotates among students in the colloquium. Each student produces a research paper on a topic approved by the instructors.

LAW 7144 Colloquium on Law and Development in the Middle East and North Africa

Spring. 3 credits. Limited enrollment.

Satisfies writing requirement. S-U or letter grades. C. Thomas.

Begins with a comparative review of contemporary approaches to law and development, from the era of 20th-century decolonization to the present day, then considers particular challenges in the region related to democratic governance and market growth. The bulk of the course features speakers from Cornell and other universities who present their work for critical analysis by the class. Students are required to write six short papers, due in advance of the class session, and make one class presentation at the end of the semester.

LAW 7162 Contemporary American Jury

Spring. 3 credits. Limited enrollment.

Satisfies writing requirement. S-U or letter grades. V. Hans.

Evaluates claims about the benefits and drawbacks of the contemporary American jury. Drawing on the work of legal scholars and social scientists, we explore a range of topics relating to criminal and civil juries, including: jury selection; the use of jury consultants; juror perceptions of attorneys, evidence, and experts; individual and group decision-making processes; jury instructions; jury deliberations; damage awards; juries in death penalty cases; and jury reform. By studying legal and empirical scholarship about the jury, seminar participants should develop insights into jury trial functioning and policy debates over the jury's role.

LAW 7164 Counseling the Modern Corporation—Issues and Challenges

Spring. 3 credits. Limited enrollment.

Satisfies writing requirement. Prerequisite: Business Organizations. S-U or letter grades. V. Maffeo.

Explores practical issues facing counsel for a public corporation. Using case studies based on actual situations, students examine legal issues from the perspective of the "in-house"

lawyer who is also a member of a senior management team. Topics include areas such as financial reporting and shareholder communications, executive compensation, employment disputes, and international compliance issues. There is a focus on ethical challenges and conflicts of interest. The course also considers the process of conducting an internal investigation, and defending the corporation and its employees from criminal charges. It is assumed that the student has taken an introductory course in Corporate law and has some basic familiarity with Federal Securities law. The course does not require extensive knowledge of Securities law and is not intended to be a substitute for such a course for individuals who intend to practice in that area.

LAW 7170 East Asian Law and Culture Seminar

Fall. 3 credits. May be repeated with permission of instructor. Limited enrollment. Everyone wishing to take course for credit must attend first class. Satisfies writing requirement. Cannot be taken concurrently with LAW 7171. S-U or letter grades. A. Riles.

With many of the world's most dynamic economies now in East Asia, today's law graduates are more likely than ever to be involved with legal issues from that region. At the same time, legal problems in East Asia—from human rights, to judicial and legal education reform, to conflicts over labor, environmental, and minority rights, to local debates about medical and scientific regulation and ethics—are invaluable sources of comparative insight about our own legal system. This seminar introduces students to the challenges and opportunities of studying law and culture in East Asia from a sophisticated interdisciplinary perspective. Students participate in a semester-long colloquium and conference series on law and culture in East Asia in which Cornell faculty and guest speakers from around the world present new research on current legal issues in the region. Students are required to read a series of background materials in preparation for each seminar and to write six three- to five-page papers responding to the presentations.

LAW 7171 East Asian Law and Culture Colloquium

Fall. 1 credit. Does not satisfy writing requirement. Cannot be taken concurrently with LAW 7170. S-U grades only. A. Riles.

Semester-long colloquium and conference series on law and culture in East Asia in which Cornell faculty and guest speakers from around the world present new research on current legal issues in the region. Attendance and participation in all of the six to eight scheduled colloquia as well as the annual Clarke Lecture and Conference are required. Students prepare a three- to five-page response paper summarizing key findings of one workshop event for a wider public audience over the course of the semester.

LAW 7172 Corruption Control

Spring. 3 credits. Limited enrollment.

Satisfies writing requirement. S-U or letter grades. R. Goldstock.

Seminar analyzing the types of corruption that exist in both the public and private sectors, the means by which a variety of criminal and nontraditional remedies may be used to reduce the frequency and impact of corrupt

activities, and the constitutional and statutory problems implicated by such approaches.

LAW 7194 Empirical Legal Studies Colloquium

Spring. 3 credits. Limited enrollment.

Satisfies writing requirement. S-U or letter grades. M. Heise.

In-depth exploration of empirical legal studies, which involves the application of systematic research methods to the study of legal issues. Issues that have been studied using these methods include the structure of the legal profession, the influence of race and gender in legal decision making, the impact of educational policies and practices, reforms in medical malpractice and civil justice, corporate law and finance, bankruptcy, employment discrimination, and criminal sentencing.

LAW 7232 Ethical Issues in Criminal Investigations, Prosecutions, and Policy

Fall. 3 credits. Limited enrollment. Satisfies ethics requirement; can be used to satisfy writing requirement or skills requirement, but not both. S-U or letter grades.

M. Bachrach.

Seminar exploring the role of government lawyers and defense counsel in complex investigations and prosecutions, including cases and matters involving terrorism. We examine recent cases and proceedings, including, for example: the disbarment of Michael Nifong, prosecutor of the Duke Lacrosse team members; cases and new guidelines regarding disclosure in criminal cases; recent cases against criminal defense attorneys Lynne Stewart, Robert Simels, and Arienne Irving; the KPMG case (United States v. Stein) and issues relating to deferred prosecutions. We also address the role of government lawyers in advising on the treatment of detained persons during interrogation. In doing so, we read recently declassified memoranda and reports written by and about lawyers from the Office of Legal Counsel of the Department of Justice on the use of torture in investigations conducted as part of the war on terrorism.

LAW 7261 Feminist Jurisprudence

Spring. 3 credits. Limited enrollment.

Satisfies writing requirement. S-U or letter grades. C. G. Bowman.

Seminar examining the role of law, and, more generally, the role of the state, in perpetuating and remedying inequities against women. After studying the historical emergence of sexual equality law in the United States, we discuss a number of paradigmatic feminist legal theories, including formal equality, MacKinnon's "dominance" theory, relational feminism, pragmatic feminism, and various anti-essentialist theories (e.g., critical race feminism and intersectionality). We then proceed to apply these analytical structures to various substantive areas of law of particular concern to women, including but not limited to rape and other types of violence against women; pornography; prostitution; abortion, surrogacy and other reproductive rights issues. Students present their own research on other issues to the class. Grade based on paper and class participation.

