

Harvard Law School Course Catalog

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2013-2014 Academic Year

Access to Civil Justice

Course #: 2581 **Term:** 2014SP **Faculty:** Greiner, D. James **Credits:** 3.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Wed 1:10 PM - 2:40 PM

Thu 1:10 PM - 2:40 PM

Location

WCC4061

WCC4061

Course Description: The traditional adversarial model of civil justice assumes that a passive decision maker can arrive at a legally correct (or at least legally defensible) decision when each of two (or a small number) of opposing parties is represented by competent counsel who put forward the facts and legal arguments most advantageous to their respective clients. A great deal of United States legal structure, including much of the law school first year curriculum, the ethical and other rules governing attorneys and judges, the rules of evidence, and vast portions of the substantive law, are all based upon this model of the legal system.

This course will begin by exploring the fact that this model of the legal system has as much relationship to modern reality as do the unicorn, the dragon, and the hippogriff. It will begin by clarifying that by any measure, the overwhelming majority of civil litigants in modern United States courts and administrative adjudicatory bodies are unrepresented by counsel, and that a vast portion of those litigants who do receive some form of legal assistance receive less than a traditional attorney-client relationship. It will assess why many individuals who identify needs or problems that we might characterize as legal never access the civil justice system. It will discuss attempted and proposed service-based solutions to these problems, including traditional legal aid, pro bono, court-based remedies (such as self-help centers), and self-empowerment devices (such as online and traditional educational materials). It will also discuss possible structure remedies, such as unbundled/limited legal assistance, aggregation devices (such as class actions and MDL panels), and fee-shifting statutes. It will conclude by assessing other potential solutions.

Some element of field work and visitation will be required.

A component of the grade will include class participation and assigned oral exercises.

Prerequisite: Civil Procedure

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Administrative Law

Course #: 2000 **Term:** 2013FA **Faculty:** Sunstein, Cass **Credits:** 3.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Regulatory Law

Delivery Mode: Course

Days and Times:

Wed 1:10 PM - 2:40 PM

Thu 1:10 PM - 2:40 PM

Location

WCCB010

WCCB010

Course Description: This course will examine the legal controls on government regulation, in areas as diverse as environmental law, national security, communications, foreign affairs, taxation, labor-management relations, and much more. Pervasive questions will involve the constitutional legitimacy of "the regulatory state"; the procedures that are supposed to improve and discipline agency decisions; the right to a hearing; the role of cost-benefit analysis; and the allocation of power between regulators and judges. A distinctive feature of the course will be frequent focus on democratic theory, on regulatory policy, and on how administrative law can actually make society work better or worse.

Administrative Law

Course #: 2000 **Term:** 2013FA **Faculty:** Vermeule, Adrian **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

PND101

PND101

Course Description: This course will study law making and law application by executive departments of government. Using the material covered in the first-year "Legislation and Regulation" course as a foundation, this class will cover a variety of topics, including the legal framework (both constitutional and statutory) that governs administrative adjudication; the proper role of agencies in interpreting statutory and regulatory law; judicial review of agency decisions; public participation in agency rulemaking; and non-traditional approaches to regulation, including negotiation and privatization. The central theme of the course is how the law manages the tension between "rule of law" values (e.g., procedural regularity, accountability, and substantive limits on arbitrary action) and the desire for flexible, effective administrative governance.

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Administrative Law

Course #: 2000 **Term:** 2014SP **Faculty:** Rakoff, Todd **Credits:** 3.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Regulatory Law

Delivery Mode: Course

Days and Times:

Wed 8:40 AM - 9:40 AM

Thu 8:40 AM - 9:40 AM

Fri 8:40 AM - 9:40 AM

Location

WCC2012

WCC2012

WCC2012

Course Description: This course will study law making and law application by executive departments of government. Using the material covered in the first-year "Legislation and Regulation" course as a foundation, this class will cover a variety of topics, including the legal framework (both constitutional and statutory) that governs administrative adjudication; the proper role of agencies in interpreting statutory and regulatory law; judicial review of agency decisions; public participation in agency rulemaking; and non-traditional approaches to regulation, including negotiation and privatization. The central theme of the course is how the law manages the tension between "rule of law" values (e.g., procedural regularity, accountability, and substantive limits on arbitrary action) and the desire for flexible, effective administrative governance.

Administrative Law

Course #: 2000 **Term:** 2014SP **Faculty:** Freeman, Jody **Credits:** 3.00

Type: Multi-section Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

AUS100

AUS100

Course Description: This course will study the law governing federal administrative agencies, and related matters of policy and theory. Using the material covered in the first-year "Legislation and Regulation" course as a foundation, this class will cover a variety of more advanced topics, including the structure and function of administrative agencies; the role of agencies in interpreting statutes and regulations; the legal framework governing administrative adjudication as opposed to regulation; the president's power to supervise the executive branch; congressional delegation and principal-agent problems; the theory and practice of statutory interpretation; and the appropriate role of private actors in the administrative process. The central theme of the course will be on the need to manage the tension between flexibility and constraint in the administrative state.

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Advanced Clinical Practice

Course #: 2001 **Term:** 2013FS **Faculty:** Grossman, David; Caramello, Esme **Credits:** 2.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Thu 3:00 PM - 5:00 PM

Location

Course Description: Required Clinic Component: Harvard Legal Aid Bureau 3L (3 fall credits + 3 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Co-/Pre-Requisites: Evidence; Trial Advocacy Workshop; Harvard Legal Aid Bureau 2L.
By Permission: Yes. This course is restricted to members of HLAB 3L.
Add/Drop Deadline: n/a.
LLM Students: LLM students are not eligible to enroll.
Multi-Semester: This is a fall-spring course (1 fall credit + 1 spring credit).

This workshop, which is required for all 3L members of the Harvard Legal Aid Bureau, provides students with the opportunity to engage in further critical self-reflection on their clinical experience, focusing on their roles as advocates, mentors, and law office managers and incorporating readings on issues of poverty law and legal services delivery. The class will meet on alternating weeks and will be graded credit/fail.

Enrollment in this course is restricted to 3L Harvard Legal Aid Bureau members, and will not be in clinical registration. HLAB members in their 3L year in 2013-2014 will automatically be enrolled in this seminar.

Advanced Environmental Law in Theory and Application

Course #: 2417 **Term:** 2014SP **Faculty:** Lazarus, Richard **Credits:** 3.00

Type: Elective **Subject Areas:** Environmental Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Location

WCC3007

WCC3007

Course Description: This course complements the general survey course in environmental law. The primary contrast between the two courses lies in their relative breadth and depth of coverage. The survey course can perhaps be best described as a series of broad, shallow dives into the substance of federal environmental law. This class, Advanced Environmental Law In Theory and Application, includes a series, far fewer in number, of much narrower and deeper dives into some of the same material, but also different material, potentially including natural resources law. The basic objective of this advanced course is to teach students how to navigate and think about an exceedingly complex regime of statutes, regulations, and informal agency practices, in the context of addressing a concrete environmental problem. By examining in detail environmental law in application, the theoretical underpinnings and the challenges of environmental lawmaking are well highlighted. There are no formal prerequisites for the class, although the environmental law survey course is a recommended course to have taken beforehand.

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Advanced Japanese Law: Selected Readings

Course #: 2317 **Term:** 2013FA **Faculty:** Aizawa, Hidetaka **Credits:** 1.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Thu 5:00 PM - 6:00 PM

Location

WCC4056

Course Description: In this reading group, students will read a wide variety of law-related materials in the original Japanese language. Class discussion will cover both any language questions that arise, and the substance of the material discussed.

Materials to be read will be announced prior to the course beginning. The course will meet during the weeks of September 9 - October 4.

Prerequisite: Admission is by permission of the instructors. Students interested in the course should email Professor Aizawa (h_aizawa@jurists.co.jp) and Professor Ramseyer (Ramseyer@law.harvard.edu) explaining their background in the language.

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Advanced Skills Training for Human Rights Advocacy

Course #: 2399 **Term:** 2013FA **Faculty:** Giannini, Tyler **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Thu 3:00 PM - 5:00 PM

Location

WCC5050

Course Description: Required Clinic Component: International Human Rights Clinic - Advanced (2 fall credits) OR Semester in Human Rights (6 fall credits). Students must be enrolled in one of these clinics before they are permitted to enroll in this course.
Additional Co-/Pre-Requisites: Prior semester of the International Human Rights Clinic.
By Permission: No for students in the International Human Rights Clinic - Advanced; Yes for students in Semester in Human Rights.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll. This seminar offers advanced training on a variety of skills relevant to the work of human rights advocates. It is designed for students who already have at least one semester of experience in the International Human Rights Clinic. Through intensive skills-modules, students develop and refine advanced skills in key areas: media work, fact-finding and interviewing, and negotiation and coalition-building. Students also build leadership skills crucial for a career in human rights, such as how to set and advance human rights agendas, mobilize constituencies, and manage projects including supervising other members of a team. The seminar also explores professional ethics and responsibilities by drawing from scenarios based on human rights practitioners' experiences in the field. Finally, the seminar considers organizational questions, including the effect of organizational mandates on research and advocacy, different institutional cultures, and how to build human rights organizations. Students will have an opportunity to workshop clinical projects and undertake in-depth participatory evaluation of advocacy and litigation strategies.

Advanced Topics in Antitrust

Course #: 2449 **Term:** 2014SP **Faculty:** Elhauge, Einer **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4059

Course Description: This course will address current hotly debated topic of antitrust law and economics. Students will write their own paper for the course.

Prerequisite: Antitrust Law

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Advanced Topics in Jewish Law

Course #: 2437 **Term:** 2013FA **Faculty:** Feldman, Noah **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Tue 7:00 PM - 9:00 PM

Location

WCC3011

Course Description: The group will examine sociological questions of the Yeshiva world as well theoretical/textual ones regarding what is studied, and how, and by whom.

Prerequisite: This seminar will be by permission of the instructor, who strongly prefers that students have a background in advanced study of Jewish legal material. Please email Prof. Feldman (nfeldman@law.harvard.edu,) and copy his assistant, Shannon Whalen (swhalen@law.harvard.edu,) a brief statement of interest for the reading group including previous related studies, interests, etc.

Note: The reading group will meet on six Tuesday nights throughout the term, the specific dates are as follows: 10/01, 10/29, 11/12, 11/19, 11/26, and 12/03.

Advanced Topics in Jewish Law: Haredi responses to Zionism

Course #: 2437 **Term:** 2014SP **Faculty:** Feldman, Noah **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Tue 7:00 PM - 9:00 PM

Location

WCC3034

Course Description: The group will examine Haredi responses to Zionism, 1880s to the present.

Prerequisite: This seminar will be by permission of the instructor, who strongly prefers that students have a background in advanced study of Jewish legal material. Please email Prof. Feldman (nfeldman@law.harvard.edu,) and copy his assistant, Shannon Whalen (swhalen@law.harvard.edu,) a brief statement of interest for the reading group including previous related studies, interests, etc.

The meeting dates are as follows: 02/04, 02/18, 02/25, 03/04, 03/25, and 04/01.

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American Indian Law

Course #: 2002 **Term:** 2014WI **Faculty:** Anderson, Robert **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:15 PM	PND100
Tue 9:00 AM - 12:15 PM	PND100
Wed 9:00 AM - 12:15 PM	PND100
Thu 9:00 AM - 12:15 PM	PND100
Fri 9:00 AM - 12:15 PM	PND100

Course Description: This course covers the history and fundamentals of modern federal Indian law in the United States. Topics include the relative bounds of federal, tribal and state jurisdiction over Indian country; hunting, fishing and gathering rights; Indian reserved water rights; and settlement of Alaska Native land claims. The casebook is Anderson, Berger, Frickey & Krakoff, American Indian Law, Second Edition (West 2010).

American Jury

Course #: 2003 **Term:** 2013FA **Faculty:** Nesson, Charles **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Procedure & Practice

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 2:30 PM	LAN272
Tue 1:00 PM - 2:30 PM	LAN272

Course Description: With mythic origins in Magna Carta, a history intimately connected with struggles for liberty, cornerstone of constitutions of the states and United States of America, the American jury was once the bulwark of our liberty and the foundation of our law. Our class will engage the jury as history and practice. We will find it sick, institutionally speaking, weakened by racism wrapped in legalism, and urgently in need of competent legal representation, which we will seek to provide. Eclectic readings, audio-visual assignments, group work, and a supervised paper.

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American Legal History

Course #: 2004 **Term:** 2014SP **Faculty:** Mann, Bruce **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Legal History

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3013

Course Description: The seminar will examine the legal and constitutional history of late-colonial America and the early republic, an era that spans the middle of the eighteenth century to the first decades of the nineteenth. Reading for the seminar will include books, articles, amicus briefs, and some primary materials on topics such as the impact of law on the Revolution, the impact of the Revolution on law, crime and punishment, probing for original intent, the conservative and revolutionary roles of law in economy and society, and changing legal definitions of slavery, freedom, and dependence.

Each member of the seminar will prepare in advance of each class a two-page response to the reading assigned for that class. The final grade for the seminar will be based on class participation, the weekly written responses, and two other short papers.

American Legal History 1776-1865

Course #: 2163 **Term:** 2014SP **Faculty:** Gordon-Reed, Annette **Credits:** 3.00

Type: Elective **Subject Areas:** Legal History

Delivery Mode: Course

Days and Times:

Tue 10:30 AM - 12:00 PM

Wed 10:30 AM - 12:00 PM

Location

PND100

PND100

Course Description: This course will trace the development of the American legal and political system from 1776 to 1865. We will discuss the formation of state constitutions and the Federal Constitution, slavery and law, the development of American private law, the Revolution of 1800 and the Age of Jefferson, the mechanisms of westward expansion, the Age of Jackson, and the coming of the Civil War.

Note: This course is jointly-listed with FAS as History 1405.

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American Legal History: Law and Social Reform, 1929-1973

Course #: 2586 **Term:** 2013FA **Faculty:** Brown-Nagin, Tomiko **Credits:** 2.00

Type: Elective **Subject Areas:** Legal History

Delivery Mode: Seminar

Days and Times:

Tue 1:10 PM - 3:10 PM

Location

HAU101

Course Description: This seminar considers issues in 20th-century movement for social reform from the perspective of legal history and the legal profession. It emphasizes matters of race, class and gender inequality and readings cover the black freedom struggle, women's rights, the labor movement and anti-poverty struggles. Students read legal cases and works of historical and legal scholarship.

Note: This course is jointly-listed with FAS as History 2474. For the FAS room assignment, please see this link

An Introduction to American Law

Course #: 2135 **Term:** 2013FA **Faculty:** Taggart, Christopher **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 3:00 PM - 5:00 PM

Location

PND101

Course Description: This course introduces students trained as lawyers outside of the United States to the U.S. legal system, helping to supplement and put into context what they learn in their other courses at HLS. Included among the topics covered are: the basic structure and function of U.S. legal institutions; basics of subject matter and personal jurisdiction of American courts; the interaction of state and federal law in the American system of federalism; selected doctrines of constitutional law; selected topics pertaining to the American criminal and civil justice systems; and trial by jury. Students will see how the law is portrayed in film and will visit a federal district court in Boston. Throughout the course, students will be invited to share their experiences and compare the U.S. system with their own legal systems.

Note: This course is not open to JD students.

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Analytical Methods for Lawyers

Course #: 2006 **Term:** 2013FA **Faculty:** Spier, Kathryn **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

WCC1019

WCC1019

Course Description:

Lawyers in almost every area of practice (litigation, corporate, government, public interest) deal routinely with problems that are usefully illuminated by basic business and economic concepts. This course is designed to teach the most important analytical methods to law students, in a manner that will be fully accessible to those with no prior quantitative training or background in the subjects covered. Using text, classroom activities, and written exercises, we will explore how these tools may be used to analyze concrete problems that arise in a wide range of legal practice settings. The course will consist of seven units:

1. Decision Analysis, Games and Information: Lawyers assist their clients in making a wide variety of decisions, ranging from the settlement of lawsuits to the purchase of property. We will explore a standard technique that has been developed to organize thinking about decision-making problems and to solve them. We will also consider strategic interactions between parties and considerations related to imperfect information.

2. Contracting: Lawyers write many contracts, concerning such matters as acquisitions of land or corporations, creation of partnerships and nonprofit entities, settlement of lawsuits, financing arrangements, and government procurement. This unit presents practical principles concerning what issues should be addressed in contracts and how they might best be resolved.

3. Accounting: Lawyers who counsel clients in conducting their affairs or who represent them in litigation must understand the parties financial circumstances and dealings, which often are represented in financial statements. Basic accounting concepts will be introduced, and the relationship between accounting information and economic reality will be examined.

4. Finance: Legal advice in business transactions, division of assets upon divorce, litigation, and many other matters require knowledge of valuation, assessment of financial risk, and comprehension of the relationships between those who provide financing and those who need it. We will consider basic principles of finance, such as present value, the tradeoff between risk and return, the importance of diversification, and basic methods for valuing financial assets.

5. Microeconomics: Lawyers need to understand their clients and other parties economic situations and opportunities as well as the principles that underlie many of the rules of our legal system. This unit presents basic economic concepts--the operation of competitive markets, imperfect competition, and market failures--that are necessary to this understanding.

6. Law and Economics: Legal rules have important effects on clients interests, which must be appreciated by lawyers who advise them and by judges, regulators, and legislators who formulate legal rules. We will explore these effects using the economic approach to law, with illustrations from torts, contracts, property, law enforcement, and legal procedure.

7. Statistics: Legal matters increasingly involve the use of statistics in business contexts, in the promulgation of government regulations, in the measurement of damages, in attempts to make inferences concerning parties behavior (such as those regarding discrimination in employment),

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and in determination of causation (in tort, contract, and other disputes). We will address the basic statistical methods, including regression analysis, as well as issues that commonly arise when statistics are used in the courtroom.

Prerequisites: This course is designed to be fully accessible to those with no prior quantitative training or background in the subjects covered.

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Analytical Methods for Lawyers

Course #: 2006 **Term:** 2014SP **Faculty:** Cope, David **Credits:** 4.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:40 PM

Tue 3:20 PM - 4:40 PM

Wed 3:20 PM - 4:40 PM

Location

LAN272

LAN272

LAN272

Course Description:

Lawyers in almost every area of practice (litigation, corporate, government, public interest) deal routinely with problems that are usefully illuminated by basic business and economic concepts. This course is designed to teach the most important analytical methods to law students, in a manner that will be fully accessible to those with no prior quantitative training or background in the subjects covered. Using text, classroom activities, and written exercises, we will explore how these tools may be used to analyze concrete problems that arise in a wide range of legal practice settings. The course will consist of seven units:

1. Decision Analysis, Games and Information: Lawyers assist their clients in making a wide variety of decisions, ranging from the settlement of lawsuits to the purchase of property. We will explore a standard technique that has been developed to organize thinking about decision-making problems and how to solve these problems. We will also consider strategic interactions between parties and considerations related to imperfect information.

2. Contracting: Lawyers write many contracts concerning such matters as acquisitions of land or corporations, creation of partnerships and nonprofit entities, settlement of lawsuits, financing arrangements, and government procurement. This unit presents practical principles concerning what issues should be addressed in contracts and how they might best be resolved.

3. Accounting: Lawyers who counsel clients in conducting their affairs, or who represent them in litigation, must understand the parties financial circumstances and dealings, which often are represented in financial statements. Basic accounting concepts will be introduced, and the relationship between accounting information and economic reality will be examined.

4. Finance: Legal advice in business transactions, division of assets upon divorce, litigation, and many other matters require knowledge of valuation, assessment of financial risk, and comprehension of the relationships between those who provide financing and those who need it. We will consider basic principles of finance, such as present value, the tradeoff between risk and return, the importance of diversification, and basic methods for valuing financial assets.

5. Microeconomics: Lawyers need to understand their clients and other parties economic situations and opportunities as well as the principles that underlie many of the rules of our legal system. This unit presents basic economic concepts--the operation of competitive markets, imperfect competition, and market failures--that are necessary to this understanding.

6. Law and Economics: Legal rules have important effects on clients interests, which must be appreciated by lawyers who advise them and by judges, regulators, and legislators who formulate legal rules. We will explore these effects using the economic approach to law, with illustrations from torts, contracts, property, law enforcement, and legal procedure.

7. Statistics: Legal matters increasingly involve the use of statistics in business contexts, in the promulgation of government regulations, in the measurement of damages, in attempts to make

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inferences concerning parties behavior (such as those regarding discrimination in employment), and in determination of causation (in tort, contract, and other disputes). We will address the basic statistical methods, including regression analysis, as well as issues that commonly arise when statistics are used in the courtroom.

Animal Law

Course #: 2355 **Term:** 2014SP **Faculty:** Waldau, Paul **Credits:** 3.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

WCCB015

WCCB015

Course Description: This is a basic course in animal law in which the student engages a broad range of cases, legislation, and concepts as they pertain to nonhuman animals. After an introduction focused on (i) the history of legal protections for nonhuman animals in the U.S. legal system and (ii) the current status of nonhuman animals in contemporary societies more generally, the first part of the course examines substantive law in the areas of property, contracts, torts, wills and trusts, and criminal law. Woven throughout the discussion of substantive law are comments and questions regarding current cultural attitudes towards animals outside the human species. The second part of the course uses (a) the material from the first part of the course and (b) various constitutional and common law principles to assess current proposals that basic legal protections, including specific legal "rights" and "legal personhood," should be afforded some nonhuman animals. The third part of the course uses the tools and perspectives developed in Parts I and II to examine various federal and state legislation impacting other animals. The required texts will be *Animal Law* (4th Edition, Carolina Academic Press, 2010), *S. Wise, Rattling the Cage* (2000), and *P. Waldau Animal Studies-An Introduction* (2013, Oxford University Press).

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Antitrust Law and Economics - International

Course #: 2099 **Term:** 2014SP **Faculty:** Elhauge, Einer **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Government Structure & Function; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Thu 10:20 AM - 11:50 AM

Fri 10:20 AM - 11:50 AM

Location

WCC5056

WCC5056

Course Description: This course is the continuation of the regular course in U.S. antitrust law. It addresses the laws from other nations that are relevant to regulating the process of business competition and the economic analysis that is relevant to understanding modern antitrust adjudication. Topics include horizontal agreements in restraint of trade, monopolization and abuses of dominance, vertical exclusionary agreements, vertical distributional restraints, price discrimination, mergers, and the treatment of anticompetitive conduct that spans multiple nations. Prior economics background is not required because the course will teach you the relevant economics, and students have performed at the very top levels of the class without any prior economics background. Nonetheless, the course does involve a fair bit of economics, so students must be comfortable with that, and students have reported that they felt a prior background in economics is helpful for this class. Students who have taken Global Antitrust Law may not take this course because it duplicates the international portion of the material covered in Global Antitrust Law. The book will be Elhauge, *Global Antitrust Law and Economics* (Foundation Press 2d ed. 2011).

Prerequisites: The basic course in U.S. antitrust law, such as the course taught in recent years by Professors Kaplow and Elhauge or Judge Boudin.

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Antitrust Law and Economics - US

Course #: 2007 **Term:** 2013FA **Faculty:** Elhauge, Einer **Credits:** 4.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Wed 1:10 PM - 2:30 PM

Thu 1:10 PM - 2:30 PM

Fri 1:10 PM - 2:30 PM

Location

WCC2004

WCC2004

WCC2004

Course Description:

This course covers U.S. antitrust law, which is the law that regulates the process of business competition, and the economic analysis that is relevant to understanding modern antitrust adjudication. Topics include horizontal agreements in restraint of trade, monopolization, vertical exclusionary agreements, vertical distributional restraints, price discrimination, and mergers. Prior economics background is not required because the course will teach you the relevant economics, and students have performed at the very top levels of the class without any prior economics background. Nonetheless, the course does involve a fair bit of economics, so students must be comfortable with that, and students have reported that they felt a prior background in economics is helpful for this class. The course will have weekly small sections led by former antitrust students to help with the economics and material in general.

The book for students who just plan to take this course will be Elhauge, U.S. Antitrust Law and Economics (2d ed. Foundation Press 2011). Students who plan to go on to take Antitrust Law & Economics - International should instead get Elhauge, Global Antitrust Law and Economics (2d ed. Foundation Press 2011), which includes both the U.S. and International portions.

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Appellate Courts and Advocacy Workshop

Course #: 2426 **Term:** 2014WS **Faculty:** Wolfman, Brian **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Procedure & Practice

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:15 PM	HAU101
Tue 9:00 AM - 12:15 PM	HAU101
Wed 9:00 AM - 12:15 PM	HAU101
Thu 9:00 AM - 12:15 PM	HAU101
Fri 9:00 AM - 12:15 PM	HAU101
Fri 9:50 AM - 11:50 AM	HAU101

Course Description: The Appellate Courts and Advocacy Workshop combines a substantive review of key appellate litigation doctrines concerning appellate jurisdiction, standards of review, and other topics, with an intensive advocacy component, including motion and brief writing. The course considers each stage of the appellate litigation process, beginning with a general overview, moving to the various bases for appellate jurisdiction in the federal courts, then discussing standards of review, and concluding with an intense review of the anatomy of an appellate brief. We will also briefly consider U.S. Supreme Court practice. Students considering appellate court clerkships after graduation may find this course useful.

There are about a half dozen small to medium-sized writing assignments, which have two purposes: They introduce students to an aspect of appellate practice, and they demand application of one or more of the course's doctrinal topics. In addition to these smaller assignments, students are also responsible for writing an appellate brief. For all assignments, students are provided copies of relevant practice rules, statutes, cases, and other items. No outside research is involved.

The doctrinal portion of the course, and the corresponding small to medium-sized writing assignments, will be covered during the first five days of the January Term and five consecutive Friday mornings beginning on February 7. The appellate brief also will be completed during the Spring Term. In addition to classroom sessions, each student will have a one-on-one meeting with the teacher to review a draft appellate brief. Students who are considering enrolling in this course should read the more detailed course description located at <http://www.citizen.org/documents/hlsdetaileddescription2014.pdf>.

The instructor, Brian Wolfman, is Visiting Professor of Law at Georgetown University Law Center (GULC) and co-Director of GULC's Institute of Public Representation, where he directs a student-based clinic that handles a mix of individual civil rights cases and impact public-interest litigation. He is the former Director of Public Citizen Litigation Group, a public-interest law firm in Washington, D.C., where he practiced for nearly 20 years. He has litigated dozens of cases in courts of appeals and in the Supreme Court.

Note: The credit breakdown for this course is as follows: three total credits with one classroom and one writing credit awarded during the winter term and one classroom credit awarded during in the spring term.

Spring meeting dates: February 7, 14, 21, 28, and March 7.

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2013-2014 Academic Year

Applied Quantitative Analysis

Course #: 2009 **Term:** 2014SP **Faculty:** Coan, Travis **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC1015

Course Description: The field of empirical legal studies has grown considerably in recent years and the use of quantitative methods is now common in legal scholarship, legal practice, and by policy-makers. This one-credit course is designed to help students understand, perform, and critique empirical legal scholarship. The course covers a broad range of topics, including descriptive statistics, hypothesis testing, and regression analysis. Lectures, readings, and exercises focus on:

1. When to apply particular methods
2. How to apply methods using data and statistical software (i.e., Stata)
3. How to interpret and report empirical results
4. How to evaluate and critique results

Students are expected to attend and participate in lectures. In lieu of a final examination, students will complete four homework assignments, each with four to six pages of applied statistical exercises. NO prior knowledge of statistics or statistical software training is necessary. You will be able to complete the exercises based solely on what you learned in class.

Note: This course will meet from Wednesday, January 29, 2014 to Wednesday, March 26, 2014.

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2013-2014 Academic Year

Armed Conflict and Humanitarian Protection

Course #: 2509 **Term:** 2013FA **Faculty:** Docherty, Bonnie **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC5044

Course Description:

This course is only available to students enrolled in the fall International Human Rights clinic.

However, not all clinical students are guaranteed a seat in this course.

Required Clinic Component: International Human Rights Clinic (2-4 fall credits). Students must enroll in the clinic before they are permitted to enroll in this course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students may apply to the clinic by submitting an application.

Minimizing the suffering that war inflicts on civilians presents many challenges for lawyers and rights advocates. This clinical seminar will explore ways to advance civilian protection during and after armed conflict. Following an introduction to relevant international humanitarian and human rights law, it will examine a wide spectrum of strategies, including naming and shaming, international criminal justice, treaty negotiation, military intervention, and victim assistance. Students will assess the promises and limitations of each strategy and consider how to determine the most appropriate one for a specific situation. Through role-playing exercises on fact-finding, media work, and treaty negotiation, they will also learn practical skills needed to work in the field.

A fall clinical practice component is required of all students. Clinical placements are with the International Human Rights Clinic.

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2013-2014 Academic Year

Art of Social Change: Child Welfare, Education and Juvenile Justice (The)

Course #: 2011 **Term:** 2013FA **Faculty:** Budnitz, Jessica; Bartholet, Elizabeth **Credits:** 2.00

Type: Elective **Subject Areas:** Criminal Law & Procedure; Family, Gender & Children's Law

Delivery Mode: Course

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC2012

Course Description:

This course deals with strategies for changing law and policy, focusing on the areas of child welfare (abuse and neglect, foster care, adoption), education, and juvenile justice. We will bring into the classroom as visiting lecturers leaders from the worlds of policy, practice, and academia -- people who have themselves operated as successful change agents and who represent different disciplines, career paths, and strategies for change. We will explore some of the most significant reform initiatives in our targeted areas, and debate with the speakers and each other how best to advance childrens interests. Receptions will follow the class meetings, enabling students to talk informally with the visiting speakers, as well as with the HLS Faculty and those from the Boston-area child advocacy community who form a regular part of our audience. Each student will have the opportunity to attend one of the dinners involving the visiting speakers, the faculty, and interested others, that will take place after the reception. [Click here for a schedule of the speakers and topics for last years course.](#)

Course requirements consist of brief questions/reactions related to the readings and class presentations, turned in weekly.

This course is part of the Child Advocacy Program (CAP), whose other courses are: Child, Family, and State (alternating years), Family Law (alternating years), the Child Advocacy Clinic, and the Future of the Family seminar. Enrollment in all CAP courses is encouraged but not required.

Cross-registrants are welcome.

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2013-2014 Academic Year

Bankruptcy

Course #: 2013 **Term:** 2013FA **Faculty:** Roe, Mark **Credits:** 4.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	PND102
Tue 10:20 AM - 11:40 AM	PND102
Wed 10:20 AM - 11:40 AM	PND102

Course Description: This basic bankruptcy course covers the major facets of bankruptcy that influence business financing transactions. Much of the deal-making in a financing transaction is negotiated in anticipation of a possible reorganization in Chapter 11 or of a private reorganization in its shadow. For many lawyers, contact with bankruptcy law is anticipatory and not in front of the bankruptcy judge. When feasible, students will read not just bankruptcy court opinions and the Bankruptcy Code, but materials that financing lawyers use day-to-day: a bond indenture, a prospectus, a complaint in a loan dispute, and SEC submissions. Students will ordinarily participate in a simulated Chapter 11 reorganization.

Students without prior exposure to business should take Corporations concurrently.

Bankruptcy

Course #: 2013 **Term:** 2014WI **Faculty:** Triantis, George **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:15 PM	LAN272
Tue 9:00 AM - 12:15 PM	LAN272
Wed 9:00 AM - 12:15 PM	LAN272
Thu 9:00 AM - 12:15 PM	LAN272
Fri 9:00 AM - 12:15 PM	LAN272

Course Description: This course concerns the law and finance of corporate bankruptcy with an emphasis on reorganization. The course reviews the fundamentals of debt contracting, including the role of events of default, debt priority and security interests. The course examines various aspects of the bankruptcy process: including the automatic stay, the avoidance of prebankruptcy transactions (e.g. fraudulent conveyances and preferences), the treatment of executory contracts, the debtors governance structure during bankruptcy, the financing of operations and investments in bankruptcy, sales of assets during bankruptcy, and the process of negotiating, voting, and ultimately confirming a plan of reorganization. Evaluation by written examination.

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2013-2014 Academic Year

Becoming a Law Professor

Course #: 2416 **Term:** 2014SP **Faculty:** Tobin, Susannah **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times: Mon 10:30 AM - 11:30 AM **Location:** HAU105

Course Description: There are many elements that go into becoming a law professor, but at the core of the process of moving from law student to law professor is scholarship. How do you choose your topic? How do you write an article? What will become your area of expertise? What have others written about this subject area, and how do you break new ground? How do you engage with fellow scholars in the midst of the writing process?

This reading group will focus on the generative scholarly process that is at the center of the life of the law professor. Each week, a member of the faculty will present a working draft of her or his scholarship, and that piece will be discussed by the group. Discussions will focus in part on the genesis of the research project being presented, in order to demonstrate how articles develop from the first spark of an idea to final publication. Students will also explore substantive issues raised in the pieces, the better to become familiar with the latest work being done across a variety of subject areas. Students will also develop their own research and scholarly agendas as the semester progresses.

Admission is by application via email to Susannah Barton Tobin at stobin@law.harvard.edu by November 8, 2013. Please include a paragraph expressing your interest in the reading group and a CV and transcript.

As is the norm with reading groups, there will be no examination or paper requirement, and the class will be graded credit/fail.

Behavioral Economics, Law and Public Policy

Course #: 2589 **Term:** 2014SP **Faculty:** Sunstein, Cass **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times: Tue 1:00 PM - 3:00 PM **Location:** WCC4059

Course Description: This seminar will explore a series of issues at the intersection of behavioral economics and public policy. Potential questions will involve climate change; energy efficiency; health care; and basic rights. There will be some discussion of paternalism and the implications of neuroscience as well.

Prerequisite: Instructor permission is required. Please send a statement of interest and your resume to Kevin Doyle at (kdoyle@law.harvard.edu) by October 18, 2013.

Note: This course is jointly-listed with HKS as API-305 and FAS as Econ 2050.

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Boards of Directors and Corporate Governance

Course #: 2613 **Term:** 2014SP **Faculty:** Coates, John **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Wed 1:10 PM - 3:10 PM

Location

Course Description:

This upper-level course covers uses case studies to examine the central role of the board of directors in the governance of business corporations, and the relationships between the board and other key actors in corporate governance. This course is taught jointly with Harvard Business School Professor Jay Lorsch. Students who take this course will be required to meet at HBS, and to work together in teams with HBS students on joint projects. Grades will be based on participation and team-based paper projects. Students with questions on course format and content should direct them to Professor Coates. (A prior version of this course included all of the material normally taught in Corporations courses; this version will require Corporations as a pre-requisite, and is aimed at those wanting a more in-depth look at corporate law in practice.)

Why This Course?

Most HLS graduates will directly advise corporate boards, and many will also serve on them. Boards are the ultimate authority in all companies, public and private, around the world. Many HBS and HLS graduates will manage or advise private equity, hedge or other funds invested in corporations, or advise large shareholders of corporations, and many will engage in professional services related to corporate transactions that require board and/or shareholder approval. For these reasons, understanding what boards are supposed to do, how they function, what issues they have to confront - both legal and practical - are essential knowledge for HLS graduates. The course is designed to include equal numbers of both HBS second-year and Harvard Law School third-year students and will be co-taught with Professor Jay Lorsch from the law school. This is to enable students from HLS and HBS to learn together about boards and corporate governance and also to understand each other's professional perspectives.

To even the most experienced leaders, corporate governance is complicated and dynamic. The responsibility and functioning of corporate boards are often unclear and misunderstood. The relationships among boards, shareholders, and senior executives, especially the CEOs, are varied and complex, and sometimes fraught with conflict. One goal of this course is to lift this foggy uncertainty and provide you a clear understanding of corporate governance: what boards do and why many are effective, while others fail, leading to problems for their company, its executives, and shareholders, as well as the board itself.

A clear understanding of how boards function, is a prerequisite for being effective not only as a director, but as a senior executive and as a shareholder. Such understanding will also be helpful in a career as a consultant, investor, or corporate lawyer by providing you with tools that will allow you to be an effective advisor to top management and corporate boards.

Course Objectives

Thus the primary course goal is to teach you what it means to be a director. You will gain an understanding of the legal, financial, strategic and behavioral issues with which directors must contend. When you enter a boardroom in the future, you will do so with a framework for understanding the complex dynamics among directors, executives, and their shareholders. You will also have an understanding of key elements of the work boards must do including, strategic reviews, selecting, evaluating and compensating CEOs and other senior executives, director

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selection, and dealing with various corporate crises. You will also gain an appreciation of the costs and rewards of board service.

A related goal is to acquaint you with the broader corporate governance systems in the U.S. and other major countries. The phrase corporate governance system refers to the institutional system of stock markets, government regulatory agencies, professional firms, as well as boards, which are expected to oversee corporate activities. From this perspective, the course will also provide an understanding of why there have been so many corporate and financial failures and scandals in recent years. We also shall discuss the changes in boardroom processes being made in the hope of preventing such problems in the future.

While the primary focus will be on U.S. public companies, we shall also devote time to consider these issues not only in other countries but also in the governance of private companies, e.g. private equity, venture capital backed enterprises, family-owned and non-profit organizations.

Course Content and Organization

The course consists of twenty classes. The first module provides a basic introduction to the institutions that affect boardroom dynamics. We will also begin with an examination of the role of shareholders and their relationship to boards, and focus briefly (as a recap for law students, and an intro for business students) on the legal situation of board members.

In the second module, we shall discuss the activities of boards under normal circumstances, including who serves on boards, the nature of director and CEO dynamics, the boards role in strategy, in selecting, evaluating and rewarding the CEO, and in assuring transparent financial reporting.

The next module will focus on the governance of private companies, e.g. family-owned, private equity and venture capital-backed companies as well as nonprofit organizations.

In the final module, we will examine how boards deal with the many crisis situations they face, such as hostile takeovers, CEO dismissals, succession and compensation, and unhappy shareholders.

The course will be open to both HBS and HLS students, and we will seek to have a rough balance between the two. Finally, both HBS and HLS students will be expected to complete group projects related to the course content. Students will be divided into teams consisting of both HBS and HLS students, with the goal of encouraging each group of future professionals to develop an appreciation for the characteristics of the others background, skills and training. Projects should focus on issues recently faced by boards of a public or private company or of a non-profit. They may also examine changing norms and regulations within the broader corporate governance system in the U.S. or other countries. The faculty will provide assistance in identifying relevant topics, and must approve each groups topic.

Learning and Evaluation

The basic learning for the course takes place through preparation for and participation in class discussion. Class participation - not just frequency, but also quality and your contribution to moving the discussion forward - will count for 50% of the grade. Written projects will account for the other 50% of the grade. The course will meet on Mondays and Tuesdays from 1:10 - 3:10pm along with some Wednesdays. This course will meet at HBS only.

Prerequisite: Corporations is a prerequisite for this course. Please note, this course is open to 3Ls and LLMs only.

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Business and Human Rights Clinical Seminar

Course #: 2014 **Term:** 2014SP **Faculty:** Giannini, Tyler; Jochnick, Chris **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Human Rights; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

LEW301

Course Description: Required Clinic Component: International Human Rights Clinic (2-4 spring credits). Students must enroll in the clinic before they are permitted to enroll in this course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to the clinic by submitting an application.