LAW 7281 First Amendment Theory

Spring. 3 credits. Limited enrollment.

Satisfies writing requirement. S-U or letter grades. S. H. Shiffrin.

An examination of competing theories about the scope and justification of freedom of

speech, freedom of press, and freedom of religion. The seminar considers free speech theories focused on liberty, formal equality, self-government, public morality, dissent, and anti-domination; the relationship of various conceptions of democracy to freedom of press; and various conceptions regarding the optimal relationship between church and state. Topics at issue include commercial speech, pornography, flag burning, subsidies of the arts, campaign finance, the structure of the mass media, government involvement with religious symbols, and vouchers to religious schools.

LAW 7283 Citizenship in American Constitutional Thought

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. Rana.

What has it meant in the past and what does it mean today to be an American? What are the benefits and responsibilities entailed by membership in the polity, and to what extent have these benefits presupposed formal American nationality? This seminar uses the law of citizenship to explore the historical and philosophical linkages in the United States between full inclusion and judgments about property ownership, race, gender, and immigration. In the process, we also assess how distinct ideologies (ranging from republican self-government to the national security discourse) have altered accounts of political participation, economic independence, and external threat. These topics are addressed by a close reading of landmark cases (including *Cherokee Nation v. Georgia*, *Dred Scott v. Sandford*, *Minor v. Happersett*, *United States v. Wong Kim Ark*) as well as seminal books in the political history and theory of U.S. citizenship.

LAW 7291 Global and Regional Economic Integration: The WTO, EU, and NAFTA

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. J. J. Barceló III.

Seminar studying the process of international economic integration occurring both globally and regionally. In the global context it takes up a basic introduction to WTO law and selected problems. In the regional context it takes up a basic introduction to the European Union, including the institutional and lawmaking processes, the direct effect and supremacy of EU law, and the development of the four freedoms (goods, services, persons, and capital). A basic introduction to NAFTA is also included. Student seminar papers may deal with issues arising within any of the three regimes. Comparative studies are encouraged.

LAW 7305 Housing Discrimination

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. E. Penalver.

Seminar exploring the phenomenon of housing discrimination in the United States. Readings focus on empirical studies of the frequency, causes and consequences of discrimination in private housing markets as well as the law and policy that has developed to combat discrimination.

LAW 7310 Intellectual Property in an Open Innovation World

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. M. Phelps.

Intellectual property is probably the most important yet least understood subject in business, law, and economics today, but, it's increasingly condemned in some quarters as the tool of rich countries and multinationals. Yet research proves it's the greatest tool any nation has to stimulate broad economic growth. It comprises 70 percent of all corporate wealth, but not one in 100 CEOs have any idea how to exploit it to best advantage. The U.S. patent office is without question the most obscure and arcane agency in the entire federal government, yet it is also the single-greatest facilitator of private-sector job creation in the nation.

The approach to this subject is a 50/50 mix of business and legal content. This topic will examine the importance of intellectual property in a world characterized by design elements as much as manufacturing capability. It examines the basics of intellectual property, what it is, how it came about and why it is important. It answers the question "if it is so important in this post industrial world, then why do senior executives pay so little attention to it in the tactical or strategic management of their businesses." Is this just a problem for high-tech and pharma or does it persist in even more mundane industries? And, what of start-ups and venture capital efforts? It explores how intellectual property is relevant and important in trade issues between countries from an historical perspective and currently, especially with respect to China, other Asian nations, and the United States. This course examines the procedural management of intellectual property from a country's perspective; which do it well and why, and the role of the judicial systems, respectively.

There is an emphasis on the U.S. system with special attention to the role of the Court of Appeals for the Federal Circuit and recent Supreme Court involvement and activism in intellectual property issues.

LAW 7311 Immigration and Refugee Law

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: Constitutional Law. S-U or letter grades. S. W. Yale-Loehr.

Explores the evolving relationship between U.S. immigration policy and our national purposes. Immigration plays a central role in contemporary American life, significantly affecting our foreign relations, human rights posture, ethnic group relations, labor market conditions, welfare programs, public services, and domestic politics. The course also raises some of the most basic problems that our legal system must address, including the rights of insular minorities, the concepts of nationhood and sovereignty, fair treatment of competing claimants for scarce resources, the imperatives of mass administrative justice, and pervasive discrimination. In approaching these questions, the course draws on diverse historical, judicial, administrative, and policy materials.

LAW 7321 International Criminal Law

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. Letter grades only. M. B. Ndulo.

Seminar examining the questions surrounding international criminal law as a separate discipline and the sources of and basic principles underlying the subject. Particular attention is paid to the question of jurisdiction over international crimes. It considers (1) international crimes such as aggression; war crimes, crimes against humanity, terrorism, and torture; (2) the treatment of past human rights violations in post-conflict situations; (3) procedural aspects of international criminal law and the forums that deal with international crimes. In that context, it looks at the structure, jurisdiction, and jurisprudence of Truth Commissions; the International Criminal Court (the Rome Statute); the former Yugoslavia Tribunal; Rwanda Tribunal and extradition and mutual legal assistance. The format is class discussions of assigned readings. Final assessment is based on participation in class discussions and a written paper on a subject falling within the themes of the seminar. Paper topics must be submitted to the instructor for review not later than the third week of class. Each student is expected to give a presentation based on his or her paper to the class.

LAW 7322 International Taxation

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: Federal Income Taxation. LLM students must secure permission of instructor. S-U or letter grades. R. A. Green.

Seminar examining the principles underlying the U.S. taxation of U.S. persons who earn income abroad and the U.S. taxation of foreign persons who earn income in the United States.

LAW 7371 Islamic Law and History

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. D. S. Powers.

Designed to introduce law students to the terminology, principles, and concepts of classical Islamic law. After discussing the origins and evolution of Islamic law, we turn first to the organization of qadi courts (procedure and evidence) and then to specific areas of the law, e.g., personal status (marriage and divorce), the intergenerational transmission of property (bequests, gifts, and endowments), commerce (contracts, hire, allocation of loss), and crime. The application of legal doctrine to actual disputes is analyzed through the reading of expert judicial opinions or fatwas (in English translation) issued in connection with medieval and modern court cases.

LAW 7374 Judicial Opinion Writing

Fall. 3 credits. Limited enrollment. Can be used to satisfy writing requirement or skills requirement, but not both. S-U or letter grades. J. Mollenkamp.