In recent years, a robust debate has emerged around the challenge of extending human rights norms to corporate actors. This clinical seminar will explore the fast growing field of business and human rights, highlighting the most critical legal and practical issues surrounding efforts to advance corporate responsibility and accountability. Historically, the legal and activist human rights communities have focused on state actors, with concerns about private actors often left to other fields. As the reach and influence of companies has grown-their impact on human rights has been impossible to ignore. Today, the human rights movement, governments, the private sector, and communities are all wrestling with a host of questions that arise at the intersection of business and human rights.

The United Nations and other bodies have adopted human rights standards for companies and a growing body of soft and hard law (domestic and international) is beginning to define the precise scope of corporate human rights obligations. In many cases, however, the legal debates around business and human rights are struggling to keep pace with work on the ground. In others, the human rights concepts have yet to lead to meaningful change for affected individuals and communities.

This seminar considers the various dimensions facing human rights advocates engaged in corporate responsibility or corporate accountability work. Human rights have become the currency of major brands, helping determine bank investments, corporate relations with communities, and working conditions along supply chains. Shareholder activists are demanding greater transparency and reporting on human rights, and human rights, development, and environmental NGOs have turned their attentions to these issues, while an industry of legal and management consultants has sprung up to guide companies on human rights practices. Students will delve into these and other issues, critically examining the strategic, tactical, advocacy, and ethical considerations that they raise.

A spring clinical practice component is required of all students. Clinical placements are with the International Human Rights Clinic.

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Business Strategy for Lawyers

Course #: 2015 **Term:** 2014SP **Faculty:** Spier, Kathryn **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

WCC1015

WCC1015

Course Description: This course presents the fundamentals of business strategy to a legal audience. The class sessions include both traditional lectures and business-school case discussions. The lecture topics and analytical frameworks are drawn from MBA curriculums at leading business schools. The cases are selected for both their business strategy content and their legal interest.

The main course material is divided into four parts. The first part presents the basic frameworks for the analysis of strategy. The topics include economic and game theoretic approaches to strategy, competitive advantage and industry analysis. The second part is concerned with organizational and contractual responses to agency problems. Topics include pay-for-performance, corporate control, and the design of partnerships and other business associations. The third part takes a broader view of business associations, considering the horizontal and vertical scope of the firm and the advantages of hybrid organizational forms such as franchising and joint ventures. The fourth part covers special topics in competitive strategy, including product differentiation, tacit collusion, facilitating practices, network externalities, market foreclosure, and innovation.

This course is well-suited for students interested in economic analysis of the law with a strong business and industry focus. Because of the significant overlap with the MBA curriculum, this class is not appropriate for students in the JD-MBA program. Since the lectures and assignments focus on abstract frameworks and theoretic approaches, a basic familiarity with economic reasoning and algebra is assumed.

Requirements include several analytical assignments, frequent in-class evaluations, and a final exam.

Some exposure to microeconomics or a related discipline (e.g., Analytical Methods, Law & Economics, an undergraduate class in economics, finance, engineering, etc.). Familiarity with algebra is assumed. Students who are unsure should contact the professor.

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Business Valuation and Analysis

Course #: 2090 **Term:** 2014SP **Faculty:** Dharan, Bala **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Thu 10:00 AM - 11:30 AM	PND100
Fri 10:00 AM - 11:30 AM	PND100

Course Description: This 3-unit spring course is designed to help students develop business valuation and related financial analysis skills. The following topics will be covered: how a firm's business strategy and its operating and financial characteristics affect its valuation; review of basic corporate financial reports and disclosures that serve as inputs to valuation analysis; analysis of financial ratios to measure financial risks and returns; analysis of financial disclosures to identify red flags of potential distress or earnings manipulation; valuation issues with taxes, intangibles and financial investments; developing cash flow forecasts; and integrating the above tools and techniques to determine the valuation of a firm's equity. Students will learn common valuation methods such as discounted cash flow analysis and earnings based valuation, and also learn to use other approaches used in the valuation industry such as comparable transactions analysis. Examples from recent court cases involving valuation disputes will be used throughout the course to illustrate practical valuation problems. The course will be relevant for students in the Law and Business program of study, and to others who wish to prepare for careers in capital markets, corporate transactions, commercial litigation, mergers and acquisitions, and other related areas. The class will not meet the first week of spring term. The first class meeting will be Thursday, February 6.

Capital Market Regulation

Course #: 2018 **Term:** 2014SP **Faculty:** Scott, Hal; Glauber, Robert **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:	Location
Wed 5:00 PM - 7:00 PM	PND102

Course Description: Examination of the structure, competitiveness and social utility of U.S. capital markets as the basis for considering the range of proposals for financial regulatory reform growing out of the recent world-wide financial crisis. Specific topics will likely include: mechanisms for controlling risk in financial institutions, particularly capital and liquidity requirements; the unique problem of systemic risk; dealing with illiquid and insolvent institutions, including resolution authority; optimal regulatory structure; reform of securitization; regulation of derivatives trading; consumer protection; the future of Fannie Mae and Freddie Mac; the role and regulation of credit rating agencies; regulating executive compensation, particularly as it affects systemic risk. Classes will be primarily based on interactive discussion, but will also include lectures and regular guest speakers. Required written work will be a final take-home examination. The course assumes a basic understanding of finance and financial markets, but requires no prior professional or academic work in this field.

Note: This course is jointly-listed with HKS as BGP-264.

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Capital Punishment Clinic

Course #: 8005 **Term:** 2014WS **Faculty:** Steiker, Carol **Credits:** 6.00

Type: HLS Clinic **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Capital Punishment in America (3 fall credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: Criminal Law. Students must enroll in this class independently (there is no clinic preference or priority). Failure to meet the pre/co-requisite by the clinic's add/drop deadline will result in the student being dropped from this clinic.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students may apply to this clinic by submitting an application.
Multi-Semester: This is a winter-spring clinic (2 winter credits + 2-4 spring credits).
Placement Site: Various externship placements.
The Capital Punishment Clinic offers opportunities for students to represent clients with capital sentences through placements at capital punishment resource centers, organizations, law firms, and governmental agencies throughout the country. Clinical work is full-time and on-site during the winter term, and continues on a part-time and remote basis in the spring term. This clinic is graded Credit/Fail.

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Capital Punishment in America

Course #: 2020 **Term:** 2013FA **Faculty:** Steiker, Carol **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

Location

LAN272

LAN272

Course Description: This course considers the legal, political, and social implications of the practice of capital punishment in America, with an emphasis on contemporary legal issues. The course will frame contemporary questions by considering some historical perspectives on the use of the death penalty in America and by delving into the moral philosophical debate about the justice of capital punishment as a state practice. It will explore in detail the intricate constitutional doctrines developed by the Supreme Court in the four decades since the Court "constitutionalized" capital punishment in the early 1970s. Doctrinal topics to be covered include the role of aggravating and mitigating factors in guiding the sentencers decision to impose life or death; challenges to the arbitrary and/or racially discriminatory application of the death penalty; the ineligibility of juveniles and persons with mental retardation for capital punishment, limits on the exclusion and inclusion of jurors in capital trials; allocation of authority between judges and juries in capital sentencing; and the scope of federal habeas review of death sentences, among other topics.

Prerequisite: Criminal Law

Some seats are reserved for students enrolled in the Capital Punishment Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Capital Punishment Clinic. Please see the clinic's description for more information.

Catholic Social Thought

Course #: 2618 **Term:** 2013FA **Faculty:** Glendon, Mary Ann **Credits:** 1.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC5051

Course Description: Catholic Social Thought from Rerum Novarum through the political speeches of Benedict XVI. The group will read selected encyclicals and other writings with particular attention to their influence on European legal and political thought.

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Challenges of a General Counsel

Course #: 2475 **Term:** 2013FA **Faculty:** Wilkins, David; Heineman, Benjamin **Credits:** 2.00

Type: Elective **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3016

Course Description: Distinguished Visitor from Practice Michael Solender, General Counsel at Ernst & Young LLP, also will participate in the seminar.

This course will explore the three fundamental roles of lawyers---acute technician, wise counselor and lawyer as leader---in a series of problems faced by general counsel of multi-national corporations. The "cases" in this course involve questions beyond "what is legal" and focus on "what is right", using specific illustrations drawn from the contemporary business world -- e.g. the BP oil spill, Google's clash with the Chinese government, the Mark Hurd resignation from Hewlett Packard, the News Corp hacking scandal. These cases involve a broad range of considerations: ethics, reputation, risk management, public policy, politics, communications and corporate citizenship. The course will advance for critical analysis the idea of the general counsel as lawyer-statesman who has a central role in setting the direction of the corporation but who must navigate complex internal relationships (with business leaders, the board of directors, peer senior officers, the bureaucracy) and challenging external ones (with stakeholders, governments, law firms, NGOs and media in nations and regions across the globe). The course advances a broad view of lawyers' roles and examines the skills, beyond understanding law, required in complex problem-solving by the lawyer-statesman. Students will be expected to write short 2-3 page "response papers" on the readings each week. Students will also write a short 10-12 page paper, either responding to a scenario similar to the ones discussed in class, or on another topic approved by the instructors. Grades will be based 50% on class participation and the response papers (which will be graded pass/fail) and 50% on the paper at the end of the term.

This seminar does not satisfy the Professional Responsibility requirement.

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Child Advocacy Clinic

Course #: 8001 **Term:** 2014SP **Faculty:** Budnitz, Jessica **Credits:** 6.00

Type: HLS Clinic **Subject Areas:** Family, Gender & Children's Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Child Advocacy Clinical Seminar (2 spring classroom credits). Students must enroll in this clinic before they are permitted to enroll in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: December 6, 2013. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: Various placements. Click here for a master list of placement sites since CAP's inception. The CAP Clinic is designed to educate students about a range of social change strategies and to encourage critical thinking about the pros and cons of different approaches. The CAP Clinic includes both a classroom seminar and clinical fieldwork component. A variety of substantive areas impacting the lives of children are addressed with a focus on child welfare (abuse and neglect, foster care, and adoption), education, and juvenile justice. The Clinic is relevant for students not only with a particular interest in children's issues but also for those more generally interested in social change. Enrollment Options: The Child Advocacy Clinic offers two different clinical fieldwork options: a spring-only clinic and a winter-spring clinic. This offering is for the spring Child Advocacy Clinic. Spring clinical students work part-time (15-20 hours/week for 3-4 clinical credits) at local organizations in the Greater Boston area. Enrollment in the spring clinic is capped at 14 students. Fieldwork Component: Students are placed in a wide array of fieldwork settings, ranging from organizations providing individual advocacy, to those promoting systemic change through impact litigation and legislative reform, to grassroots organizing initiatives, to social enterprises. Some students will work for reform from within the system and others from outside. Students will work on different types of projects such as: engage in courtroom advocacy; participate in school and home visits; assist with interviews of child victims; analyze social science and psychological research; leverage the media and write op-ed articles; prepare for city council or legislative hearings; provide trainings to youth, parents, teachers, attorneys, and police officers; develop legislative reform proposals; participate in mediations; and provide strategic advice to start-ups. For instance: In the child welfare area, CAP students may represent individual children who are abused and neglected, serve alongside District Attorneys prosecuting caretakers accused of child maltreatment, or work with a new social venture to engage the media to promote the interests of foster care youth. In the education area, CAP students may engage in efforts to advance educational outcomes for low-income students, participate in a campaign to provide children access to high quality early education, work with a city councilor to improve Boston inner-city schools, or work with the state agency charged with overseeing schools on issues such as charter schools, assessment and accountability, student rights, and school discipline. In the juvenile justice area, CAP students may support legislative changes to improve conditions of confinement for juveniles, promote policies to reform the justice system for youth of color, develop programs to improve police-youth interactions, or join efforts to combat life without parole sentences for juveniles. Many placements cut across substantive areas. Students may serve as law clerks in the juvenile court, alongside mediators to resolve disputes involving children, with a non-profit serving homeless children, or with a medical-legal collaborative aimed at improving child well-being.

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Matching Process: Once enrolled in the Clinic, CAP will provide students a list of fieldwork placement sites and possible projects. Students will give CAP information about their background and interests and rank their placement preferences. They will be matched with a placement to the degree possible in accordance with their preferences.

Visit the CAP website for a list of organizations where clinic students have been placed in prior years.

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Child Advocacy Clinic

Course #: 8001 **Term:** 2014WS **Faculty:** Budnitz, Jessica **Credits:** 6.00

Type: HLS Clinic **Subject Areas:** Family, Gender & Children's Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Child Advocacy Clinical Seminar (2 spring classroom credits). Students must enroll in this clinic before they are permitted to enroll in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: November 1, 2013. LLM Students: LLM students are not eligible to apply. Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 3-4 spring clinical credits). Placement Site: Various placements. Click here for a master list of placement sites since CAP's inception.

The CAP Clinic is designed to educate students about a range of social change strategies and to encourage critical thinking about the pros and cons of different approaches. The CAP Clinic includes both a classroom seminar and clinical fieldwork component. A variety of substantive areas impacting the lives of children are addressed with a focus on child welfare (abuse and neglect, foster care, and adoption), education, and juvenile justice. The Clinic is relevant for students not only with a particular interest in children's issues but also for those more generally interested in social change.

Enrollment Options: The Child Advocacy Clinic offers two different clinical fieldwork options: a spring-only clinic and a winter-spring clinic. This offering is for the winter-spring Child Advocacy Clinic. Students engage in full-time work in the winter and part-time work (15-20 hours/week for 3-4 clinical credits) in the spring. Enrollment is capped at 8 students.

Fieldwork Component: The winter-spring clinic places students with model organizations throughout the U.S. and even internationally. Most students are placed in a distant placement for the winter term. Students return to Cambridge in the spring and continue working remotely for the same organization. One or two students might be placed locally, working full-time in the winter for a Boston-area organization and then part-time at the same organization in the spring. Students will be placed in a wide array of fieldwork settings, ranging from organizations providing individual advocacy, to those promoting systemic change through impact litigation and legislative reform, to grassroots organizing initiatives, to social enterprises. Some students will work for reform from within the system and others from outside. Students placed remotely through the winter-spring option will not primarily be engaged in direct service work. Students will work on different types of projects - some of which are hands on - such as: draft memoranda and briefs for litigation; develop legislative reform proposals; analyze social science and psychological research; leverage the media; engage in written work for a variety of types of publications (legal journals, popular press, guides for practitioners, content for websites); provide strategic advice to start-ups; create, conduct, and analyze interviews. For instance:

In the child welfare area, students may work with a leading boutique impact litigation firm challenging states' treatment of youth in foster care; with a new social venture to engage the media to promote the interests of foster care youth; with a model problem solving court for drug addicted parents.

In the education area, students may work alongside lawyers and community organizers to advocate for improved educational opportunities for low-income students; engage in efforts to ensure incarcerated youth receive high quality schooling.

In the juvenile justice area, students may develop trainings in best practices for staff at juvenile incarceration facilities; fight for improved conditions of confinement for juveniles; advocate for offenders who have received life without parole sentences as juveniles.

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Matching Process: Once enrolled in the Clinic, CAP will provide students a list of fieldwork placement sites and possible projects. Students will give CAP information about their background and interests and rank their placement preferences. They will be matched with a placement to the degree possible in accordance with their preferences.

Visit the CAP website for a list of organizations where clinic students have been placed in prior years.

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Child Advocacy Clinical Seminar

Course #: 2021 **Term:** 2014SP **Faculty:** Budnitz, Jessica **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3018

Course Description: Required Clinic Component: Child Advocacy Clinic, either during the winter-spring (2 winter credits + 3-4 spring credits) or spring (3-4 spring credits). Students must enroll in one of the two clinic offerings (winter-spring or spring) before they are permitted to enroll in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: November 1, 2013 for winter-spring clinical students. December 6, 2013 for spring clinical students.

LLM Students: LLM students are not eligible to enroll in the winter-spring clinic. LLM students may apply to the spring clinic by submitting an application.

The CAP Clinic is designed to educate students about a range of social change strategies and to encourage critical thinking about the pros and cons of different approaches. The CAP Clinic includes both a classroom seminar and a clinical fieldwork component. There are two different clinical fieldwork options: (1) winter-spring clinic and (2) spring clinic. A variety of substantive areas impacting the lives of children will be addressed with a focus on child welfare (abuse and neglect, foster care, and adoption), education, and juvenile justice. The Clinic is relevant for students with a particular interest in children's issues but also for those more generally interested in social change.

During the spring seminar, students bring into the classroom their varied experiences, not only discussing specific cases/projects they are engaged in, but also their organization's larger vision for improving conditions for children and families. Students have the chance to reflect on which strategies in the field are working and why. Each student gives one presentation during the term, often in combination with the fieldwork supervisor.

Regular classroom attendance and active participation in discussion is required. Grading will be based on a combination of each student's presentation and related packet, contributions to class discussion throughout the term, and clinical fieldwork.

Once enrolled in the Clinic, CAP will provide students a list of fieldwork placement sites and possible projects. Students will give CAP information about their background and interests and rank their placement preferences. They will be matched with a placement to the degree possible in accordance with their preferences. Visit the Child Advocacy Program (CAP) website for more about the Clinic, including frequently asked questions and answers.

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Child, Family and State

Course #: 2023 **Term:** 2014SP **Faculty:** Halley, Janet **Credits:** 4.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

GRS110

GRS110

Course Description: This course will examine legal issues that arise when parents or other guardians and the state disagree about decisions involving the care, conduct, and well-being of children. It will also consider the dynamics that arise when the child becomes old enough to take responsibility over a decision in which the state and the parents take an interest; and when a guardian ad litem speaks for/as the child. Issues may include: the state's interest in fetal protection; parent/state disagreements about childrearing, including state-mandated schooling, and debates over giving children independent representation in the resulting conflicts; child support, child support enforcement and welfare policy on the support of poor children; the state's role in cases of abuse and neglect, including foster care, family reunification, and termination of parental rights; state-imposed limits on adolescent minors' liberty; and children in the criminal justice system. Examination is by last-day take-home but there will also be panels and a simulated dispute resolution. With the instructors approval, students may write research papers in lieu of the exam.

Children, Youth and International Human Rights

Course #: 2533 **Term:** 2013FA **Faculty:** Bhabha, Jacqueline **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Tue 11:40 AM - 1:00 PM

Thu 11:40 AM - 1:00 PM

Location

Course Description: Since ratification of the UN Convention on the Rights of the Child twenty years ago, considerable progress has been made in advancing young childrens enjoyment of basic social and economic rights including access to basic education and health care. These gains are not matched by corresponding advances for older children, particularly girls, minorities, and migrants: in many developing societies, secondary and tertiary education remains widely inaccessible, maternal mortality remains the largest cause of female teenage death, and youth unemployment and violence have reached epidemic proportions. What explains this differential performance, and how can the gap in realization of adolescent and youth human rights be addressed? The course will explore legal and other strategies for understanding and advancing the human rights of children, adolescents, and youth globally.

Note: This course is jointly-listed with HKS as IGA-305. This course will meet at HKS and the first class meeting is scheduled for Thursday, September 5, 2013.

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China's Role in a World Order in Flux

Course #: 2504 **Term:** 2013FA **Faculty:** Alford, William **Credits:** 1.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:	Location
Thu 8:00 PM - 10:00 PM	WCC5048

Course Description: This Reading Group will examine the role that China has been playing in a world order in flux. Models of development, trade, and rights are among the areas likely to be addressed. We will consider, inter alia, China's engagement of existing global norms, ways in which China may (or may not) now or in the foreseeable future be shaping such norms, and their impact on China. The intention is to hold some of our likely 6 2-hour sessions of the Reading Group jointly with a comparable class at Renmin University of China, via electronic means - hence, our evening meeting times. The class will have no prerequisites.

Note: All class sessions scheduled after November 3, 2013 will meet from 7pm to 9pm.

Civil Procedure 1

Course #: 1000 **Term:** 2013FA **Faculty:** Cohen, I. Glenn **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC1010
Tue 10:20 AM - 11:40 AM	WCC1010
Wed 10:20 AM - 11:40 AM	WCC1010

Course Description: This course examines the theory and practice of civil litigation, and the rules and statutes that govern the process by which substantive rights and duties are enforced in federal and state courts (with a focus on the federal courts). Topics include the proper reach of judicial authority, personal and subject matter jurisdiction, pleading, motions practice, joinder of parties and claims, pretrial discovery, the relationship of procedure to substantive law, the Erie doctrine, post-trial procedure and claim and issue preclusion.

Civil Procedure 2

Course #: 1000 **Term:** 2013FA **Faculty:** Greiner, D. James **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 1:10 PM - 3:10 PM	WCC1015
Tue 1:10 PM - 3:10 PM	WCC1015

Course Description: This course covers what should, should not, and does happen when someone files (or considers filing) a civil lawsuit.

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Civil Procedure 3

Course #: 1000 **Term:** 2013FA **Faculty:** Desan, Christine **Credits:** 4.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC1015
Tue 10:20 AM - 11:40 AM	WCC1015
Wed 10:20 AM - 11:40 AM	WCC1015

Course Description: This course examines the theory and practice of civil litigation, and the rules and statutes that govern the process by which substantive rights and duties are enforced in federal and state courts. Special attention is paid to the goals, values, costs, and tensions underlying an evolving adversarial system of adjudication. Topics include the proper reach of judicial authority, personal and subject matter jurisdiction, pleading, motions practice, joinder of parties and claims, pretrial discovery, the relationship of procedure to substantive law, trial by jury, post-trial procedure, Erie, and claim and issue preclusion.

Civil Procedure 4

Course #: 1000 **Term:** 2013FA **Faculty:** Rubenstein, William **Credits:** 4.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC1023
Tue 10:20 AM - 11:40 AM	WCC1023
Wed 10:20 AM - 11:40 AM	WCC1023

Course Description: This course studies the processes that courts follow in deciding disputes in noncriminal cases. It deals with the way in which conflicts are framed for courts, the stages through which litigation goes, the division of power among the various decision-makers in the legal system and between the state and federal courts, the territorial limitations on the exercise of judicial power, the principles that define the consequences of a decision once a court has finished with a case, and the special opportunities and problems of litigation involving multiple disputants. Throughout the course, considerable attention will be devoted to the ways in which our beliefs about fairness and efficiency shape the design of the process.

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Civil Procedure 5

Course #: 1000 **Term:** 2013FA **Faculty:** Willis, Lauren **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Wed 1:10 PM - 2:30 PM	LAN225
Thu 1:10 PM - 2:30 PM	LAN225
Fri 1:10 PM - 2:30 PM	LAN225

Course Description: This course surveys the principles, standards, and rules that govern how civil litigation proceeds, with a focus on the federal courts. It covers (1) due process, meaning the notice and opportunity to be heard that must be given to litigants in our system, (2) jurisdiction, meaning the scope of authority of state and federal courts over disputes and litigants, (3) the stages of litigation in federal court, from the filing of a case through trial and appeal, (4) the opportunities and challenges of litigation involving multiple disputants, (5) the enforcement of state law in federal courts, and (6) the consequences that occur once a court finishes with a case. Special attention is paid to how our adversary system resolves the conflicts among fairness, accuracy, and efficiency that inevitably arise in adjudication.

Civil Procedure 6

Course #: 1000 **Term:** 2013FA **Faculty:** Klerman, Daniel **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 1:10 PM - 3:10 PM	WCC2004
Tue 1:10 PM - 3:10 PM	WCC2004

Course Description: This course examines the processes that courts follow in deciding disputes in noncriminal cases. Topics covered include pleading, discovery, appeals, jurisdiction, venue, joinder, class actions, res judicata and collateral estoppel.

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Civil Procedure 7

Course #: 1000 **Term:** 2013FA **Faculty:** Goldsmith, Jack **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 8:10 AM - 10:10 AM

Tue 8:10 AM - 10:10 AM

Location

WCC1023

WCC1023

Course Description: This course considers the fundamental and recurrent problems in civil actions largely through the rounded study of the conduct of a single modern system or procedure, that embodied in the Federal Rules. In the first stage the student surveys the phases of litigation under this system from commencement of action through disposition on appeal; the survey is intended to convey elementary information, to propound various questions, which are more deeply studied during the rest of the course, and to exhibit the distinctive characteristics of Anglo-American civil procedure. The following subjects are then dealt with in more detail: evolution of the unitary civil action; pleadings, discovery and other pretrial devices including alternative dispute resolution; trial; jurisdiction of courts; and former adjudication. Equity jurisdiction is sketched in connection with the historical evolution of unitary civil action, and there is some instruction in the rules of evidence in relation to the principal aspects of the trial. The division of business between federal and state courts claims attention, as does the enforcement of state law in federal courts and federal law in state courts. Contemporary developments with respect to parties, class actions and injunctive relief are also introduced.

Civil Procedure Advanced: Topics in American Civil Justice

Course #: 2354 **Term:** 2013FA **Faculty:** Hay, Bruce **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

Location

WCC3016

WCC3016

Course Description: This course probes more deeply into topics introduced in the basic civil procedure course, with special attention to contemporary problems and controversies. Students may elect to write a paper in lieu of the exam.

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Combating Transnational Bribery

Course #: 2584 **Term:** 2013FA **Faculty:** Stephenson, Matthew; Goldsmith, Jack **Credits:** 2.00

Type: Elective **Subject Areas:** Government Structure & Function; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3012

Course Description: This seminar will examine the legal instruments used to combat the bribery of foreign public officials, as well as other forms of transnational corruption. The seminar will focus principally, though not exclusively, on the U.S. Foreign Corrupt Practices Act, as well as its foreign and international counterparts.

Prerequisite: Enrollment is by permission of instructors. Interested students should email a CV and statement of interest to Professors Goldsmith (jgoldsmith@law.harvard.edu) and Stephenson (mstephen@law.harvard.edu) by Monday, April 22, 2013. Interested LL.M.s have an application deadline of Friday, August 23, 2013.

Commercial Law: Secured Transactions

Course #: 2026 **Term:** 2014SP **Faculty:** Kaufman, Andrew **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:

Mon 10:30 AM - 12:00 PM

Tue 10:30 AM - 12:00 PM

Location

WCC1023

WCC1023

Course Description: Secured credit -- in the form of bank lending, mortgages, and asset securitizations -- has fueled the American economy. The details and the consequences of secured credit have been a major preoccupation of everyone dealing with the current economic crisis. This course deals primarily with understanding what secured credit is all about -- the various aspects of the use of credit and collateral in sale and loan transactions, ranging from routine consumer purchases to complex business transactions. This is a course about commercial lawyering. It is a problem-based exploration of commercial deal-making that considers statutory interpretation and policy in meeting the needs, and reconciling the interests, of the various parties to secured transactions -- consumers, manufacturers, dealers, lenders, insurers, and the government. The focus is on developing legal strategies appropriate to specific situations. Grades will be based principally on a final in-class examination but perhaps also, to some extent, on class participation or assigned classroom exercises.

Text: LoPucki and Warren, Secured Credit: A Systems Approach (7th ed. Aspen 2011); Warren, Bankruptcy and Article 9 Statutory Supplement (2014 VisiLaw or regular version.)

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Communications and Internet Law and Policy

Course #: 2306 **Term:** 2014WI **Faculty:** Benkler, Yochai **Credits:** 3.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

Location

WCC3018

WCC3018

WCC3018

WCC3018

WCC3018

Course Description: The course will provide an introduction and overview to questions of communications and Internet law and policy. The intensive semester will combine several lectures and in-class discussions to provide background and overview of major issues, with intensive, workshop-style group work on policy briefs and in-class presentations. The topics of the policy briefs are selected so that by following their own, and other students presentations, students will receive an overview of the major topics currently at stake in communications and Internet law and policy, and will also develop an in-depth familiarity with a subset of the issues through intensive high-intensity research, discussion, and presentation.

Communications Law

Course #: 2637 **Term:** 2014SP **Faculty:** Crawford, Susan **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 8:30 AM - 10:00 AM

Tue 8:30 AM - 10:00 AM

Location

WCCB010

WCCB010

Course Description: Rapidly changing computing/communication technologies pose deep challenges to existing regulatory frameworks. This course provides a legal, technological, and policy introduction to these changes and challenges. Although there are no prerequisites for this course, students who have already taken administrative law and/or antitrust law might find that this course both reinforces and applies the concepts introduced in those other courses. Students who have not taken those courses may find this course a helpful way to explore those other subjects. We will cover the regulatory regimes that govern radio, broadcast television, cable television, the telephone system, and Internet access infrastructure. (Grades will be based on class participation and an exam.)

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Comparative Constitutional Law

Course #: 2028 **Term:** 2014SP **Faculty:** Tushnet, Mark **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

WCC3007

WCC3007

Course Description: This course will cover a series of topics arising in the comparative study of constitutional structure and law in countries including Canada, Colombia, Great Britain, France, Germany, Hungary, India, Israel, South Africa, and the United States. It will take up questions of constitutional purpose, function, design, and doctrine.

Comparative Corporate Governance

Course #: 2029 **Term:** 2014SP **Faculty:** Roe, Mark **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3036

Course Description: In this seminar we will investigate topics in corporate governance, often from a comparative perspective, using concepts from general corporate theory and often with a legal policy perspective. The topics that we will examine are likely to include private equity, hedge fund activism, the reasons for differing corporate structures around the world, and the differing goals of corporate governance and corporate law. The seminar is given in association with the LLM corporate governance concentration, although enrollment is not necessarily limited to those students. The seminar will meet 12 times throughout the academic year.

Prerequisite: Enrollment is by permission of the instructor. Please send a note indicating your interest to mroe@law.harvard.edu.

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Comparative Corporate Governance: USA, Western Europe, Asia

Course #: 2406 **Term:** 2013FA **Faculty:** Kraakman, Reinier; Hofstetter, Karl **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC5044

Course Description: This seminar explores major topics in corporate governance and regulation in the U.S., Western Europe and (at least selectively) Asia. It is organized around five or six clusters of issues, ranging from the governance problems of family-held and widely-held firms to management compensation, corporate social responsibility, and sanctions for foreign corrupt practices. It addresses a case study for each of these clusters. In addition, the instructors will seek a prominent business actor to address each cluster of issues. Past business participants have included the CEO of Novartis and the Chairman of ABB (in 2005) and the Chairmen of Swiss Re and Credit Suisse as well as the General Counsels of Royal Dutch Shell, Societe Generale, and the New York Stock Exchange (in 2009). Most outside speakers participate in seminar meetings electronically and are available to answer real-time questions. Beyond case study materials, the seminar readings review the law and legal institutions relevant to the issue clusters as well as selected readings from the corporate finance literature. There is no exam or required paper. Instead, seminar participants submit a memo on the weekly readings a day prior to each seminar meeting. The memos are published on the seminar website and available to all participants to review. In total, participants must submit nine 3-4 page reaction memos.

Prerequisite: Corporations, which may be taken in parallel with this seminar.

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Comparative Law: Why Law? Lessons from China

Course #: 1012

Term: 2014SP

Faculty: Alford, William

Credits: 4.00

Type: 1L International
Comparative
Course

Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

PND101

PND101

Course Description:

This course uses the example of China as a springboard for asking fundamental questions about the nature of law, and the ways in which it may (or may not) differ in different societies. Historically, China is said to have developed one of the worlds great civilizations while according law a far less prominent role than in virtually any other. This course will test that assertion by commencing with an examination of classic Chinese thinking about the role of law in a well-ordered society and a consideration of the nature of legal institutions, formal and informal, in pre-20th century China--all in a richly comparative setting. It will then examine the history of Sino-Western interaction through law, intriguing and important both in itself and for the broader inquiry into which it opens concerning the transmission of ideas of law cross culturally. The remainder (and bulk) of the course will use the effort in the Peoples Republic of China to build a legal system--perhaps the most extensive such effort in world history--to ask what it means to build a legal order. Simply stated, what is central and why, what is universal and what culturally specific and why, and so forth? It is intended to be inviting to individuals both with and without prior study of China.

This course is one of the 1L required international or comparative courses and is available to first-year and LL.M. students only.

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Comparative Online Privacy

Course #: 2615 **Term:** 2014SP **Faculty:** Gasser, Urs **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC5044

Course Description: Online privacy has become a major issue for Internet users, technology companies, online business, researchers, and policy-makers around the world, as more and more personal information is collected, aggregated, shared, and used across a wide variety of contexts. Policy-makers on both sides of the Atlantic - and globally - have been responsive to concerns expressed by users, consumer organizations, activists, and academics, and have proposed an important series of new laws, regulations, and other privacy-enhancing instruments at the international and national level. At the same time, the approaches aimed at regulating the respective information practices on the Internet - targeting social networking sites, online advertising, data aggregators, and the like - as well as the details of the proposed privacy norms are highly controversial. In this highly interactive seminar, we will identify, map, analyze, and discuss latest developments in privacy law related to the Internet from a comparative perspective and put them into a broader context. Specifically, in the first part of the seminar we will introduce competing theories and models of online privacy and map current policy proposals as well as regulatory action and court cases from various jurisdictions onto such a matrix. In addition to discussing theoretical frameworks and analyzing current developments in online privacy, we will also take a closer look into qualitative and quantitative studies regarding privacy attitudes and practices online, and ask how such findings from research have shaped - or should shape - both the theoretical frameworks as well as the actual application of law. In the second part, seminar examines in greater detail a series of particularly important case studies and emerging issue areas - including student privacy in the context of cloud computing and "big data" social science research. In the third and final part, seminar participants will identify and discuss future scenario for online privacy in the globalized economy and examine the strategic and legal implications of such scenarios. A small number of outside speakers will be invited to participate in a subset of class meetings.

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Comparative Sentencing Institutions

Course #: 2457 **Term:** 2014SP **Faculty:** Gertner, Nancy **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC5052

Course Description: Beginning with an in depth study of the United States Sentencing Guidelines, we address general questions concerning the comparative method with a view to formulating common questions about sentencing law, practices and procedures and the institutions that embody them. The jurisdictions we will study will include both common law and civil code countries, including the United States, Great Britain, Canada, Australia, Germany, Israel, India, Mexico and China. What institutions are given responsibility in sentencing? What are the animating philosophies of punishment? How do those philosophies affect the institutional settings in which sentencing decisions are made? In addition, we will address sentencing issues that have arisen at the various international tribunals. How does one craft a common law of sentencing in absence of statutory provisions, or common state cultures? In the final month of the class, we will be joined by Arie Freiberg, chair of the Victoria Sentencing Advisory Council. Guest speakers will include Judge Patti Saris, of the U.S. Sentencing Commission.

A paper is required.

Students that were enrolled in Sentencing Theories and Punishment in Spring 2013 are unable to enroll in this reading group.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Complex Litigation and Mass Tort

Course #: 2032 **Term:** 2013FA **Faculty:** Rosenberg, David **Credits:** 3.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

WCC3007

WCC3007

Course Description: This course will investigate the problems of law and policy associated with mass tort litigation. In recent years the courts have been confronted with the task of adjudicating, or overseeing the settlement of, a series of mass-exposure cases pitting thousands or even millions of toxic-exposure victims against dozens of defendant firms. These cases present legal institutions with a profound dilemma, the importance of which is indicated by the fact that the Supreme Court has rendered two major decisions in recent years on the viability of mass tort class actions.

On the one hand, applying the traditional model of individualized, case-by-case adjudication in such settings is not only prohibitively expensive but largely fails to achieve the substantive aims of tort law such as deterrence, compensation, and corrective justice. On the other hand, adoption of collectivizing processes that depart from this traditional model collides with received notions of due process and individual justice, as well as introducing novel problems of substantive law, procedural design, and legal ethics.

Our objective in this course will be to examine this dilemma from the standpoint of theory, policy, and practice, with an eye toward both the fundamental questions of social justice raised by these cases and the concrete operation of these cases.

The coverage of the course will span a number of interrelated issues of substance procedure and ethics. Among the topics we will consider are the following: 1. We will look at the distinctive problems of substantive liability and damages in mass tort cases, including proof-of-causation rules; apportionment of liability among multiple defendants; distribution of recovery among plaintiffs; and risk-based recoveries and damage scheduling. 2. We will examine the special institutional and procedural problems of resolving mass tort cases, including the choice between class and individual actions; the use of sampling or averaging techniques to avoid separate trials on individual issues; the use of statistical evidence; and difficulties associated with the settlement of large-scale actions. 3. We will look at the distinctive problems of legal ethics and representation raised by mass tort cases, including conflicts of interest between lawyers and clients, conflicts of interest between different groups of plaintiffs, and the financing of litigation.

We will attempt to integrate knowledge from a number of fields of law and from other disciplines. Emphasis will be given to the functional analysis of actual practical problems. The fall term will be devoted to reading and discussing the leading cases and scholarship, and selecting paper topics; in the spring term, students will present and comment on draft papers. There is no examination; the final grade will be based on the students paper and written comments on other students papers.

Note: The credit breakdown for this course is as follows: 3 classroom credits in the fall and 1 writing credit in the spring.

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2013-2014 Academic Year

Complex Litigation: Legal Doctrines, Real World Practice

Course #: 2366 **Term:** 2013FA **Faculty:** Clary, Richard **Credits:** 2.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Location

GRS110

Course Description: This course will study legal doctrines, litigation strategies and current best practices relating to complex civil litigation. Topics will include forum selection (state versus federal court); removal from and remand to state court; transfer, coordination and consolidation of federal actions; multi-district litigation, including choice of law issues; federal class actions (including CAFA, class certification, interlocutory appeals and settlements); and management of parallel federal/state and state/state proceedings. The course will also cover some of the practical issues relating to managing multi-party and multi-case litigation. Many of the examples to be discussed will come from recent and pending securities cases, such as Enron, Parmalat, and the residential mortgage-backed securities (RMBS) cases, but knowledge of substantive securities law is not required.

Prerequisite: Civil Procedure

Conflict of Laws

Course #: 2033 **Term:** 2014SP **Faculty:** Singer, Joseph **Credits:** 4.00

Type: Elective **Subject Areas:** Government Structure & Function; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCCB010

WCCB010

Course Description: This course examines how courts choose which law should be applied to transactions, relationships, or occurrences having contacts with more than one state in the United States, or with the United States and a foreign nation. The course will also touch on adjudicatory jurisdiction, recognition of foreign judgments, and tribal sovereignty of American Indian nations. We will address the various approaches adopted by states and/or advocated by scholars, focusing on cases involving torts, contracts, property, family law, procedure, and tribal sovereignty. Roughly one-half of the class days will be devoted to a series of moot court exercises. Students will present oral arguments and act as judges, both asking questions and meeting in conference to decide the cases. Students will be required to write short, two-page memoranda on a substantial number of the problem cases and to write a 10-page proposed opinion on one of the moot court cases that will be due at the end of the semester.

The grade will be based on these papers and the moot court oral presentations. There is no exam. Enrollment is limited to upper level students; 1Ls are not eligible to take this course. Anyone on the waitlist who wants to take the course must attend the first class.

Prerequisite: For LLM students only, students must have taken property, torts, or contracts in the fall semester to be eligible for this course. Anyone on the waitlist who wants to take the course must attend the first class.

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2013-2014 Academic Year

Constitutional Analysis

Course #: 2508 **Term:** 2014SP **Faculty:** Tribe, Laurence **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 1:00 PM - 2:30 PM

Fri 1:00 PM - 2:30 PM

Location

WCC1010

WCC1010

Course Description: This course will investigate some of the key issues that cut across the two basic constitutional law courses and that cross the divide between constitutional criminal procedure and constitutional law as those two realms are classically studied, for curricular reasons, in separate silos - but that often end up not being systematically covered anywhere precisely because they fit everywhere.

Those issues include (1) the definition of constitutional baselines; (2) the choice of levels of generality; (3) the role of government motivation; (4) the symmetry or asymmetry of various rights and powers; (5) splitting and joining rights; (6) the relevance of appearances; (7) the relevance of new technologies to various constitutional provisions and to the relationships among them; and (8) the contest among various forms of textualism, originalism and living constitutionalism. We will explore those matters in the context of disputes - both historical and contemporary - surrounding federalism, separation of powers, and individual rights.

The materials will be drawn from online assignments and a packet of course materials. The course will receive 3 credits and will meet in two 90-minute lectures each week. Grading will be based entirely on one 8-hour, open-book, blindly graded final examination.

Prerequisites: Interested students must have successfully completed at least one of the two basic courses in American constitutional law - Constitutional Law: First Amendment and Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment and must, during the spring term, be concurrently enrolled in the other of the two basic courses in American constitutional law if not already completed.

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2013-2014 Academic Year

Constitutional and Health Law: Reproductive Rights

Course #: 2617 **Term:** 2014SP **Faculty:** Field, Martha **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC4057

Course Description: This reading group will explore a number of issues central to reproductive rights. Our reading will include both legal and non legal sources. Each of the six meetings will be devoted to a different topic, for example: birth control and sterilization; termination of pregnancy; regulating and controlling women during pregnancy; artificial reproductive technologies and genetic testing; and surrogacy. Students will participate in leading each meeting, which hopefully will include a lively and informative exchange of views on the many difficult, controversial issues we will consider.

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2013FA **Faculty:** Parker, Richard **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Thu 1:00 PM - 3:00 PM

Location

WCC1015

WCC1015

Course Description: The course is one of the two basic courses in the field. It focuses on the First Amendment and addresses the Freedom of Speech, the Free Exercise of Religion and the Establishment Clause. This section of the course will approach the law as an ongoing practice of argument. It will deal not just with decisions and doctrine, but also with what lies beneath the surface--assumptions, images and emotions that structure and animate argument. It will analyze the internal conflicts and the ebb and flow of constitutional argument over time, concentrating on the last fifty years.

In class, there will be no cold calling on students and no panels. Instead, students will be encouraged to respond to questions put to the class as a whole and exhorted to challenge and criticize the instructor in a sort of "reverse Socratic" dialogue.

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2013-2014 Academic Year

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2013FA **Faculty:** Field, Martha **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCCB015
Tue 10:20 AM - 11:40 AM	WCCB015
Wed 10:20 AM - 11:40 AM	WCCB015

Course Description: This course is one of two basic courses in Constitutional Law. We will study the Freedom of Speech in many different contexts; Freedom of Association; Free Exercise of Religion; and the Establishment of Religion.

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2014SP **Faculty:** Tushnet, Mark **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:40 PM	AUS101
Tue 3:20 PM - 4:40 PM	AUS101
Wed 3:20 PM - 4:40 PM	AUS101

Course Description: Focuses primarily on the free speech clause of the First Amendment, with special attention to whether current doctrine should be modified in light of new communication technologies, and with some attention to the religion clauses.

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2014SP **Faculty:** Fallon, Richard **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	AUS100
Tue 10:20 AM - 11:40 AM	AUS100
Wed 10:20 AM - 11:40 AM	AUS100

Course Description: This course will deal principally with the Free Speech Clause of the First Amendment. Free Exercise and Establishment Clause issues will also be discussed, though in less detail. Assigned materials will include readings in First Amendment theory as well as Supreme Court cases.

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2013-2014 Academic Year

Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Course #: 2036 **Term:** 2013FA **Faculty:** Fried, Charles **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC2012

WCC2012

Course Description: The course considers the structural provisions of the Constitution, but also the individual rights and liberties implicated by the due process and equal protection clauses of the Fourteenth Amendment. First Amendment liberties and constitutional criminal procedure are addressed in other courses.

Materials to be announced.

Prerequisite: For LLM students only, instructor permission is required to enroll in this course.

Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Course #: 2036 **Term:** 2013FA **Faculty:** Jackson, Vicki **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Thu 1:00 PM - 3:00 PM

Location

PND100

PND100

Course Description: This course is one of the two basic courses in the field of U.S. constitutional law. It focuses on judicial review, the separation of powers, federalism, and the Fourteenth Amendments Equal Protection and Due Process Clauses. The casebook is Stone, Seidman, Sunstein, Tushnet and Karlan, Constitutional Law (7th ed. 2013) and its Supplement.

Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Course #: 2036 **Term:** 2013FA **Faculty:** Minow, Martha **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC2012

WCC2012

Course Description: This course is one of the two basic courses in the field; it focuses on the separation of powers and federalism and on the Fourteenth Amendments Equal Protection and Due Process Clauses. Students will participate in practice arguments and deliberations as well as class discussions and lectures.

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2013-2014 Academic Year

Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Course #: 2036 **Term:** 2013FA **Faculty:** Driver, Justin **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:40 PM	WCC1015
Tue 3:20 PM - 4:40 PM	WCC1015
Wed 3:20 PM - 4:40 PM	WCC1015

Course Description: This course is one of the two basic courses offered in constitutional law. We will concentrate on federalism, judicial review, separation of powers, and the law developed under the Fourteenth Amendments Equal Protection and Due Process Clauses.

Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Course #: 2036 **Term:** 2014SP **Faculty:** Brown-Nagin, Tomiko **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:	Location
Mon 1:10 PM - 3:10 PM	PND102
Tue 1:10 PM - 3:10 PM	PND102

Course Description: This course provides an introduction to the structure of the U.S. Constitution and the rights and liberties it defines. Topics include judicial review, federalism, separation of powers, and equal protection and due process of law under the Fourteenth Amendment of the U.S. Constitution. Extensive coverage is devoted to individual rights under the Fourteenth Amendment.

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Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Course #: 2036 **Term:** 2014SP **Faculty:** Klarman, Michael **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:

Wed 1:20 PM - 2:40 PM

Thu 1:20 PM - 2:40 PM

Fri 1:20 PM - 2:40 PM

Location

LAN272

LAN272

LAN272

Course Description: This course is one of the two basic courses in the field. It focuses on the structure of the United States government, including the doctrines of separation of powers and federalism. The course also involves an in-depth study of the Fourteenth Amendments Equal Protection and Due Process Clauses. There are two things about this course that you should know in advance--which might distinguish it from other courses on the same topic. First, I teach mostly by lecture; though student participation is encouraged, this is not a conventional Socratic class. Second, while I do cover the conventional constitutional law doctrine, this class also emphasizes historical context, different normative theories of constitutional interpretation, and political science-type questions such as the consequences of the Courts rulings. Those with an interest mainly in conventional legal doctrine might be well advised to look elsewhere.

Consumer Contracts

Course #: 2598 **Term:** 2013FA **Faculty:** Willis, Lauren **Credits:** 1.00

Type: Elective **Subject Areas:** Regulatory Law

Delivery Mode: Reading Group

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

HAU103

Course Description: Are consumer contracts contracts? For decades, scholars have decried the use of fine print contracts in conjunction with the sale of consumer goods and services. Yet the use of these documents has only proliferated, with the courts on the whole accepting their authority as contracts and invalidating them only through the invocation of contract law defenses. The American Law Institute has recognized that traditional principles of contract law are applied in a unique enough fashion in consumer transactions to warrant a separate forthcoming Restatement of Consumer Contracts. But is the contract paradigm stretched beyond the breaking point when applied to consumer transactions?

Meeting for six two-hour sessions, this reading group will review basic principles of contract law and then read the leading critiques and defenses of the application of contract law to consumer transactions. We will conclude with a consideration of alternatives for regulating consumer transactions if the contract law model is rejected.

The reading group will meet on the following dates: September 12, September 26, October 10, October 24, November 7, and November 21.

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2013-2014 Academic Year

Consumer Law

Course #: 2040 **Term:** 2014SP **Faculty:** Willis, Lauren **Credits:** 3.00

Type: Elective **Subject Areas:** Regulatory Law

Delivery Mode: Course

Days and Times:

Thu 10:00 AM - 11:30 AM

Fri 10:00 AM - 11:30 AM

Location

WCC4059

WCC4059

Course Description: This course surveys the major modes of consumer protection used in the law and the means by which these are developed and enforced, as well as the beliefs about consumers and markets that animate these choices. Consumer law is an immense topic, including everything from products liability to investor protections. With a focus on consumer credit (e.g., credit cards, home mortgages, overdraft loans, payday loans, student loans) and debt, we will examine some or all of the following:

- the move from common law fraud and contract claims to statutory unfair, deceptive, and abusive practices claims,
- the costs and benefits of disclosure, defaults, price caps, and bans in consumer credit transactions,
- the tension between facilitating transactions and minimizing the risk of errors and abuses in our private credit reporting and debt collection systems,
- the successes and limits of legal prohibitions on discrimination in consumer transactions,
- the regulatory and enforcement roles and processes of the Federal Trade Commission, the Consumer Financial Protection Bureau, State Attorneys General, and other federal and state banking regulators,
- private enforcement of consumer law in the age of arbitration, and
- managing compliance with the vast law governing consumer financial transactions.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Consumer Law: Educational Institutions and Student Debt

Course #: 2593 **Term:** 2014SP **Faculty:** Weinstein, Max **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Government Structure & Function

Delivery Mode: Course

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC3016

Course Description:

Last year, outstanding student loan debt in the United States exceeded one trillion dollars, surpassing all other forms of consumer debt. This course will examine the unique and rapidly changing legal and regulatory apparatus governing federal and private educational lending. We will cover: sources of federal funding for higher education and regulations limiting the schools and students eligible for such funding; enforcement of federal and private student loan contracts through debt collections agencies and federal collections powers; and the unique position of student loans among consumer debts as non-dischargeable in bankruptcy. The course will also give considerable attention to consumer rights and remedies in the student loan context, including recent jurisprudence on the enforceability of arbitration clauses and federal preemption of state consumer protection law. We will also examine the policies underlying these programs and the incentives they create for borrowers, lenders, public and private schools, federal regulators, and legislators.

This two-credit course will be taught by the staff of the Predatory Lending Clinic at the WilmerHale Legal Services Center of Harvard Law School. In addition to preparing for, attending, and participating in each class session, students will be expected to complete three response papers over the course of the semester, as well as a term paper.

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2013-2014 Academic Year

Contemporary Issues in Foreign Intelligence Gathering

Course #: 2611 **Term:** 2014SP **Faculty:** Zittrain, Jonathan **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC5048

Course Description: The digital environment offers greatly expanded opportunities for foreign intelligence gathering. This seminar will explore some of the most difficult problems arising in managing the collection and use of intelligence for national security, including compliance with the law; avoidance of, and remedies for, over collection; and protection of privacy and other fundamental values.

We will discuss how an intelligence community's activities can be meaningfully communicated to the public while respecting its sources and methods; how agencies might internally reconcile their various missions to protect the public and protect public values; and what a set of authorities and limitations for intelligence collection might look like if a clean slate were available on which to develop them.

Prerequisite: The seminar is offered by application for the spring term. The application can be found [here](#). All applications are due by 11:59 p.m. on Monday, November 4, 2013.

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2013-2014 Academic Year

Contemporary South Asia: Entrepreneurial Solutions to Intractable Social & Economic Problems

Course #: 2543 **Term:** 2013FA **Faculty:** Khanna, Tarun **Credits:** 3.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 3:30 PM - 5:00 PM

Wed 3:30 PM - 5:00 PM

Location

Course Description: This course focuses on several categories of social and economic problems faced by the countries of South Asia, with specific focus on the realms of Education, Health, and Financial Inclusion. Each problem category will be dealt with through a survey lecture, supplemented by assigned and recommended readings for those wishing to explore the topic further, and an in-depth look at several organizations, companies and non-profits that have attempted to address some of the problems within that category.

The primary objective of the course is to engage students (in an inter-disciplinary and university-wide setting) with the modern day challenges affecting South Asia, and to examine a range of entrepreneurial attempts to solve these problems. The course will be listed at HBS, FAS, HSPH, HGSE, HLS, HMS & HKS. The mixture of student backgrounds is crucial for its success.

The lectures and deep-dive case studies are the core of the course and will review the available evidence on the incidence, causes and consequences of the problem in question. Additionally, we will draw extensively on video and film materials when relevant. Case studies of each solution will examine whether and why it worked, and how it could have been improved, as well as compare the effort to other ambient successes and failures. Some overview lectures might be delivered by visitors; the case studies will be discussed interactively and might feature the protagonists wherever feasible. Graduate students will be required to develop a project report. The idea of the project is to present a candidate solution - this may take the form of a business plan, a plan to build a non-profit, a plan to create a regulatory intervention, all of which are equally admissible - that solves a crisply stated, and significant, problem in a particular setting in South Asia.

After the course, but not as a part of it, teams that reach a threshold level of excellence in their project reports may be eligible for funding through the South Asia Initiative for exploratory work on their project.

Location: Sever Hall 113

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2013-2014 Academic Year

Contracts

Course #: 2501 **Term:** 2014SP **Faculty:** Taggart, Christopher **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Thu 10:00 AM - 11:30 AM	HAU105
Fri 10:00 AM - 11:30 AM	HAU105

Course Description: Contract law is the study of legally enforceable promises, normally exchanged as part of a bargain. Contracts are the main means by which transactions are made and legal obligations are voluntarily incurred. Doctrinal topics to be discussed may include: when a contractual promise exists and which are too indefinite; offer and acceptance; consideration; whether and when contracts should be voided for reasons such as duress or nondisclosure; contractual interpretation; parol evidence; statutes of frauds; quasi-contracts; and remedies.

Note: Enrollment in this course is limited to foreign-educated LL.M. students only.

Contracts 1

Course #: 1001 **Term:** 2013FA **Faculty:** Gelpern, Anna **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 1:10 PM - 3:10 PM	WCC1019
Tue 1:10 PM - 3:10 PM	WCC1019

Course Description: This course is an introduction to the study of contracts and their regulation.

Contracts 2

Course #: 1001 **Term:** 2013FA **Faculty:** Kennedy, Randall **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	AUS101
Tue 10:20 AM - 11:40 AM	AUS101
Wed 10:20 AM - 11:40 AM	AUS101

Course Description: Contract law is the study of legally enforceable promises. Contracts are the main means by which transactions are made and legal obligations are voluntarily incurred. The course shall address, among other topics, when a contractual promise exists, whether consideration is present or should be required for the legal enforcement of promises, what constitutes offer and acceptance, whether contracts should be voided because of duress, nondisclosure, or unconscionability, how to interpret contracts, whether performance is excused by mistake, impossibility, impracticability, or frustration of purpose, the awarding of remedies, and whether damages should be limited because of failure to mitigate, unforeseeability, or use of penalty clauses.

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Contracts 3

Course #: 1001 **Term:** 2013FA **Faculty:** Abrams, Howard **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC1010

WCC1010

Course Description: Contract law is the study of legally enforceable promises, normally exchanged as part of a bargain. Contracts are the main means by which transactions are made and legal obligations are voluntarily incurred. Among the topics that may be covered are: when a contractual promise exists and which are too indefinite; whether consideration should be required and what that means; whether there was offer and acceptance forming a contract; whether and when contracts should be voided because of duress, nondisclosure, a failure to read, unconscionability, or immorality; how to interpret contracts; implied and explicit contractual conditions; the material breach and perfect tender rules; whether performance is excused by mistake of fact, impossibility, impracticability, or frustration of contractual purpose; what remedies to reward and how to measure them; and whether and when damages should be limited because of failure to mitigate, unforeseeability, or use of penalty clauses. Materials to be announced.

Contracts 4

Course #: 1001 **Term:** 2013FA **Faculty:** Ferrell, Allen **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC2004

WCC2004

Course Description: Contract law is the study of legally enforceable promises, normally exchanged as part of a bargain. Contracts are the main means by which transactions are made and legal obligations are voluntarily incurred. Among the topics that may be covered are: when a contractual promise exists and which are too indefinite; whether consideration should be required and what that means; whether there was offer and acceptance forming a contract; whether and when contracts should be voided because of duress, nondisclosure, a failure to read, unconscionability, or immorality; how to interpret contracts; implied and explicit contractual conditions; the material breach and perfect tender rules; whether performance is excused by mistake of fact, impossibility, impracticability, or frustration of contractual purpose; what remedies to reward and how to measure them; and whether and when damages should be limited because of failure to mitigate, unforeseeability, or use of penalty clauses.

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2013-2014 Academic Year

Contracts 5

Course #: 1001 **Term:** 2013FA **Faculty:** Lessig, Lawrence **Credits:** 4.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC1023

WCC1023

Course Description: This class introduces the nature of the obligation we call "contract." How are legally enforced obligations formed? How are they distinct from other obligations? How free are parties to craft the obligations they want to be bound by? How free should they be?

Contracts 6

Course #: 1001 **Term:** 2014SP **Faculty:** Fried, Charles **Credits:** 4.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC2009

WCC2009

Course Description: Contract law is the study of legally enforceable promises, normally exchanged as part of a bargain. Contracts are the main means by which transactions are made and legal obligations are voluntarily incurred. Among the topics that may be covered are: when a contractual promise exists and which are too indefinite; whether consideration should be required and what that means; whether there was offer and acceptance forming a contract; whether and when contracts should be voided because of duress, nondisclosure, a failure to read, unconscionability, or immorality; how to interpret contracts; implied and explicit contractual conditions; the material breach and perfect tender rules; whether performance is excused by mistake of fact, impossibility, impracticability, or frustration of contractual purpose; what remedies to reward and how to measure them; and whether and when damages should be limited because of failure to mitigate, unforeseeability, or use of penalty clauses.

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2013-2014 Academic Year

Contracts 7

Course #: 1001 **Term:** 2013FA **Faculty:** Rakoff, Todd **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Wed 8:20 AM - 9:40 AM

Thu 8:20 AM - 9:40 AM

Fri 8:20 AM - 9:40 AM

Location

WCC2012

WCC2012

WCC2012

Course Description: Contract law is the study of legally enforceable promises, normally exchanged as part of a bargain. Contracts are the main means by which transactions are made and legal obligations are voluntarily incurred. Among the topics that may be covered are: when a contractual promise exists and which are too indefinite; whether consideration should be required and what that means; whether there was offer and acceptance forming a contract; whether and when contracts should be voided because of duress, nondisclosure, a failure to read, unconscionability, or immorality; how to interpret contracts; implied and explicit contractual conditions; the material breach and perfect tender rules; whether performance is excused by mistake of fact, impossibility, impracticability, or frustration of contractual purpose; what remedies to reward and how to measure them; and whether and when damages should be limited because of failure to mitigate, unforeseeability, or use of penalty clauses. Materials to be announced.

Contracts and Justice

Course #: 2500 **Term:** 2014SP **Faculty:** Rakoff, Todd **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4056

Course Description: What happens to the law of contracts when it is thought to be about justice rather than about efficiency or freedom? In this reading group we will read the works of scholars, some old, some new, who have tried to rationalize or reconstruct the law of contracts on a justice basis, and consider how successful they have been.

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Copyright

Course #: 2042 **Term:** 2014SP **Faculty:** Fisher, William **Credits:** 4.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	LAN225
Tue 10:20 AM - 11:40 AM	LAN225
Wed 10:20 AM - 11:40 AM	LAN225

Course Description: This course will explore copyright law and policy. Approximately two thirds of the class time and readings will be devoted to the American copyright system; the remainder will be devoted to the major relevant multilateral treaties and to the laws pertaining to copyright and "neighboring rights" in other countries. Substantial attention will be paid to the efforts by philosophers and economists to justify, reform, or abolish the copyright system. Materials will consist of a set of cases and secondary materials available through the course home page. The tentative syllabus is available at http://cyber.law.harvard.edu/people/TFisher/Copyright_Syllabus_2013.htm.

Copyright and Trademark Litigation: TRO to the Supreme Court

Course #: 2043 **Term:** 2013FA **Faculty:** Cendali, Dale **Credits:** 2.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	WCCB010

Course Description: The class will analyze the strategic, practical and policy issues involved with copyright and trademark litigation from the beginning of a case where emergency injunctive relief might be sought, to its potential end at the U.S. Supreme Court. Substantive areas of copyright and trademark law will include fair use, nominative fair use, the likelihood of confusion, use of consumer surveys, dilution, the role of the First Amendment, the theory behind injunctive relief, the nature of irreparable injury, and trademarks as a form of property right. The course will discuss how to persuasively present evidence and try a case. The course will also address the special nature of Supreme Court litigation and techniques for an effective oral argument. Each student will participate in one very brief oral argument during the semester. Real-life cases the instructor has litigated will be used to illustrate points.

While no prior courses in IP are necessary as the course will provide any necessary foundation, students with an interest/background in IP will best be able to appreciate the course.

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Corporate and Capital Markets Law and Policy

Course #: 2362 **Term:** 2013FA **Faculty:** Bebchuk, Lucian; Hirst, Scott **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Wed 5:00 PM - 7:00 PM

Location

WCCB010

WCCB010

Course Description: This course will consider a range of policy issues in the law governing corporations, securities, capital markets, and financial institutions. Issues to be considered include the allocation of power between managers and shareholders, corporate transactions, executive pay, shareholder activism, cross-country differences in corporate and securities laws, securities regulation, and financial regulation. A substantial number of sessions will feature speakers, including both presentations by prominent practitioners on current policy and practice issues and presentations by prominent academics on current research.

Readings will mainly be from law review articles and discussion papers. Many of the readings will use economic reasoning, and familiarity with, or at least interest in or tolerance for, such reasoning will be helpful. The aim will be to give students a good sense of the issues that have been discussed in the literature, or are being discussed in current debates, and the ways in which policy arguments about such issues are developed.

The course will meet for 18 2-hour sessions which will take place on most Mondays and Wednesdays of the semester. There will be no examination. Instead, students will be asked to submit, before sessions, a brief memo on the assigned readings; grades will be based on these memos (primarily) and on participation in class discussion.

Corporate Finance

Course #: 2044 **Term:** 2013FA **Faculty:** Spamann, Holger **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

PND101

PND101

Course Description: This course will cover the fundamentals of financial economics, with an emphasis on corporate finance. While this is a course in finance, not law, applications from a variety of legal and other settings will illustrate the importance of finance for law and lawyers. Such applications will include civil procedure, damage calculations, judicial valuations, banking regulation, securities fraud, and government accounting.

There will be four graded problem sets and a final in-class exam, all of which will consist primarily of numerical exercises. Students are encouraged to work on the problem sets in groups of up to four.

The course is open to students with and without a background in finance.

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Corporate Finance: Advanced

Course #: 2605 **Term:** 2013FA **Faculty:** Spamann, Holger **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3018

Course Description: This course will meet in the second half of the fall semester and cover advanced selected topics in corporate finance. Topics will include auctions, interactions of trading and corporate governance (including short-termism), and the examination of transactional documents such as a bond indenture.

Prerequisite: Students must concurrently enroll in Corporate Finance, or have previously taken the class at HLS or elsewhere (in this case, faculty permission is required.)

Note: This course will meet in the second half of the fall semester. The first class will meet on Tuesday, October 29. The drop deadline is one day after the first class meeting.

Corporate Governance

Course #: 2046 **Term:** 2013FA **Faculty:** Fried, Jesse **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3013

Course Description: Students will read and discuss work about corporate governance policy and corporate governance reforms. As is the norm with reading groups, there will be no examination or paper, and the class will be graded credit/fail. The class will meet on the following dates: October 2, 9, 16, 23, 30 and November 6.

Prerequisite: Corporations or the permission of the instructor.

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Corporate Governance and Finance of the Public Firm

Course #: 2045 **Term:** 2014SP **Faculty:** Roe, Mark **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:20 AM	HAU102
Tue 10:20 AM - 11:20 AM	HAU102
Wed 10:20 AM - 11:20 AM	HAU102

Course Description: In this course we will consider current conceptual thinking about corporate governance, finance, and ownership, divided among these topics: the business structure of the firm and its relation to investors, institutional investors' role in the public corporation, the foundations for venture capital markets, the role of lawyers and other gatekeepers in the Enron scandal and the Sarbanes-Oxley Act, major differences in large firms around the world, new thinking on jurisdictional competition in producing corporate law in the United States, and shareholder primacy and its critics.

Prerequisite: Corporations, which may be taken concurrently with the course, or equivalent exposure to corporate law (in this case, faculty permission is required.)

Corporate Reorganization

Course #: 2047 **Term:** 2014SP **Faculty:** Bienenstock, Martin **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 5:00 PM - 7:00 PM	WCC2004

Course Description: Corporate Reorganization identifies the dominant causes of business failure or distress, and analyzes how (a) corporate governance enhanced by the best business research of the last 20 years can mitigate or avoid failure and (b) chapter 11 resolves failure/distress. We do this by reference to governance and business research papers, jurisprudence, and articles about failures in the auto, steel, financial, and manufacturing industries, and industries subject to mass tort liability. In formulating resolutions of distressed situations, we apply chapter 11 resolutions as a baseline against which other resolutions are compared. The course is designed to show that optimal restructuring is a multidisciplinary undertaking, even within its legal framework where emphasis is put on governance jurisprudence, bankruptcy jurisprudence, statutory interpretation, the constitutional limits of the bankruptcy power, the bankruptcy court's jurisdiction, and the use of litigation. This is a one-credit course that meets for 7 two-hour sessions. Grades are determined by 10-page papers on approved topics. Some students may earn two credits by writing more extensive papers.

Note: The course will meet on the first seven Mondays of the term. The last class is March 10, 2014.

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Corporations

Course #: 2048 **Term:** 2013FA **Faculty:** Fried, Jesse **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

PND102

PND102

Course Description: This course introduces students to the legal rules protecting creditors and shareholders of a corporation. Topics include limited liability, veil piercing, equitable subordination, fraudulent conveyances, leveraged buyouts, the duties of care and loyalty, shareholder voting, derivative suits, executive compensation, insider trading, and control transactions.

Corporations

Course #: 2048 **Term:** 2013FA **Faculty:** Spamann, Holger **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Wed 8:20 AM - 9:40 AM

Thu 8:20 AM - 9:40 AM

Fri 8:20 AM - 9:40 AM

Location

PND101

PND101

PND101

Course Description: This course surveys the role of legal controls on business organizations with emphasis on the control of managers in publicly held corporations. Topics include asset partitioning, fiduciary duties, shareholder voting, derivative suits, executive compensation, control transactions, and insider trading. One quarter of the course will be based on problems drawn from transactional settings; this part of the course is still experimental and will involve some group work and graded quizzes.

Students should have a familiarity with rudimentary accounting and finance concepts at the level of Analytical Methods for Lawyers. Please consult the syllabus of Analytical Methods if you are unsure whether your background is sufficient.

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Corporations

Course #: 2048 **Term:** 2013FA **Faculty:** Khanna, Vikramaditya **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Wed 1:40 PM - 3:00 PM

Thu 1:40 PM - 3:00 PM

Fri 1:40 PM - 3:00 PM

Location

WCC1010

WCC1010

WCC1010

Course Description: This course surveys the role of legal controls on business organizations with emphasis on the control of managers in publicly held corporations. Aspects of the law of agency, partnership, and closely held corporations are reviewed to highlight continuities and discontinuities with the publicly held corporation. Topics include basic fiduciary law, shareholder voting, derivative suits, executive compensation, reorganizations, and control transactions. The emphasis throughout is on the functional analysis of legal rules as one set of constraints on corporate factors among others.

Corporations

Course #: 2048 **Term:** 2014SP **Faculty:** Clark, Robert **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:55 AM

Tue 10:20 AM - 11:55 AM

Wed 10:20 AM - 11:55 AM

Location

AUS101

AUS101

AUS101

Course Description: This course surveys the role of legal controls on business organizations with emphasis on the control of managers in publicly held corporations. Aspects of the law of agency, partnership, and closely held corporations are reviewed to highlight continuities and discontinuities with the publicly held corporation. Topics include basic fiduciary law, shareholder voting, derivative suits, executive compensation, reorganizations, and control transactions. The emphasis throughout is on the functional analysis of legal rules as one set of constraints on corporate factors among others.

Note: This course will meet on Mondays, Tuesdays, and most Wednesdays. Several Wednesday class meetings will be cancelled.

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Corporations

Course #: 2048 **Term:** 2014SP **Faculty:** Subramanian, Guhan **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

AUS101

AUS101

Course Description: This course surveys the role of legal controls on business organizations with emphasis on the control of managers in publicly held corporations. Aspects of the law of agency, partnership, and closely held corporations are reviewed to highlight continuities and discontinuities with the publicly held corporation. Topics include basic fiduciary law, shareholder voting, derivative suits, executive compensation, reorganizations, and control transactions. The emphasis throughout is on the functional analysis of legal rules as one set of constraints on corporate actors among others.

Corporations

Course #: 2048 **Term:** 2014SP **Faculty:** Hanson, Jon **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Wed 1:20 PM - 2:40 PM

Thu 1:20 PM - 2:40 PM

Fri 1:20 PM - 2:40 PM

Location

AUS100

AUS100

AUS100

Course Description: This course surveys the role of legal controls on business organizations with emphasis on the control of managers in publicly held corporations. The course begins with an historical view of corporate form followed by a brief review of the law of agency, partnership, and closely held corporations. Topics include basic fiduciary law, shareholder voting, derivative suits, executive compensation, and control transactions. The course takes a critical perspective on corporate law throughout.

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Criminal Adjudication

Course #: 2049 **Term:** 2014SP **Faculty:** Lanni, Adriaan **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure

Delivery Mode: Course

Days and Times:

Tue 10:20 AM - 11:50 AM

Wed 10:20 AM - 11:50 AM

Location

WCCB015

WCCB015

Course Description: The subject of this course is the criminal process "from bail to jail." We will address some of the main constitutional and policy issues that arise about the structure of this process, including the right to counsel, the influence of prosecutorial discretion, the institution of plea bargaining, the role of the jury, and the choice of sentencing procedures. We will also address some important issues about the outcomes produced by this process, including the problem of wrongful convictions (innocence) and disparate racial and class impacts.

Criminal Investigations / Police Practices: Fourth, Fifth and Sixth Amendments

Course #: 2050 **Term:** 2014SP **Faculty:** Weinreb, Lloyd **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure

Delivery Mode: Course

Days and Times:

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Location

WCC2012

WCC2012

Course Description: This course considers the principal doctrines of the Fourth, Fifth, and Sixth Amendments affecting criminal investigation. Topics include search and seizure, stop and frisk, electronic surveillance, lineups, police questioning (the privilege against compulsory self-incrimination), and the right to counsel. Attention will be given to the actual conduct of police investigation, aside from constitutional considerations, and to the application of constitutional provisions in the context of terrorism. Weinreb, *Leading Constitutional Cases on Criminal Justice* (2013 ed.)

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Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002 **Term:** 2013FW **Faculty:** Sullivan, Ronald **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Open to 3Ls only

Required Class Component: Criminal Justice Institute: Defense Theory and Practice (3 fall credits + 1 winter credit). Students must enroll in this clinic before they are permitted to enroll in the required course.

Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. There is no clinic preference or priority to enroll in TAW or Evidence. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students are not eligible to enroll.

Multi-Semester: This is a fall-winter clinic (3 fall credits + 1 winter credit). Please note that clinical work will end on January 24.

Placement Site: HLS.

Mandatory Meeting: All students must attend mandatory orientation sessions on Wednesday, October 2, 2013 AND Thursday, October 3. Additionally, each student is required to attend (as assigned) one day of court observation followed by a facility tour on Monday, September 30 or Tuesday, October 1.

Students will examine the nature, functions, dynamics, and ethics of such tasks as interviewing, investigation, examination and cross-examination of witnesses, argument, and other aspects of criminal defense advocacy, both in and out of the courtroom. They will also examine the theory and practice of defense advocacy for minors accused of delinquency, focusing on the constitutional framework of the juvenile justice system. Students will study the Massachusetts juvenile courts, examining the history and philosophy of a separate juvenile system, juvenile court jurisdiction, and the impact of various state agencies on the administration of justice in juvenile court. The class component will attempt to develop a variety of operational and ethical frameworks within which students can understand and evaluate their practice experience.

Students can expect to represent clients on criminal and juvenile delinquency cases in the local courts. In the course of representing clients, students may be required to visit correctional institutions, which necessitate a background check. They may also provide representation to minors in school disciplinary hearings or represent adult clients in appellate or other post-conviction legal proceedings. Students will be responsible for providing complete legal representation to their clients during the course of the term and are expected to work a minimum of twenty hours per week at the Criminal Justice Institute under the supervision of a clinical instructor at the Institute. Students will receive one-to-one supervision, individual critique of their courtroom work, and participate in regular group sessions with their supervisor. Classroom reading and discussion will draw upon and complement the students experiences as defense counsel.

The teaching method will include exercises and discussions on the Code of Professional Responsibility and the Model Rules of Professional Responsibility. Students will become familiar with the Fourth, Fifth, Sixth, and Fourteenth Amendment rights of both adults and juveniles accused of delinquency, as well as the law of evidence and sentencing. There will be a review of essential lawyering skills in criminal practice.

The clinic and class will start the week after Fall TAW, September 30 - October 4, 2013. During this first week, all students must attend a number of mandatory orientation sessions. Each

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student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 30) or Tuesday (Oct. 1) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Oct. 2) and Thursday (Oct. 3) from 2:00 PM - 6:00 PM each day. Starting this first week and throughout the Fall, class will meet on Wednesdays and Thursdays from 5:00 PM - 7:00 PM. During the Winter, class will meet on Wednesdays and Thursdays from 10:00 AM - 12:00 PM. Arraignments for those enrolled in the fall/winter clinic will be held during the month of October. Those enrolled in the winter-spring clinic will be attending arraignments during the month of January. All students must have at least one morning available for court, Monday through Thursday. Juvenile cases are heard only on Mondays, Tuesdays, and Wednesdays. Clinical work for winter term will end on January 24.

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Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002 **Term:** 2014WS **Faculty:** Sullivan, Ronald **Credits:** 5.00

Type: HLS Clinic **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Open to 3Ls only

Required Class Component: Criminal Justice Institute: Defense Theory and Practice (3 fall credits + 1 winter credit). Students must enroll in this clinic before they are permitted to enroll in the required course.

Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. There is no clinic preference or priority to enroll in TAW or Evidence. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students are not eligible to enroll.

Multi-Semester: This is a winter-spring clinic (1 winter credit + 4 spring credits).

Placement Site: HLS.

Mandatory Meeting: All students must attend mandatory orientation sessions on Wednesday, October 2, 2013 AND Thursday, October 3. Additionally, each student is required to attend (as assigned) one day of court observation followed by a facility tour on Monday, September 30 or Tuesday, October 1.

Students will examine the nature, functions, dynamics, and ethics of such tasks as interviewing, investigation, examination and cross-examination of witnesses, argument, and other aspects of criminal defense advocacy, both in and out of the courtroom. They will also examine the theory and practice of defense advocacy for minors accused of delinquency, focusing on the constitutional framework of the juvenile justice system. Students will study the Massachusetts juvenile courts, examining the history and philosophy of a separate juvenile system, juvenile court jurisdiction, and the impact of various state agencies on the administration of justice in juvenile court. The class component will attempt to develop a variety of operational and ethical frameworks within which students can understand and evaluate their practice experience.

Students can expect to represent clients on criminal and juvenile delinquency cases in the local courts. In the course of representing clients, students may be required to visit correctional institutions, which necessitate a background check. They may also provide representation to minors in school disciplinary hearings or represent adult clients in appellate or other post-conviction legal proceedings. Students will be responsible for providing complete legal representation to their clients during the course of the term and are expected to work a minimum of twenty hours per week at the Criminal Justice Institute under the supervision of a clinical instructor at the Institute. Students will receive one-to-one supervision, individual critique of their courtroom work, and participate in regular group sessions with their supervisor. Classroom reading and discussion will draw upon and complement the students' experiences as defense counsel.

The teaching method will include exercises and discussions on the Code of Professional Responsibility and the Model Rules of Professional Responsibility. Students will become familiar with the Fourth, Fifth, Sixth, and Fourteenth Amendment rights of both adults and juveniles accused of delinquency, as well as the law of evidence and sentencing. There will be a review of essential lawyering skills in criminal practice.

The clinic and class will start the week after Fall TAW, September 30 - October 4, 2013. During this first week, all students must attend a number of mandatory orientation sessions. Each student is required to attend (as assigned) one day of court observation followed by a facility

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tour, which will be held on Monday (Sept. 30) or Tuesday (Oct. 1) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Oct. 2) and Thursday (Oct. 3) from 2:00 PM - 6:00 PM each day. Starting this first week and throughout the Fall, class will meet on Wednesdays and Thursdays from 5:00 PM - 7:00 PM. During the Winter, class will meet on Wednesdays and Thursdays from 10:00 AM - 12:00 PM. Arraignments for those enrolled in the fall/winter clinic will be held during the month of October. Those enrolled in the winter-spring clinic will be attending arraignments during the month of January. All students must have at least one morning available for court, Monday through Thursday. Juvenile cases are heard only on Mondays, Tuesdays, and Wednesdays.

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Criminal Justice Institute: Defense Theory and Practice

Course #: 2261 **Term:** 2013FW **Faculty:** Sullivan, Ronald **Credits:** 4.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure; Procedure & Practice

Delivery Mode: Course

Days and Times:

Wed 10:00 AM - 12:00 PM

Wed 5:00 PM - 7:00 PM

Thu 5:00 PM - 7:00 PM

Thu 10:00 AM - 12:00 PM

Location

HAU104

HAU104

Course Description:

Open to 3Ls only

Required Clinic Component: Criminal Justice Institute: Criminal Defense Clinic, either fall-winter (3 fall credits + 1 winter credit) or winter-spring (1 winter credit + 4 spring credits). Students must enroll in one of the two clinic offerings (fall-winter or winter-spring) before they are permitted to enroll in this required course.

Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. There is no clinic preference or priority to enroll in TAW or Evidence. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students are not eligible to enroll.

Multi-Semester: This is a fall-winter class (3 fall credits + 1 winter credit).

Mandatory Meeting: All students must attend mandatory orientation sessions on Wednesday, October 2, 2013 AND Thursday, October 3. Additionally, each student is required to attend (as assigned) one day of court observation followed by a facility tour on Monday, September 30 or Tuesday, October 1.

Students will examine the nature, functions, dynamics, and ethics of such tasks as interviewing, investigation, examination and cross-examination of witnesses, argument, and other aspects of criminal defense advocacy, both in and out of the courtroom. They will also examine the theory and practice of defense advocacy for minors accused of delinquency, focusing on the constitutional framework of the juvenile justice system. Students will study the Massachusetts juvenile courts, examining the history and philosophy of a separate juvenile system, juvenile court jurisdiction, and the impact of various state agencies on the administration of justice in juvenile court. The class will attempt to develop a variety of operational and ethical frameworks within which students can understand and evaluate their practice experience.

In the accompanying clinic, students can expect to represent clients on criminal and juvenile delinquency cases in the local courts. In the course of representing clients, students may be required to visit correctional institutions, which necessitate a background check. They may also provide representation to minors in school disciplinary hearings or represent adult clients in appellate or other post-conviction legal proceedings. Students will be responsible for providing complete legal representation to their clients during the course of the term and are expected to work a minimum of twenty hours per week at the Criminal Justice Institute under the supervision of a clinical instructor at the Institute. Students will receive one-to-one supervision, individual critique of their courtroom work, and participate in regular group sessions with their supervisor. Classroom reading and discussion will draw upon and complement the students experiences as defense counsel.