Judicial opinions are a fundamental part of our legal system. Well-written opinions share many common characteristics, making them effective resolutions of current disputes as well as helpful precedent for the resolution of future disputes. This course is excellent for future judicial clerks as well as second-year students who may want to apply for clerkships next year. It includes a study of cases briefed and argued at the Supreme Court during the current fall term and require students to research, write, and revise majority and dissenting opinions in various cases based upon a careful consideration of the briefs, an oral argument, and any applicable precedent.

LAW 7392 Jurisprudence of War

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. J. Ohlin.

An investigation of the deeper theoretical and conceptual problems underlying the Law of War, including current constitutional developments regarding habeas corpus rights for battlefield detainees; the categories of enemy combatant and War on Terror; the legal definitions of terrorism and torture; the collective nature of genocide, aggression, and crimes against humanity; and modes of liability in international criminal law, including the doctrines of conspiracy, joint criminal enterprise, co-perpetration, and command responsibility. Students are required to write a seminar paper on a topic chosen in consultation with the professor.

LAW 7393 Jurisprudence and Normative Political Theory (also GOVT 7606)

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. A. Smith.

A seminar for graduate students in the normative political theory field and law students. We begin with Hart's classic work, *The Concept of Law*, and then consider Dworkin's criticisms. Then we detour to the Rawls versus Sen debate to place "meta" questions pertaining to distributive justice, rights, and deliberation on the table. Returning to legal theory, we consider Michelman's work on Rawls, social rights, and the constitution, and Cover's theory of plural nomian fields. Dworkin's confidence in the judiciary raises serious questions about the role of judicial review in a liberal democratic society; we consider the critical approaches of Waldron, Tushnet, and Siegal in this regard. Finally, we read several works from the critical race theory field; in fall 2010, we concentrate on the writings of Derrick Bell.

LAW 7395 Labor and Employment Arbitration

Fall. 3 credits. Limited enrollment. Can be used to satisfy writing requirement or skills requirement, but not both. S-U or letter grades. M. L. Goldstein.

Study of arbitration in the field of labor-management relations, including an analysis of principles and practices, the law of arbitration, the handling of materials in briefs or oral presentation, the conduct of a mock arbitration hearing, and the preparation of arbitration opinions and post-hearing briefs.

LAW 7561 Legal Aspects of Commercial Real Estate Development

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: first-year Property course or equivalent. Letter grades only. J. E. Blyth.

Using several written memoranda and one oral presentation, this seminar addresses considerations basic to commercial real estate development. It focuses on purchase agreements, options, rights of refusal, and memoranda thereof; representations and warranties; disclosure required of brokers and sellers; attorneys as brokers; notarial misconduct; conveyancing and surveys; commercial leases; conventional financing; conflicts between commercial tenants and institutional lenders; alternatives to conventional financing; title insurance; attorney opinion letters; and choice of real estate entity. About half of the semester is devoted to commercial leases, conventional financing, and alternatives to conventional

financing (e.g., tax-exempt financing, mezzanine financing).

LAW 7571 Legal Narratives

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Letter grades only. E. L. Sherwin.

In-depth look at the factual, legal, and social background of notable legal decisions. The seminar is based on a recently published series of texts presenting the "stories" behind well-known first-year cases. After reading and discussing a selection of cases from these sources, each student prepares and presents his or her own case history of a case selected by the student, working from briefs, related legal material, secondary sources, and, if possible, contacts with lawyers and parties. Grades are based on papers and presentations.

LAW 7572 Litigation Drafting

Fall. 3 credits. Limited enrollment. Can be used to satisfy writing requirement or skills requirement, but not both. Letter grades only. L. Freed.

Focuses on drafting documents typically encountered during the pretrial phase of civil litigation. As drafters, lawyers must think strategically about, and understand the conventions unique to, each document. Students have repeated opportunities to develop essential drafting and professional skills through a combination of in-class exercises and take-home writing assignments related to pleadings, motions, discovery requests, affidavits, demand letters, and settlement agreements.

LAW 7578 Markets, Democracy, and the Rule of Law

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. O. Lienau.

The promotion of markets, the spread of democracy, and the promulgation of the rule of law are frequently presented as three interrelated goals at both the domestic and international levels. In this seminar, we consider the multiple potential meanings embedded in these goals and the degree to which they may be complementary and/or in tension. The seminar includes a theoretical unit (considering, among other things, the degree to which the definitions of each of these elements are settled or contested), a domestic empirical unit, and an international empirical unit. We discuss both academic scholarship and cases/case studies that highlight these issues. Students write a paper and give a brief presentation to the seminar on their paper topic.

LAW 7580 Markets, Morals, and Methods

Spring. 3 credits. Limited enrollment. Open to law students and graduate philosophy and economics students. Satisfies writing requirement. Letter grades only. R. C. Hockett.

Seminar covering the foundations of choice, agency, and welfare—matters that lie at the core of normative legal and economic theory. It is jointly run by Kaushik Basu, chair of Economics at Cornell, and Robert Hockett, of the Cornell Law School. Readings, guest speakers, and class discussion focus on the nature of preferences, reasons, and norms, as well as (1) their interrelations and (2) their roles in guiding human decision and action. A central theme is the question whether and to what degree welfare, well-being, and wealth for that matter can be understood apart from

and even as determinative of normative propriety ("rightness" and "wrongness"), or whether instead these concepts presuppose a prior conception of normative propriety. Many legal and economic theorists seem to assume the former, but this assumption can be—and in this course is—examined critically. Approximately half of the class sessions feature presentations by distinguished legal theorists, welfare economists, and philosophers. The other class sessions are devoted to discussion of papers sent in advance by these guests, as well as complementary work by others.

LAW 7591 Mergers and Acquisitions

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: prior or concurrent basic Business Organizations/Corporations class at Cornell or another U.S./Canadian law school; prior (not concurrent): basic Contracts class from Cornell or another U.S./Canadian law school or basic contracts class (from any other law school) deemed comparable by the professors. S-U or letter grades. M. I. Greene and R. A. Hall.

Develops the lawyering skills required by an attorney advising a client who is selling or acquiring a business. Individual drafting exercises, as well as strategy discussions and negotiations by student teams acting as counsel to the buyer or seller, are interspersed with lectures on the business acquisition process and analysis of selected publicly available documentation of actual acquisition transactions. The typical chronology of an acquisition: negotiation by the buyer and the seller of the basic terms of the deal including selection of structure (sale of stock or assets; merger); drafting and negotiation of a term sheet or letter of intent; due diligence investigation; drafting and negotiation of the definitive acquisition agreement; handling of problems encountered between the execution of the agreement and the closing of the acquisition; and the closing.

LAW 7593 Income Taxations of Corporate Mergers and Acquisitions

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: Federal Income Taxation unless (1) a student believes he or she has an equivalent academic or professional background, AND (2) receives my advance permission to enroll. S-U or letter grades. R. Schnur.

Advanced seminar that, after reviewing the basic federal income tax principles governing taxable and nontaxable corporate mergers and acquisitions, introduces students to some of the more complex transactional tax issues and explores how these tax concepts are utilized in structuring acquisition transactions. The emphasis is on domestic rather than cross-border acquisitions. There is no final examination, but students are asked to prepare several planning memoranda directed at different merger and acquisition fact patterns.

LAW 7594 Neuroscience and the Law

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. P. Johnson.

Seminar examining key findings and implications for the law in the rapidly expanding field of neuroscience. Topics include the neurobiology of decision-making and memory, issues of gender difference in brain function, and the neurophysiology of

trauma, addiction, and aggression. Attention is also given to recently developed technologies for observing the human brain, the history and philosophy of clinical diagnosis as related to psychopathology and deviant behavior, and to prisons as asylums. The goal is to enable students to integrate cutting-edge scientific findings and related controversies into their understanding and approach to legal practice in such areas as criminal justice, mental health disability, domestic violence, gender equity, and child welfare.

LAW 7594 New York Civil Practice

Spring. 3 credits. Limited enrollment. Satisfies ethics requirement; can be used to satisfy writing requirement or skills requirement but not both. Prerequisite: full year of Civil Procedure. S-U or letter grades. N. E. Roth.

Explores the idiosyncrasies and intricacies of New York practice and procedure, with a particular focus on practice in the New York Supreme Court (the primary court of general original jurisdiction in New York). The course also examines rules concerning civility in litigation and the ethical boundaries of zealous representation.

LAW 7601 Organized Crime Control

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. R. Goldstock.

Explores the challenges organized crime poses to society and to traditional law enforcement techniques. Students undertake a simulated investigation using physical and electronic surveillance, the analysis of documentary evidence, and the examination of recalcitrant witnesses before the grand jury. The RICO statute is explored in detail as well as a variety of noncriminal remedies including forfeiture and court-imposed trusteeships.

LAW 7631 Pretrial Practice, Litigation Strategies, and Remedies in Commercial Litigation

Fall. 3 credits. Limited enrollment. Satisfies professional responsibility requirement and writing requirement. Prerequisite: Civil Procedure and Contracts or Contracts in a Global Society. S-U or letter grades. A. M. Radice and M. D'Amore.

Seminar studying the strategies of complex commercial litigation, focusing on case development in the pretrial period. It addresses strategies and approaches to pleadings, jurisdiction, motions, pretrial discovery, and remedies (e.g., preliminary injunctions, damages) in the context of difficult and unclear legal issues. Hardball litigation techniques and ethical considerations are considered as well as the use of litigation to achieve business goals. Actual litigated cases are dissected, and papers in the form of briefs and memoranda are written on each. Since 90 percent of commercial cases settle before trial, this seminar is a real-life presentation of the commercial litigation process.

LAW 7652 Human Free Will and Criminal Law (Seminar in the History of Biology) (also HIST 1450, BSOC/STS 4471, BIOEE 4670)

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. W. Provine.

Aims at understanding human free will. We try to understand the concept and its importance in society, law, and its connections to blame, retribution, punishment, and revenge. We do

our best to define human free will. Some of us find it unintelligible, given the evolutionary origin of humans. Others may consider it a gift of some god, or forbidden by other gods who truly control everything. Still others may find a way to see evolution of humans as the source of approximate free will. Guest speakers will include David Levitsky in Psychology and Nutrition, Derek Pereboom in Philosophy, and Reverend Janet Shortall, CURW. The written requirement is a serious research paper.

LAW 7781 Theories of Property

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: Property. Letter grades only. G. S. Alexander and H. Dagan.

The first set of readings cover the major theories of property, both positive and normative, including the labor theory, the personhood theory, welfarist theories, and rights theories. We then cover how ownership and property rights are structured, both legally and in social practice. Topics range from the numerus clausus problem to commodification to the role of social norms. We also discuss the role of social responsibility as a regulative ideal in property law and the possible ways of conceiving of that ideal.

The seminar also covers four grounded topics: information, the family, the home, and transitions, both legal and political. Information includes but is not restricted to intellectual property. It also covers such problems as the sale of body parts and rights to artifacts of cultural heritage. Family includes marital property and inheritance and intergenerational justice. Home covers a broad spectrum of problems, ranging from landlord-tenant relations to common interest communities to aboriginal land claims. Finally, Transitions treats touches on property problems that result from transitions to new political and legal regimes. These problems range from eminent domain and so-called "takings" to reparations for historic injustices. Throughout this part our aim is to bring theoretical problems concerning property to life by grounding them in some of the most persistent and contentious problems facing societies around the world.

LAW 7783 Topics in Intellectual Property

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. Letter grades only. O. Liivak.

Sizable disagreement and controversy surround many areas of intellectual property. This seminar explores these disputes. By surveying the academic literature the seminar aims to introduce, understand, and ultimately critique the arguments being made for and against various aspects of intellectual property.

LAW 7784 The War on Drugs

Spring. 3 credits. Limited enrollment. Can be used to satisfy writing requirement or skills requirement, but not both. S-U or letter grades. M. J. Satin.

The United States incarcerates more people for drug offenses than any other country. Of the more than 2 million people in prisons or jails, approximately one-quarter have been convicted of a drug offense. This seminar examines America's War on Drugs, including its evolution and development over the past 40 years, and its social and economic consequences. Specific attention is paid to its impact on the poor and people of color. The seminar examines the basis for and effect of

disparities in sentences between crack and cocaine offenses as well as recent federal cases and legislation on this subject. Other topics include mandatory minimum sentences, drug testing in schools, drug treatment and drug court, jury nullification, U.S. foreign policy toward countries supplying drugs, the drug policies of other countries, and the movement to legalize drugs.

LAW 7785 War Crimes Trials

Fall. 3 credits. Limited enrollment. Satisfies professional responsibility writing requirement and writing requirement. S-U or letter grades. M. Rosensaft.