The teaching method will include exercises and discussions on the Code of Professional

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Responsibility and the Model Rules of Professional Responsibility. Students will become familiar with the Fourth, Fifth, Sixth, and Fourteenth Amendment rights of both adults and juveniles accused of delinquency, as well as the law of evidence and sentencing. There will be a review of essential lawyering skills in criminal practice.

The clinic and class will start the week after Fall TAW, September 30 - October 4, 2013. During this first week, all students must attend a number of mandatory orientation sessions. Each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 30) or Tuesday (Oct. 1) from 9:00 AM-3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Oct. 2) and Thursday (Oct. 3) from 2:00 PM-6:00 PM each day. Starting this first week and throughout the fall, class will meet on Wednesdays and Thursdays from 5:00 PM-7:00 PM. During the winter, class will meet on Wednesdays and Thursdays from 10:00 AM - 12:00 PM.

Students enrolled in the fall-winter clinic will be taking the course exam at the end of January. Those enrolled in the winter-spring clinic will be taking the exam at the conclusion of their clinic experience in the spring.

This course satisfies the professional responsibility requirement.

Criminal Law 1

Course #: 1002 **Term:** 2014SP **Faculty:** Weinreb, Lloyd **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 8:10 AM - 10:10 AM

Tue 8:10 AM - 10:10 AM

Location

WCC1010

WCC1010

Course Description: This course considers the basic themes of substantive criminal law, including criminal responsibility; the significance of act, intent, causation, and result; justification and excuse; and the rationale of punishment. Doctrinal principles having to do with insanity, other defenses, attempts, and conspiracy are studied, as well as the law of homicide, theft, and rape. The course will include a general overview of the criminal process. Professor Weinreb will use Weinreb, *Criminal Law* (7th ed.) and supplementary materials.

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Criminal Law 2

Course #: 1002 **Term:** 2014SP **Faculty:** Cavallaro, Rosanna **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Wed 1:30 PM - 3:10 PM

Fri 1:00 PM - 3:15 PM

Location

AUS101

AUS101

Course Description: This course considers the basic themes of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationale of punishment. General doctrinal principles of the criminal law and illustrative crimes are studied, usually including the following topics: defenses, insanity, attempts, conspiracy, and aspects of the law of homicide and rape. The course also considers important aspects of criminal procedure, especially as they bear on the way in which the substantive criminal law is administered.

Criminal Law 3

Course #: 1002 **Term:** 2014SP **Faculty:** Steiker, Carol **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

Location

WCC2004

WCC2004

WCC2004

Course Description: This course considers the basic themes of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationales for punishment. General doctrinal principles of the criminal law and illustrative crimes are studied, including attempts, conspiracy, and the law of accomplice liability, defenses such as self-defense and insanity, and aspects of the law of homicide and rape. The course also considers some important issues in the administration of the criminal justice system, with special emphasis on the phenomenon of discretion. The rationales for allowing discretion, the proper scope of discretion, and the practical effects of discretion are examined in the context of particular institutional actors, with focus on prosecutorial charging discretion, the practice of plea bargaining, and current debates about sentencing discretion. The focus is not on criminal procedure in the conventional sense, but rather on the quintessentially substantive problem of understanding the criteria by which culpability and punishment are actually determined in the contemporary American criminal justice system.

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Criminal Law 4

Course #: 1002 **Term:** 2014SP **Faculty:** Suk, Jeannie **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC1023

WCC1023

Course Description: This course considers the basic themes of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationales of punishment. General doctrinal principles of the criminal law and illustrative crimes are studied, including homicide, rape, attempt, complicity, and conspiracy. The course also considers constitutional principles of criminal justice. Laptops cannot be used in class. Class participation is required.

Criminal Law 5

Course #: 1002 **Term:** 2014SP **Faculty:** Sullivan, Ronald **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

Location

PND102

PND102

PND102

Course Description: This course considers the basic themes of substantive criminal law, including criminal responsibility; the significance of act, intent, causation, and result; justification and excuse; and the rationale of punishment. Doctrinal principles having to do with insanity, other defenses, attempts, and conspiracy are studied, as well as the law of homicide, theft, and rape. So far as time permits, the course will include a general overview of the criminal process.

Criminal Law 6

Course #: 1002 **Term:** 2013FA **Faculty:** Lanni, Adriaan **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC1023

WCC1023

Course Description: This course considers the basic themes of substantive criminal law. General doctrinal principles of the criminal law and illustrative crimes are studied, usually including the following topics: defenses, insanity, conspiracy, attempts, and aspects of the law of homicide and rape. The course also considers select aspects of criminal procedure, including prosecutorial discretion, plea bargaining, and sentencing.

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Criminal Law 7

Course #: 1002 **Term:** 2014SP **Faculty:** Gertner, Nancy **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC1019

WCC1019

Course Description: This course considers the basic themes of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationales for punishment. General doctrinal principles of the criminal law and illustrative crimes are studied, including attempts, conspiracy, and the law of accomplice liability, defenses such as self-defense and insanity, and aspects of the law of homicide and rape. The course also considers some important issues in the administration of the criminal justice system, with special emphasis on the phenomenon of discretion. The rationales for allowing discretion, the proper scope of discretion, and the practical effects of discretion are examined in the context of particular institutional actors, with focus on prosecutorial charging discretion, the practice of plea bargaining, and current debates about sentencing discretion. The focus is not on criminal procedure in the conventional sense, but rather on the quintessentially substantive problem of understanding the criteria by which culpability and punishment are actually determined in the contemporary American criminal justice system.

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Crimmigration: The Intersection of Criminal Law and Immigration Law Clinical Seminar

Course #: 2597 **Term:** 2013FA **Faculty:** Torrey, Philip **Credits:** 2.00

Type: Elective **Subject Areas:** Criminal Law & Procedure; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

HAU101

Course Description: Required Clinic Component: Crimmigration Clinic (2 fall credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course.
Additional Co-/Pre-Requisites: None.
By Permission: Yes. Applications are due by April 3, 2013.
Add/Drop Deadline: April 5, 2013.
LLM Students: LLM students are not eligible to enroll.

Recently, HIRC expanded into the dynamic field of crimmigration, an increasingly important and complex area of law concerning the immigration consequences of criminal convictions. For the fall 2013 semester, students interested in Crimmigration will have the option to apply for a crimmigration-focused clinical placement within HIRC. The application will be for the Crimmigration clinic and Crimmigration: The Intersection of Criminal Law and Immigration Law. Applications are due to the clinic by noon on April 3, 2013. To apply, please email Phil Torrey, ptorrey@law.harvard.edu, a resume and short statement of interest. Students pursuing crimmigration clinical work will be divided into teams and complete at least one crimmigration-related project such as drafting an amicus appellate brief, responding to immigration detainee letters, or drafting policy memoranda for public defender offices throughout the United States. Eight students will be placed at the Harvard Immigration and Refugee clinic and work approximately 10 hours a week for 2 clinical credits.

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2013-2014 Academic Year

Critical Legal Studies - A Retrospective

Course #: 2549 **Term:** 2014SP **Faculty:** Hanson, Jon **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3016

Course Description: Admission with permission of instructor only.

Substantively this seminar will focus on scholarship associated with critical legal studies ("CLS"), with a particular focus on that of Professor Duncan Kennedy, as well as on the work of scholars who have engaged with CLS. Although the CLS movement is a thing of the past, its effects continue to permeate legal theory and law. One goal of this seminar is to examine some of the context—historical, intellectual, political, social, and economic—of the CLS movement and some of the effects that CLS scholarship continues to have. A second goal is to create a set of recorded interviews that may be of use to other law students and legal scholars with an interest in those topics. (Professor Kennedy will not be an instructor in this seminar but has generously agreed to make himself available for the requisite interviews.)

Students work for the seminar will be somewhat unconventional. Students will, for instance, write a variety of blog posts (including short essays) about CLS-related scholarship. In addition, students will each plan, conduct, and edit an audio interview of Duncan Kennedy. Students will learn to blog, conduct interviews, and edit digital audio files. They will publish much of their work online - including on the class website and blog. Students will share responsibility with the instructor for planning and implementing this seminar.

Participation in this limited-enrollment seminar is with permission of the instructor only. Students need not have had any experience blogging or audio editing. Interested students should send a brief statement of interest to hanson@law.harvard.edu with the words "Critical Legal Studies Seminar" in the subject line. Pre-requisite: By permission of instructor

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2013-2014 Academic Year

Critical Perspectives on the Law: Issues of Race, Gender, Class and Social Change

Course #: 2051 **Term:** 2013FA **Faculty:** Guinier, Lani **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Legal & Political Theory

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

HAU105

Course Description: This seminar will focus on the relationship of race, gender, and class to different social change strategies. We shall explore the role of lawyers in influencing contemporary public policy and the role of legal discourse in framing issues such as access to, the diversity of, and participation within higher education; the use of the criminal justice system as a major instrument of urban public policy; gay marriage; issues of assimilation v structural reform; the role of gender within the larger society as well as within communities of color. We shall attempt to identify the ways in which the adversarial dynamics of our legal system influence policy choices between means and ends, the zero-sum nature of conflict, and the role of racial, ethnic, gender and economic hierarchy. We will use interdisciplinary readings, experiential learning and case studies to examine various discourse and social change frames for identifying, reframing and problem-solving concrete social justice issues to facilitate social change. Each student will have the opportunity to work with faculty and with other students to plan and help facilitate one of the class sessions.

Students will be eligible to receive a total of 3 credits: two classroom credits for the seminar and, if desired, an optional writing credit.

Prerequisite: Admission is by permission of the instructor, based on your statement of interest submitted to Chanda Smart at csmart@law.harvard.edu.

Critical Race Theory

Course #: 2279 **Term:** 2013FA **Faculty:** Mack, Kenneth **Credits:** 1.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Legal & Political Theory

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4059

Course Description: This course will consider one of the newest intellectual currents within American Legal Theory -- Critical Race Theory. Emerging during the 1980s, critical race scholars made many controversial claims about law and legal education -- among them that race and racial inequality suffused American law and society, that structural racial subordination remained endemic, and that both liberal and critical legal theories marginalized the voices of racial minorities. Course readings will be taken from both classic works of Critical Race Theory and newer interventions in the field, as well as scholarship criticizing or otherwise engaging with Critical Race Theory from outside or at the margins of the field.

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Current Issues in Executive Compensation and Corporate Governance

Course #: 2053 **Term:** 2014SP **Faculty:** Fried, Jesse; Corre, Isaac **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Seminar

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC3009

Course Description: This seminar examines academic and other policy-oriented writings on corporate governance, focusing largely (but not exclusively) on ongoing efforts to improve executive compensation and corporate governance at widely-held U.S. firms. At most sessions, invited speakers from Harvard Law School and elsewhere will present case studies and work-in-progress.

Prerequisite: Corporations or by permission of the instructor.

Current Topics in Financial Regulation

Course #: 2561 **Term:** 2013FS **Faculty:** Jackson, Howell **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 6:30 PM

Location

Course Description: This year long seminar will explore current issues in financial regulation. The focus will be on regulatory reforms since the Global Financial Crisis. Special attention will be given to the two new regulatory bodies created by the Dodd-Frank Act of 2010: The Financial Stability Oversight Council and the Consumer Financial Protection Bureau. During the Fall, we will read a number of recent academic papers of special interest. In the Spring, students will be expected to present and comment upon their own research paper. Students interested in undertaking more significant research projects can obtain permission to receive an additional credit.

Students without prior background in the field will usually find it helpful to have taken (or to take concurrently) at least one other course on financial regulation, corporate finance, or related subjects.

Space permitting, students who are interested in the subject matter of the seminar but do not wish to undertake a research project may sign up for the Fall meetings of the seminar as a one-credit reading group.

Note: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

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Cyberlaw Clinic

Course #: 8004 **Term:** 2013FA **Faculty:** Bavitz, Christopher **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: This clinic requires that students have taken or are currently taking at least one of the courses listed below.

Additional Co-/Pre-Requisites: The following courses have some seats reserved for clinical students: Practical Lawyering in Cyberspace; Music and Digital Media. The following courses do not have any seats reserved for clinical students: Communications and Internet Law and Policy; Controlling Cyberspace; Copyright; Cyberlaw and Intellectual Property: Advanced Problem Solving Workshop; Ideas for a Better Internet; Intellectual Property in the Digital Environment; Trademark; or Intellectual Property Law.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students may apply to this clinic by submitting an application.

Placement Site: HLS (Berkman Center).

The Cyberlaw Clinic, based at the Berkman Center for Internet & Society, engages Harvard Law School students in a wide range of real-world client counseling, licensing and transactional, litigation, advocacy and policy projects and cases, covering a broad spectrum of Internet, new technology, and intellectual property legal issues. Among many other areas, the Clinic's work includes counseling and legal guidance regarding complex open access, digital copyright, and fair use issues; litigation, amicus filings, and other advocacy to protect online speech and anonymity; legal resources and advice for digital journalists and public media entities; licensing and contract drafting and advice, including for Creative Commons and other open licenses; counseling innovators and entrepreneurs through the Harvard Innovation Lab; advising courts and creating resources for the use of technology to facilitate access to justice and the courts; guidance, policy development and amicus advocacy for effective but balanced protection of children in the areas of social networking, youth online safety, cyberbullying and child pornography/exploitation; addressing the use of technology in human trafficking; and counseling and drafting regarding complex questions of cybercrime and digital evidence.

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2013-2014 Academic Year

Cyberlaw Clinic

Course #: 8004 **Term:** 2014SP **Faculty:** Bavitz, Christopher **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: This clinic requires that students have taken or are currently taking at least one of the courses listed below.

Additional Co-/Pre-Requisites: The following courses have some seats reserved for clinical students: Practical Lawyering in Cyberspace; Music and Digital Media. The following courses do not have any seats reserved for clinical students: Communications and Internet Law and Policy; Controlling Cyberspace; Copyright; Communications Law; Cyberlaw and Intellectual Property; Advanced Problem Solving Workshop; Ideas for a Better Internet; Intellectual Property in the Digital Environment; Trademark; or Intellectual Property Law.

By Permission: No.

Add/Drop Deadline: January 17, 2014.

LLM Students: LLM students may apply to this clinic by submitting an application.

Placement Site: HLS (Berkman Center).

The Cyberlaw Clinic, based at the Berkman Center for Internet & Society, engages Harvard Law School students in a wide range of real-world client counseling, licensing and transactional, litigation, advocacy and policy projects and cases, covering a broad spectrum of Internet, new technology, and intellectual property legal issues. Among many other areas, the Clinic's work includes counseling and legal guidance regarding complex open access, digital copyright, and fair use issues; litigation, amicus filings, and other advocacy to protect online speech and anonymity; legal resources and advice for digital journalists and public media entities; licensing and contract drafting and advice, including for Creative Commons and other open licenses; counseling innovators and entrepreneurs through the Harvard Innovation Lab; advising courts and creating resources for the use of technology to facilitate access to justice and the courts; guidance, policy development and amicus advocacy for effective but balanced protection of children in the areas of social networking, youth online safety, cyberbullying and child pornography/exploitation; addressing the use of technology in human trafficking; and counseling and drafting regarding complex questions of cybercrime and digital evidence.

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2013-2014 Academic Year

Cyberlaw Clinic

Course #: 8004 **Term:** 2014WI **Faculty:** Bavitz, Christopher **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: This clinic requires that students have taken or are currently taking at least one of the courses listed below.
Additional Co-/Pre-Requisites: The following courses have some seats reserved for clinical students: Practical Lawyering in Cyberspace; Music and Digital Media. The following courses do not have any seats reserved for clinical students: Communications and Internet Law and Policy; Controlling Cyberspace; Copyright; Cyberlaw and Intellectual Property: Advanced Problem Solving Workshop; Ideas for a Better Internet; Intellectual Property in the Digital Environment; Trademark; or Intellectual Property Law.
By Permission: No.
Add/Drop Deadline: December 6, 2013.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: HLS (Berkman Center).
The Cyberlaw Clinic, based at the Berkman Center for Internet & Society, engages Harvard Law School students in a wide range of real-world client counseling, licensing and transactional, litigation, advocacy and policy projects and cases, covering a broad spectrum of Internet, new technology, and intellectual property legal issues. Among many other areas, the Clinic's work includes counseling and legal guidance regarding complex open access, digital copyright, and fair use issues; litigation, amicus filings, and other advocacy to protect online speech and anonymity; legal resources and advice for digital journalists and public media entities; licensing and contract drafting and advice, including for Creative Commons and other open licenses; counseling innovators and entrepreneurs through the Harvard Innovation Lab; advising courts and creating resources for the use of technology to facilitate access to justice and the courts; guidance, policy development and amicus advocacy for effective but balanced protection of children in the areas of social networking, youth online safety, cyberbullying and child pornography/exploitation; addressing the use of technology in human trafficking; and counseling and drafting regarding complex questions of cybercrime and digital evidence.

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2013-2014 Academic Year

Decision Making and Leadership in the Public Sector

Course #: 2267

Term: 2013FA

Faculty: Heymann, Philip

Credits: 3.00

Type: Elective

Subject Areas: Government Structure & Function

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

Location

PND100

PND100

Course Description:

Lawyers are as deeply involved in political decision making as they are in judicial decision making, whether the occasion is legislation or administrative regulation or deciding on a discrete action by a governmental or other organizational unit. They also are called upon to manage public organizations. Most people learn these additional skills, if at all, through experience. There is, however, a logic that can help almost as much in understanding political choices as learning the basics of legal argument does in understanding judicial choices. The course teaches the thought process of policy choice and of management. At the same time, it provides vicarious experience in a variety of political/managerial settings through detailed case studies mostly produced at the Kennedy School of Government. Most classes involve adopting a particular role in a specific situation and thinking through what you might want to accomplish in that role and how to go about it in that setting. The examples are from domestic and foreign policy areas and almost always involve the political structures of the United States.

Note: This course is jointly-listed with HKS as MLD-326.

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2013-2014 Academic Year

Delivery of Legal Services Clinic

Course #: 8037 **Term:** 2013FA **Faculty:** Charn, Jeanne **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Legal Profession: Ethical and Professional Challenges in New Approaches to Personal Service Law Practice (3 fall credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/PreRequisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.
This clinic offers students the opportunity to work with externship organizations dedicated to expanding access to the civil justice system in the United States, such as legal services organization or other non-profit/advocacy organization. Placements are coordinated through the Office of Clinical and Pro Bono Programs.

Delivery of Legal Services Clinic

Course #: 8037 **Term:** 2014SP **Faculty:** Charn, Jeanne **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Legal Profession: Delivery of Legal Services (3 spring credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/PreRequisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.
This clinic offers students the opportunity to work with externship organizations dedicated to expanding access to the civil justice system in the United States, such as legal services organization or other non-profit/advocacy organization. Placements are coordinated through the Office of Clinical and Pro Bono Programs.

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2013-2014 Academic Year

Democracy, the Incomplete Experiment

Course #: 2485 **Term:** 2014SP **Faculty:** Robinson, Stephanie **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC4059

Course Description: This 2-credit seminar interrogates the ways in which democracy, as practiced in the United States, continues to form. In doing so, it explores provocative themes and questions of citizenship, self-governance, accountability and inclusion in American democracy while grappling with issues of race, class and gender. It moves beyond limited representations of democratization as the quest for universal suffrage and fair elections to a more fluid, real-time construct of competing interests, negotiated outcomes, stressed and malleable institutions, and tumultuous changes. It further clarifies the democratic process as one subject to ongoing interpretation, challenge and renewal.

Digital Platforms

Course #: 2601 **Term:** 2014SP **Faculty:** Lessig, Lawrence; Zittrain, Jonathan **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCCB010

Course Description: The Internet operates in layers, and so does much of the technology that hooks up to it: PCs, mobile phones, tablets. Nearly two decades ago those platforms were conceptually simple: a "generative" base offered by one manufacturer, on which any third party could build. (Think: Windows and the programs that run on it.) Some efforts by platform makers to tip the scales in their favor in the layer above resulted in extended controversy and regulatory efforts, such as over Windows coming bundled with Internet Explorer. Today platforms are just as vital but far more complex. We have hybrids like the iOS and Android operating systems or the Facebook and Twitter platforms, where the platform makers offer their systems as services rather than products, influencing and sometimes outright limiting connection between users and independent developers for those platforms. How should we think about these new platforms? What counts as a "level playing field," and what responsibility, if any, is there for public authorities to enforce it? What lessons, if any, do the prior tangles offer for today?

Note: This course is jointly-listed with HKS as DPI-668 and SEAS as Computer Science 2.

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2013-2014 Academic Year

Disclosure as a Regulatory Tool

Course #: 2599

Term: 2014SP

Faculty: Willis, Lauren

Credits: 2.00

Type: Elective

Subject Areas: Regulatory Law

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3012

Course Description:

Disclosures aimed at consumers are ubiquitous, required by the law in conjunction with everything from breakfast cereal to securities. Yet research suggests that consumers do not read, or if they do read they do not understand, or if they do understand they do not use correctly, the information presented in these disclosures. Why do we use such an apparently useless regulatory tool? Can disclosure be made effective, for example through behaviorally-informed or smart disclosure? What is the right metric for determining whether a disclosure is effective? When is disclosure the right regulatory tool to use? The first half of this course will explore, primarily through case studies, the stated and unstated purposes behind the use of disclosure and empirical evidence on the extent to which legally-required disclosures meet these goals, the implicit premises on which disclosure is based and empirical evidence that challenges those premises, and proposals for improving disclosure. In the second half of the course, students will present their own draft papers, which can elucidate any general aspect of disclosure law, analyze a particular disclosure, make suggestions for changes in the law, and/or assess existing proposals for reform. Final papers are expected to meet, at a minimum, Option 2 of the J.D. Written Work Requirement.

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Dispute Systems Design

Course #: 2059 **Term:** 2013FA **Faculty:** Carr, Chad **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3007

Course Description: Lawyers are often called upon to help design systems for managing and/or resolving conflicts that support or supplant existing legal structures. Implicitly or explicitly, every institution and organization has a system for managing disputes. In some cases, the system may be formal, with administrative hearings, courts, tribunals, and complex appeal and review processes. In other cases, organizations may have few if any formal means for managing conflict. In these instances, conflicts may be managed through informal negotiation and mediation or by simply lumping it. As individuals, institutions, organizations, and nations become more aware of the ever-rising cost of conflict (in economic, relational, and human terms), many are seeking to design and implement systems to manage disputes with greater effectiveness and efficiency. Though lawyers have traditionally been viewed primarily as advocates who resolve already-ripened disputes through litigation and negotiation, this explosion of interest in more efficient and tailored approaches to conflict management has highlighted the special opportunity for lawyers to serve as creative "dispute process architects." This seminar will introduce students to the theory and promise of dispute systems design with an aim to train students to play this new and more creative professional role. After an overview of various dispute resolution processes and a thorough introduction to the basics of dispute systems design, the course will offer for critique several domestic and international case studies of dispute systems design in practice. These may include an examination of cross-border e-commerce, university harassment policies, transitional justice programs and truth commissions in the aftermath of atrocities, and institutional integrated conflict management systems in U.S. organizations.

Prerequisite:

For JD students, the Negotiation Workshop is required.

For LLM students, instructor permission is required.

Some seats are reserved for students enrolled in the fall Negotiation and Mediation Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the fall Negotiation and Mediation Clinic. Please see the clinic's description for more information.

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2013-2014 Academic Year

Drug Product Liability Litigation

Course #: 2293 **Term:** 2013FA **Faculty:** Grossi, Peter **Credits:** 2.00

Type: Elective **Subject Areas:** Health Law

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Wed 5:00 PM - 7:00 PM

Location

WCCB015

WCCB015

Course Description: More product liability lawsuits are filed against prescription drug manufacturers than against all other industries combined. As one scholar put it, the pharmaceutical industry is now "in tobacco-land in terms of how much people hate it," and drug product liability litigation is a "growth industry." This course, which will be taught by a practitioner with 25 years of experience trying such cases, will consider the theory and practice of such litigation before, and now after, the Supreme Court's landmark decision in *Wyeth v. Levine*.

At the outset, we will focus on the similarities and differences between pharma cases and other product liability cases, using the "Phen-Fen" (Diet Drug) cases tried by the instructor as a model, and on the special context of FDA regulation. We will then consider the legal doctrines governing such lawsuits, such as "failure to test"; inadequate warning; learned intermediary; medical causation; and various forms of damages. We will discuss these issues both in their classic formulations in a single lawsuit, but also in the way those principles are applied in the context of a mass pharmaceutical litigation where there may be several thousand individual claimants and multiple jury trials.

The course will also consider the practical application of these doctrines, including the special evidentiary problems when doctors are witnesses; discovery tactics where regulatory agencies are involved; techniques to present complex scientific material to juries; approaches to trial examination; and jury selection strategies. Again, we will review both the legal principles governing these issues and the way they are often mutated in the context of mass claims and trials.

Course Requirements: Class participation (20%); short mid-term "bench memorandum" in mid-October (40%); take-home final exam (open book) in mid-November (40%).

Note: The course will meet on September 10, 11, 17 and 18; October 1, 2, 8, 16, 22, 23, 29 and 30.

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2013-2014 Academic Year

Economic Analysis of Law

Course #: 2062 **Term:** 2013FA **Faculty:** Shavell, Steven **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function; Legal & Political Theory; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

WCC1015

WCC1015

Course Description: What effects does law have? Do individuals drive more cautiously, clear ice from sidewalks more diligently, and commit fewer crimes because of the threat of legal sanctions? Do corporations pollute less, market safer products, and obey contracts to avoid suit? And given the effects of legal rules, which are socially best? Such questions about the influence and desirability of laws have been investigated by legal scholars and economists in a rigorous and systematic manner since the 1970s. Their approach, labeled "economic," is widely considered to be intellectually important and to have revolutionized thinking about the law. This course will provide an in-depth analysis and synthesis of the economic approach to the analysis of the major building blocks of our legal system - tort law, property law, contract law, criminal law, and the legal process. The course will also address welfare economic versus moral conceptions of the social good. The course is aimed at a general audience of students. No economic background is needed to take it.

Economic Theories of Bequests

Course #: 2266 **Term:** 2014SP **Faculty:** Sitkoff, Robert **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Family, Gender & Children's Law; Taxation

Delivery Mode: Reading Group

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC4057

Course Description: This reading group will consider the economic theories of bequests. We will read the seminal studies in the economics literature, theoretical and empirical, and then we will consider how well -- if at all -- these studies address the legal and institutional considerations that are intuitive for lawyers but are typically overlooked by economists.

Prerequisite: Trusts and Estates

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2013-2014 Academic Year

Education Advocacy and Systemic Change: Children at Risk

Course #: 2063 **Term:** 2013FA **Faculty:** Gregory, Michael; Cole, Susan **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times: Thu 5:00 PM - 7:00 PM **Location:** LEW302

Course Description: Required Clinic Component: Education Law Clinic (3-4 fall credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.

Students must attend a mandatory orientation session on Saturday, September 7 from 9am-2pm.

In this seminar students learn the theory and skills of case advocacy and its role in larger systemic change remedies. Students will learn to provide effective direct representation to clients in the special education system. The course is organized around a series of hands-on simulations, designed to help students develop the following skills: interviewing and counseling clients; reading and interpreting educational evaluations; preparing and interviewing expert witnesses; identifying substantive and procedural violations; formulating legal arguments and theories of the case; and interacting and negotiating with opposing counsel. In a typical semester, a hearing officer from the Massachusetts Bureau of Special Education Appeals visits the course and presides over a simulated settlement conference. In addition to building these concrete skills, the course will introduce students to a theoretical orientation that encourages them to see the individual child in a holistic way and to use their developing legal skills to obtain individual remedies that embrace all parts of the child.

Students will also learn how to identify systemic problems, assess the education systems response to at-risk children, and reflect on the challenges and rewards of interdisciplinary advocacy at the intersection of the fields of law, education, neurobiology, psychology, and public policy. Students will learn the unique role lawyers can play as part of an education reform movement and understand the need for multiple remedies that account for the complexity in the school experience of a child. Students will learn about the impact that traumatic experiences can have on children's learning, behavior and relationships in school and about the ongoing multi-strategic advocacy campaign for safe and supportive school environments that is being conducted by the Trauma and Learning Policy Initiative (TLPI), a partnership between HLS and Massachusetts Advocates for Children.

There is no final examination for this course; students will prepare a "rounds" memo and presentation in which they lead a discussion with their colleagues based on their case. All students in this class are required to enroll in the Education Law Clinic and will be expected to attend a mandatory 9am - 2PM orientation session before the beginning of classes on Saturday, September 7, 2013. Please refer to the Office of Clinical and Pro Bono Programs (<http://www.law.harvard.edu/academics/clinical>) for clinical registration dates and early add/drop deadlines.

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2013-2014 Academic Year

Education Law and Policy

Course #: 2064 **Term:** 2014SP **Faculty:** Gregory, Michael **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Family, Gender & Children's Law; Government Structure & Function

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:50 PM

Tue 3:20 PM - 4:50 PM

Location

WCC3019

WCC3019

Course Description:

This course will survey several contemporary legal and policy issues in American elementary and secondary education, including school finance litigation; school discipline and the rise of Zero Tolerance policies; bullying prevention and intervention; the reauthorization of No Child Left Behind and the Obama administrations waiver program and Race to the Top initiative; special education and bilingual education; the (re)segregation of historically disadvantaged groups; and the school choice movement; among others. In the context of these current education reform problems, we will consider the role that legal doctrine (e.g., the First Amendment, the Due Process Clause, compulsory education laws, federal civil rights laws, state constitutions, etc.) plays in shaping the structure and process of public education. We will also read and discuss non-legal texts of various kinds by educators, journalists, sociologists and others. Several recurring themes and questions will guide our analysis, including: How should the law allocate authority for deciding how children should be educated and what they should learn? What constitutes equal educational opportunity and what measures should we use to determine whether or not it exists? Similarly, how should we measure student achievement and remedy gaps that exist between the achievement levels of various subgroups? How does education policy get made and what role can and should law and lawyers play in designing solutions to problems in education policy? We will consider how courts, legislatures and other stakeholders have answered these questions and how their answers have been shaped by competing ideological narratives about the necessary and appropriate role of public education in a democracy.

A major part of the grade for this course will be a small-group project and presentation that will be assigned at the beginning of the semester. There will also be a last-class take home exam. Students enrolling in this course are strongly encouraged to enroll in either the fall or spring section of the Education Law Clinic (and should do so separately through the clinical registration process).

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2013-2014 Academic Year

Education Law Clinic

Course #: 8006 **Term:** 2013FA **Faculty:** Gregory, Michael; Cole, Susan **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Not Applicable

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Education Advocacy and Systemic Change: Children at Risk (2 fall credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: HLS.

Students must attend a mandatory orientation session on Saturday, September 7 from 9am-2pm.

The Education Law Clinic engages students in individual special education advocacy and systemic change projects to advance the school success of children who have endured highly adverse childhood experiences. Students use the legal tools contained in the Individuals with Disabilities Education Act (IDEA), McKinney Vento Homeless Assistance Act, Section 504 of the Rehabilitation Act of 1972, federal and state statutes regarding confidentiality and other laws to advocate for individual remedies that will enable their client's children to succeed in school. Students will utilize research from psychology, neurobiology, and education about the effects of trauma on learning and behavior as part of their representation. Depending on the posture of the cases in the clinic, students will represent clients either at the first administrative hearing level-the team meeting-or at the administrative appeal level-the Bureau of Special Education Appeals. Past students have made enormous differences in the lives of children by reversing school exclusions and obtaining needed supports for individual children at school.

Though the major focus of students' clinic work will be direct client representation, students will also engage in a smaller systemic project that further's TLPI's broader mission. Student systemic work has included setting up a legislative briefing at the MA state house on the impact of trauma on learning; presentations to expert evaluators and to child welfare attorneys on the laws regarding special education; setting up a domestic violence outreach project at shelters across the state; and participating in a legislative campaign to make school-wide environments Safe and Supportive.

The Education Law Clinic is part of the Trauma and Learning Policy Initiative (TLPI), a collaboration between HLS and Massachusetts Advocates for Children, the mission of which is to ensure that all children traumatized by exposure to violence and other adverse childhood experiences succeed in school. Providing direct legal representation to individual families is a key strategy in TLPI's ongoing multi-strategic advocacy campaign to create safe and supportive school environments where all students can learn.

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2013-2014 Academic Year

Education Law Clinic

Course #: 8006 **Term:** 2014SP **Faculty:** Gregory, Michael; Cole, Susan **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Not Applicable

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Legislative Lawyering in Education (2 spring credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students are not eligible to enroll.
Placement Site: HLS.
Students must attend a mandatory orientation session on Saturday, January 25 from 9am-2pm. The Education Law Clinic is part of the Trauma and Learning Policy Initiative (TLPI), a collaboration between HLS and Massachusetts Advocates for Children (MAC), the mission of which is to ensure that all children traumatized by exposure to violence and other adverse childhood experiences succeed in school. Students in this clinic will participate directly in TLPI's ongoing multi-strategic advocacy campaign. Students will learn by doing state-level legislative and administrative lawyering work that furthers the mission of TLPI. Specific activities will vary depending on the semester, but they can include: drafting legislation; meeting with members of the legislature, the education bureaucracy, and their staff; drafting and distributing media advisories, op-eds and press releases; communicating with and rallying constituents to put pressure on their lawmakers; organizing an agenda for and participating in a coalition meeting; using branding and media as strategies for effectively conveying a message; and using empirical research as part of an advocacy strategy. Students will have the opportunity to develop their writing skills by working on a variety of documents that are important in the law- and policy-making process; again, this will vary by semester but can include statutes, regulatory comments and language, briefing materials, talking points, correspondence, and communications to the media. Students will gain an understanding of roles that are critical to executing effectively a legislative and/or administrative campaign: strategist, policy researcher, legislative lawyer, lobby manager, outreach strategist, and communications director.

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2013-2014 Academic Year

Election Litigation and Civil Procedure

Course #: 2629 **Term:** 2014SP **Faculty:** Morley, Michael **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3013

Course Description: This seminar explores litigation that may occur shortly before, during, and in the aftermath of a state or federal election, with an emphasis on procedural issues. The course is divided into three main parts. First, it explores the conduct and structure of several major types of election-related cases, including disputes over absentee and early voting, false electoral speech, polling place litigation, ballot counting, provisional ballots, and Elections Clause challenges. Second, it examines how issues such as standing, jurisdiction, choice of forum, intervention, implied private rights of action, ability to state a claim, remedies, and consent decrees are resolved in these controversial and politically charged cases. Finally, the course offers case studies of major election-related litigation, looking at some of the key documents filed in the course of those challenges and the judicial opinions that ultimately resulted.

Election litigation often involves a mix of technical procedural considerations, administrative law, and substantive constitutional law. Procedural and jurisdictional rules dictate the parties that may be involved as litigants-including election officials, voters, candidates, political parties, or outside interest groups-as well as the proper forum in which they must pursue their claims, and the form the proceedings must take. In addition to traditional state and federal lawsuits (including cases before three-judge panels), it is possible to pursue administrative challenges, recounts, election challenges, and even proceedings before legislative bodies, depending on the election at issue and the nature of the claim. Each of these types of proceedings has different rules, requirements, limitations, and potential remedies, which this course will examine.

This class offers students an opportunity to appreciate the unique intricacies of election litigation; demonstrates the impact of procedure and remedies on substantive electoral rights, including the fundamental right to vote; and shows how choices made in the course of litigation can ultimately shape both the law and the outcomes of elections. Students will have the opportunity to assess the relationship between the judicial system and the electoral process, and determine whether courts play too much of a role in the regulation and conduct of elections. They also will learn to bring to bear a range of perspectives on these issues, including doctrinal, structural, institutional choice, historical, empirical, and normative. Many of the insights gained in the class will carry over to practical litigation in other fields, as well.

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2013-2014 Academic Year

Employment Discrimination

Course #: 2068 **Term:** 2014SP **Faculty:** Bartholet, Elizabeth **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Constitutional Law & Civil Rights; Employment & Labor Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Tue 10:30 AM - 12:00 PM

Wed 10:30 AM - 12:00 PM

Location

WCCB010

WCCB010

Course Description: This course addresses developments in civil rights law in the important context of the workplace. We will look at the growing body of law designed to protect against discrimination based on race, gender, age, or disability. We will examine the ongoing debate in the Supreme Court, Congress, and the nation as to the appropriate meaning of the anti-discrimination norm, a debate that involves questions as to intent as compared to impact theories, individual as compared to group theories, affirmative action, and mandatory arbitration. At issue in this debate is the future of much of the law governing discrimination developed in the 1960s - 70s.

We will compare race discrimination to problems involving gender, age and disability, and also touch on national origin and religious discrimination. We will consider work/family conflict, sexual harassment, reasonable accommodation doctrine, and other issues of current controversy and significance. Throughout, we will assess and compare discrimination theories developed in different areas and eras.

Laptops cannot be used in class. Grades will be based on one-day take-home exam, with consideration given to class performance if class size is less than fifty.

Employment Law

Course #: 2069 **Term:** 2013FA **Faculty:** Sachs, Benjamin **Credits:** 4.00

Type: Elective **Subject Areas:** Employment & Labor Law

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

AUS100

AUS100

Course Description: In this 4-credit course, we will examine the laws that govern and structure the employment relationship in nonunion workplaces. As such, the course will provide students an understanding of the law of work for the vast majority of U.S. firms. We will discuss the doctrine of employment at will, along with exceptions to that rule. We will cover the basic principles of employment discrimination law; the constitutional rights (including the free speech rights) of public employees; mandatory arbitration of workplace disputes and employment rights; post-employment issues including covenants not to compete; workplace safety and health; and the laws governing wages and hours.

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2013-2014 Academic Year

Employment Law Clinic

Course #: 8012 **Term:** 2013FA **Faculty:** Churchill, Steve **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Employment & Labor Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Employment Law Workshop: Advocacy Skills (2 fall credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.
The Employment Law Clinic focuses on rights in the workplace, with a particular emphasis on state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. Work may also address issues such as unemployment benefits, wage and hour claims, severance negotiations, union issues, workplace safety, and more. Students in this clinic will have placements at externships, either with non-profit/advocacy groups (such as the Lawyers Committee for Civil Rights Under Law; Gay & Lesbian Advocates & Defenders; Greater Boston Legal Services; or SEIU) or government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; or the U.S. Equal Employment Opportunity Commission).
For students who register for the winter-spring clinic option, clinical placements may include out-of-state organization, which in past years have included the national office of the Lawyers' Committee for Civil Rights (Washington D.C.), South Brooklyn Legal Services (Brooklyn, NY), the Legal Aid Society - Employment Law Center (San Francisco, CA), the NAACP Legal Defense Fund (New York, NY), and others.
Placements are coordinated by the Office of Clinical and Pro Bono Programs.