Beginning in November 1945, in an unprecedented attempt to bring war criminals to justice, more than 20 senior government officials and military leaders of Hitler's Third Reich were indicted and tried, in what has become known as the Nuremberg Trial, for crimes against peace, war crimes, and crimes against humanity. Earlier that fall, the SS commandants, officers and guards who had been arrested by the British upon the liberation of the Bergen-Belsen concentration camp, had been tried before a British military tribunal. These were the first of numerous trials of Nazi war criminals and related criminal and civil proceedings arising out of the Holocaust. This seminar examines legal and ethical issues raised in these and other trials of Nazi war criminals and individuals accused of collaborating with the Nazis in perpetrating crimes against humanity, including the Eichmann Trial in Jerusalem, the Auschwitz Trial of former SS officials and guards held in Frankfurt-am-Main, Germany in 1963-65, the 1963-64 Tel Aviv trial of Hersz Barenblat, the head of the Jewish police in the ghetto of Bedzin, Poland, and the trials of Klaus Barbie (1987), Paul Touvier (1994), and Maurice Papon (1997-98) in France.

LAW 7991 Cornell Research Colloquium

Fall. 3 credits. Limited enrollment. Required for all first-year J.S.D. candidates. Then open first to L.L.M. students and next to J.D. students to the extent places are available. Visiting scholars and exchange students from foreign institutions highly encouraged to attend in an unofficial capacity. Satisfies writing requirement. J.S.D. and LL.M. program grading: H, S, U; J.D. program: letter grades only. M. Lasser.

Course in advanced academic research methodology designed to prepare students to engage in doctoral-level research, analysis, and writing, especially in comparative and international contexts. How is the researcher to select an object or subject of investigation? How should she formulate research questions? How should she engage in the study of foreign and domestic legal institutions, doctrines and/or cultures? How is interdisciplinary work to be accomplished? The early portions of the course involve discussing readings in comparative research methodology, including functionalism, Common Core analysis, legal transplant theory, historicism, law and development, legal pluralism, cultural analysis, colonial studies, and comparative institutionalism. In the latter portions, students present and critique their methodologically reflective research projects. External speakers present their work in progress for the purposes of generating methodologically oriented discussion.

CLINICAL COURSES AND EXTERNSHIPS

All clinical courses and externships have limited enrollment and satisfy the skills requirement.

Admission to all clinic courses is instructor selected.

Detailed clinical descriptions may be found at:

<https://support.law.cornell.edu/students/forms/ClinicalCoursesAndExternshipsDescriptions.pdf>

LAW 7802 Capital Appellate Clinic

Fall. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor; Criminal Procedure, Evidence, and either Capital Punishment or Post-Conviction Remedies Seminars preferred but not required. S-U or letter grades.

J. H. Blume and K. M. Weyble.

Students assist in the preparation of appellate briefs in selected capital cases. They work intensively with the record, research legal issues, and draft arguments. Unlike most of the death penalty clinics, no travel is expected.

LAW 7811 Capital Punishment Clinic: Post-Conviction Litigation

Spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor; Criminal Procedure, Evidence, and Capital Punishment Seminar preferred but not required. S-U or letter grades.

S. L. Johnson and K. M. Weyble.

Death penalty litigation: investigation and the preparation of petitions, memoranda, and briefs. Students work on two or possibly three capital cases. Case selection depends on both pedagogical factors and litigation needs of the inmates. Students read the record and research legal issues. Some students are involved in investigation, while others assist in the preparation of papers. All students are included in discussions regarding the necessary investigation, research, and strategy for the cases. Note: This course may require off-premises travel. The Cornell Death Penalty Project will reimburse students for reasonable travel expenses.

LAW 7812 Child Advocacy Clinic I

Spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor. S-U or letter grades. A. J. Mooney.

Students participate in the representation of children who are the subject of family court proceedings. Cases are likely to involve children who are the subjects of petitions such as abuse or neglect, custody, termination of parental rights, status offense, and juvenile delinquency. Students interview clients and their families, prepare documents such as pleadings, motions, pretrial memos, and proposed findings of fact, and participate in court conferences and hearings. The in-class component addresses cross-disciplinary concerns such as working with other professionals and using social science to assist a client. Additionally, the course focuses on child development and the particular ethical concerns involved with the representation of children. Note: This course requires off-premises travel. The student is responsible for travel to and from the sites.

LAW 7833 Criminal Defense Trial Clinic

Fall. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor; Evidence recommended. S-U or letter grades L. Salisbury.

Students represent defendants in nonfelony, nonjury criminal cases. The course has both a classroom and courtroom component. The classroom component focuses on all aspects of the handling of a criminal case, including criminal law and procedure, ethics, trial strategy, plea bargaining, and trials. The courtroom component involves attendance at court proceedings, including pretrial conferences. Each student potentially may interview clients and witnesses and prepare clients and witnesses for trial. All students conduct negotiations with the District Attorney's Office, do legal research, conduct fact investigation, prepare discovery demands, and engage in motion practice. Note: This course requires off-premises travel. The student is responsible for travel to and from the sites.

LAW 7831-2 Full-Term Externship

Fall, spring. 12 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor. S-U grades only. G. G. Galbreath.

Students earn 12 credit hours as externs working full time at approved placement sites (most are with nonprofit organizations or governmental agencies) during the fall or spring semester of their third year or the spring semester of their second year. A written application for the course must be submitted to the instructor and approved during the semester preceding the semester the student plans to participate. The student must be supervised/mentored by an attorney and engage in meaningful and "attorney-like" work at the placement that furthers the student's education and career goals. In addition to his or her work responsibilities for the placement, the extern prepares weekly journal entries, engage in regular electronic communication with the other extern and instructor, hosts the instructor for a site visit, and does a written evaluation of the placement experience. Note: This course requires off-premises travel. The student is responsible for travel to and from the sites.

LAW 7855 International Human Rights Clinic

Fall, spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor; International Human Rights and/or Public International Law recommended. Letter grades; S-U with permission of instructor. S. Kalantry.