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2013-2014 Academic Year

Employment Law Clinic

Course #: 8012 **Term:** 2014SP **Faculty:** Churchill, Steve **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Employment & Labor Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Employment Law Workshop: Strategies for Social Change (2 spring credits). Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.
The Employment Law Clinic focuses on rights in the workplace, with a particular emphasis on state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. Work may also address issues such as unemployment benefits, wage and hour claims, severance negotiations, union issues, workplace safety, and more. Students in this clinic will have placements at externships, either with non-profit/advocacy groups (such as the Lawyers Committee for Civil Rights Under Law; Gay & Lesbian Advocates & Defenders; Greater Boston Legal Services; or SEIU) or government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; or the U.S. Equal Employment Opportunity Commission).
For students who register for the winter-spring clinic option, clinical placements may include out-of-state organization, which in past years have included the national office of the Lawyers' Committee for Civil Rights (Washington D.C.), South Brooklyn Legal Services (Brooklyn, NY), the Legal Aid Society - Employment Law Center (San Francisco, CA), the NAACP Legal Defense Fund (New York, NY), and others.
Placements are coordinated by the Office of Clinical and Pro Bono Programs.

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2013-2014 Academic Year

Employment Law Clinic

Course #: 8012 **Term:** 2014WS **Faculty:** Churchill, Steve **Credits:** 6.00

Type: HLS Clinic **Subject Areas:** Employment & Labor Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Employment Law Workshop: Strategies for Social Change (2 spring credits). Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: December 6, 2013.
LLM Students: LLM students are not eligible to apply.
Multi-Semester: This is a winter-spring clinic (2 winter credits + 2-4 spring credits).
Placement Site: Various externship placements.
The Employment Law Clinic focuses on rights in the workplace, with a particular emphasis on state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. Work may also address issues such as unemployment benefits, wage and hour claims, severance negotiations, union issues, workplace safety, and more. Students in this clinic will have placements at externships, either with non-profit/advocacy groups (such as the Lawyers Committee for Civil Rights Under Law; Gay & Lesbian Advocates & Defenders; Greater Boston Legal Services; or SEIU) or government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; or the U.S. Equal Employment Opportunity Commission).
For students who register for the winter-spring clinic option, clinical placements may include out-of-state organization, which in past years have included the national office of the Lawyers' Committee for Civil Rights (Washington D.C.), South Brooklyn Legal Services (Brooklyn, NY), the Legal Aid Society - Employment Law Center (San Francisco, CA), the NAACP Legal Defense Fund (New York, NY), and others.
Placements are coordinated by the Office of Clinical and Pro Bono Programs.

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2013-2014 Academic Year

Employment Law Workshop: Advocacy Skills

Course #: 2070 **Term:** 2013FA **Faculty:** Churchill, Steve **Credits:** 2.00

Type: Elective **Subject Areas:** Employment & Labor Law; Procedure & Practice; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Wed 7:15 PM - 9:15 PM

Location

WCC5052

Course Description: Required Clinic Component: Employment Law Clinic (2-4 fall credits). This clinic and course are bundled - enrollment in the clinic will automatically enroll you in this course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students may apply to the clinic by submitting an application.

This course will develop lawyering skills in the context of employment law. After a brief overview of relevant doctrine and procedure, the course will address - through readings, lectures, and exercises - skills related to legal writing, oral advocacy, discovery, depositions, negotiations, counseling, and ethics. The course will follow the progress of a typical civil rights lawsuit involving a terminated employee. For example, one class session will require students to engage in a mock deposition of an opposing witness in a hypothetical sex discrimination case, and the next class will require students to engage in a negotiation in the same case.

A more general goal of the course is to develop the ability (1) to identify what skills make a lawyer effective, and (2) to implement strategies for independently identifying and improving those critical skills. Because this goal is advanced by exposure to actual lawyering, all students will have a clinical placement with the Employment Law Clinic. The workshop will require completion of an individual or group project that will connect clinical placements with course topics.

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2013-2014 Academic Year

Employment Law Workshop: Strategies for Social Change

Course #: 2071 **Term:** 2014SP **Faculty:** Churchill, Steve **Credits:** 2.00

Type: Elective **Subject Areas:** Employment & Labor Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Wed 7:15 PM - 9:15 PM

Location

WCC3009

Course Description: Required Clinic Component: Employment Law Clinic, either during winter-spring (2 winter credits + 2-4 spring credits) or spring (2-4 spring credits). Students must enroll in one of these two clinic offerings (winter-spring or spring) before they are permitted to enroll in this required course. Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: December 6, 2013 for winter-spring clinical students. January 17, 2014 for spring clinical students.
LLM Students: LLM students may apply to the spring clinic by submitting an application.

This course will develop lawyering skills in the context of employment law. After a brief overview of relevant doctrine and procedure, the course will address - through readings, lectures, and exercises - skills related to legal writing, oral advocacy, discovery, depositions, negotiations, counseling, and ethics. The course will follow the progress of a typical civil rights lawsuit involving a terminated employee. For example, one class session will require students to engage in a mock deposition of an opposing witness in a hypothetical sex discrimination case, and the next class will require students to engage in a negotiation in the same case.

A more general goal of the course is to develop the ability (1) to identify what skills make a lawyer effective, and (2) to implement strategies for independently identifying and improving those critical skills. Because this goal is advanced by exposure to actual lawyering, all students will have a clinical placement with the Employment Law Clinic. The workshop will require completion of an individual or group project that will connect clinical placements with course topics.

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2013-2014 Academic Year

Energy and Climate Law and Policy

Course #: 2025 **Term:** 2014SP **Faculty:** Freeman, Jody **Credits:** 3.00

Type: Elective **Subject Areas:** Environmental Law

Delivery Mode: Course

Days and Times:

Thu 1:10 PM - 2:40 PM

Fri 1:10 PM - 2:40 PM

Location

WCC3019

WCC3019

Course Description:

This course integrates traditional U.S. energy law with U.S. climate law. Topics covered include: federal and state laws governing electricity regulation and transmission; coal, natural gas, nuclear and renewable power; energy efficiency; federal climate policy under the Clean Air Act; oil and alternatives to oil for the transportation sector; state clean energy programs; and energy security. The materials will raise interesting questions about the federalism, regulatory design, economic, and technological challenges in this space, and will push students to confront the obstacles to aligning the (sometimes) conflicting goals of energy and environmental policy. The animating question for the course is: what legal infrastructure is necessary to facilitate a transition to cleaner energy, while controlling costs, ensuring system resilience, and protecting national security? Readings will include traditional legal materials such as cases and statutes (we will use a casebook on energy law) but also a variety of supplementary policy documents drawn from government, nonprofit, academic and private sector sources.

There are no pre-requisites although the survey course in environmental law will be helpful.

Course evaluation will consist of substantive and rigorous weekly commentaries on the readings.

Providing there are available seats, the course will be open to students from other Harvard Schools and Departments, and to MIT and Tufts students who are permitted to cross-register.

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2013-2014 Academic Year

Entertainment and Media Law

Course #: 2072 **Term:** 2014WI **Faculty:** Brotman, Stuart; Basin, Kenneth **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 2:00 PM - 4:15 PM

Tue 2:00 PM - 4:15 PM

Wed 2:00 PM - 4:15 PM

Thu 2:00 PM - 4:15 PM

Fri 2:00 PM - 4:15 PM

Location

WCC1015

WCC1015

WCC1015

WCC1015

WCC1015

Course Description:

This course reflects an integrated approach to entertainment and media, particularly on legal doctrines and industry norms that are unique to this field. The course will focus on new challenges faced by the entertainment and media industries in response to the recent (and ongoing) paradigm shift to digital production and distribution, with an emphasis on the role of lawyers in shaping current and future practice and policy. We will cover deal making norms in the motion picture, television, music, and digital entertainment and media industries; the challenges of reconciling contemporary technologies and business practices with long-standing legal doctrine; and the role of Congress and various federal agencies and departments (such as the FCC, FTC and the US Department of Justice) in establishing and enforcing entertainment and media policies and regulations. Students will participate in three problem-solving exercises corresponding to litigation, transactional, and policy-oriented practices in entertainment and media law. Prior coursework in intellectual property is highly recommended.

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2013-2014 Academic Year

Entrepreneurship and Company Creation

Course #: 2073 **Term:** 2014SP **Faculty:** Hornik, David **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Wed 5:00 PM - 7:00 PM

Thu 5:00 PM - 7:00 PM

Location

WCC2009

WCC2009

WCC2009

Course Description: Drop Deadline: April 9, 2013

This course focuses on the entrepreneurial process--from company creation and formation to business planning and finance. The course will cover a range of topics following the life-cycle of a company and will engage students in hands-on activities to reinforce key learnings about entrepreneurship, including executive summary writing and term sheet negotiation (there will be no written exam). Students will learn about the startup process from entrepreneurs and venture capitalists with decades of company building experience.

Note: This course will meet from April 8 - 17.

Environmental Law

Course #: 2074 **Term:** 2013FA **Faculty:** Lazarus, Richard **Credits:** 3.00

Type: Elective **Subject Areas:** Environmental Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Thu 10:00 AM - 11:30 AM

Fri 10:00 AM - 11:30 AM

Location

LAN272

LAN272

Course Description: This course surveys federal environmental law and serves as a useful introduction both to environmental law's particular complexities as well as to the skills necessary in mastering any complex area of regulation. The first part of the course considers the character of environmental disputes, the problems inherent in fashioning legal rules for their resolution, and the history of the emergence of modern environmental law in the United States. The second part of the course reviews several specific federal environmental statutes. The statutory review combines a close examination of several statutes - including the Clean Air Act and Clean Water Act - with a more general review of the basis operation of other laws, such as the National Environmental Policy Act and the Comprehensive Environmental Response, Compensation, and Liability Act. All the statutes serve as illustrations of different regulatory approaches to environmental problems: "command and control," information disclosure, and market-based instruments. The class includes more extended consideration climate change law, and class discussion frequently extends beyond court rulings to include the underlying litigation strategies of the parties that led to those rulings. There are no pre-requisites.

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2013-2014 Academic Year

Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2013FA **Faculty:** Jacobs, Wendy **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Environmental Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: This clinic requires that students have taken or are currently taking at least one of the course listed below.

Additional Co-/Pre-Requisites: The following courses have some seats reserved for clinical students: Public Interest Environmental Litigation.

The following courses do not have any seats reserved for clinical students: Climate and Energy Law; Environmental Law; Environmental Practice Skills, Methods and Controversies: Siting and Permitting a Wind Farm; Environmental Advocacy: Citizen Suits; Environmental Advocacy: Administrative Hearings / Working with Scientists and Experts Seminar; Federal Public Land and Resources Law; International Environmental Law; Natural Resources Law; Water Law; Environmental Dispute Resolution; Advanced Environmental Law in Theory and Application; or Human Rights and the Environment.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students may apply to this clinic by submitting an application.

Placement Site: Some clinical placements are at HLS, while others are at various externship locations.

The Emmett Environmental Law and Policy Clinic (ELPC) offers students an opportunity to do hands-on, meaningful, real-life, and real-time environmental regulatory, policy and advocacy work. Clinic offerings include local, national, and international projects covering the spectrum of environmental issues, under the leadership of Director and Clinical Professor Wendy Jacobs. Clinic students work on policy projects and white papers, regulatory and statutory drafting and comments, manuals and guidance to help non-lawyers identify and protect their rights, litigation and advocacy work, including developing case strategies, research and drafting briefs (filed in state and federal courts, including the U.S. Supreme Court), preparing witnesses and their testimony, meeting with clients and attending and presenting at administrative and court hearings. Our clients include state and municipal governments, non-governmental organizations, advocacy and community groups, and research and policy institutions. The subject matter varies each semester, but is likely to include climate change mitigation and adaptation, offshore drilling and water protection, sustainable agriculture/aquaculture, ethics in the study of human exposure to environmental contaminants, and development of legal frameworks for emerging technologies such as carbon capture and sequestration and extraction of natural gas by hydraulic fracturing.

Please note: Some ELPC students work off-campus with government agencies and nonprofit organizations, while others work on campus at the Clinic on cutting-edge projects and case work. Students are carefully matched to their projects/placements by the Clinic Director.

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2013-2014 Academic Year

Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2014SP **Faculty:** Jacobs, Wendy **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Environmental Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: This clinic requires that students have taken or are currently taking at least one of the course listed below.

Additional Co-/Pre-Requisites: The following courses have some seats reserved for clinical students: Public Interest Environmental Litigation.

The following courses do not have any seats reserved for clinical students: Climate and Energy Law; Environmental Law; Environmental Practice Skills, Methods and Controversies: Siting and Permitting a Wind Farm; Environmental Advocacy: Citizen Suits; Environmental Advocacy: Administrative Hearings / Working with Scientists and Experts Seminar; Federal Public Land and Resources Law; International Environmental Law; Natural Resources Law; Water Law; Environmental Dispute Resolution; Advanced Environmental Law in Theory and Application; or Human Rights and the Environment.

By Permission: No.

Add/Drop Deadline: January 17, 2013.

LLM Students: LLM students may apply to this clinic by submitting an application.

Placement Site: Some clinical placements are at HLS, while others are at various externship locations.

The Emmett Environmental Law and Policy Clinic (ELPC) offers students an opportunity to do hands-on, meaningful, real-life, and real-time environmental regulatory, policy and advocacy work. Clinic offerings include local, national, and international projects covering the spectrum of environmental issues, under the leadership of Director and Clinical Professor Wendy Jacobs. Clinic students work on policy projects and white papers, regulatory and statutory drafting and comments, manuals and guidance to help non-lawyers identify and protect their rights, litigation and advocacy work, including developing case strategies, research and drafting briefs (filed in state and federal courts, including the U.S. Supreme Court), preparing witnesses and their testimony, meeting with clients and attending and presenting at administrative and court hearings. Our clients include state and municipal governments, non-governmental organizations, advocacy and community groups, and research and policy institutions. The subject matter varies each semester, but is likely to include climate change mitigation and adaptation, offshore drilling and water protection, sustainable agriculture/aquaculture, ethics in the study of human exposure to environmental contaminants, and development of legal frameworks for emerging technologies such as carbon capture and sequestration and extraction of natural gas by hydraulic fracturing.

Please note: Some ELPC students work off-campus with government agencies and nonprofit organizations, while others work on campus at the Clinic on cutting-edge projects and case work. Students are carefully matched to their projects/placements by the Clinic Director.

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2013-2014 Academic Year

Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2014WI **Faculty:** Jacobs, Wendy **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Environmental Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: This clinic requires that students have taken or are currently taking at least one of the course listed below.

Additional Co-/Pre-Requisites: The following courses have some seats reserved for clinical students: Public Interest Environmental Litigation.

The following courses do not have any seats reserved for clinical students: Climate and Energy Law; Environmental Law; Environmental Practice Skills, Methods and Controversies: Siting and Permitting a Wind Farm; Environmental Advocacy: Citizen Suits; Environmental Advocacy: Administrative Hearings / Working with Scientists and Experts Seminar; Federal Public Land and Resources Law; International Environmental Law; Natural Resources Law; Water Law; Environmental Dispute Resolution; Advanced Environmental Law in Theory and Application; or Human Rights and the Environment.

By Permission: Yes. Applications are due by October 31, 2013.

Add/Drop Deadline: December 6, 2013.

LLM Students: LLM students may apply to this clinic by submitting an application.

Placement Site: Some clinical placements are at HLS, while others are at various externship locations.

The Emmett Environmental Law and Policy Clinic (ELPC) offers students an opportunity to do hands-on, meaningful, real-life, and real-time environmental regulatory, policy and advocacy work. Clinic offerings include local, national, and international projects covering the spectrum of environmental issues, under the leadership of Director and Clinical Professor Wendy Jacobs. Clinic students work on policy projects and white papers, regulatory and statutory drafting and comments, manuals and guidance to help non-lawyers identify and protect their rights, litigation and advocacy work, including developing case strategies, research and drafting briefs (filed in state and federal courts, including the U.S. Supreme Court), preparing witnesses and their testimony, meeting with clients and attending and presenting at administrative and court hearings. Our clients include state and municipal governments, non-governmental organizations, advocacy and community groups, and research and policy institutions. The subject matter varies each semester, but is likely to include climate change mitigation and adaptation, offshore drilling and water protection, sustainable agriculture/aquaculture, ethics in the study of human exposure to environmental contaminants, and development of legal frameworks for emerging technologies such as carbon capture and sequestration and extraction of natural gas by hydraulic fracturing.

Please note: Some ELPC students work off-campus with government agencies and nonprofit organizations, while others work on campus at the Clinic on cutting-edge projects and case work. Students are carefully matched to their projects/placements by the Clinic Director. Applications are due by October 31, 2013. All applications should be sent to Jacqueline Calahong (jcalahong@law.harvard.edu).

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2013-2014 Academic Year

Environmental Practice Skills, Methods, and Controversies: Siting and Permitting of a Wind Farm as a Case Study

Course #: 2512 **Term:** 2014SP **Faculty:** Jacobs, Wendy **Credits:** 3.00

Type: Elective **Subject Areas:** Environmental Law; Procedure & Practice; Regulatory Law

Delivery Mode: Course

Days and Times:

Thu 4:30 PM - 7:30 PM

Location

WCC3012

Course Description: This course teaches the actual practice of environmental law, including mechanisms for raising and resolving controversies. We will examine - and work through -- a wind farm project from a variety of perspectives and meet with people who represent some of these interests: regulatory, community, NGO and private sector. The emphasis will not be on mastering the substance of the various environmental laws that are triggered (although some of that will be necessary), but instead on the practical skills and knowledge necessary to: identify the environmental impacts of a project; parse and apply relevant statutes and regulations; analyze mechanisms for mitigating project impacts and managing controversies; identify the permits and approvals needed for a project; select and hire environmental scientists and experts to support or oppose a project; and, defend (or challenge) a project in administrative and judicial proceedings. Students in this class will learn how projects proceed through environmental review, challenges, and permitting. Depending on the time available and level of class interest, we will also look at some of the project financing issues.

This course is practical, hands-on and participatory. Students will develop and apply the skills and methods needed to site a wind farm through class discussions, problem solving, and role-playing exercises. The wind farm is a proxy for any project that has both positive and adverse environmental impacts and that must work its way through multiple types of administrative and judicial proceedings and negotiation. There is no final exam. There will be short written and oral exercises through the semester and, at the end of the semester, a short final paper that focuses on ethical issues raised by the practice of environmental law. Grading will be based on the quality of class participation as well as of the exercises and final paper.

Students in the course are encouraged (but not required) to enroll in the Environmental Law & Policy Clinic, which will provide students with the opportunity to put the skills they learn into practice.

Prerequisite: Enrollment for 1Ls and LLM students is by permission of Professor Jacobs.

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2013-2014 Academic Year

Estate Planning

Course #: 2592 **Term:** 2014SP **Faculty:** Bloostein, Marc **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; Procedure & Practice; Taxation

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3011

Course Description: This course will examine basic and sophisticated estate planning techniques. It will take a practical perspective, studying how the estate planner navigates the federal transfer tax and property law rules with sensitivity to a clients personal circumstances and concerns in order to achieve the clients objectives. Grading will be based upon practice exercises and class participation.

Prerequisite: Trusts and Estates, which may be taken concurrently with this course as well.

Ethics, Economics and the Law

Course #: 2076 **Term:** 2013FA **Faculty:** Sandel, Michael **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4063

Course Description: Explores controversies about the use of markets and market reasoning in areas such as organ sales, procreation, environmental regulation, immigration policy, military service, voting, health care, education, and criminal justice. The seminar will examine arguments for and against cost-benefit analysis, the monetary valuation of life and the risk of death, and the use of economic reasoning in public policy and law. Background in political theory or philosophy recommended.

Note: This course is jointly-listed with GSAS as Government 2034.

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2013-2014 Academic Year

European Union Constitutional Law

Course #: 2574 **Term:** 2014WI **Faculty:** Besson, Samantha **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 12:15 PM

Tue 9:00 AM - 12:15 PM

Wed 9:00 AM - 12:15 PM

Thu 9:00 AM - 12:15 PM

Fri 9:00 AM - 12:15 PM

Location

WCCB010

WCCB010

WCCB010

WCCB010

WCCB010

Course Description:

This course provides an advanced introduction to the constitutional law and institutions of the European Union (EU). It is introductory in that the focus is on the constitutional and institutional order of the European Union. Topics such as competition law, internal market law, social and labor law, contract and consumer law, and environmental law are left for more specialized courses. It is advanced in that the constitutional issues are analyzed in their most recent incarnation in the post-Lisbon Treaty European Union, and with the benefit of a variety of theoretical perspectives drawn from political science and constitutional theory. After a presentation of the structure and constitutive principles of the European constitutional and institutional order, the first classes will briefly cover the composition, function, and powers of the legislative and executive branches, i.e. the European Council, the Council of the European Union, the European Parliament, and the European Commission. This will be followed by an in-depth presentation of the European legal order, its sui generis relationship to national law (immediate validity, primacy, direct effect) but also to international law and its enforcement and liability mechanisms. We will then turn to the European Court of Justice and the system of judicial remedies in the EU. We will also consider a number of other, more specific, topics that are critical to understanding individual rights and the vertical and horizontal balance of powers in today's European Union, in particular EU fundamental rights and EU citizenship. We will also address various issues arising in the fast developing field of EU external relations.

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2013-2014 Academic Year

Evidence

Course #: 2079 **Term:** 2013FA **Faculty:** Schulman, Emily **Credits:** 4.00

Type: Multi-section
Course **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 8:10 AM - 10:10 AM

Tue 8:10 AM - 10:10 AM

Location

WCC2012

WCC2012

Course Description: This course will examine the rules of evidence, focusing primarily on the Federal Rules of Evidence, with additional consideration given to select state rules and cases. Topics covered will include: relevance, hearsay and exceptions, exclusion, confrontation, direct and cross examination, character evidence, impeachment, rehabilitation, lay opinion, expert evidence, privileges and more. We will consider how the rules function in practice, the rationales underlying them, and how they might be improved.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can be the basis for certification to practice in conjunction with some of the Law Schools clinical offerings.

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2013-2014 Academic Year

Evidence

Course #: 2079 **Term:** 2013FA **Faculty:** Murray, Peter **Credits:** 2.00

Type: Multi-section Course **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times: Wed 1:00 PM - 3:00 PM **Location:** AUS100

Course Description: The law of evidence regulates the presentation of factual information in the Anglo-American jury trial process and legitimates the outcomes of that process. In a wider sense, the concept of evidence embraces the process of proof of facts in any legal proceeding.

In this intensive course, evidence law is presented and studied in the context of American trial advocacy with some comparative perspectives on fact-finding in various legal systems. The course is structured around the Federal Rules of Evidence but also includes evidence issues from other sources. The basic topics of relevance, hearsay, form of direct and cross examination, rules of exclusion, illustrative aids, impeachment, authenticity, expert testimony, best evidence, privilege, and unfair prejudice will be covered through study and discussion of trial problems as well as of rules and cases. The course also includes computer-aided video exercises in simulated trial settings.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can support certification for student practice in some of the Law Schools clinical offerings.

Text: The course text, lecture notes, assignments, and additional materials will be available on the course website. Most of the materials are available in Green, Nesson and Murray, Problems, Cases and Materials on Evidence (Aspen 2000). A more or less current paperback copy of the restyled Federal Rules of Evidence will be a convenience.

Evidence

Course #: 2079 **Term:** 2013FA **Faculty:** Feinberg, Kenneth **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times: Thu 5:00 PM - 7:00 PM
Fri 9:50 AM - 11:50 AM **Location:** LAN225
LAN225

Course Description: This four credit course will focus on the rules of evidence designed to assure accurate courtroom recreation of external events. The course will place special emphasis on the current federal rules of evidence e.g. relevance, character and credibility, hearsay, expert testimony and related rules governing admissibility of evidence. The course will use specific problems/fact patterns to highlight evidentiary alternatives and how courts and lawyers make strategic use of rules of evidence.

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2013-2014 Academic Year

Evidence

Course #: 2079 **Term:** 2013FA **Faculty:** Whiting, Alex **Credits:** 4.00

Type: Multi-section Course
Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

LAN225

LAN225

Course Description: This course will examine the rules of evidence, focusing on the Federal Rules of Evidence but also select state counterparts. We will cover relevance, hearsay and exceptions, exclusion, confrontation, direct and cross examination, character evidence, competence, impeachment, rehabilitation, opinion evidence, scientific proof, privileges, authentication, presumptions, demonstrative evidence and judicial notice. We will consider the rules, how they function in practice, their rationales, and their wisdom.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can be the basis for certification to practice in conjunction with some of the Law Schools clinical offerings.

Evidence

Course #: 2079 **Term:** 2014SP **Faculty:** Rubin, Peter **Credits:** 2.00

Type: Multi-section Course
Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCCB010

Course Description: In this course we will study the basic rules and principles of American evidence law, focusing primarily on federal law (the Federal Rules of Evidence and cases interpreting them). Topics covered will include: relevance, the hearsay rule and its exceptions, character and propensity evidence, examination and impeachment of witnesses, authentication and best evidence rules, privilege, unfair prejudice, and some of the constitutional questions that arise in connection with evidence.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can be the basis for certification to practice in conjunction with some of the Law Schools clinical offerings.

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2013-2014 Academic Year

Evidence

Course #: 2079 **Term:** 2014SP **Faculty:** Brewer, Scott **Credits:** 3.00

Type: Multi-section Course **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

WCC3018

WCC3018

Course Description: This course (newly redesigned) focuses on developing analytical methods that can assist a lawyer who is litigating under rules of evidence (or assist any other analyst who is considering doctrinal evidence problems). The course focuses on federal law (the Federal Rules of Evidence and cases interpreting them) but also covers selected state rules and cases. Topics covered include: presumptions and standards of proof and persuasion, judicial notice, relevance, privileges, authentication and best evidence rules, hearsay, lay, expert, and scientific expert evidence, examination and impeachment of witnesses, habit, character and propensity evidence, and some of the constitutional questions that arise in connection with evidence.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can be used as the basis for certification to practice in conjunction with some of the Schools clinical offerings.

Expertise and Rulership in Law and Science

Course #: 2082 **Term:** 2014SP **Faculty:** Kennedy, David; Jasanoff, Sheila **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3008

Course Description: How is expertise produced, disseminated, controlled and challenged? How do experts combine knowledge, common-sense, analytics, argument, lifestyle, character? How does expertise write itself into power--or submission? Through what moves does expertise become rulership? What is the work of disciplinary formations and the professions in reproducing practices of knowledge-making and professional judgment? How ought one to go about mapping the political implications of expertise, and how interpret the stakes in choosing an expert vernacular? We will read and discuss literature from social theory, from law, and from science and technology studies which bears on these questions, alongside case studies of expertise in action in a variety of professional, scientific and lay settings.

Requirements: Students will be expected to prepare and participate in weekly discussions and write a final essay.

Prerequisite: The seminar is open by permission of the instructors. Those interested in enrolling should address a short statement to one of the two instructors describing their interest.

Note: This course is jointly-listed with HKS as IGA-518. Cross registration by students from other University departments strongly encouraged.

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2013-2014 Academic Year

Family and Domestic Violence Law Clinic: Litigating in Family Court

Course #: 8032 **Term:** 2014SP **Faculty:** Odum, Nnena **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Family, Gender & Children's Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Family and Domestic Violence Law: Litigating in Family Court (2 spring credits). This clinic and class enrollment are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students are not eligible to enroll.
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).
Students in the Family and Domestic Violence Law clinics work directly with clients in matters of divorce, custody and visitation, abuse prevention, paternity, child support, guardianship, and second parent adoptions. Under close supervision of the clinical instructor, students manage all aspects of a family law case, including counseling clients, conducting factual investigation and legal research, developing case strategies, conducting and analyzing discovery, and drafting pleadings. In addition, students may have multiple court appearances in both Family and District Courts for motion hearings, restraining orders, pre trial conferences, and/or status conferences. In addition, students negotiate directly with opposing attorneys, pro se opponents, and in court-mandated "dispute resolution" sessions. In cases scheduled for full trial, students conduct depositions, develop witness and exhibit lists, trial strategies and trial notebook, prepare and conduct direct- and cross-examinations of witnesses, make opening statements and closing arguments, and/or draft post-trial briefs and memoranda. Students may also have the opportunity to prepare and present trainings and workshops on relevant legal issues to health care providers, domestic violence advocates, and the community.
The Family Law Clinic addresses issues of custody, visitation, child and spousal support, health and life insurance, and the equitable division of marital property and debt in the context of divorce, paternity, modification, contempt, guardianship, and adoption actions.
The Domestic Violence Clinic focuses on abuse prevention, safety, and making sure that domestic violence is not a barrier to a clients legal rights regarding custody, property division, and other aspects of family and domestic relations.
In addition to direct legal services, the Clinic actively participates in creating systemic change and policy reform to ensure safety for domestic violence victims and survivors and to improve overall justice in the field of domestic relations.
Due to the litigation emphasis of the clinics and court-related schedules, students are strongly encouraged to enroll for 3 or 4 clinical credits, however, students who can only enroll for 2 credits will be accommodated.

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2013-2014 Academic Year

Family and Domestic Violence Law: Litigating in Family Court

Course #: 2085 **Term:** 2014SP **Faculty:** Odum, Nnena **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC5044

Course Description: Required Clinic Component: Family and Domestic Violence Law: Litigating in Family Court Clinic (2-4 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students are not eligible to enroll.

The Family and Domestic Violence Law clinical course provides students who are concurrently enrolled in the WilmerHale Legal Services Center's Family and Domestic Violence Law Clinic, with the practical skills and substantive knowledge necessary to effectively advocate for their clients in and out of the courtroom. Objectives of the course include: developing practical lawyering skills to be applied in the clinical component and beyond; understanding the statutory and case law applicable in family law litigation; enhancing student understanding of the professional roles, values, and ethics involved in the practice of law; gaining insight into the unique challenges of low-income clients and victims of domestic violence; as well as analyzing and proposing legal advocacy approaches to contemporary family law issues. The course emphasizes a collaborative health-law approach to advocating for our client populations.

This course is hands-on and group-oriented. Most classes involve both small and large-group exercises and discussions. Throughout the course, students work on a hypothetical case from the initial client interview through the final disposition of the case. In a series of simulated group exercises, students conduct in-depth interviews with the client, write memoranda, prepare case and client theories, argue for and defend against Motions, manage discovery, counsel the client as the facts of the case evolve, engage in settlement negotiations on the client's behalf, and reflect on ethical issues encountered during the course of representation. In addition, students will prepare a memorandum and conduct a substantive presentation on one of their active real life cases at the Legal Services Center, and will lead class discussion on the case and on the larger ethical and legal questions it presents. There is no final examination or final paper for this course. Students will be evaluated based on their preparation for, and participation in, class exercises and discussions.

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2013-2014 Academic Year

Family Law

Course #: 2084 **Term:** 2013FA **Faculty:** Bartholet, Elizabeth **Credits:** 3.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Family, Gender & Children's Law; Regulatory Law
Delivery Mode: Course

Days and Times:	Location
Tue 10:30 AM - 12:00 PM	WCCB010
Wed 10:30 AM - 12:00 PM	WCCB010

Course Description: How society structures family says much about its values. This course will examine major legal and constitutional trends shaping family, and the values they reflect. We will look at how law shapes the meaning of parenthood and childhood, and how it weighs child as compared to adult rights. We will look at the changing nature of family, including non-traditional family forms (e.g. same-sex unions, single parent households, cohabitation, foster families), and consider what legal regime is appropriate, given our visions of what family does and should mean. We will examine issues surrounding procreation, marriage, divorce, child maltreatment and related state intervention, adoption, and assisted reproductive technology.

This course is part of the Child Advocacy Program (CAP), whose other courses are: Child, Family & State (alternate years); The Art of Social Change: Child Welfare, Education, & Juvenile Justice; the Child Advocacy Clinic; and the Future of the Family Seminar. Enrollment in all the CAP courses is encouraged but not required.

Laptops cannot be used in class. Grades will be based on one-day take-home exam, with consideration given to class performance if class size is less than fifty.

Text is Dwyer, Family Law: Theoretical, Comparative, and Social Science Perspectives (2012).

Cross-registrants are welcome.

Family Law

Course #: 2084 **Term:** 2014SP **Faculty:** Suk, Jeannie **Credits:** 4.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Family, Gender & Children's Law; Regulatory Law
Delivery Mode: Course

Days and Times:	Location
Thu 1:00 PM - 3:00 PM	WCC1015
Fri 1:00 PM - 3:00 PM	WCC1015

Course Description: This course is an introduction to the legal doctrines and policies that regulate family and other intimate relationships. The course will examine marriage, alternatives to marriage (common law marriage, civil unions, cohabitation, singleness, and nonrecognition of legal relatedness), parenthood, divorce, child custody, property division, alimony, and child support. Substantial coverage is devoted to constitutional doctrines, such as the right to privacy in sex, reproduction, and raising children; the right to marry; and the problem of equality.

Laptops and devices cannot be used in class. Class participation is required.

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2013-2014 Academic Year

Family, Domestic Violence and LGBT Law: Litigating in Family Court

Course #: 2085 **Term:** 2013FA **Faculty:** Odum, Nnena **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3013

Course Description: Required Clinic Component: Family, Domestic Violence, and LGBT Law: Litigating in Family Court Clinic (2-4 fall credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.

The Family, Domestic Violence, and Lesbian, Gay, Bisexual and Transgender (LGBT) Law clinical course provides students who are concurrently enrolled in the WilmerHale Legal Services Center's Family, Domestic Violence, LGBT Law Clinic, with the practical skills and substantive knowledge necessary to effectively advocate for their clients in and out of the courtroom. Objectives of the course include: developing practical lawyering skills to be applied in the clinical component and beyond; understanding the statutory and case law applicable in family law litigation; enhancing student understanding of the professional roles, values, and ethics involved in the practice of law; gaining insight into the unique challenges of low-income clients, victims of domestic violence, and the LGBT community; as well as analyzing and proposing legal advocacy approaches to contemporary family law issues. The course emphasizes a collaborative health-law approach to advocating for our client populations.

This course is hands-on and group-oriented. Most classes involve both small and large-group exercises and discussions. Throughout the course, students work on a hypothetical case from the initial client interview through the final disposition of the case. In a series of simulated group exercises, students conduct in-depth interviews with the client, write memoranda, prepare case and client theories, argue for and defend against Motions, manage discovery, counsel the client as the facts of the case evolve, engage in settlement negotiations on the client's behalf, and reflect on ethical issues encountered during the course of representation. In addition, students will prepare a memorandum and conduct a substantive presentation on one of their active real life cases at the Legal Services Center, and will lead class discussion on the case and on the larger ethical and legal questions it presents. There is no final examination or final paper for this course. Students will be evaluated based on their preparation for, and participation in, class exercises and discussions.

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2013-2014 Academic Year

Family, Domestic Violence, and LGBT Law Clinic: Litigating in Family Court

Course #: 8032 **Term:** 2013FA **Faculty:** Odim, Nnena **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Family, Gender & Children's Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Family, Domestic Violence, LGBT Law: Litigating in Family Court (2 fall credits). This clinic and class enrollment are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).
Students in the Family, Domestic Violence, and LGBT Law clinics work directly with clients in matters of divorce, custody and visitation, abuse prevention, paternity, child support, guardianship, and second parent adoptions. Under close supervision of the clinical instructor, students manage all aspects of a family law case, including counseling clients, conducting factual investigation and legal research, developing case strategies, conducting and analyzing discovery, and drafting pleadings. In addition, students may have multiple court appearances in both Family and District Courts for motion hearings, restraining orders, pre trial conferences, and/or status conferences. In addition, students negotiate directly with opposing attorneys, pro se opponents, and in court-mandated "dispute resolution" sessions. In cases scheduled for full trial, students conduct depositions, develop witness and exhibit lists, trial strategies and trial notebook, prepare and conduct direct- and cross-examinations of witnesses, make opening statements and closing arguments, and/or draft post-trial briefs and memoranda. Students may also have the opportunity to prepare and present trainings and workshops on relevant legal issues to health care providers, domestic violence advocates, and the LGBT community.
The Family Law Clinic addresses issues of custody, visitation, child and spousal support, health and life insurance, and the equitable division of marital property and debt in the context of divorce, paternity, modification, contempt, guardianship, and adoption actions.
The Domestic Violence Clinic focuses on abuse prevention, safety, and making sure that domestic violence is not a barrier to a clients legal rights regarding custody, property division, and other aspects of family and domestic relations.
The Lesbian, Gay, Bisexual and Transgender Clinic provides a broad range of direct legal services to the LGBT community, with a particular emphasis on family-related legal issues (custody, support and visitation, and second-parent adoptions) and estate planning (wills, powers of attorneys, partnership agreements) to ensure that same-sex partners and families are legally protected.
In addition to direct legal services, the Clinic actively participates in creating systemic change and policy reform to further the rights and interests of the GLBT community, ensure safety for domestic violence victims and survivors, and to improve overall justice in the field of domestic relations.
Due to the litigation emphasis of the clinics and court-related schedules, students are strongly encouraged to enroll for 3 or 4 clinical credits, however, students who can only enroll for 2 credits will be accommodated.

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2013-2014 Academic Year

Federal Budget Policy

Course #: 2566 **Term:** 2014SP **Faculty:** Jackson, Howell **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function

Delivery Mode: Course

Days and Times:

Thu 10:15 AM - 11:45 AM

Fri 10:15 AM - 11:45 AM

Location

WCC3009

WCC3009

Course Description:

Federal Budget Policy Class Meeting Times:
First Eight Weeks of Semester: Thursday and Fridays, 10:15 am to 11:45 am
Last Four Weeks of Semester: Thursdays and Fridays: 9:50 am to 11:50 am

The goal of this course is to introduce students to the federal budget process and provide opportunities to participate in original research into topics of current interest in the field. Students are welcome to expand their work for the course into more extensive research papers and independent writing projects. At the beginning of the semester, students will be introduced to the basic structure of the federal budget process, including the President's Budget, which is typically released in early February. We will explore the roles of all three branches of government in setting budget policy in the United States. Later in the semester, students will prepare and present papers on various aspects of budget policy, focusing on issues of current interest, including proposals for reforming budget policy. Examples of student papers from past years are available at <http://www.law.harvard.edu/faculty/hjackson/budget.php>. Students interested in writing more extensive papers on related topics for additional credit are welcome to do so.

Reading will be from *Fiscal Challenges: An Interdisciplinary Approach to Budget Policy* (2007) (Howell Jackson, et al., eds.) and additional distributed materials.

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2013-2014 Academic Year

Federal Courts and the Federal System

Course #: 2086 **Term:** 2013FA **Faculty:** Yackle, Larry **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:40 PM

Tue 3:20 PM - 4:40 PM

Wed 3:20 PM - 4:40 PM

Location

HAU104

HAU104

HAU104

Course Description:

A basic survey course, covering the federal courts and their conduct of litigation concerning business regulation, environmental protection, and civil rights. This course picks up where the first year course in Civil Procedure leaves off and complements other courses on modern regulation and legal institutions: e.g., Administrative Law, Environmental Law, Labor Law, Conflict of Laws, and Constitutional Law. Topics include the prerequisites for gaining access to the federal district courts and the United States Supreme Court, the relationship between the federal courts and state courts, and "abstention" doctrines governing the exercise of federal judicial power. Especially recommended for students who plan to practice with firms that represent clients subject to federal regulation, to pursue careers with federal or state agencies and departments, or to handle constitutional, civil rights, or other public interest litigation.

Prerequisite: Con Law: SOP or by permission of the faculty member.