Students learn substantive human rights law as well as human rights lawyering and advocacy skills. They learn to describe issues in human rights terms, formulate demands using human rights accountability tools, and develop strategies that utilize key features of human rights law. Students develop their international research and writing, and communication skills by working in teams on projects for international organizations and judges. The projects may involve legal action such as impact litigation, legal assistance and counseling, or fact-finding and reporting or human rights education and training, including judicial training. Projects have included drafting a petition submitted in an Indian high court challenging the practice of witch-hunting, fact-finding and drafting a report submitted to the Inter-American Commission on Human

Rights on the right to education in Colombia, researching and drafting a training manual for Indian judges on international fair trial standards, and conducting interviews and drafting a report on the barriers to justice faced by domestic violence victims in New York state who become criminal defendants. Some (but not all) projects may involve optional international travel and some projects may involve human rights issues within the United States. For more information about the clinic, visit our website: www.lawschool.cornell.edu/academics/clinicalprogram/int-human-rights/index.cfm.

LAW 7803 Advanced International Human Rights Clinic

Fall, spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor and International Human Rights Clinic. Letter grades; S-U with permission of instructor. S. Kalantry.

Students are team leaders in projects undertaken by students in the International Human Rights Clinic. Students advise other students on substantive as well as procedural issues relating to the clinic. Students also continue to conduct research and draft reports and court documents.

LAW 7871 Labor Law Clinic

Spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor; preference given to students who have taken Labor Law. It is helpful to have taken Administrative or Employment Law, but not required. S-U or letter grades. A. Cornell.

Gives students a practical opportunity to learn labor law, while making meaningful contributions to the labor movement and working people. This clinic combines a substantive component with practical experience. Students advise labor unions on a variety of legal issues that surface during the semester and may have the opportunity to represent unions in different forums. Students communicate directly with union representatives and are required to sort through the facts, research the issues, and provide information and advice. Students routinely draft legal memoranda, prepare and file pleadings and briefs as required. Students may have the opportunity to represent unions at hearings, mediation, or arbitration. Students may also be required to observe a hearing before the National Labor Relations Board, Public Employment Relations Board, or an arbitration. Students have also been invited to observe the collective bargaining process. A small number of students will have the opportunity to dedicate their clinical time to international labor law. Interested students can support the work of nonprofit organizations or global union federations with ongoing cases or projects. Note: This course may require off-premises travel. Please contact the professor if this is an obstacle.

LAW 7872 Land Use, Development, and Natural Resource Protection Clinic

Spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor; Land Use and/or Water Law Clinic recommended. S-U or letter grades. K. S. Porter, C. G. Bowman, and E. M. Penalver.

Issues of how land use and development may be managed to control, protect and conserve natural resources, particularly water, are coming to the forefront of national and

international policy. Land use policy is fundamental to both economic development and the protection of natural resources. The rich and complex body of law that balances often-competing needs of different stakeholders involves areas of law as diverse as land use, real estate, property, tax, contract, tort, local government, and water and environmental law. Often, even when stakeholders share a uniform vision, the transaction costs involved in executing alternative development plans are prohibitively high. This clinic provides students with the opportunity to work hands-on to identify, design and implement economically and politically viable solutions to environmental problems arising from land use decisions. Participating students assist clients such as developers, government agencies, community leaders, and public interest groups with a wide range of services. An increasingly critical concern is the role of land use and development on the quantity and quality of water resources. Another high priority, of national as well as local importance, is the development of energy resources such as natural gas or wind farms, and the complexities of the legal issues posed by their land use impacts.

Potential projects include drafting/reviewing municipal ordinances and inter-municipal agreements; consulting on design parameters for development sites (i.e., what type of density is possible, what type of variances are available); drafting petition/explanatory documents for clients who wish to obtain variances; resolving compliance issues with state and local laws; attending meetings, and drafting briefing papers or giving presentations for clients such as local governments and agencies. Because this clinic offers a great variety of transactional work, it will be of benefit to most students who are interested in transactional practices, particularly those interested in a career in real estate, land use, energy issues, finance, general practice, and environmental law. Note: This course requires off-premises travel. The student is responsible for travel to and from the sites.

LAW 7881 Law Guardian Externship

Fall, spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor. S-U or letter grades. A. J. Mooney.

Students are placed at the local Attorneys for Children office, where they assist the attorneys in the representation of children in abuse and neglect cases, juvenile delinquency proceedings, and PINS (Person in Need of Supervision) cases. Students accompany attorneys on home and school visits and attend court conferences, treatment team meetings, and various Family Court hearings. Duties may include client interviewing, investigation, drafting memoranda and motions, and trial preparation. There are several meetings with the instructor during the semester. Weekly journals are also required. Note: This course requires off-premises travel. The student is responsible for travel to and from the office, which is located in downtown Ithaca. A car is not required.

LAW 7911-2-3 Neighborhood Legal Services Externship 1, 2, or 3

Fall, spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor. S-U or letter grades. B. Strom.

Classroom component is provided by Public Interest 1, 2 (fall), or 3 (spring) classes depending on whether the student has previously been enrolled in a course in which Public Interest 1 classes were a component. Cases involve the representation of clients of a legal services office, the Ithaca office of Neighborhood Legal Services (NLS). Along with case handling, this externship includes a classroom component, provided by Public Interest 1, 2 (fall), or 3 (spring) classes. The classes are devoted to the development of lawyering skills and issues related to professional responsibility and the role of an attorney. In addition, each student meets periodically with the faculty supervisor to review the placement experience. Note: This course requires off-premises travel. The student is responsible for travel to and from the sites.

LAW 7921 Prosecution Trial Clinic

Fall. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: Evidence or permission of instructor. Interested students must submit a statement of interest and résumé to Prof. Robert Sarachan by July 15, 2010. S-U or letter grades. R. A. Sarachan.

Gives students the opportunity to prosecute nonfelony, nonjury trials in Ithaca City Court. The course has both a classroom component and a courtroom component. The classroom component involves lecture, discussion, and trial simulation exercises. Topics include criminal law and procedure, prosecution ethics, trial strategy and preparation, trial conduct including direct and cross-examination, plea-bargaining, and professional judgment. The courtroom component involves regular attendance at Ithaca City Court's nonjury terms. Students observe and critique trials and prosecute offenses including traffic tickets (e.g., speeding and running a red light), city code violations (e.g., open container and noise offenses), nonfelony penal law violations (e.g., disorderly conduct, possession of marijuana), among others. Each student is expected to conduct multiple trials during the semester, depending on docket volume. Students are also expected to prepare witnesses (typically police officers), conduct plea-bargaining negotiations, case research and fact investigation, respond to discovery demands, and engage in motion practice and appellate practice as needed. Note: This course requires off-premises travel. The student is responsible for travel to and from the sites.