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2013-2014 Academic Year

Federal Courts and the Federal System

Course #: 2086 **Term:** 2014SP **Faculty:** Jackson, Vicki **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Wed 5:00 PM - 7:00 PM

Location

AUS101

AUS101

Course Description: This course studies the role of the federal courts in the federal system. Topics include the power of Congress to regulate the jurisdiction of the Supreme Court and the lower federal courts; federal question jurisdiction; Supreme Court review of state court judgments; federal common law; sovereign and official immunity doctrines; abstention and related limitations on federal courts jurisdiction; and federal habeas corpus.

The casebook is Richard H. Fallon, Jr., John Manning, Daniel J. Meltzer, & David L. Shapiro, *Hart & Wechslers, The Federal Courts and the Federal System*, (6th ed. 2009), along with its 2011 Supplement.

Prerequisite: For JD students, this course is open to those who have taken, or are concurrently taking, *Constitutional Law: Separation of Powers, Federalism, and the Fourteenth Amendment*, as it requires some knowledge of substantive constitutional law. For LLM students, instructor permission is required to enroll in this course.

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2013-2014 Academic Year

Federal Courts and the Federal System

Course #: 2086 **Term:** 2014SP **Faculty:** Field, Martha **Credits:** 5.00

Type: Multi-section Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 12:00 PM	WCC2012
Tue 10:20 AM - 12:00 PM	WCC2012
Wed 10:20 AM - 12:00 PM	WCC2012

Course Description: This course involves a study of the role of the federal courts in the operation of the federal system. Topics include: choice of law in the federal courts and the development of federal common law; the power of Congress to regulate jurisdiction; Supreme Court review of state court judgments; federal habeas corpus; and the federal question jurisdiction, including limitations on its exercise. Special attention will be given to various technical doctrines that frequently limit federal jurisdiction in constitutional litigation against states: the abstention and sovereign immunity doctrines, and limitations on federal injunctions against state proceedings. Other topics concerning the Civil Rights Act, 42 U.S.C. 1983, will also be considered.

Text: Low and Jeffries, Federal Courts and Federal-State Relations, 7th edition, and the most recent Supplement.

Prerequisites: For JD students, this course is open to those who have taken, or are concurrently taking, one of the two basic courses in Constitutional Law - Constitutional Law: First Amendment or Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment. For LLM students, instructor permission is required to enroll in this course.

Federal Litigation: Civil

Course #: 2089 **Term:** 2014SP **Faculty:** Rosenberg, David **Credits:** 4.00

Type: Elective **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times:	Location
Mon 8:10 AM - 10:10 AM	HAU102
Tue 8:10 AM - 10:10 AM	HAU102

Course Description: Students will work on pretrial stages of a hypothetical case in a federal district court. Included will be interviewing, pleading, discovery, negotiations, class action certification, and preliminary relief. The work will include the drafting of pleadings, briefs, and opinions as well as oral arguments and judging of various motions.

This course is available to all interested students.

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2013-2014 Academic Year

Fiduciary Investing After the Financial Crisis

Course #: 2569 **Term:** 2013FA **Faculty:** Sitkoff, Robert **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Regulatory Law

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC5052

Course Description: This reading group will consider the prudent investor rules that govern investment practice by trustees and other fiduciaries. In the wake of the Financial Crisis of 2008, modern financial theory has come under increasing scrutiny. What is the relevance, if any, of evolving views on portfolio theory, efficient markets, and behavioral finance for the prudent investor rule and fiduciary investment practice?

Prerequisite: Trusts and Estates

Financial and Legal Needs of Low and Moderate Income Households

Course #: 2176 **Term:** 2014SP **Faculty:** Charn, Jeanne **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

LEW301

Course Description: The seminar will examine the opportunities and perils in consumer financial services available to low and moderate income households. We will begin with a survey of (i) sources of unsecured credit (e.g. credit cards, pay-day lenders, check-cashing services); (ii) homeownership as an asset building strategy; (iii) saving rates and policies that encourage saving. With a basic understanding of the financial services landscape, we will explore strategies for providing legal advice and assistance that may enable people to effectively access credit and to build and protect assets. We will focus on assistance for households in crises (such as foreclosure) but we will also consider transactional and preventive services to help people avoid crises. We will explore the role of the solo and small firm bar that serves people of moderate means and on market innovations designed to expand access -- for example, pre-paid and legal insurance programs, unbundled legal services, and self-help. We will pay particular attention to technology driven modes of service delivery. We will also look at legal aid in the UK, Europe and Canada where the needs of moderate income people are a main focus of legal aid policy.

In consultation with the course instructor, students will develop a research project that explores in greater depth any topic covered in class meetings. Students may work in pairs or groups and the course research project may satisfy all or part of the J.D. writing requirement.

Students are welcome to contact the course instructor via e-mail (charn@law.harvard.edu) with questions about the course.

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2013-2014 Academic Year

First Year Legal Research and Writing 1A

Course #: 1006 **Term:** 2013FA **Faculty:** Fleming, Anne **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Thu 3:15 PM - 5:15 PM **Location:** AUS101

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 1A

Course #: 1006 **Term:** 2014SP **Faculty:** Fleming, Anne **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Tue 5:00 PM - 7:00 PM **Location:** WCC2012

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 1B

Course #: 1006 **Term:** 2013FA **Faculty:** Stoughton, Seth **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 3:15 PM - 5:15 PM

Location

WCC1023

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 1B

Course #: 1006 **Term:** 2014SP **Faculty:** Stoughton, Seth **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

AUS100

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 2A

Course #: 1006 **Term:** 2013FA **Faculty:** Fishman, Joseph **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 3:15 PM - 5:15 PM

Location

WCC1019

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 2A

Course #: 1006 **Term:** 2014SP **Faculty:** Fishman, Joseph **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC1023

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 2B

Course #: 1006 **Term:** 2013FA **Faculty:** Davis, Seth **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 3:15 PM - 5:15 PM

Location

WCC1010

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 2B

Course #: 1006 **Term:** 2014SP **Faculty:** Davis, Seth **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC1010

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 3A

Course #: 1006 **Term:** 2013FA **Faculty:** Morley, Michael **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 3:15 PM - 5:15 PM

Location

WCC2004

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 3A

Course #: 1006 **Term:** 2014SP **Faculty:** Morley, Michael **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC1015

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 3B

Course #: 1006 **Term:** 2013FA **Faculty:** Goldberg, Erica **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 3:15 PM - 5:15 PM

Location

WCC2009

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 3B

Course #: 1006 **Term:** 2014SP **Faculty:** Goldberg, Erica **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC1019

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 4A

Course #: 1006 **Term:** 2013FA **Faculty:** Wansley, Matthew **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Thu 3:15 PM - 5:15 PM **Location:** AUS100

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 4A

Course #: 1006 **Term:** 2014SP **Faculty:** Wansley, Matthew **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Mon 5:00 PM - 7:00 PM **Location:** WCC2012

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 4B

Course #: 1006 **Term:** 2013FA **Faculty:** Jacobs, Sharon **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 3:15 PM - 5:15 PM

Location

WCCB015

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 4B

Course #: 1006 **Term:** 2014SP **Faculty:** Jacobs, Sharon **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

AUS100

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 5A

Course #: 1006 **Term:** 2013FA **Faculty:** Muller, John **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 3:15 PM - 5:15 PM

Location

WCC1015

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 5A

Course #: 1006 **Term:** 2014SP **Faculty:** Muller, John **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCCB010

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

Harvard Law School Course Catalog

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2013-2014 Academic Year

First Year Legal Research and Writing 5B

Course #: 1006 **Term:** 2013FA **Faculty:** Gardner, Maggie **Credits:** 2.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 3:15 PM - 5:15 PM

Location

WCCB010

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 5B

Course #: 1006 **Term:** 2014SP **Faculty:** Gardner, Maggie **Credits:** 2.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC1010

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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First Year Legal Research and Writing 6A

Course #: 1006 **Term:** 2013FA **Faculty:** MacMahon, Paul **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Thu 3:15 PM - 5:15 PM **Location**
LAN272

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 6A

Course #: 1006 **Term:** 2014SP **Faculty:** MacMahon, Paul **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Tue 5:00 PM - 7:00 PM **Location**
WCC1015

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 6B

Course #: 1006 **Term:** 2013FA **Faculty:** Epps, Daniel **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Thu 3:15 PM - 5:15 PM **Location:** GRS110

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 6B

Course #: 1006 **Term:** 2014SP **Faculty:** Epps, Daniel **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Tue 5:00 PM - 7:00 PM **Location:** WCC1019

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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First Year Legal Research and Writing 7A

Course #: 1006 **Term:** 2013FA **Faculty:** Tobin, Susannah **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Thu 3:15 PM - 5:15 PM **Location:** PND100

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 7A

Course #: 1006 **Term:** 2014SP **Faculty:** Tobin, Susannah **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Tue 5:00 PM - 7:00 PM **Location:** WCC1023

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

First Year Legal Research and Writing 7B

Course #: 1006 **Term:** 2013FA **Faculty:** Ortman, William **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Thu 3:15 PM - 5:15 PM **Location**
PND102

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 7B

Course #: 1006 **Term:** 2014SP **Faculty:** Ortman, William **Credits:** 2.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: Tue 5:00 PM - 7:00 PM **Location**
WCC2004

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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2013-2014 Academic Year

Flashpoints in LGBT Litigation and Legislation

Course #: 2494

Term: 2014SP

Faculty: Bonauto, Mary

Credits: 1.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

HAU103

Course Description:

This course will address substantive and strategic issues related to a number of current issues affecting efforts to obtain legal equality for LGBT people. Topics may change, but will likely include litigating for heightened scrutiny for sexual orientation classifications in constitutional litigation, efforts to undo the Federal Defense of Marriage Act, the fight for the freedom to marry for same-sex couples in state and federal courts, state legislatures and in ballot contests, efforts to obtain familial status apart from marriage, prominent issues in litigating and legislating non-discrimination and parenting issues, federal legislative efforts including the Employment Non-Discrimination Act, brewing school curriculum battles, and analysis of the religious liberty narrative.

Spring meeting dates: January 28, February 11, February 25, March 11, April 1, and April 18 (scheduled make-up session.)

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2013-2014 Academic Year

Food and Drug Law

Course #: 2091 **Term:** 2014WI **Faculty:** Hutt, Peter Barton **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function; Health Law; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:15 PM	GRS110
Tue 9:00 AM - 12:15 PM	GRS110
Wed 9:00 AM - 12:15 PM	GRS110
Thu 9:00 AM - 12:15 PM	GRS110
Fri 9:00 AM - 12:15 PM	GRS110

Course Description: This course explores the full range of federal regulation of products subject to the jurisdiction of the Food and Drug Administration (FDA). These products include food, human prescription and nonprescription drugs, animal feed and drugs, biologics and blood products, medical devices, and cosmetics, which together comprise approximately 25% of the gross national product. The course examines the public policy choices underlying the substantive law, FDA enforcement power, and agency practice and procedure. The course covers such contemporary issues as protecting against unsafe or mislabeled food, controlling carcinogens, expediting approval of AIDS and cancer drugs, assuring the safety of prescription drugs before and after marketing, importing drugs from abroad, switching drugs from prescription to nonprescription status, balancing the benefits and risks of breast implants, the compassionate use of experimental products, regulating complex new medical device technology, control of such biotechnology techniques as gene therapy, requiring adequate consumer and professional labeling for FDA-regulated products, and the relationship among international, federal, and state regulatory requirements. A prior course in Administrative Law is desirable but not a prerequisite.

Enrollment in this course is limited to fifty-two students. Forty-seven will be enrolled through the general course preference selection. The remaining five places will be reserved for students who do not get a seat through the preference selection but who choose to combine the course paper with Option 1 of the J.D. Written Work Requirement.

The required course paper may be combined with the Option 1 Written Work Requirement. This applies to students who take the course as a 2L or a 3L. Students who know that they wish to choose this option should e-mail the instructor at phutt@cov.com.

Text: Hutt, Merrill, and Grossman, Food and Drug Law (3d ed. 2007) and Statutory Supplement (2013).

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2013-2014 Academic Year

Food Law and Policy

Course #: 2359 **Term:** 2013FA **Faculty:** Greenwald, Robert; Broad Leib, Emily **Credits:** 2.00

Type: Elective **Subject Areas:** Health Law; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3034

Course Description: This seminar will present an overview of topics in food policy, and will examine how law and policy shape our food system and what we eat. In recent years, increasing attention has been focused on agricultural policy, the safety of the food chain, and the dual burdens of hunger and obesity.

We will examine food policy from various viewpoints, including a historical perspective, past and current economic attitudes, and the varying lenses of farmers, consumers, and food corporations. We will concentrate on food law in the United States, but will also discuss the global food system, and will include comparative international perspectives in areas such as food aid programs, farming support, and increasing healthy food access.

This seminar will begin with the big picture, looking at the broader ways in which domestic and international law have interacted to lead to malnutrition and obesity, both in the United States and abroad. Following this overview, we will analyze federal agricultural policy and farm subsidies and take a look at the environmental, health, and safety implications of farming in our current food system. We will also discuss genetically modified crops, and the meaning of "organic," "sustainable," and "fair trade," as well as ongoing debates about these labels. We will then take a series of weeks to look at the role the government plays in what foods are eaten in the United States, through its food assistance programs, food purchasing programs, and nutrition guidelines. Finally, we will spend the last few weeks of the semester evaluating potential solutions, including interventions aimed at improving education about healthy foods, changing food advertising and marketing practices, and increasing access to healthy foods.

The reading materials for the seminar will be provided in a course reader, and will include various book chapters, cases, regulations, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The seminar is intended to spark debate between different sides of these often controversial issues. In addition to discussion of the reading for each class theme, students will also be assigned to participate in role plays and debates.

The seminar is open to any student interested in food and agricultural policy and its implications on health and the environment. No background or prerequisites are required.

Rather than an examination, students will be required to submit reading responses via the online course blog, prepare for and participate in in-class role play debates, and submit one short policy brief. The policy brief will be geared to the appropriate government level and agency (state or federal government, depending on who controls the issue) and will explain a food-related problem and recommend a policy change or set of changes intended to improve the health, nutrition, or environmental outcomes. Grades will be determined on the basis of these written submissions, in-class role plays, and class participation.

Enrollment in the seminar is limited to 20 students, and is open to LLM students by permission.

Some seats are reserved for students enrolled in the fall and winter Food Law and Policy Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the

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Food Law and Policy Clinic. Please see the clinic's description for more information.

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Food Law and Policy

Course #: 2359 **Term:** 2014SP **Faculty:** Greenwald, Robert; Broad Leib, Emily **Credits:** 2.00

Type: Elective **Subject Areas:** Health Law; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3012

Course Description: This seminar will present an overview of topics in food policy and will examine how law and policy shape our food system and what we eat. In recent years, increasing attention has been focused on agricultural policy, the safety of the food chain, and the dual burdens of hunger and obesity.

We will examine food policy from various viewpoints, including a historical perspective, past and current economic attitudes, and the varying lenses of farmers, consumers, and food corporations. We will concentrate on food law in the United States, but will also discuss the global food system, and will include comparative international perspectives in areas such as food aid programs, farming support, and increasing healthy food access.

This seminar will begin with the big picture, looking at the broader ways in which domestic and international law have interacted to lead to malnutrition and obesity both in the United States and abroad. Following this overview, we will analyze federal agricultural policy and farm subsidies and take a look at the environmental, health, and safety implications of farming in our current food system. We will also discuss genetically modified crops, and the meaning of "organic," "sustainable," and "fair trade," as well as ongoing debates about these labels. We will then take a series of weeks to look at the role the government plays in what foods are eaten in the United States, through its food assistance programs, food purchasing programs, and nutrition guidelines. Finally, we will spend the last few weeks of the semester evaluating potential solutions, including interventions aimed at improving education about healthy foods, changing food advertising and marketing practices, and increasing access to healthy foods.

The reading materials for the seminar will be provided in a course reader, and will include various book chapters, cases, regulations, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The seminar is intended to spark debate between different sides of these often controversial issues. In addition to discussion of the reading for each class theme, students will also be assigned to participate in role plays and debates.

The seminar is open to any student interested in food and agricultural policy and its implications on health and the environment. No background or prerequisites are required.

Rather than an examination, students will be required to submit reading responses via the online course blog, prepare for and participate in in-class role play debates, and submit one short policy brief. The policy brief will be geared to the appropriate government level and agency (state or federal government, depending on who controls the issue) and will explain a food-related problem and recommend a policy change or set of changes intended to improve the health, nutrition, or environmental outcomes. Grades will be determined on the basis of these written submissions, in-class role plays, and class participation.

Enrollment in the seminar is limited to 20 students, and is open to LLM students by permission.

Some seats are reserved for students enrolled in the spring Food Law and Policy Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Food Law and Policy Clinic. Please see the clinic's description for more information.

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Food Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8038 **Term:** 2013FA **Faculty:** Greenwald, Robert; Broad Leib, Emily **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Food Law and Policy: A Center for Health Law and Policy Innovation Seminar (2 fall credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students may apply to this clinic by submitting an application.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Food Law and Policy Clinic of the Center for Health Law and Policy Innovation was established in 2010 to link Harvard Law students with opportunities to work with clients and communities on various food law and policy issues. The Clinic aims to increase access to healthy foods, prevent diet-related diseases such as obesity and type 2 diabetes, and assist small farmers and producers in participating in food markets.

Students in the Clinic have the opportunity to work on a range of federal, state, and local law and policy projects, such as: working with state and local food policy councils to identify and support policy changes to the food system; analyzing and recommending ways to increase access to healthy produce for low-income individuals and those living in areas with limited food access; identifying and eliminating legal and non-legal barriers inhibiting small producers from selling at farmers markets, grocery stores, restaurants, and farm-to-school or farm-to-institution programs; assessing food safety laws to inform regulatory changes that could increase economic opportunities for small producers; establishing and supporting rural farmers markets, including breaking down barriers to the use of SNAP (food stamps) and WIC Farmers Market Nutrition Program benefits at markets; and investigating best practices to promote healthy school environments, including improving the food options available in public schools, promoting better school health curricula, increasing the procurement of fresh, local foods for school meals, and creating more opportunities for school and community gardens.

Clinic projects will help students to hone a number of skills, including research and writing of legal and policy documents, reports, and training materials; statutory interpretation and drafting of legislation and regulations; conducting interviews and fact-finding with clients, stakeholders, and governmental agencies; and public speaking through conducting presentations and training. Clinic clients are located around the United States, and some students will have the opportunity to travel, as we work closely with partners in states such as Alabama, Arkansas, Mississippi, North Carolina, and Tennessee.

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2013-2014 Academic Year

Food Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8038 **Term:** 2014SP **Faculty:** Greenwald, Robert; Broad Leib, Emily **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Food Law and Policy: A Center for Health Law and Policy Innovation Seminar (2 spring credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: HLS.
The Food Law and Policy Clinic of the Center for Health Law and Policy Innovation was established in 2010 to link Harvard Law students with opportunities to work with clients and communities on various food law and policy issues. The Clinic aims to increase access to healthy foods, prevent diet-related diseases such as obesity and type 2 diabetes, and assist small farmers and producers in participating in food markets.
Students in the Clinic have the opportunity to work on a range of federal, state, and local law and policy projects, such as: working with state and local food policy councils to identify and support policy changes to the food system; analyzing and recommending ways to increase access to healthy produce for low-income individuals and those living in areas with limited food access; identifying and eliminating legal and non-legal barriers inhibiting small producers from selling at farmers markets, grocery stores, restaurants, and farm-to-school or farm-to-institution programs; assessing food safety laws to inform regulatory changes that could increase economic opportunities for small producers; establishing and supporting rural farmers markets, including breaking down barriers to the use of SNAP (food stamps) and WIC Farmers Market Nutrition Program benefits at markets; and investigating best practices to promote healthy school environments, including improving the food options available in public schools, promoting better school health curricula, increasing the procurement of fresh, local foods for school meals, and creating more opportunities for school and community gardens.
Clinic projects will help students to hone a number of skills, including research and writing of legal and policy documents, reports, and training materials; statutory interpretation and drafting of legislation and regulations; conducting interviews and fact-finding with clients, stakeholders, and governmental agencies; and public speaking through conducting presentations and training. Clinic clients are located around the United States, and some students will have the opportunity to travel, as we work closely with partners in states such as Alabama, Arkansas, Mississippi, North Carolina, and Tennessee.

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2013-2014 Academic Year

Food Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8038 **Term:** 2014WI **Faculty:** Greenwald, Robert; Broad Leib, Emily **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Food Law and Policy: A Center for Health Law and Policy Innovation Seminar (2 fall credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: HLS.
The Food Law and Policy Clinic of the Center for Health Law and Policy Innovation was established in 2010 to link Harvard Law students with opportunities to work with clients and communities on various food law and policy issues. The Clinic aims to increase access to healthy foods, prevent diet-related diseases such as obesity and type 2 diabetes, and assist small farmers and producers in participating in food markets.
Students in the Clinic have the opportunity to work on a range of federal, state, and local law and policy projects, such as: working with state and local food policy councils to identify and support policy changes to the food system; analyzing and recommending ways to increase access to healthy produce for low-income individuals and those living in areas with limited food access; identifying and eliminating legal and non-legal barriers inhibiting small producers from selling at farmers markets, grocery stores, restaurants, and farm-to-school or farm-to-institution programs; assessing food safety laws to inform regulatory changes that could increase economic opportunities for small producers; establishing and supporting rural farmers markets, including breaking down barriers to the use of SNAP (food stamps) and WIC Farmers Market Nutrition Program benefits at markets; and investigating best practices to promote healthy school environments, including improving the food options available in public schools, promoting better school health curricula, increasing the procurement of fresh, local foods for school meals, and creating more opportunities for school and community gardens.
Clinic projects will help students to hone a number of skills, including research and writing of legal and policy documents, reports, and training materials; statutory interpretation and drafting of legislation and regulations; conducting interviews and fact-finding with clients, stakeholders, and governmental agencies; and public speaking through conducting presentations and training. Clinic clients are located around the United States, and some students will have the opportunity to travel, as we work closely with partners in states such as Alabama, Arkansas, Mississippi, North Carolina, and Tennessee.

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2013-2014 Academic Year

Foundations of Justice

Course #: 2620 **Term:** 2013FA **Faculty:** Nelson, Eric; Sen, Amartya **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Location

Wed 2:00 PM - 4:00 PM

Course Description: The course will explore a number of contemporary debates about the nature, scope, and requirements of justice. Is justice an objective standard accessible to reason, or is it, in some sense, the product of human choice? Do we have obligations of justice to all human beings, or only to our fellow citizens? Which, if any, facts about individuals are arbitrary from a moral point of view? In order to pursue justice in the real world, do we need a theory of justice? If so, what issues would the theory have to resolve?

Prerequisite: Faculty permission is required to enroll.

Note: This course is being jointly-listed with FAS as PHIL 272. This course will meet at FAS.

Fundamentals of Statistical Analysis

Course #: 2093 **Term:** 2013FA **Faculty:** Cope, David **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

WCC1010

Course Description: Intended for law students with little or no background in mathematics and statistics, this class will provide basic tools needed for designing, conducting and critically assessing empirical legal research, i.e., legal research that relies to a significant degree on data-based argumentation.

There will be six 2-hour meetings during September and October which will cover the following topics: formulating a research question and finding or creating an appropriate data set; survey design and analysis; presenting data visually and with summary statistics; the logic of hypothesis testing and estimation; correlation and linear regression; and multivariate analysis with an emphasis on multiple regression.

There will be weekly (ungraded) exercises and a take-home final examination for which students may substitute a paper of approximately ten pages presenting any one of the following: a plan for an empirical study, a critique of an existing empirical study, or a discussion of an issue relating to the use of statistics in law.

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Future of the Family: Adoption, Reproduction and Child Welfare

Course #: 2094 **Term:** 2014SP **Faculty:** Bartholet, Elizabeth **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law

Delivery Mode: Seminar

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC5048

Course Description: This seminar is for students interested in writing a research paper on any issue related to the above range of topics, as well as for students interested in doing papers on ideas explored in connection with any Child Advocacy Program (CAP) course (Child, Family & State, Family Law, The Art of Social Change, CAP Clinic). Initial class sessions will focus on readings related to general substantive area and also research and writing issues, and later sessions will focus on student work. Students will receive extensive guidance and feedback on their writing.

Students must attend scheduled meetings with the Professor prior to the start of the Spring term to discuss potential paper topics. Possible issue areas include but are not limited to: parenting and procreation; child maltreatment and related state intervention; high-tech infertility treatment; the commercialization of reproduction (sale of eggs, sperm, embryos and pregnancy services); non-traditional family forms (single parenting, same-sex unions and marriage, transracial and international adoption); and fetal abuse, sex selection, cloning, stem cell research and the new eugenics options.

Requirements include: regular attendance, active participation, presentation of own work, feedback on others work, and a research paper. Students are encouraged to write a substantial paper for an additional credit; this can be used to satisfy the Schools Written Work Requirement.

Prerequisite: Instructor permission is required for 1Ls and cross-registrants.

Note - Early Drop Deadline:

Students must make add/drop decision by no later than Friday Jan 17, 2014 at 10 am. Students wanting to add/drop after this deadline can do so only with permission of the Professor. Students failing to attend mandatory pre-term meeting to discuss paper topic will be dropped from seminar.

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2013-2014 Academic Year

Gender Violence Legal Policy Workshop

Course #: 2513 **Term:** 2013FS **Faculty:** Rosenfeld, Diane **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 5:00 PM - 7:00 PM

Thu 10:30 AM - 12:00 PM

Location

Course Description: This workshop offers the student hands-on experience in analyzing, evaluating and creating legal policy on a range of issues related to gender violence. Two main foci of the workshop are developing legal policy on preventing and addressing campus sexual assault using Title IX's legal framework and improving the criminal justice and community responses to intimate partner violence.

Prerequisite: Students must be enrolled in either the Title IX seminar or the Gender Violence, Law and Social Justice seminar during the 2013-2014 academic year.

Note: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring. The course will meet in WCC 4018 for the fall term.

Gender Violence, Law and Social Justice

Course #: 2098 **Term:** 2014SP **Faculty:** Rosenfeld, Diane **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Location

WCCB015

WCCB015

Course Description: This course offers an in-depth examination of the phenomenon of gender-motivated violence. Following a consideration of the prevalence and variation of types of sexual violence and coercion around the world, we consider questions such as: How, if at all, is violence against women different from other types of violence? How effective have legal strategies to address violence against women been, and what shifts in thinking about gender-motivated violence would be necessary finally to eradicate it? How does the toleration of sexual violence shape people's expectations and sense of entitlements? What are the implications of gender-based violence for the constitutional guarantee of equal protection of the laws? Does equal protection itself have a gendered meaning and reality? Among the types of violence against women we will consider are: intimate-partner violence; domestic homicide; prostitution; rape; sex trafficking of women and children; and violence against women facilitated by the Internet. The readings consist of primary and secondary materials drawn from several disciplines: law, social science, political science, psychology, evolutionary biology and women's studies.

There are no prerequisites for this class.

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2013-2014 Academic Year

Genetics and the Law

Course #: 2607 **Term:** 2014SP **Faculty:** Price, Nicholson **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC3015

Course Description: Genetic technologies have advanced tremendously and are becoming commonplace; personal genome sequencing is getting cheaper and easier, and genetic analyses are increasingly used by public and private actors. These advances raise important issues for law and policy, for areas as diverse as family law, criminal law, torts, intellectual property, and of course health law. This seminar will consider the law and policy implications of advances in genetics and the spread of genetic technology. Likely topics include:

Basics of genetics;
Genetic screening of fetuses, newborns, children and adults;
Liability for failure to detect or warn about genetic disorders;
Links between genetics, criminal responsibility, and punishment;
Discrimination on the basis of genetic traits;
Implications of genetics for family law;
Public health implications of whole-genome sequencing; and
Limits on genetic research and genetic manipulation of humans

No prior of knowledge of genetics is assumed. Students will be responsible for preparing weekly discussion questions. Readings will include cases, scholarly articles, and other materials. Grading will be based on class participation and written work. Students can choose to write either multiple reading responses or a single final paper.

Prerequisite: Admission to this seminar is by permission of the instructor. Although no formal scientific background is required, a mixture of backgrounds will facilitate discussion of some technically complex areas. To apply, please send a CV and a one-paragraph statement of your interest in the course and any relevant experience to wprice@law.harvard.edu. Please send all applications in for this seminar by Monday, September 30th. We will notify those enrolled by Friday, October 11th. Late applications may be accepted at the discretion of the instructor.

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2013-2014 Academic Year

Global Anticorruption Lab

Course #: 2646 **Term:** 2014SP **Faculty:** Stephenson, Matthew **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Course Description: This experimental course will provide an opportunity for students interested in anticorruption (from legal, social scientific, or policy perspectives) to work on independent research projects in a collaborative, interactive setting. Students will select one or more topics of interest to explore during the semester; we will meet each week for an hour to discuss one another's research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute four substantive posts (1-3 paragraphs each) to a newly-created blog on global anticorruption. Participants will also be expected to participate in online discussions and debates about other blog entries. Students interested in expanding their research into a full paper may do so for an appropriate number of additional independent writing credits.

Time and location TBD.

Prerequisite: Enrollment is limited to 12, and is by permission of the instructor. Interested students should email Professor Stephenson (mstephen@law.harvard.edu); the email should include a current CV, a transcript (unofficial is fine), a statement of interest (preferably including one or two topics you might be interested in writing about), and a list of days/times during the Spring semester when you cannot meet.

Global Governance

Course #: 2100 **Term:** 2013FA **Faculty:** Ruggie, John **Credits:** 3.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: **Location**

Mon 10:10 AM - 11:40 AM

Wed 10:10 AM - 11:40 AM

Course Description: This course focuses on the interplay among states, international organizations (such as the UN, WTO, IMF, and World Bank), multinational corporations, civil society organizations, and activist networks in global governance. Cases are drawn from a broad range of issue areas, including peace and security, economic relations, human rights, and the environment. The objective is to better understand the evolution of global governance arrangements and what difference they make, in light of globalization and emerging geopolitical changes.

Note: This course is jointly-listed with HKS as IGA-103. This course will meet at HKS and the first class meeting is scheduled for Friday, September 6, 2013. This course will not typically meet on Fridays, but an additional meeting date was needed so all HKS courses that meet on Wednesdays will first meet on Friday, September 6.

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2013-2014 Academic Year

Global Law and Governance

Course #: 2101 **Term:** 2013FA **Faculty:** Kennedy, David **Credits:** 4.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

GRS110

GRS110

Course Description: This course explores ideas about how we are governed globally and projects to improve global governance through law. We will focus on the field of international law and organization, examining the history of ideas, legal doctrines, institutional and administrative structures developed over the last century to organize and legalize international economic and political life. The readings will focus on various ways to think about the legal organization of global order, and on the history of legal efforts to organize and institutionalize international affairs.

Government Lawyer

Course #: 2103 **Term:** 2013FA **Faculty:** Whiting, Alex **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

HAU104

HAU104

Course Description: The course will examine the roles and responsibilities of the prosecutor, with a particular focus on federal prosecutors. The course will consider questions concerning the politics of prosecution, the role of the prosecutor in the adversarial system (and whether that system is the best for achieving justice), and the autonomy and discretion of the prosecutor. We will look at issues that arise at the policy level for prosecutors, as well as those that face individual prosecutors in their work. Some specific topics that will be addressed will include prosecutorial ethics; disclosure and discovery issues; pretrial publicity; investigations (including use of the grand jury); sentencing; federalization of crime; and dealing with informants, cooperators, and victims. We will consider these issues in the context of different areas of criminal prosecution, including white-collar crime, organized crime, urban violence, and terrorism. A paper will be required in lieu of an examination.

Some seats in this course are reserved for students enrolled in Government Lawyer: United States Attorney Clinic (note: students in BOTH the FALL and SPRING clinic offerings must enroll in this FALL course). To claim a reserved clinic seat, students must first be enrolled in the clinic. For more information about this clinic, please view the clinic description.

This course satisfies the Law Schools professional responsibility requirement.

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2013-2014 Academic Year

Government Lawyer: Attorney General Clinic

Course #: 8015 **Term:** 2013FA **Faculty:** Tierney, James **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Role of the State Attorney General (2 spring credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: August 12, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: Various externship placements at the Massachusetts's AG Office.
The State Attorney General Clinic offers students an opportunity to work with the Office of the Massachusetts Attorney General's Office. Clinical students responsibilities will include writing and research work pertinent to the division in which they are placed. Assignments will often include research and drafting memos and briefs. Students are placed in various divisions including:
Criminal Bureau (Appeals Division, Cybercrime Division, Enterprise and Major Crimes Division, Environmental Crimes Strike Force, Public Integrity Division)
Government Bureau (Trial Division)
Public Protection Bureau (Civil Rights Division, Health Care Division, Consumer Protection, Environmental Protection Division)

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2013-2014 Academic Year

Government Lawyer: Attorney General Clinic

Course #: 8015 **Term:** 2014SP **Faculty:** Tierney, James **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Role of the State Attorney General (2 spring credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 10, 2014.
LLM Students: LLM students are not eligible to enroll.
Placement Site: Various externship placements at the Massachusetts's AG Office.
The State Attorney General Clinic offers students an opportunity to work with the Office of the Massachusetts Attorney General's Office. Clinical students responsibilities will include writing and research work pertinent to the division in which they are placed. Assignments will often include research and drafting memos and briefs. Students are placed in various divisions including:
Criminal Bureau (Appeals Division, Cybercrime Division, Enterprise and Major Crimes Division, Environmental Crimes Strike Force, Public Integrity Division)
Government Bureau (Trial Division)
Public Protection Bureau (Civil Rights Division, Health Care Division, Consumer Protection, Environmental Protection Division)

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2013-2014 Academic Year

Government Lawyer: Attorney General Clinic

Course #: 8015 **Term:** 2014WI **Faculty:** Tierney, James **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Not Applicable

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Role of the State Attorney General (2 spring credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: December 6, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: Various externship placements at AG offices throughout the country during winter term; HLS during spring term.
The State Attorney General Clinic during the winter term offers students an opportunity to work out of state in state attorney general offices around the country. Clinic work is full-time and care will be taken to place students in both states and divisions that meet their professional goals, although particular placements are not guaranteed. Winter term placements in 2013 were involved in various divisions of State AG office: environment, criminal trials and appeals, human trafficking, civil defense, opinions and consumer protection. Students were placed in seven different states for a three week period. Some financial support is available to assist with transportation and lodging.
Students may continue their winter work remotely from HLS during the spring term.

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2013-2014 Academic Year

Government Lawyer: Semester in Washington Clinic

Course #: 8016 **Term:** 2014SP **Faculty:** Wroblewski, Jonathan **Credits:** 6.00

Type: HLS Clinic **Subject Areas:** Government Structure & Function; Procedure & Practice; Regulatory Law

Delivery Mode: Clinic

Days and Times:

Location

Course Description: Required Class Component: Government Lawyer: Semester in Washington Clinical Seminar (3 spring credits). Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: Yes. Applications are due by August 16, 2013.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students are not eligible to enroll.
Placement Site: Various externship placements in Washington D.C.
Students spend the entire spring term (except for spring break) in Washington, D.C. working as legal interns in a variety of federal offices while taking an evening course (twice a week) on government lawyering. Students are required to work at least 30 hours a week in the spring term. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases. Placements in past years have included the House and Senate Judiciary Committees, the Departments of Justice and State, the White House Counsels Office, the Central Intelligence Agency, and the Federal Communications Commission. Placements are coordinated by the clinic director, Jonathan Wroblewski, in consultation with students. Students admitted to the clinic will meet individually with the clinic director to discuss their areas of interest and placement possibilities. Every effort will be made to provide a placement to meet each student's interest. During the clinic, the director will meet one-on-one with students on a periodic basis to discuss their ongoing work experience and progress.
Given the nature of government office hiring and the timing of security clearances, it is possible that placements may not be finalized until after committing to this clinic. Every effort is made to place students in his or her interest area.
Students are required to write a research paper in lieu of a final exam. This paper will fulfill the JD Written Work Requirement. Students will receive 1 writing credit.
To get an inside view of the Program, students may access the Semester in Washington iSite, which contains detailed information about last year's syllabus, course requirements, events, funding, housing, placements, etc.
Students should be aware of their yearly HLS credit minimums, as the spring semester is spent entirely off campus (student will receive 6 spring clinical credits + 3 spring course credits for a total of 9 spring semester credits).

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2013-2014 Academic Year

Government Lawyer: Semester in Washington Clinic

Course #: 8016 **Term:** 2014WS **Faculty:** Wroblewski, Jonathan **Credits:** 8.00

Type: HLS Clinic **Subject Areas:** Government Structure & Function; Procedure & Practice; Regulatory Law

Delivery Mode: Clinic

Days and Times:

Location

Course Description: Required Class Component: Government Lawyer: Semester in Washington Clinical Seminar (3 spring credits). Students must enroll in this clinic before they are permitted to enroll in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due by August 16, 2013.

Add/Drop Deadline: December 6, 2013.

LLM Students: LLM students are not eligible to enroll.

Multi-Semester: This is a winter-spring clinic (2 winter credits + 6 spring credits).

Placement Site: Various externship placements in Washington D.C.

Students spend the entire winter and spring terms (except for spring break) in Washington, D.C. working as legal interns in a variety of federal offices while taking an evening course (twice a week during the spring) on government lawyering. There is no course work during winter term. Students are required to work 40 hours per week in the winter term, and at least 30 hours a week in the spring term. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases. Placements in past years have included the House and Senate Judiciary Committees, the Departments of Justice and State, the White House Counsels Office, the Central Intelligence Agency, and the Federal Communications Commission. Placements are coordinated by the clinic director, Jonathan Wroblewski, in consultation with students. Students admitted to the clinic will meet individually with the clinic director to discuss their areas of interest and placement possibilities. Every effort will be made to provide a placement to meet each student's interest. During the clinic, the director will meet one-on-one with students on a periodic basis to discuss their ongoing work experience and progress.

Given the nature of government office hiring and the timing of security clearances, it is possible that placements may not be finalized until after committing to this clinic. Every effort is made to place students in his or her interest area.

Students are required to write a research paper in lieu of a final exam. This paper will fulfill the JD Written Work Requirement. Students will receive 1 writing credit.

To get an inside view of the Program, students may access the Semester in Washington iSite, which contains detailed information about last year's syllabus, course requirements, events, funding, housing, placements, etc.

Students should be aware of their yearly HLS credit minimums, as the spring semester is spent entirely off campus (student will receive 6 spring clinical credits + 3 spring course credits for a total of 9 spring semester credits).

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2013-2014 Academic Year

Government Lawyer: Semester in Washington Clinical Seminar

Course #: 2104 **Term:** 2014SP **Faculty:** Wroblewski, Jonathan **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Course Description: Required Clinic Component: Government Lawyer: Semester in Washington Clinic, either during winter-spring (2 winter credits + 6 spring credits) or spring clinic (6 spring credits). Students must enroll in one of these two clinic offerings (winter-spring or spring) before they are permitted to enroll in this required course.
Additional Co-/Pre-Requisites: None.
By Permission: Yes. Applications to the clinic are due TBD.
Add/Drop Deadline: December 6, 2013 for winter-spring clinic students. January 17, 2014 for spring clinical students.
LLM Students: LLM students are not eligible to enroll.

This seminar is taught in conjunction with the Government Lawyer: Semester in Washington clinic. In the clinic, students spend the entire spring term (except for Spring break) in Washington, D.C. working as legal interns in federal offices. Students may participate in the clinic during the winter term as well (there is no course work during the winter term). Students are required to work 40 hours per week in the winter term, and at least 30 hours a week in the spring term. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases.

Students attend this seminar in the evening twice a week during the spring semester. Readings and classroom discussions are supplemented by guest speaker events and visits to government offices on several occasions throughout the semester. Case studies will supplement the core readings. The seminar will focus on the role of the government lawyer in policymaking and the many forces that influence the work of policymaking generally, and the government lawyers part in that process specifically. The course examines the skills required of government attorneys in policymaking, the unique ethical, legal, and moral issues they face, and the impact of politics and ideology on their work. The course explores the role of think tanks and interest groups on policymaking, the discourse in policymaking in Washington and how it has changed, and the process of policymaking, including the use of data and research in policymaking, and the role of bureaucracy. The course includes student discussions of their experiences in their clinical placements. Students are required to come to class prepared to discuss relevant elements of their work. Guest speakers, including government lawyers, issue advocates, and think tank scholars, will visit the class periodically throughout the semester. Students will be expected to research the background of the guests and participate in class interviews to explore their work. The class may also include visits to government offices. A course paper relating to the students work or to classroom subjects will be required in lieu of an examination.

This course fulfills the Professional Responsibility requirement.

To view Program details, students may access the Semester in Washington iSite, which contains detailed information about last years syllabus, course requirements, events, funding, housing, placements, etc.

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2013-2014 Academic Year

Government Lawyer: United States Attorney Clinic

Course #: 8017 **Term:** 2013FA **Faculty:** Whiting, Alex **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Not Applicable

Delivery Mode: Clinic

Days and Times:

Location

Course Description: Required Class Component: Government Lawyer (3 fall credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: June 24, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: Various externship placements.
The Government Lawyer clinic allows students to examine firsthand the roles and responsibilities of a federal prosecutor. Students are placed at the United States Attorneys Office in Boston. Work may include research, writing, trial and witness preparation, and attending depositions, hearings, and trials. The U.S. Attorneys Office offers placements in the following criminal divisions:

- Appeals Unit: The Appeals Unit is responsible for reviewing and approving all appellate briefs before they are filed.
- Anti-Terrorism and National Security Unit: The Anti-Terrorism and National Security Unit handles anti-terrorism investigations, those involving breaches of national security.
- Computer Crimes Unit: Investigates and prosecutes computer related crimes, including hacking, identity theft and other forms of computer fraud.
- Economic Crimes Unit: The Economic Crimes Unit handles complex economic crimes expected to require grand jury or other investigative effort.
- Health Care Fraud Unit: The Health Care Fraud Unit investigates and prosecutes complex health care fraud committed by corporate and individual defendants.
- Major Crimes Unit: The Major Crimes Unit handles violent crime, property crimes, fraud, theft, civil rights violations, and other matters of primary federal interest.
- Organized Crime Drug Enforcement Task Force: Drug Unit cases range from "buy/bust" prosecution to sophisticated money laundering prosecution.
- Organized Crime Strike Force: The organized crime unit handles complex long term matters, utilizing extensive grand jury and electronic surveillance, often using statutes such as RICO.
- Public Corruption and Special Prosecution Unit: The Public Corruption Unit handles sensitive cases involving allegations of corruption against elected and appointed federal, state, and local officials.

Important: All students must be U.S. citizens and complete a lengthy security clearance process by the Department of Justice, which involves numerous forms and fingerprinting. This process takes between 8-10 weeks for final clearance, which is then valid for only six months. This clearance process is not just a formality, and in some instances clearance has been delayed or denied. This process is coordinated between the Office of Clinical and Pro Bono Programs and the Human Resources department of the U.S. Attorney's Office.

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2013-2014 Academic Year

Government Lawyer: United States Attorney Clinic

Course #: 8017 **Term:** 2014SP **Faculty:** Whiting, Alex **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Not Applicable

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Government Lawyer (3 fall credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: Various externship placements.
The Government Lawyer clinic allows students to examine firsthand the roles and responsibilities of a federal prosecutor. Students are placed at the United States Attorneys Office in Boston. Work may include research, writing, trial and witness preparation, and attending depositions, hearings, and trials. The U.S. Attorneys Office offers placements in the following criminal divisions:

- Appeals Unit: The Appeals Unit is responsible for reviewing and approving all appellate briefs before they are filed.
- Anti-Terrorism and National Security Unit: The Anti-Terrorism and National Security Unit handles anti-terrorism investigations, those involving breaches of national security.
- Computer Crimes Unit: Investigates and prosecutes computer related crimes, including hacking, identity theft and other forms of computer fraud.
- Economic Crimes Unit: The Economic Crimes Unit handles complex economic crimes expected to require grand jury or other investigative effort.
- Health Care Fraud Unit: The Health Care Fraud Unit investigates and prosecutes complex health care fraud committed by corporate and individual defendants.
- Major Crimes Unit: The Major Crimes Unit handles violent crime, property crimes, fraud, theft, civil rights violations, and other matters of primary federal interest.
- Organized Crime Drug Enforcement Task Force: Drug Unit cases range from "buy/bust" prosecution to sophisticated money laundering prosecution.
- Organized Crime Strike Force: The organized crime unit handles complex long term matters, utilizing extensive grand jury and electronic surveillance, often using statutes such as RICO.
- Public Corruption and Special Prosecution Unit: The Public Corruption Unit handles sensitive cases involving allegations of corruption against elected and appointed federal, state, and local officials.

Important: All students must be U.S. citizens and complete a lengthy security clearance process by the Department of Justice, which involves numerous forms and fingerprinting. This process takes between 8-10 weeks for final clearance, which is then valid for only six months. This clearance process is not just a formality, and in some instances clearance has been delayed or denied. This process is coordinated between the Office of Clinical and Pro Bono Programs and the Human Resources department of the U.S. Attorney's Office.

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2013-2014 Academic Year

Great Book

Course #: 2105

Term: 2013FA

Faculty: Parker, Richard

Credits: 1.00

Type: Elective

Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

HAU105

Course Description:

This reading group is meant to be an antidote. Nowadays, law students arrive having read less and less literature and history. Here, they are force fed more and more social science. In hope of dispelling the desiccating effect of its language and sensibility, we read and discuss one great book: The Genealogy of Morals by Nietzsche. It is impossible to classify its genre -- moral psychology? imaginative history? social theory? What ever it may be, it is unique in its powers of insight and provocation. A progenitor of modernism and postmodernism, it is above all a work of literature. To join this group, you should be more than willing to engage in a close reading of an often difficult text and to commit to attending and participating in all six meetings. Soft drinks, wine, cheese and so forth will be provided.

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2013-2014 Academic Year

Harvard Africa Workshop: Changing Economies, Changing Politics, Changing Faces of Capitalism

Course #: 2536 **Term:** 2013FA **Faculty:** White, Lucie **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 6:00 PM - 8:00 PM

Location

WCC3016

Course Description: 2 classroom credits
4 credits F/S; 2 credits Fall; or 2 credits Spring

1 or 2 optional writing credits

In this Workshop Course, law students will be included as active participants in the Harvard Africa Workshop (HAW), a University-wide interdisciplinary seminar convened by Faculty of Arts and Sciences Professors John and Jean Comaroff, internationally renowned South African anthropologists and critical social theorists.

The HAWs intellectual theme for the first three years, 2012-2015, is Africa and the World at Large: Or, What the New Global Order Has to Learn from the Contemporary Africa. To explore this theme, leading scholars of international repute will present weekly papers that address the rapidly changing position of Africa in the global political economy and the impact of that change on global distributions of wealth, well-being, and power. Participating scholars tentatively include, among others, Professors Christine Desan from the Law School and Caroline Elkins from the Harvard Faculty of Arts and Sciences (History).

The HAW is an interdisciplinary initiative which will be comprised of this Law School Workshop, a seminar in the Graduate School of Arts and Sciences, a professional apprenticeship for doctoral Africanists-in-training across the disciplines, and a laboratory for international scholarly exchange. The Law School Workshop will meet simultaneously with the HAW throughout the academic year, i.e., for weekly ninety minute paper presentations, followed by bi-weekly sixty minute sessions for the law students. The HAW initiative is designed to cultivate a spirit of engaged, constructive critique and inter-generational mentorship.

Students may register for the Law School Workshop for either the Fall (2 credits), Spring (2 credits) or Fall and Spring (4 credits). Requirements for each semester include reading each paper and participating actively in each week's discussion; attending the bi-weekly one-hour student sessions following those weeks public HAW sessions; and writing weekly 2-3 page response papers on the HAW seminar papers. Students may register for additional writing credit(s) in conjunction with the course.

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2013-2014 Academic Year

Harvard Africa Workshop: Changing Economies, Changing Politics, Changing Faces of Capitalism

Course #: 2536 **Term:** 2014SP **Faculty:** White, Lucie **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 6:00 PM - 8:00 PM

Location

WCC3018

Course Description: 2 classroom credits
4 credits F/S; 2 credits Fall; or 2 credits Spring

1 or 2 optional writing credits

In this Workshop Course, law students will be included as active participants in the Harvard Africa Workshop (HAW), a University-wide interdisciplinary seminar convened by Faculty of Arts and Sciences Professors John and Jean Comaroff, internationally renowned South African anthropologists and critical social theorists.

The HAWs intellectual theme for the first three years, 2012-2015, is Africa and the World at Large: Or, What the New Global Order Has to Learn from the Contemporary Africa. To explore this theme, leading scholars of international repute will present weekly papers that address the rapidly changing position of Africa in the global political economy and the impact of that change on global distributions of wealth, well-being, and power. Participating scholars tentatively include, among others, Professors Christine Desan from the Law School and Caroline Elkins from the Harvard Faculty of Arts and Sciences (History).

The HAW is an interdisciplinary initiative which will be comprised of this Law School Workshop, a seminar in the Graduate School of Arts and Sciences, a professional apprenticeship for doctoral Africanists-in-training across the disciplines, and a laboratory for international scholarly exchange. The Law School Workshop will meet simultaneously with the HAW throughout the academic year, i.e., for weekly ninety minute paper presentations, followed by bi-weekly sixty minute sessions for the law students. The HAW initiative is designed to cultivate a spirit of engaged, constructive critique and inter-generational mentorship.

Students may register for the Law School Workshop for either the Fall (2 credits), Spring (2 credits) or Fall and Spring (4 credits). Requirements for each semester include reading each paper and participating actively in each week's discussion; attending the bi-weekly one-hour student sessions following those weeks public HAW sessions; and writing weekly 2-3 page response papers on the HAW seminar papers. Students may register for additional writing credit(s) in conjunction with the course.

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2013-2014 Academic Year

Harvard Immigration and Refugee Clinic

Course #: 8020 **Term:** 2013FA **Faculty:** Anker, Deborah **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Immigration and Refugee Advocacy (2 fall credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
However, there are two by applications slots for a full-year clinic option. Interested students must also submit an application and be accepted to enroll in the full-year option (please see details below).
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Either HLS or GBL (downtown Boston).

For twenty-five years, the Harvard Immigration and Refugee Clinic (HIRC), in partnership with Greater Boston Legal Services, has focused on direct representation of individuals applying for U.S. asylum and related protections, as well as representation of individuals who have survived domestic violence and other crimes and/or who seek avoidance of forced removal in immigration proceedings pursuant to various forms of relief (i.e., VAWA, U-visas, Cancellation of Removal, Temporary Protected Status, etc.). HIRC is also involved in appellate and policy advocacy at the local, national, and international levels.

For the fall 2013 semester, students interested in the Harvard Immigration and Refugee Clinic will have the option to enroll through the registration lottery to pursue refugee and asylum advocacy work. Students who enroll in the clinic will be automatically enrolled in the co-requisite Immigration and Refugee Advocacy Seminar. HIRC students in the Refugee and Asylum Advocacy clinical take the lead in representing clients from all over the world who are seeking protection from being returned to human rights abuses in their country of origin, as well as those who are seeking protection from exile after years of living in the United States. About forty-five students are placed each year with HIRC for clinical credit. Students typically work between ten and twenty hours per week. Students are either placed at Harvard or at its partner clinic, Greater Boston Legal Services, Boston's oldest legal services organization. By Application: Additionally, for 2013-2014, HIRC will accept two students to participate in the clinic for the entire year - fall and spring terms. Students will be selected through an application process in March 2013, and will attend the fall seminar and participate in the clinic in fall semester and then continue with the clinic during the spring semester working on more advanced immigration and asylum issues, including direct representation, amicus briefs, and/or policy and advocacy. Please email Bonnie Rubrecht (brubrecht@law.harvard.edu) for more information regarding this option and the application process.

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2013-2014 Academic Year

Harvard Immigration and Refugee Clinic

Course #: 8020 **Term:** 2014SP **Faculty:** Ardalan, Sabrineh **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description: Required Class Component: Immigration and Refugee Advocacy Clinical Seminar (2 spring credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Either HLS or GBLs (downtown Boston).

For over twenty-five years, the Harvard Immigration and Refugee Clinic (HIRC), in partnership with Greater Boston Legal Services (GBLS), has focused on direct representation of individuals applying for U.S. asylum and related relief, as well as representation of individuals who have survived domestic violence and other crimes and/or who seek avoidance of forced removal in immigration proceedings (i.e., VAWA, U-visas, Cancellation of Removal, Temporary Protected Status, etc.). HIRC is also involved in appellate and policy advocacy at the local, national, and international levels.

HIRC students take the lead in representing clients from all over the world who are seeking protection from being returned to human rights abuses in their country of origin, protection from exile after years of living in the United States, or reunification with their families. About forty students are placed each year with HIRC either at Harvard or at its partner clinic, Greater Boston Legal Services, Boston's oldest legal services organization (located in downtown Boston). Students typically work between fifteen and twenty hours per week (3-4 clinical credits).

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2013-2014 Academic Year

Harvard Legal Aid Bureau 2L

Course #: 8000 **Term:** 2013FS **Faculty:** Grossman, David; Caramello, Esme **Credits:** 6.00

Type: HLS Clinic **Subject Areas:** Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description: Required Class Component: Introduction to Advocacy: Ethics and Skills in Clinical Practice (2 fall credits + 1 spring credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: Evidence; Trial Advocacy Workshop. Some seats are reserved for clinical students. Students must be enrolled in this clinic before they are permitted to enroll in one of the reserved clinical seats.
By Permission: Yes. Applications are due to the clinic by March 17, 2013. Applicants are notified of decisions during April.
Add/Drop Deadline: July 19, 2013.
LLM Students: LLM students are not eligible to enroll.
Multi-Semester: This is a fall-spring clinic (3 fall credits + 3 spring credits)
Placement Site: HLS. This clinic has a mandatory orientation from August 24 - August 30.
The Harvard Legal Aid Bureau is a student-run organization composed of approximately 50 second and third year Harvard Law School students who provide free civil legal services to a diverse population of low-income clients in the Greater Boston area. Students are supervised by practicing attorneys, each with extensive public interest and private practice experience, who train students, accompany them to court, provide strategic advice, and assist in case management. The Bureau specializes in four major areas of practice: housing law, including evictions from public and private apartments; family law, including divorce, child custody, paternity, visitation, and support issues; government benefits law, including appeals of the denial or termination of unemployment or social security disability benefits; and fair wage law, including nonpayment or underpayment of wages. Because the Bureau is student-run, students take the lead in setting organizational policy and exploring new potential practice areas. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.

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2013-2014 Academic Year

Harvard Legal Aid Bureau 3L

Course #: 8010 **Term:** 2013FS **Faculty:** Grossman, David; Caramello, Esme **Credits:** 6.00

Type: HLS Clinic **Subject Areas:** Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description: Required Class Component: Advanced Clinical Practice (1 fall credit + 1 spring credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: Evidence; Trial Advocacy Workshop; Harvard Legal Aid Bureau 2L.
By Permission: Yes. This clinic is only open to students who have completed HLAB in their 2L year.
Add/Drop Deadline: n/a.
LLM Students: LLM students are not eligible to enroll.
Multi-Semester: This is a fall-spring clinic (3 fall credits + 3 spring credits)
Placement Site: HLS.
The Harvard Legal Aid Bureau is a student-run organization composed of approximately 50 second and third year Harvard Law School students who provide free civil legal services to a diverse population of low-income clients in the Greater Boston area. Students are supervised by practicing attorneys, each with extensive public interest and private practice experience, who train students, accompany them to court, provide strategic advice, and assist in case management. The Bureau specializes in four major areas of practice: housing law, including evictions from public and private apartments; family law, including divorce, child custody, paternity, visitation, and support issues; government benefits law, including appeals of the denial or termination of unemployment or social security disability benefits; and fair wage law, including nonpayment or underpayment of wages. Because the Bureau is student-run, students take the lead in setting organizational policy and exploring new potential practice areas. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.

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2013-2014 Academic Year

Harvard Negotiation and Mediation Clinic

Course #: 8019 **Term:** 2013FA **Faculty:** Bordone, Robert **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Dispute Systems Design (2 fall credits). Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: Negotiation Workshop. Students must have completed the Negotiation Workshop prior to enrolling in the clinic. Failure to meet the pre requisites by the clinic' add/drop deadline will result in the student being dropped from this clinic and the associated course.
By Permission: Yes. Applications are due to the clinic by April 3, 2013 at noon.
Add/Drop Deadline: August 16, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: HLS.
Student projects in the Harvard Negotiation and Mediation Clinical Program (HNMCP) work on advanced client matters related to negotiation, mediation, and conflict management. For example, students may assist an organization in conducting a conflict assessment, designing a dispute resolution system, assessing an ongoing set of dispute management processes, or resolving a current conflict or series of conflicts. In some instances, clinic teams design and deliver a tailored negotiation/mediation curriculum, offer strategic negotiation advice, or conduct a mediation or consensus-building session. In addition to applying the skills and concepts learned in Negotiation Workshop, students will develop a new set of skills that may include conducting interviews for stakeholder assessments, facilitating learning dialogues, running focus groups, leading teams, and presenting to clients. Each semester the clinic will offer a mix of public, private, domestic, and international projects. Recent clients include federal and state agencies, nonprofits, religious organizations, transnational corporations, small start-up companies, professional sports teams, municipalities, local government officials, and universities.

Students in the clinic will have the chance to manage senior level client relationships and are asked to work through difficult concepts and problems directly with clients and their clinical supervisor. Students work in a team of 2 to 4 students, typically collaborating on single project for one client during the entire semester. By working for a single client, students have the unique chance to collaborate on a project from start to finish. For an understanding of the kinds of projects clinic students undertake, you can read about current and past clients on our website.

To be considered for admission to HNMCP, please submit a resume, transcript, and a one-page statement of interest to the clinic administrator, Tracy Blanchard by April 3, 2013 at noon. The statement of interest should succinctly explain why you are interested in participating in our clinic, what you hope to learn as a clinic member, what you hope to contribute, and how you hope working in our clinic will advance your professional interests.

We are particularly excited to welcome students with a longer-term interest in negotiation, mediation, and dispute systems design, students who expect to deploy conflict management skills in their professional and personal lives, and students with an interest in client consulting work. We invite those who seek to be part of a supportive community of inquiry, interest, and learning among fellow students and faculty.

Please indicate for which semester you are applying when you submit your application. If you are applying for both semesters but prefer one, please indicate that in your application.

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The Negotiation Workshop is a required prerequisite for the Negotiation & Mediation Clinic. If you have taken the Negotiation Workshop, you may apply for HNMCP in either the F13 or S14 semester clinic. If you have not yet taken the Negotiation Workshop, your acceptance into HNMCP in Spring of 2014 is dependent on your acceptance into the Winter 2014 Negotiation Workshop.

We will alert applicants to the results of their application by April 9, 2013. If you have questions about the clinic, feel free to email Tracy Blanchard at tblanchard@law.harvard.edu.

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2013-2014 Academic Year

Harvard Negotiation and Mediation Clinic

Course #: 8019 **Term:** 2014SP **Faculty:** Bordone, Robert **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Negotiation and Mediation Clinical Workshop (1 spring credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: Negotiation Workshop. Students must have completed the Negotiation Workshop prior to enrolling in the clinic. Failure to meet the pre requisites by the clinic' add/drop deadline will result in the student being dropped from this clinic and the associated course.

Students enrolled in the winter-spring Negotiation Workshop for the 13-14 year will qualify for meeting this pre-requisite. Students enrolled in the spring 2014 Negotiation Workshop, however, must complete the Workshop before enrolling in this clinic.

LLM students may use either the winter-spring or spring Negotiation Workshop to satisfy the pre-requisite.

By Permission: Yes. Applications are due to the clinic by April 3, 2013 at noon.

Add/Drop Deadline: December 6, 2013.

LLM Students: LLM students may apply to this clinic by submitting an application.

Placement Site: HLS.

Student projects in the Negotiation and Mediation Clinic work on advanced client matters related to negotiation, mediation, and conflict management. For example, students may assist an organization in conducting a conflict assessment, designing a dispute resolution system, assessing an ongoing set of dispute management processes, or resolving a current conflict or series of conflicts. In some instances, clinic teams design and deliver a tailored negotiation/mediation curriculum, offer strategic negotiation advice, or conduct a mediation or consensus-building session. In addition to applying the skills and concepts learned in Negotiation Workshop, students will develop a new set of skills that may include conducting interviews for stakeholder assessments, facilitating learning dialogues, running focus groups, leading teams, and presenting to clients. Each semester the clinic will offer a mix of public, private, domestic, and international projects. Recent clients include federal and state agencies, nonprofits, religious organizations, transnational corporations, small start-up companies, professional sports teams, municipalities, local government officials, and universities. Students in the clinic will have the chance to manage senior level client relationships and are asked to work through difficult concepts and problems directly with clients and their clinical supervisor. Students work in a team of 2 to 4 students, typically collaborating on single project for one client during the entire semester. By working for a single client, students have the unique chance to collaborate on a project from start to finish. For a listing of current and past clinic clients, please visit the HNMCP website.

Clinic Application Guidelines:

To be considered for admission to the Harvard Negotiation & Mediation Clinical Program, we ask you to submit a resume, transcript, and a one-page statement of interest. The statement of interest should succinctly explain why you are interested in participating in our clinic, what you hope to learn as a clinic member, what you hope to contribute, and how you hope working in our clinic will advance your professional interests.

We are particularly excited to welcome students with a longer-term interest in negotiation, mediation, and dispute systems design, students who expect to deploy conflict management skills in their professional and personal lives, and students with an interest in client consulting work.

We particularly invite those who seek to be part of a supportive community of inquiry, interest, and learning among fellow students and faculty.

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Please indicate for which semester you are applying when you submit your application. If you are applying for both semesters but prefer one, please indicate that in your application.

If you have questions about the clinic, feel free to email Tracy Blanchard at tblanchard@law.harvard.edu.

The deadline for applying to the Negotiation and Mediation Clinic is April 3, 2013 at noon. Please submit your application to Tracy Blanchard at tblanchard@law.harvard.edu by that time.

Health Law

Course #: 2107 **Term:** 2014SP **Faculty:** Robertson, Christopher **Credits:** 4.00

Type: Elective **Subject Areas:** Health Law

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

Location

HAU104

HAU104

HAU104

Course Description: This course will cover a range of topics that are traditionally referred to as "health law," including the physician-patient relationship, informed consent, privacy and confidentiality, medical malpractice, conflicts of interest, health care financing (including a short survey of Medicare, Medicaid and private medical insurance law), billing fraud, public health law, proposals for health care reform, regulation of drugs and devices, and if time permits, end-of-life decision-making, reproductive health, regulation of health professions, regulation of health facilities. Health law will be viewed as the principles that govern and influence the interaction of patients, payors, and providers. The textbook will be supplemented with recent scholarship and new caselaw.

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Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8033 **Term:** 2013FA **Faculty:** Greenwald, Robert **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Public Health Law and Policy (2 fall credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in a reserved clinical seat.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students may apply to this clinic by submitting an application. Familiarity with U.S. law and policy systems and the ability to lead community-based projects through the United States are required.
Placement Site: HLS
Students enrolled in the Health Law and Policy Clinic of the Center for Health Law and Policy Innovation will participate in a broad range of national and state law and policy initiatives aimed at increasing access to quality, comprehensive health care for poor and low-income individuals and families - especially those living with chronic medical conditions.
Through the clinic, students work to inform cutting-edge policy recommendations at the state and national levels in both the legislative and regulatory arenas. Student projects have involved informing both national and state level implementation of the Affordable Care Act through regulatory comments and analysis, providing law and policy analysis to national and state coalitions advocating to protect the Medicaid program, and investigating best practices at the state and local level, to support the development of new initiatives to increase access to treatment and service programs specifically designed to serve vulnerable populations.
State level work is conducted in Massachusetts as well as other states-currently, projects are ongoing in Alabama, Florida, Georgia, Illinois, Louisiana, Mississippi, North Carolina and Texas. Students in the Center for Health Law and Policy Innovation will have the opportunity to travel to help facilitate trainings and meetings with state elected and appointed officials and community partners in these states, participate in national law and policy advocacy conferences, and facilitate issue-based meetings with community partners. Over the course of a semester, students can expect to accumulate a wealth of hands-on experience in current and emerging health law and policy issues. Students conduct legal and fact-based research to inform health law and policy recommendations that take shape as student-generated fact sheets, in-depth reports, comment letters, testimony, presentations, and draft legislation or regulatory guidance.
While the primary offices of the Center for Health Law and Policy Innovation are at the HLS Legal Services Center in Jamaica Plain, we have an on-campus office in the new Wasserstein Clinical Wing. Given the national scope of much of our work, students can often meet with clinic staff and conduct their work at this on-campus location.

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Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8033 **Term:** 2014SP **Faculty:** Greenwald, Robert **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Public Health Law and Policy (2 spring credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in a reserved clinical seat.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to this clinic by submitting an application. Familiarity with U.S. law and policy systems and the ability to lead community-based projects through the United States are required.
Placement Site: HLS.
Students enrolled in the Health Law and Policy Clinic of the Center for Health Law and Policy Innovation will participate in a broad range of national and state law and policy initiatives aimed at increasing access to quality, comprehensive health care for poor and low-income individuals and families - especially those living with chronic medical conditions.
Through the clinic, students work to inform cutting-edge policy recommendations at the state and national levels in both the legislative and regulatory arenas. Student projects have involved informing both national and state level implementation of the Affordable Care Act through regulatory comments and analysis, providing law and policy analysis to national and state coalitions advocating to protect the Medicaid program, and investigating best practices at the state and local level, to support the development of new initiatives to increase access to treatment and service programs specifically designed to serve vulnerable populations.
State level work is conducted in Massachusetts as well as other states-currently, projects are ongoing in Alabama, Florida, Georgia, Illinois, Louisiana, Mississippi, North Carolina and Texas. Students in the Center for Health Law and Policy Innovation will have the opportunity to travel to help facilitate trainings and meetings with state elected and appointed officials and community partners in these states, participate in national law and policy advocacy conferences, and facilitate issue-based meetings with community partners. Over the course of a semester, students can expect to accumulate a wealth of hands-on experience in current and emerging health law and policy issues. Students conduct legal and fact-based research to inform health law and policy recommendations that take shape as student-generated fact sheets, in-depth reports, comment letters, testimony, presentations, and draft legislation or regulatory guidance.
While the primary offices of the Center for Health Law and Policy Innovation are at the HLS Legal Services Center in Jamaica Plain, we have an on-campus office in the new Wasserstein Clinical Wing. Given the national scope of much of our work, students can often meet with clinic staff and conduct their work at this on-campus location.

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Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8033 **Term:** 2014WI **Faculty:** Greenwald, Robert **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Public Health Law and Policy (2 fall credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in a reserved clinical seat.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: HLS.
Students enrolled in the Health Law and Policy Clinic of the Center for Health Law and Policy Innovation will participate in a broad range of national and state law and policy initiatives aimed at increasing access to quality, comprehensive health care for poor and low-income individuals and families - especially those living with chronic medical conditions. Through the clinic, students work to inform cutting-edge policy recommendations at the state and national levels in both the legislative and regulatory arenas. Student projects have involved informing both national and state level implementation of the Affordable Care Act through regulatory comments and analysis, providing law and policy analysis to national and state coalitions advocating to protect the Medicaid program, and investigating best practices at the state and local level, to support the development of new initiatives to increase access to treatment and service programs specifically designed to serve vulnerable populations. State level work is conducted in Massachusetts as well as other states-currently, projects are ongoing in Alabama, Florida, Georgia, Illinois, Louisiana, Mississippi, North Carolina and Texas. Students in the Center for Health Law and Policy Innovation will have the opportunity to travel to help facilitate trainings and meetings with state elected and appointed officials and community partners in these states, participate in national law and policy advocacy conferences, and facilitate issue-based meetings with community partners. Over the course of a semester, students can expect to accumulate a wealth of hands-on experience in current and emerging health law and policy issues. Students conduct legal and fact-based research to inform health law and policy recommendations that take shape as student-generated fact sheets, in-depth reports, comment letters, testimony, presentations, and draft legislation or regulatory guidance. While the primary offices of the Center for Health Law and Policy Innovation are at the HLS Legal Services Center in Jamaica Plain, we have an on-campus office in the new Wasserstein Clinical Wing. Given the national scope of much of our work, students can often meet with clinic staff and conduct their work at this on-campus location.

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2013-2014 Academic Year

Health Law and Policy Workshop

Course #: 2108 **Term:** 2013FS **Faculty:** Cohen, I. Glenn; Robertson, Christopher **Credits:** 2.00

Type: Elective **Subject Areas:** Health Law

Delivery Mode: Course

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

Course Description: This seminar will feature the presentation and discussion of cutting edge scholarship on health law, health policy, biotechnology and bioethics. Students must submit brief written comments on a number of the papers. Because the papers are different every term, students can take the class as many times as they wish. This course meets 12 times total across the whole year, likely 6 times each semester, so half of the weeks will be off weeks where no workshop will take place. The course may only be taken for the full year, not for one semester. Presenters will come from a wide range of disciplines and departments, and papers may feature doctrinal, economics, philosophical, political science, or other methods, but students need not have prior training in these disciplines. To determine whether this workshop is a good fit for their interests, students are encouraged to browse the listing of papers presented in past years that can be found [here](#): Petrie-Flom Workshop

Note: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

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Human Rights Advocacy

Course #: 2510 **Term:** 2013FA **Faculty:** Giannini, Tyler; Popowski, Deborah **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Tue 1:10 PM - 3:10 PM

Location

WCC5048

Course Description:

This course is only available to students enrolled in the fall International Human Rights clinic. However, not all clinical students are guaranteed a seat in this course. Required Clinic Component: International Human Rights Clinic (2-4 fall credits). Students must enroll in the clinic before they are permitted to enroll in this course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 4, 2013. LLM Students: LLM students may apply to the clinic by submitting an application.

Human rights norms and discourse are employed widely by advocates around the world in their struggles for social justice. This course explores what it means to be a human rights advocate, whether one is engaged in debates over U.S. policy at home and abroad, the role of corporations in alleged violations, or the role of rights in times of transitions from conflict. Through case studies and role plays, this seminar examines the various dimensions and limitations of human rights advocacy, including strategic, ethical, and tactical challenges. What are the different ways that human rights can be used? In developing strategies for effecting meaningful change, how do advocates decide which tactics to use and when? The goal is for students to develop core advocacy skills while thinking critically about their work. To that end, the seminar engages seriously with the major critiques and dilemmas faced by human rights advocates, in particular by lawyer-advocates from the Global North. The seminar also grapples with the limits of established approaches of the movement such as litigation and naming and shaming, and explores community lawyering and human rights. How do we engage without perpetuating power differentials along geopolitical, class, race, gender, and other lines? How do we find ways to work in collaboration with directly affected communities and movements? In addition to case studies, students workshop and reflect on their participation in supervised clinical projects, which include fact-finding investigations, media work, negotiations, advocacy, and litigation. Critical reflection will not be the end, but rather the means to find responsible ways of advancing justice.

A fall clinical practice component is required of all students. Clinical placements are with the International Human Rights Clinic.

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2013-2014 Academic Year

Human Rights Advocacy

Course #: 2510 **Term:** 2014SP **Faculty:** Farbstein, Susan; Delgado, Fernando **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3038

Course Description: Required Clinic Component: International Human Rights Clinic (2-4 spring credits). Students must enroll in the clinic before they are permitted to enroll in this course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: January 17, 2014.

LLM Students: LLM students may apply to the clinic by submitting an application.

Human rights law pervades and influences an astonishing range of international and national issues today, from the role of corporations in violations, to indigenous land rights in Brazil, to transitional justice in Burma, to U.S. criminal justice and counterterrorism policy, and beyond. Nonetheless, human rights advocates face a host of challenges and dilemmas in translating that law into positive sustainable change for affected individuals and communities. Through case studies and role plays, this seminar examines key strategic, ethical, and legal dimensions of human rights advocacy. Students will explore tough questions that confront every human rights advocate: How can human rights be harnessed to effectively influence and change behavior? What does it mean to be a human rights advocate? What is responsible, effective human rights advocacy? What are the main critiques of different forms of human rights advocacy, and what are appropriate responses? The course is designed to encourage students to critically evaluate the human rights movement while learning core advocacy, litigation, and problem-solving skills and norms to advance social justice. Critical perspectives are woven into case studies on practical choices facing advocates. In addition to case studies, students will workshop and reflect on their participation in supervised clinical projects, which provide rich materials for discussions about fact-finding investigations, media work, negotiations, advocacy, constituency-building, and litigation. Students will also consider a series of dynamics (e.g., north/south, insider/outsider, donor/donee, lawyer/non-lawyer), which influence how and why advocacy is formulated and received. The seminar also grapples with the limits of the human rights paradigm and established methodologies, such as litigation and "naming and shaming," and explores alternative sources and forms of advocacy.

A spring clinical practice component is required of all students. Clinical placements are with the International Human Rights Clinic.

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Human Rights Frontier: Disability Rights in Comparative and International Perspectives (The)

Course #: 2112 **Term:** 2014SP **Faculty:** Stein, Michael Ashley **Credits:** 1.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

Course Description: This reading group will examine the current and future status of disability rights around the globe. Beginning with the first human rights treaty of the twenty-first century -- the United Nations Convention on the Rights of Persons with Disabilities, whose negotiation the instructor participated in -- we will study how disability rights are conceived and developed around the world. In so doing, we will consider several countries where the Harvard Law School Project on Disability is advising governments on drafting or revising their laws (e.g., Vietnam), as well as conducting hands-on human rights training with disabled persons organizations (for example, Bangladesh). We also will look at a few specific disabilities (such as Deafness) as a way of identifying themes that cross boundaries and cultures.

Class will meet every other week in Austin 308 for two hours, there will be no paper or exam, and class will be graded credit/fail.

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2013-2014 Academic Year

Immigration and Refugee Advocacy

Course #: 2115 **Term:** 2013FA **Faculty:** Anker, Deborah **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC5048

Course Description:

Required Clinic Component: Harvard Immigration and Refugee Clinic (2-4 fall credits). Students must enroll in the clinic before they are permitted to enroll in this required course.
Additional Co-/Pre-Requisites: None.
By Permission: Students who would like to enroll in the clinic and course for the fall semester may do so through the registration lottery. Students who are interested in participating in the full-year clinic option must submit an application to the clinic and be accepted in order to enroll.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students may apply to the clinic by submitting an application.

This seminar addresses substantive national and international refugee law as well as advocacy skills relevant to students work at the clinic. The substantive portion of the seminar will provide an overview of international and domestic refugee law. It will examine selected topics typically encountered in the course of students casework in greater detail. Specific topics may include: The Refugee Convention and U.S. Law, Persecution and the Human Rights Paradigm, Issues of Credibility and Proof, and Gender-Based Asylum Claims. The skills component of the seminar will cover such areas as effective client interviewing, affidavit writing, cross-cultural lawyering, conducting immigration and human rights research, and preparation of cases and client testimony. In order to cultivate best practices in student advocacy and deepen the clinical experience, this seminar draws heavily for instructional examples on current clinical experiences of students (their cases and clients). It will also allow students to connect their understanding of refugee law and lawyering skills to actual casework through consideration of specific issues of doctrine and policy implicated by students cases. Students will also have an opportunity to critically reflect on their experiences, models of advocacy, and social justice.

Additionally, for 2013-2014 HIRC will accept two students to participate in the clinic for the entire year - fall and spring terms. Students will be selected through an application process in March 2013, and will attend the seminar and participate in the clinic in fall semester and then continue with the clinic during the spring semester working on more advanced immigration and asylum issues, including direct representation, amicus briefs, and/or policy and advocacy. Please email Bonnie Rubrecht (brubrecht@law.harvard.edu) for information regarding this option and the application process.

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2013-2014 Academic Year

Immigration and Refugee Advocacy

Course #: 2115 **Term:** 2014SP **Faculty:** Ardalan, Sabrineh **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC4063

Course Description:

Required Clinic Component: Harvard Immigration and Refugee Clinic (2-4 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: January 17, 2014.

LLM Students: LLM students may apply to the clinic by submitting an application.

This seminar addresses substantive national and international refugee law as well as advocacy skills relevant to students work at the clinic. The substantive portion of the seminar will provide an overview of international and domestic refugee law. It will examine selected topics typically encountered in the course of students casework in greater detail. Specific topics may include: The Refugee Convention and U.S. Law, Persecution and the Human Rights Paradigm, Issues of Credibility and Proof, and Gender-Based Asylum Claims. The skills component of the seminar will cover such areas as effective client interviewing, affidavit writing, cross-cultural lawyering, conducting immigration and human rights research, and preparation of cases and client testimony. In order to cultivate best practices in student advocacy and deepen the clinical experience, this seminar draws heavily for instructional examples on current clinical experiences of students (their cases and clients). It will also allow students to connect their understanding of refugee law and lawyering skills to actual casework through consideration of specific issues of doctrine and policy implicated by students cases. Students will also have an opportunity to critically reflect on their experiences, models of advocacy, and social justice.

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2013-2014 Academic Year

Immigration Law

Course #: 2466 **Term:** 2014SP **Faculty:** Neuman, Gerald **Credits:** 3.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC3019

WCC3019

Course Description: Migration policy has long provoked controversy. This course will examine federal immigration law and policy in a variety of its aspects--contemporary and historical, substantive and procedural, statutory and regulatory and constitutional--including the criteria for admission to the United States on a temporary or permanent basis, the grounds and process of deportation, the peculiar constitutional status of foreign nationals, the role of the courts in ensuring the legality of official action, and an introduction to refugee law.

Prior completion of the course in Constitutional Law: Separation of Powers, Federalism and Fourteenth Amendment, is recommended, but not required. The examination will be in-class and open book.

Basic text: Aleinikoff, Martin, and Motomura: Immigration and Citizenship: Process and Policy, with statutory supplement.

Note: The course will meet for nine weeks, at four hours per week, rather than twelve weeks at three hours per week.

Immigration Law: Policy and Social Change

Course #: 2116 **Term:** 2014SP **Faculty:** Anker, Deborah **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC2004

Course Description: This course touches upon the major policy debates currently surrounding immigration reform and policy. This course will survey social changes and developments in immigration law over the last few decades, including the emergence and role of social change movements. Topics will include the intersection of immigration law and criminal law, national security, labor rights, border security, and state and local enforcement as well as refugee and asylum policy and other topics. The course will bring leading immigration and refugee advocates, scholars and policy-makers into the classroom, engaging students in important debates about what immigration policy should be. The course will meet for two hours. Course requirements will consist of active participation, comments on the readings via blog posts, and a final exam.