LAW 7931 Public Interest Clinic 1

Fall, spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor. S-U or letter grades. B. Strom and G. G. Galbreath.

Students handle civil cases for low-income clients of the Public Interest Clinic under the supervision of clinic faculty. Students interview and counsel; investigate and analyze facts; interrelate substantive and procedural law with facts in the context of actual representation; develop strategies to handle clients' problems; identify and resolve professional responsibility issues; do legal writing; negotiate and settle cases; and represent clients in hearings. The classroom component develops interviewing, counseling, and advocacy skills through the use of readings, videotapes, discussions, and simulation exercises. Note: This course may

require travel for purposes of participating in hearings.

LAW 7932 Public Interest Clinic 2

Fall. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor; Public Interest Clinic 1 or clinic course that included Clinical Skills 1 classroom component. S-U or letter grades. B. Strom and G. G. Galbreath.

Students handle civil cases, participate in a classroom component, Clinical Skills 2, and help supervise participants in Public Interest Clinic 1. Cases are handled as described in the course description for Public Interest 1. Students represent the clinic's clients in both federal and state administrative hearings and courts. Clinical Skills 2 builds on the skills taught in Clinical Skills 1. Note: This course may require travel for purposes of participating in hearings.

LAW 7933 Public Interest Clinic 3

Spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor; Public Interest Clinic 1 or Neighborhood Legal Services Externship 1. S-U or letter grades. B. Strom and G. G. Galbreath.

Students handle civil cases, participate in a classroom component, and help supervise participants in Public Interest Clinic 1. Cases are handled as described in the course description for Public Interest 1. Students represent the clinic's clients in both federal and state administrative hearings and courts. The classroom component builds on skills developed in Public Interest Clinic 1. Note: This course may require travel for purposes of participating in hearings.

LAW 7953-4-5 Securities Law Clinic 1, 2, and 3

Fall, spring. 4 credits. Limited enrollment. Satisfies skills requirement. Prerequisite: permission of instructor. Pre- or co-enrollment in Securities Regulation or Dispute Resolution recommended but not required. S-U or letter grades. W. A. Jacobson.

Focuses on fundamental investigatory and advocacy skills applicable to representation of public investors in disputes subject to arbitration at the Financial Industry Regulatory Authority (f/k/a National Association of Securities Dealers), with particular attention to the elderly and to small investors. Substantive legal topics include the scope and nature of binding arbitration under the Federal Arbitration Act and New York law, and the legal and regulatory remedies available to defrauded investors. Course work includes training in skills such as interviewing potential clients, evaluating potential claims, preparing pleadings, conducting discovery, representing clients at hearings and negotiating settlements. Class work includes presentations by nationally recognized experts on topics applicable to evaluation of securities accounts, trading, and products. Under faculty supervision students represent investors, provide public education to community groups as to investment frauds, draft position statements to regulatory authorities, and/or participate in preparing amicus briefs, in support of public investors. Note: This course may require off-premises travel for potential client and witness interviews, hearings, and community presentations. Assistance provided to students who lack transportation.

LAW 7951-2 U.S. Attorney's Office Clinic 1 or 2

Fall, spring, 6 credits. Limited enrollment. Satisfies skills requirement. Registration for fall offerings was handled by U.S. Attorney's Office in February 2010 and spring offering will be done in September 2010. S-U grades only. C. E. Roberts.

Law students work 12 to 15 hours per week for the United States Attorney's Office in Syracuse, N.Y. Each student is assigned to work for an assistant U.S. attorney. Students perform research and writing, and trial assistance as needed. Students may qualify to appear in court under the supervision of their attorney and are encouraged to observe court proceedings in the U.S. courthouse. Students also attend a two hour seminar once a week at Cornell. The seminar focuses on writing in practice, including critiques of briefs, motions, and a petition for certiorari. Additional topics include federal criminal and civil practice, prosecutorial discretion, and habeas corpus. Guest speakers may include judges, a special prosecutor, and U.S. Department of Justice officials. Students must be U.S. citizens. Detailed course description available at: <https://support.law.cornell.edu/students/forms/ClinicalCoursesAndExternshipsDescriptions.pdf>. Note: This course requires off-premises travel. The student is responsible for travel to and from the sites.

LAW 7961 Water Law in Theory and Practice 1

Fall, 4 credits. Limited enrollment. Prerequisite: permission of instructor. S-U or letter grades. K. S. Porter and C. G. Bowman.

Competing uses of water resources pose high stakes. Serious conflicts now arise with increased frequency. There is growing necessity for effective legal instruments and methods of conflict resolution to avert or resolve disputes. The clinic addresses problems of law related to water through collaboration, consultation, relevant research, and writing. This involves selecting and working on a topic, or a dispute, of local, regional, national, or international importance with leaders and experts having knowledge or involvement in the issues of the topic. A specific purpose of the clinic is to provide real-world transactional experience particularly in resolving or avoiding disputes. Students have available for their projects the extensive network of resources initially established through the New York State Water Resources Institute based at Cornell University. Under faculty supervision, each student selects a project on a topic or dispute of theoretical and practical legal importance. Students consult and work with attorneys, professional staff and stakeholders engaged in work to which the project applies. Projects generally involve the following steps:

Identifying and defining the problem or dispute; formulating a procedure for the project including prospective cooperators and "clients"; developing a basic understanding of the legal issues and applicable methods through the relevant literature and documents; participating in on and off-campus meetings, and field trips; obtaining assistance, as relevant, of faculty in the various colleges and departments at Cornell University (Cornell University is preeminent in its faculty and staff resources with interests in the multiple aspects of water and land resource management); presenting the progress and results of their

project to interested groups and clients, and to the class. Note: This course requires off-premises travel. The student is responsible for travel to and from the sites.

LAW 7975 Wrongful Conviction and Actual Innocence

Fall, spring, 3 credits. Limited enrollment. Satisfies skills requirement. Prerequisites: permission of instructor; course in criminal procedure or other criminal law experience preferred. S-U or letter grades. C. Seeds. Focuses on the principal causes of wrongful convictions and provides an opportunity for students to obtain practical training in criminal defense through investigating and litigating on behalf of New York prisoners with claims of actual innocence. Students participate in developing investigation plans, interviewing witnesses, managing case files, reading transcripts, and drafting pleadings and memoranda. Classroom sessions focus on substantive issues relevant to the casework—e.g., false and forced confessions, jailhouse informant ("snitch") testimony, junk forensic science, errors in eyewitness identification, ineffective assistance of counsel, and police and prosecutorial misconduct—as well as postconviction procedure. In contrast to some programs specializing in DNA exonerations, this course concentrates on cases in which there is no biological evidence. Note: For some students, travel may involve long distance in or out of state.

NONPROFESSIONAL COURSES—NOT OPEN TO LAW STUDENTS**LAW 4021 Competition Law and Policy**

Fall, 4 credits. Intended for and limited to non-law students; interested law students should take the Antitrust Law course. Prerequisite: ECON 1110 or equivalent. No legal training or background required. Econ majors can use course as an equivalent to a 4000-level economics course. Letter grades only. G. A. Hay. Begins with actual cases arising under U.S. antitrust law and discusses the legal, economic, and policy issues raised.

LAW 4051 The Death Penalty in America

Spring, 4 credits. Undergraduates only. S-U or letter grades. J. H. Blume and S. L. Johnson.

The death penalty has received increased media attention due to high-profile death row exonerations, and has long been under siege for other reasons, e.g., racial disparities in its imposition and the prevalence of very poor representation by defense counsel. This course surveys the legal and social issues that arise in the administration of the death penalty. The reading is largely comprised of reported death penalty cases, but is augmented by a variety of other sources, including empirical studies of the death penalty and the litigation experience of the professors. Although the focus is on capital punishment as practiced in the United States, we also consider international and comparative perspectives. Guest speakers provide a range of views, and law students with experience working on capital cases lead discussion sections.

LAW 4121 Gender, Public Policy, and Law

Fall, 4 credits. Undergraduates only. S-U or letter grades. C. G. Bowman.

Provides a brief introduction to the history of the women's movement in the United States and to the development of the constitutional standard for gender, followed by a sampling of the competing theoretical approaches that can be taken to legal problems involving gender—a formal equality approach, the dominance approach (exemplified by Catharine MacKinnon), relational or cultural feminism (a "differences" approach represented in the legal academy by Robin West and Mary Becker), socialist feminism, pragmatic feminism, and critical race feminism. After the constitutional and theoretical foundations have been laid, we study a series of issues and issue areas where gender is critical to legal treatment—reproduction (e.g., abortion, surrogate motherhood, and other reproductive technologies), rape, domestic violence, prostitution, pornography, cohabitation, same-sex marriage, and other family law issues. We study how these issues are treated under current law and discuss what might be better approaches to each. To introduce students to the study of law, we use a textbook used in law school courses, Becker, Bowman, Nourse, and Yuracko, *Feminist Jurisprudence: Taking Women Seriously* (3d ed. 2007). No prior knowledge of legal analysis or concepts is presumed. Requirements: two five-page papers and a final exam.

LAW 4131 The Nature, Functions, and Limits of Law (also GOVT 3131)

Fall, 4 credits. Undergraduates only. Letter grades only. K. M. Clermont and R. A. Hillman.

A general-education course to acquaint students with how our legal system pursues the goals of society. The course introduces various perspectives on the nature of law, what functions it ought to serve in society, and what it can and cannot accomplish. The course proceeds in the belief that such matters constitute a valuable and necessary part of a general education, not only for prelaw students but especially for students in other fields. Assigned readings comprise legal materials and also secondary sources on the legal process and the role of law in society. The classes include discussion and debate about current legal and social issues, including equality, safety, the environment, punishment, and autonomy.

FACULTY ROSTER

Alexander, Gregory S., J.D., Northwestern U.
A. Robert Noll Prof.

Barceló, John J. III, S.J.D., Harvard U. William
Nelson Cromwell Professor of International
and Comparative Law, Elizabeth & Arthur
Reich Director, Leo & Arvilla Berger
International Legal Studies Program

Blume, John H., J.D., Yale U. Prof.; Director,
Death Penalty Project

Bowman, Cynthia G., J.D., Northwestern U.
Dorothea S. Clarke Professor of Law

Chafetz, Josh, Ph.D., Oxford U. (UK). Asst.
Prof.

Clermont, Kevin M., J.D., Harvard U. Robert D.
Ziff Professor of Law

Clymer, Steven D., J.D., Cornell U. Prof.

Colb, Sherry F., J.D., Harvard U. Prof. and
Charles Evan Hughes Scholar

Dorf, Michael C., J.D., Harvard U. Robert S.
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Eisenberg, Theodore, J.D., U. of Pennsylvania.
Henry Allen Mark Professor of Law; Adjunct
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of Academic Affairs; Prof.

Germain, Claire M., M.L.L., U. of Denver.
Edward Cornell Law Librarian; Prof.; director,
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Edward Cornell Professor of Law; Prof.,
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Holden-Smith, Barbara J., J.D., U. of Chicago.
Vice Dean; Prof.

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Death Penalty Project

Knight, Leslie, J.D., U. of California, Davis. Lec.

Lasser, Mitchel, Ph.D., Yale U. Jack G. Clarke
Professor of Law

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Lienau, Odette, Ph.D., Harvard U. Asst Prof.

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Penalver, Eduardo, J.D., Yale U. Prof.

Rachlinski, Jeffrey J., Ph.D., Stanford U. Prof.

Rana, Aziz, J.D. Yale U., Ph.D., Harvard U.
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Clinical Prof.

Strom, Barry, J.D., Cornell U. Clinical Prof.

Lawyering Program Faculty

Atlas, Joel, J.D., Boston U. Director, Lawyering
Program; Clinical Prof.

Freed, Lara Gelbwasser, J.D., Harvard U.
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Andrew H. and James S. Tisch Distinguished
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Evolutionary Biology; Adjunct Prof. of Law

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Johnson Graduate School of Management

Wells, Martin T., Ph.D., U. of California. Prof.,
School of Industrial and Labor Relations

Adjunct Faculty Members

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Blyth, John E., Dr.jur., Goethe U. (Germany)

Briggs, W. Buckley, J.D., Georgetown U.

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Schnur, Robert A., J.D., Harvard U.

Seeds, Christopher, J.D., Cornell U.

Weyble, Keir M., J.D., U. of South Carolina.
Director, Death Penalty Litigation

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Yusem, Stephen G., J.D., U. of Pennsylvania