The class will conclude with a 3-hour exam in which students will reflect and expand on a specific immigration topic from the course.

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2013-2014 Academic Year

Indigenous Peoples in International Law

Course #: 2643 **Term:** 2014SP **Faculty:** Graham, Lorie **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

LEW102

Course Description: In 2007, the U.N. General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples. This ushered in a new era in Indigenous/State relations, with the international community overwhelmingly adopting a human rights-based approach to Indigenous Peoples' issues. How did we reach this point in Indigenous/State relations and what does the Declaration signify for Indigenous Peoples' rights in the future? This reading group will explore these and other related topics, such as the meaning of self-determination under international law and how indigenous rights are redefining this important human rights norm. The primary readings will be from *Indigenous Peoples in International Law* (Oxford Press) and *International Human Rights and Indigenous Peoples* (Aspen Elective Series). We will also consider cases filed with regional and international human rights bodies (such as the Inter-American Commission on Human Rights and the UN Special Rapporteur on the Rights of Indigenous Peoples) and explore how this advocacy is shaping the normative expression of rights under the Declaration and international law generally. The class will meet on the following Tuesday evenings: February 11th and 25th, March 11th and 25th, April 8th and 22nd.

Insurance Law

Course #: 2356 **Term:** 2013FA **Faculty:** Hay, Bruce **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

WCC3016

WCC3016

Course Description: Insurance is an increasingly important mechanism for managing risk. This survey course provides students with a working knowledge of insurance law, with emphasis on the design, interpretation, and enforcement of insurance contracts. We will look at life, health and property insurance, and will give special attention to liability insurance, which plays such a prominent role in the work of both transactional lawyers and litigators.

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2013-2014 Academic Year

Intellectual Property Law: Advanced

Course #: 2119 **Term:** 2013FA **Faculty:** Fisher, William **Credits:** 3.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:50 PM

Tue 3:20 PM - 4:50 PM

Location

HAU102

HAU102

Course Description: This course is intended for students who are already familiar with the main contours of intellectual-property law and would like to explore the subject further. We will examine in depth a series of topics that, in recent years, have proven especially controversial or troublesome: traditional knowledge; the right of publicity; intellectual-property protection for fashion; fair use; possible solutions to the crisis in the entertainment industry; patent pools and standard-setting organizations; reverse-payment settlement agreements; the relationship between copyright and freedom of speech; how legal reform might help address the health crisis in the developing world; exhaustion; extralegal IP norms; IP litigation; and the relationship between IP and business strategy.

Each student will be expected to participate in the discussion of these issues (both in the classroom and online) and to write a short research paper addressing an aspect of one of them. Group projects are encouraged. There will be no exam. The tentative syllabus is available at http://cyber.law.harvard.edu/people/tfisher/Advanced_IP_2012.html

Prerequisites: Completion of at least two of the following courses: Copyright Law; Patent Law; and Trademark Law - or completion of one of those courses plus the permission of the instructor.

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2013-2014 Academic Year

International Commercial Arbitration

Course #: 2122 **Term:** 2014WI **Faculty:** Beckett, Mark; Tan, Daniel **Credits:** 3.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

Location

WCC1019

WCC1019

WCC1019

WCC1019

WCC1019

Course Description: This course provides a rigorous introduction to the field of international commercial arbitration, which has become the default means of settling international disputes. The course will deal with the internationalist elements of the subject matter, but will also examine international commercial arbitration from an American perspective. Students can expect to review both foreign and US commentaries, statutes and case law on the subject. The course will comprise of five main topics: (1) an introduction to the field of international commercial arbitration; (2) the agreement to arbitrate; (3) the arbitrators; (4) the arbitration process; and (5) the arbitral award. The course will also cover in brief the law of foreign investment and the pivotal role of arbitration both in resolving disputes and developing the law in that area.

The textbook should be: Várady, Barceló and von Mehren, International Commercial Arbitration, A Transnational Perspective (5th Edition).

International Corporate Debt Solutions and Cross-Border Insolvency

Course #: 2587 **Term:** 2014SP **Faculty:** Bromley, James **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC1015

Course Description: This course will focus on the issues and strategies raised when a multi-national corporate group faces insolvency in more than one jurisdiction. Forms of cross-border cooperation (or conflict) will be examined, including the UNCITRAL Model Law on Cross-Border Insolvency (and its U.S. analogue, Chapter 15 of the U.S. Bankruptcy Code), the European Union Insolvency Regulation and court to court protocols. The course will follow one or more case studies of the failure of a hypothetical multinational group and include review and interpretation of corporate bank and bond documentation as well as application of recent decisions in the cross-border insolvency arena.

Note: This course will meet on the following dates: January 30, February 6, 13, 27, March 6, 13, and 27.

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2013-2014 Academic Year

International Criminal Law

Course #: 2455 **Term:** 2014SP **Faculty:** Whiting, Alex **Credits:** 3.00

Type: Elective **Subject Areas:** Criminal Law & Procedure; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

PND102

PND102

Course Description: This course will focus on the prosecution of international crimes (genocide, crimes against humanity, war crimes, aggression, torture, and terrorism) by international and national courts. We will study the development of the law of these crimes -- including the elements of crimes, modes of liability, and defenses -- as well as the institutional, political, strategic, logistical and procedural challenges faced by prosecutors, defense lawyers, and judges who adjudicate these crimes. The ambition of the course will be to understand the law and its development, as well as the dynamic application of the law in the courts that pursue these cases.

Public international law is helpful but is not a prerequisite.

International Finance

Course #: 2124 **Term:** 2014SP **Faculty:** Scott, Hal **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Location

HAU104

HAU104

Course Description: This course focuses on how law and regulation affects international finance. It examines policies and regulation affecting cross-border banking and securities transactions in the three major markets, the United States, the European Union and Japan. In the U.S. the focus is on how post-Enron capital market regulation affects foreign firms, in the E.U. on continuing efforts to build integrated financial markets, and in Japan on the role of foreign firms in rebuilding the Japanese financial system after the "lost decade." The course also looks at the infrastructure that underlies the global financial system--the U.S. dollar payment system, the Basel Capital Accord, global standards for the clearing and settlement of securities, and rules for different exchange rate regimes. In addition, the course deals with offshore markets--like the Euromarkets and various derivatives markets (including the securitized markets impacted by the subprime crisis), as well as global competition between stock and derivatives exchanges and some key aspects of the emerging markets, for example sovereign debt and project finance. The course ends with an examination of how the international financial system has been regulated to control the financing of terrorism.

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2013-2014 Academic Year

International Human Rights

Course #: 2126 **Term:** 2013FA **Faculty:** Neuman, Gerald **Credits:** 3.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Thu 1:00 PM - 3:00 PM

Location

HAU104

HAU104

Course Description: This course provides a general introduction to the law, theory, and practice of internationally recognized human rights. The course is designed to provide students with an informed and critical perspective on international instruments and institutions (including the UN Human Rights Committee, of which the instructor is currently a member), and domestic legal arrangements relating to the articulation and implementation of human rights. Topics will include the historical origins of modern human rights law; connections between civil, political, social, and economic rights; and global, regional, and national methods of implementation and enforcement.

Prior courses in public international law and U.S. constitutional law would be helpful but are not required. The examination will be in-class and open book/laptop.

Note: This course will meet for nine weeks, at four hours per week, rather than twelve weeks at three hours per week.

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2013-2014 Academic Year

International Human Rights Clinic

Course #: 8021 **Term:** 2013FA **Faculty:** Giannini, Tyler; Farbstein, Susan **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Required Class Component: Student must enroll in either Human Rights Advocacy (2 fall credits) or Armed Conflict and Humanitarian Protection (2 fall credits). Students must enroll in this clinic before they are permitted to enroll in either required course. Students must enroll in one of the required courses, but may not enroll in both.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students may apply to this clinic by submitting an application.

Placement Site: HLS.

Through the International Human Rights Clinic, students merge theory with practice and learn core skills necessary to become effective and thoughtful human rights advocates. Students work on pressing and timely human rights problems around the world, in collaboration with leading international and local human rights organizations. Those in the Clinic have the opportunity to explore a range of approaches to advancing the interests of clients and affected communities. For example, students interview survivors and document abuse; undertake legal, factual, and strategic analysis; and interact with media to build campaigns and message on human rights--all under the close supervision of the Clinics expert human rights practitioners. Students work in small teams on a variety of human rights projects and cases. When appropriate, students travel to investigate abuses or pursue advocacy outside Cambridge, participate in sessions before intergovernmental bodies and arguments before courts, and formulate policy to promote respect for human rights principles and the rule of law. In any given term, the Clinic delves into a wide range of issues, including extrajudicial executions, torture, and criminal justice; the unlawful use of cluster munitions and other weapons; civilian protection in armed conflict; sexual and reproductive rights; human rights and the environment; business and human rights; the role of health professionals in torture; Alien Tort Statute litigation; transitional justice; civil and political rights; economic, social, and cultural rights; and many more. Our clinicians have expertise in numerous regions and countries, including in Latin America, Southern Africa, Eastern and Central Europe, the Middle East, Southeast Asia, and the United States. This wide range of skills, as well as thematic and geographic knowledge, exposes students to a variety of strategies and innovative techniques for promoting and protecting human rights.

Fall clinic students must take either Human Rights Advocacy (2 fall credits) OR Armed Conflict and Humanitarian Protection (2 fall credits). While each course is focused on a particular subject matter, both teach the key skills of human rights practitioners and include simulations and role plays related to fact-finding and field investigations, media work, and/or negotiation and legislative work.

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2013-2014 Academic Year

International Human Rights Clinic

Course #: 8021 **Term:** 2014SP **Faculty:** Giannini, Tyler; Farbstein, Susan **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Required Class Component: Student must enroll in either Human Rights Advocacy (2 spring credits) or Business and Human Rights (2 spring credits). Students must enroll in this clinic before they are permitted to enroll in either required course. Students must enroll in one of the required courses, but may not enroll in both.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: January 17, 2014.

LLM Students: LLM students may apply to this clinic by submitting an application.

Placement Site: HLS.

Through the International Human Rights Clinic, students merge theory with practice and learn core skills necessary to become effective and thoughtful human rights advocates. Students work on pressing and timely human rights problems around the world, in collaboration with leading international and local human rights organizations. Those in the Clinic have the opportunity to explore a range of approaches to advancing the interests of clients and affected communities. For example, students interview survivors and document abuse; undertake legal, factual, and strategic analysis; and interact with media to build campaigns and message on human rights--all under the close supervision of the Clinics expert human rights practitioners. Students work in small teams on a variety of human rights projects and cases. When appropriate, students travel to investigate abuses or pursue advocacy outside Cambridge, participate in sessions before intergovernmental bodies and arguments before courts, and formulate policy to promote respect for human rights principles and the rule of law. In any given term, the Clinic delves into a wide range of issues, including extrajudicial executions, torture, and criminal justice; the unlawful use of cluster munitions and other weapons; civilian protection in armed conflict; sexual and reproductive rights; human rights and the environment; business and human rights; the role of health professionals in torture; Alien Tort Statute litigation; transitional justice; civil and political rights; economic, social, and cultural rights; and many more. Our clinicians have expertise in numerous regions and countries, including in Latin America, Southern Africa, Eastern and Central Europe, the Middle East, Southeast Asia, and the United States. This wide range of skills, as well as thematic and geographic knowledge, exposes students to a variety of strategies and innovative techniques for promoting and protecting human rights.

Fall clinic students must take either Human Rights Advocacy (2 spring credits) OR Business and Human Rights (2 spring credits). While each course is focused on a particular subject matter, both teach the key skills of human rights practitioners and include simulations and role plays related to fact-finding and field investigations, media work, and/or negotiation and legislative work.

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2013-2014 Academic Year

International Investment Arbitration

Course #: 2567 **Term:** 2013FA **Faculty:** Burke-White, William **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC3016

Course Description: This seminar provides an introduction to international investment arbitration from the perspectives of both public international law and legal practice. While the seminar will combine theory and practice, particular attention will be paid to the impact of investor-state arbitration on both the behavior of states and the international legal system as a whole.

The seminar begins with an introduction to international investment arbitration, with topics including a brief overview of international arbitration generally, the goals and purposes of investor-state arbitration, bilateral investment treaties, and the International Center for the Settlement of Investment Disputes (ICSID). The seminar then turns to select topics and issues in international investment arbitration, including: the creation and substance of bilateral investment treaties, state compliance with investment tribunal awards, the interplay of investor-state arbitration and domestic litigation, enforcement of ICSID awards, recent attempts to bring class action arbitrations, the enforcement of bond debt through investor-state arbitration, the role and independence of arbitrators, present challenges to the ICSID system, and the recent state backlash against investor-state arbitration. The seminar will conclude with a case study of Argentina-the country subject to the greatest number of investor-state claims in recent years.

While the seminar will approach these and related questions from an academic perspective, guest practitioners will be invited to join the discussions for several sessions to infuse the discussions with the experience of lawyers practicing investor state arbitration. Students will be expected to complete a seminar research paper on a topic of their choice.

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2013-2014 Academic Year

International Investment, Development, and the Law

Course #: 1015 **Term:** 2014SP **Faculty:** Salacuse, Jeswald **Credits:** 4.00

Type: 1L International
Comparative
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC1023

WCC1023

Course Description:

This course is designed to introduce first-year students to the foreign, comparative, and international law relating to international investment, an increasingly powerful force for global economic growth, development, and integration. While economic forces are the essential drivers of international investment, legal rules and institutions also affect international capital flows. Law determines whether and how foreign investment may be made in a particular country, the nature of the respective rights of investors and host states, the means by which investors and host governments may adjust their legal relationships to changing circumstances, and the processes they may use to resolve investment disputes. The rules applicable to international investments are derived from three basic legal frameworks: 1) national laws, both of the host country and the investors home country; 2) contracts, whether between foreign investors and host governments or among investors; and 3) international law, consisting of applicable treaties, customs, and general legal principles developed by states. These three legal frameworks form the basic structure of the course. After an initial consideration of the nature of international investment and theories about its role in economic development, the course will examine the various ways that national legal systems influence, encourage, and control foreign investment. It will then consider how host governments and foreign investors negotiate and employ contractual devices to maximize rewards and minimize risks arising out of investment transactions. The final and largest part of the course is devoted the international law of investment and in particula the nature, advantages, and disadvantages of the rapidly emerging global investment regime founded upon more than 3000 bilateral and multilateral treaties. It will examine the the treaty rights of foreign investors, the constraints placed on state action, and the remedy of investor-state arbitration as a means of treaty enforcement. In addition to readings and class discussions, students will participate in a simulated investment treaty negotiation outside of class.

This course is one of the 1L required international or comparative courses.

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2013-2014 Academic Year

International Law and Human Rights

Course #: 1016 **Term:** 2014SP **Faculty:** Graham, Lorie **Credits:** 4.00

Type: 1L International
Comparative
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC1010

WCC1010

Course Description: This course offers a general introduction to public international law and then explores the evolution of international human rights law. It will consider the various contemporary mechanisms and institutions in place to monitor and enforce these laws, focusing primarily on the United Nations system. Throughout the course we will consider the legitimacy and enforceability of human rights norms, with particular attention to challenges lodged on cultural relativist and state sovereignty grounds. Other possible topics include the right of self-determination, indigenous peoples' rights, domestic enforceability, and matters of individual and corporate responsibility. The topics will be explored through a series of focus questions and problems, and will include a current events component.

This course is one of the 1L required international or comparative courses.

International Law Workshop

Course #: 2129 **Term:** 2013FA **Faculty:** Alford, William; Blum, Gabriella **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC1023

Course Description: This class is intended to provide students with the opportunity to engage scholarly writing in international law, by bringing to the workshop authors of some of the most interesting new work in this field. Generally, our speakers will present work in progress. Students will be required to submit brief "reflection" pieces commenting on the papers to be discussed and will also have the opportunity to engage in dialogue with our guests. Some sessions will be reserved for meetings for enrolled students and the instructor.

There are no prerequisites but the workshop is principally intended for students who are thinking about a career in academe.

Everyone wishing to take this course -- including those on any waiting list or considering adding it - MUST attend the first session. If you are on the waitlist and do not attend the first session, you will not be able to add into this course.

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2013-2014 Academic Year

International Trade Law

Course #: 2132 **Term:** 2014SP **Faculty:** Wu, Mark **Credits:** 4.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Fri 1:00 PM - 3:00 PM

Location

WCCB015

WCCB015

Course Description: This course focuses on the law governing international trade as established by the World Trade Organization. It engages in an in-depth analysis of WTO rules and case law. The class will examine the strengths and weaknesses of the existing regime and discuss the difficulties in reforming the system. Besides focusing on the basic principles governing trade in goods and services, the course will also examine specialized areas such as technical standards, agriculture, food safety, environment, and intellectual property. In addition, the course will focus on the geopolitical tensions between major trading powers, particularly with respect to the US, EU, and emerging powers (China, India, Brazil). Students will participate in a mock simulation of a multilateral trade round.

Internet and Society

Course #: 2588 **Term:** 2013FA **Faculty:** Nesson, Charles **Credits:** 3.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 2:30 PM

Thu 1:00 PM - 2:30 PM

Location

WCC2009

WCC2009

Course Description: Our class will engage in understanding and building a public realm in cyberspace. Dedicated to the memory of Aaron Swartz, we will consider the history of the Internet, its generative capacity for expanding our public realm, public access to open knowledge, and Internet-mediated civic engagement and political participation. Readings will range from Neuromancer and Snowcrash to Benkler, on the Economics of Networks. There will be a workshop component to the class in the model pioneered by Professor Fishers CopyrightX, with students in the class also serving as discussion leaders of satellite discussion groups.

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2013-2014 Academic Year

Introduction to Accounting and Corporate Financial Reports

Course #: 2133

Term: 2013FA

Faculty: Dharan, Bala

Credits: 1.00

Type: Elective

Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice

Delivery Mode: Course

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

PND101

Course Description:

This 1-module fall course is designed to help students develop an understanding of the accounting information presented in corporate financial statements. Students will learn the basics of how financial statements are prepared to capture the financial effects of management decisions, and how accounting information is used to aid management decisions on performance measurement and valuation. The course will be relevant for students in the Law and Business program of study, and to others who wish to learn the basic language of financial reports and their use in capital markets, corporate transactions, commercial litigation, mergers and acquisitions, and other related areas.

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2013-2014 Academic Year

Introduction to Advocacy: Ethics and Skills in Clinical Practice

Course #: 2134 **Term:** 2013FS **Faculty:** Grossman, David; Caramello, Esme **Credits:** 3.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:50 PM

Tue 3:20 PM - 4:50 PM

Location

WCC3018

Course Description:

Required Clinic Component: Harvard Legal Aid Bureau 2L (3 fall credits + 3 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: Evidence; Trial Advocacy Workshop. Some seats are reserved for clinical students. Students must be enrolled in the clinic before they are permitted to enroll in one of the reserved clinical seats.

By Permission: Yes. Applications are due to the clinic by March 17, 2013. Applicants are notified of decisions during April.

Add/Drop Deadline: July 19, 2013.

LLM Students: LLM students are not eligible to enroll.

Multi-Semester: This is a fall-spring course (1 fall credit + 1 spring credit).

This course introduces students to civil law practice and is required for all 2L members of the Harvard Legal Aid Bureau. Student practice experience at the Bureau is the primary material for all class meetings and discussions. The goals of the course are: (1) to provide a strong foundation for developing lawyering skills; (2) to enhance student understandings of what lawyers do, with particular attention to professional role, values, and ethics; and (3) to develop skills of peer and self-assessment so that students will have the ability to continue to learn in practice after law school. The majority of class meetings will focus on specific lawyering tasks such as client counseling and interviewing, investigation of claims, negotiation, and argument and case presentation. With respect to each skill studied, attention will be paid to the ethical, relational, strategic, and tactical issues involved. Additional class sessions, led by Bureau Clinical Instructors, will provide opportunities for analysis of the substantive and procedural law applicable to the students clinical practice; development of litigation skills through role-play exercises; and rounds of discussions of challenging issues in the students casework.

There will be no examination, but students will be expected to complete a series of reflection papers and a project or paper that addresses an ethical or professional issue in their casework or that arises in the weekly class meetings or course readings.

Enrollment in this course is restricted to 2L Harvard Legal Aid Bureau members. HLAB members in their 2L year in 2013-2014 will automatically be enrolled in this course once HLAB membership is finalized.

The classroom component of this clinical course satisfies the Law Schools professional responsibility requirement.

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2013-2014 Academic Year

Introduction to Corporate Finance Concepts 3-Day Section

Course #: 2537 **Term:** 2013FA **Faculty:** Dharan, Bala **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Procedure & Practice

Delivery Mode: Course

Days and Times:

Thu 1:00 PM - 5:00 PM

Fri 1:00 PM - 5:00 PM

Sat 10:00 AM - 2:00 PM

Location

LAN225

Course Description: Early drop deadline: September 6, 2013

This 1-unit course is designed to provide students with no prior course work in finance an introduction to core concepts of corporate finance. The course will meet over three days (Thursday, September 5, Friday, September 6 and Saturday, September 7) in the week prior to the fall term classes so that students can equip themselves with an understanding of the basic concepts and terminology of corporate finance before taking courses such as Corporations.

The following topics will be introduced: time value of money, discounted cash flow analysis for investment decisions and valuation of securities, market efficiency concept and implications, basic asset pricing models and beta as a measure of risk, cost of capital, and introduction to basic financial statements.

The course will be graded on a Pass-Fail basis.

Note: The course will meet on Thursday, September 5 and Friday, September 6 from 1 - 5pm and on Saturday, September 7 from 10am - 2pm.

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2013-2014 Academic Year

Introduction to Corporate Finance Concepts 3-Week Section

Course #: 2537 **Term:** 2013FA **Faculty:** Dharan, Bala **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Tue 5:00 PM - 7:00 PM

Location

WCC1019

WCC1019

Course Description: This 1-unit course is designed to provide students with no prior course work in finance an introduction to core concepts of corporate finance. The course will meet over the first three weeks of the term so that students can equip themselves with an understanding of the basic concepts and terminology of corporate finance before taking courses such as Corporations.

The following topics will be introduced: time value of money, discounted cash flow analysis for investment decisions and valuation of securities, market efficiency concept and implications, basic asset pricing models and beta as a measure of risk, cost of capital, and introduction to basic financial statements.

The course will be graded on a Pass-Fail basis.

Introduction to Finance Concepts 3-week Section

Course #: 2634 **Term:** 2014SP **Faculty:** Dharan, Bala **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 1:00 PM - 3:00 PM

Fri 1:00 PM - 3:00 PM

Location

WCC2009

WCC2009

Course Description: This 1-unit course is designed to provide students with no prior course work in business finance an introduction to core concepts of corporate finance as well as a brief introduction to financial statements. The course will meet twice-a-week for three weeks early in the semester. The following topics will be introduced: time value of money, valuation of cash flows, discounted cash flow analysis for investment decisions and valuation of securities, valuation of bonds and long-term obligations, market efficiency concept and its implications, beta as a measure of risk, cost of capital, methods of raising equity and debt capital, and introduction to basic financial statements. In-class discussion of selected problems from the assigned custom textbook and other assigned readings will be used to provide an intensive and hands-on classroom learning experience. There will be an exam given in the week following the course, which will be graded on a credit / no-credit basis. The first class meeting will be Thursday, February 6.

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2013-2014 Academic Year

Introduction to Social Entrepreneurship

Course #: 2137 **Term:** 2014WS **Faculty:** Klahr, Suzanne; Westaway, Kyle **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

Location

WCC3016

WCC3016

WCC3016

WCC3016

WCC3016

Course Description:

Introduction to Social Entrepreneurship will expose students to innovative solutions to social problems. Using the "case study method" typically used in MBA programs, students will examine the challenges of structuring, launching, funding, and counseling social ventures through the eyes of the entrepreneur, investor, attorney and community leader.

The course will explore the intricacies of remaining mission driven, talent, board relations, managing and sustaining growth, the changing role of corporate governance, and leveraging private sector partnerships and resources. Students will learn about nonprofit and market-based social enterprises, including an introduction to emerging legal structures such as the Benefit Corporation, Flexible Purpose Corporation and L3C. Students will also explore innovative public / private sector partnerships and the challenges and opportunities of engaging diverse partners with differing agendas.

The course will include expert guest speakers who are nationally recognized from the fields of law, business and the social entrepreneurship. Throughout, students will explore the valuable roles that attorneys can and have played in such ventures and have the opportunity to serve as consultants on real world projects with social entrepreneurs.

The class will meet some but not all days during the winter term. Days on which class is not held will be reserved for team and other meetings related to the course. Team meetings also will be scheduled during the spring term. The course will culminate with final presentations in April (specific dates are TBD.)

Note: The credit breakdown for this course is as follows: three total credits with two credits awarded in the winter and one credit awarded in the spring.

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2013-2014 Academic Year

ITA Prosecution Perspectives Clinic

Course #: 8003 **Term:** 2013FW **Faculty:** Corrigan, John **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Criminal Law & Procedure; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Open to 3Ls only
Required Class Component: ITA: Prosecution Perspectives (3 fall credits + 1 winter credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. There is no clinic preference or priority to enroll in TAW or Evidence. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.
Multi-Semester: This is a fall-winter clinic (3 fall credits + 1 winter credit). Please note that clinical work will end on January 23, and the final exam will be administered on January 24.
Placement Site: Various D.A. offices throughout Massachusetts.
This clinic will focus on the role of and decision-making by the prosecutor in the criminal justice system, with particular attention to the exercise of discretion by the prosecutor in investigation, charging, and plea negotiation/sentence recommendation decisions. It will also involve an examination of the lawyering skills involved in case analysis, interviewing witnesses, negotiation, other aspects of criminal cases, and courtroom advocacy, in the context of the local prosecutor in District Court.
Readings will consist primarily of multilithed materials. There will be a take-home examination. Students are required to keep a journal relating to their fieldwork experiences, to prepare several short practical skills exercises during the term, and to write a final journal entry containing a more in-depth reflection on an aspect of District Court practice.
Clinic work begins the first week of October after the Fall TAW. Clinical work will end on January 23, and the final exam will be administered on January 24.

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2013-2014 Academic Year

ITA: Prosecution Perspectives

Course #: 2328 **Term:** 2013FW **Faculty:** Corrigan, John **Credits:** 4.00

Type: Elective **Subject Areas:** Criminal Law & Procedure; Procedure & Practice

Delivery Mode: Course

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC3018

Course Description:

Open to 3Ls only

Required Clinic Component: ITA Prosecution Perspectives (3 fall credits + 1 winter credit). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. There is no clinic preference or priority to enroll in TAW or Evidence. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students are not eligible to enroll.

Multi-Semester: This is a fall-winter course (3 fall credits + 1 winter credit). Please note that clinical work will end on January 23, and the final exam will be administered on January 24.

This course will focus on the role of and decision-making by the prosecutor in the criminal justice system, with particular attention to the exercise of discretion by the prosecutor in investigation, charging, and plea negotiation/sentence recommendation decisions. It will also involve an examination of the lawyering skills involved in case analysis, interviewing witnesses, negotiation, other aspects of criminal cases, and courtroom advocacy, in the context of the local prosecutor in District Court.

Readings will consist primarily of multilithed materials. There will be a take-home examination. Students are required to keep a journal relating to their fieldwork experiences, to prepare several short practical skills exercises during the term, and to write a final journal entry containing a more in-depth reflection on an aspect of District Court practice.

Course work begins the first week of October after the Fall TAW. Clinical work will end on January 23, and the final exam will be administered on January 24.

This course satisfies the Law Schools professional responsibility requirement.

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2013-2014 Academic Year

Japanese Business Law: Intellectual Property, Corporate and Mergers and Acquisitions

Course #: 2560 **Term:** 2013FA **Faculty:** Aizawa, Hidetaka; Iwakura, Masakazu **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Thu 1:00 PM - 3:00 PM

Fri 1:00 PM - 3:00 PM

Location

GRS110

GRS110

GRS110

Course Description:

Japan presents the second largest market among modern democracies. In Japan as in the U.S., firms structure their transactions by legally enforceable contracts negotiated and entered into within a framework set by statutory and common law.

By contrasting the law and practice of M&A and intellectual property in Japan and the U.S., the course will explore some of the distinctive characteristics of Japanese law.

Although M&A activity in Japan occurs within a global economy, the actual transactions differ significantly from those in the Anglo-American world; the class will explore the way many of these differences follow from differences in the U.S. and Japanese legal framework.

Although intellectual property law in Japan presents many similarities to its counterpart in the U.S., the actual function that the law serves differs significantly from that in the U.S.; the class will explore the differing role that intellectual property law plays in the U.S. and Japan.

All reading will be in English.

Note: This course will meet from September 11 - October 4.

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2013-2014 Academic Year

Judging: Context, Diversity, Gender and Race

Course #: 2608 **Term:** 2013FA **Faculty:** Gertner, Nancy **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC5048

Course Description: This seminar will address judging in general, with a special emphasis on diversity and judging. We will consider the literature on judging, from judicial philosophers, on the one hand (Holmes, Bickel) , to social scientists, on the other. We will examine the forces that shape judicial decisionmaking, both intrinsic and extrinsic to the judiciary, at all levels (trial, appellate, Supreme Court), and the extent to which those forces are consistent or inconsistent with the normative model of judging, what we expect judges to say and do. And we will consider the impact of diversity of all kinds, particularly on the federal bench. It is anticipated that our discussions will be aided by the attendance of guest speakers, former and present judges, journalists who have covered the Supreme Court and other courts, as well as academics. A paper is required.

Prerequisite: Course enrollment is by permission of the faculty.

Judgment and Decision-Making

Course #: 2582 **Term:** 2014SP **Faculty:** Hay, Bruce **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

WCC2004

WCC2004

Course Description: This course examines human judgment and decision making, with emphasis on the ways in which people's depart from rational and/or ethical standards, particularly in business and organizational settings. The course combines insights from multiple disciplines, including cognitive psychology, behavioral economics, and negotiation theory. Credit is based on an exam, with an optional paper in addition or instead.

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2013-2014 Academic Year

Judicial Process in Community Courts Clinic

Course #: 8022 **Term:** 2014SP **Faculty:** Cratsley, John **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Judicial Process in Community Courts (2 spring credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.
Clinical placements are available with individual justices of the District Court, Boston Municipal Court, Juvenile Court, Housing Court, Land Court and Superior Court departments of the Massachusetts Trial Court, and, with the instructors permission, with judges of the U.S. District Court for Massachusetts. Students work alongside a judge observing court as well as doing legal research and writing for their judge. Students will gain insights into judicial reasoning and decision-making. They will also better understand the career of a judge as they have the opportunity to discuss a variety of trials, opinions, sentences, and other judicial matters with their supervising judge. Students are expected to both observe court proceedings, complex and simple; and be available for legal research and drafting assignments from their judge. Students are expected to be available to do research and writing projects for their assigned judge, and are expected to observe and assist their judge for at least 2 clinical credits, or ten hours per week (one full day or two mornings). Students may elect additional clinical credits if they do expanded hours of fieldwork.

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2013-2014 Academic Year

Judicial Process in Community Courts: Clinical Seminar

Course #: 2139 **Term:** 2014SP **Faculty:** Cratsley, John **Credits:** 2.00

Type: Elective **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3034

Course Description: Required Clinic Component: Judicial Process in Community Courts Clinic (2-4 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: January 17, 2014.

LLM Students: LLM students may apply to the clinic by submitting an application.

This seminar examines through participant observation the functioning of the judicial process in our trial courts with particular focus on our first level or community courts. Attention is paid to the various roles (adjudicatory, administrative, educational, sentencing, and symbolic) that judges play in these courts. The focus of the class is on the interaction between the local court and the community it serves, with a view toward evaluating the role of decentralized, neighborhood-oriented courts in contemporary society. The contributions of various scholars to understanding these courts is reviewed, as well as distinct proposals for reform. Because of the variety of clinical placements, attention is also paid to issues such as judicial accountability, judicial ethics, sentencing, juries, etc., which impact trial judges in all courts.

A fifteen- to twenty-page paper describing some aspect of the judiciary's work in these courts is required and serves as a basis for each student's grade. Students must meet with the instructor to select a paper topic that involves topics encountered in the fieldwork such as sentencing, judicial administration, judicial ethics, court innovations, ADR in the courts, etc.

Students must participate in the clinic and must enroll in it through clinical registration.

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2013-2014 Academic Year

Jurisprudence: Legal Ideals

Course #: 2140 **Term:** 2014SP **Faculty:** Sargentich, Lewis **Credits:** 3.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Course

Days and Times:

Tue 3:20 PM - 4:50 PM

Wed 3:20 PM - 4:50 PM

Location

PND100

PND100

Course Description: The liberal ideal of legality yields both formalization of law (law as formal rules or doctrines) and idealization of law (law as principles and policies). The course examines formalization as portrayed by modern legal positivism (mainly H.L.A. Hart) and criticized by American legal realists. Then we will undertake a study of the idealizing tendency within law. We will consider accounts of legal ideals offered by liberal jurisprudence (mainly Fuller, Hart and Sacks, and Dworkin) and by contemporary critical jurisprudence.

Readings include some illustrative cases and commentary on particular legal doctrines and fields, though the focus is on more highly general theoretical argument. The course aims to develop a definite thesis about the structure and character of legal ideals and to provide a connected account of phenomena emphasized by critical legal studies such as theory in doctrine, conflicting ideals, legal ideology, legal legitimation, and transformative possibility.

Readings for the course are photocopied materials.

Justice and Morality in Shakespeare's "Tragedies" including Merchant of Venice

Course #: 2179 **Term:** 2013FA **Faculty:** Dershowitz, Alan; Stone, Alan **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC5052

Course Description: King Lear, Othello, The Merchant of Venice, Measure for Measure, As You Like It and Hamlet (Texts, Commentary and Films).

The students will be expected to write and present four response papers in the course of the seminar. In addition there will be other classroom activities including a mock trial.

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2013-2014 Academic Year

Lab Seminar Series on Institutional Corruption

Course #: 2434 **Term:** 2013FA **Faculty:** Lessig, Lawrence; Somos, Mark **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Seminar

Days and Times:

Location

Wed 12:15 PM - 2:45 PM

Course Description:

Description

The Lab on Institutional Corruption at the Edmond J. Safra Center for Ethics meets in a weekly seminar, led by Director Lawrence Lessig and Research Director Mark Somos. Each seminar features a presentation by one of the Edmond J. Safra Lab Fellows on their current research. The course is designed to give students an opportunity to learn how the field of institutional corruption takes shape across the multidisciplinary projects supported by the Lab. Registration is limited and by application only. Lunch will be provided.

Requirements

Students are required to attend and actively participate in every seminar, and to complete the core readings before each session. Course material will only be covered once throughout the semester. Progressive, cumulative and creative engagement is encouraged; questions about topics already covered will be seen as a lack of attention to earlier course discussions and material.

The main written assignment will be a short paper, no longer than 4,000 words. Topics will be selected during the course, and discussed with and approved by the Research Director. Though not required, students are also encouraged to consider enlarging the forthcoming wiki version of One Way Forward.

Readings

Scanned copies of some of the course readings can be found online. Other sources are available at Harvard libraries or online. Please note that as the series focuses on cutting-edge and unpublished research, from time to time there may be short additions or minor revisions to the syllabus, but no later than one week before the given seminar. Students are expected to cover this material before class sessions.

Prerequisite: Registration is by application only.

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2013-2014 Academic Year

Lab Seminar Series on Institutional Corruption

Course #: 2434 **Term:** 2014SP **Faculty:** Lessig, Lawrence; Somos, Mark; English, William **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times: Wed 12:15 PM - 2:45 PM **Location**

Course Description: DescriptionThe Lab on Institutional Corruption at the Edmond J. Safra Center for Ethics meets in a weekly seminar, led by Director Lawrence Lessig and Research Director Mark Somos. Each seminar features a presentation by one of the Edmond J. Safra Lab Fellows on their current research. The course is designed to give students an opportunity to learn how the field of institutional corruption takes shape across the multidisciplinary projects supported by the Lab. Registration is limited and by application only. Lunch will be provided. RequirementsStudents are required to attend and actively participate in every seminar, and to complete the core readings before each session. Course material will only be covered once throughout the semester. Progressive, cumulative and creative engagement is encouraged; questions about topics already covered will be seen as a lack of attention to earlier course discussions and material. The main written assignment will be a short paper, no longer than 4,000 words. Topics will be selected during the course, and discussed with and approved by the Research Director. ReadingsScanned copies of some of the course readings can be found online. Other sources are available at Harvard libraries or online. Please note that as the series focuses on cutting-edge and unpublished research, from time to time there may be short additions or minor revisions to the syllabus, but no later than one week before the given seminar. Students are expected to cover this material before class sessions.

Labor Law

Course #: 2142 **Term:** 2014SP **Faculty:** Sachs, Benjamin **Credits:** 4.00

Type: Elective **Subject Areas:** Employment & Labor Law

Delivery Mode: Course

Days and Times: Mon 1:10 PM - 3:10 PM **Location**
Tue 1:10 PM - 3:10 PM LAN225

Course Description: This course will focus on the statutory, judicial, and administrative law governing the collective organization of workers and the interaction between such collective organizations and employers. The course will introduce students to the basics of traditional labor law and will explore how labor law is evolving in response both to innovative forms of labor management relations and to changes in the composition of the U.S. labor force. The class will consider the legal status of privately negotiated processes for organizing and recognizing unions, state and local approaches to labor law innovation, and new forms of workplace organization. We will also explore the intersection of labor and immigration law, union participation in the political process, and emerging forms of worker organizing that rely not on the National Labor Relations Act but on other statutory regimes.

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2013-2014 Academic Year

Law and Business

Course #: 2277 **Term:** 2013FS **Faculty:** Subramanian, Guhan **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Seminar

Days and Times:

Tue 7:15 PM - 9:15 PM

Location

Course Description: Open only to current JD/MBA third- and fourth-year students.

Note:

This course will meet from 7:15pm to 9:15pm at HBS. The seminar will meet on the following Tuesdays: 9/24, 10/8, 10/22, 11/5, 11/19, and 12/5.

The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

Law and Economic Development

Course #: 2145 **Term:** 2013FA **Faculty:** Kennedy, David **Credits:** 4.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Tue 5:00 PM - 7:00 PM

Location

HAU104

HAU104

Course Description: This course will explore past and present debates about the role of the legal order in economic development. We will explore the relationships among economic ideas, legal ideas and the development policies pursued at the national and international level in successive historical periods. We will focus on the potential for an alliance of heterogeneous traditions from economics, law and other disciplines to understand development. Open to all graduate students.

Prerequisite: For JD students only, the instructor's permission is required. Please write one paragraph explaining your background and interest to dkennedy@law.harvard.edu.

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2013-2014 Academic Year

Law and Economic Development in India: A Study of the Indian Entertainment Industry (commonly known as "Bollywood")

Course #: 2594 **Term:** 2013FA **Faculty:** Khanna, Vikramaditya **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3009

Course Description: This reading group explores the impact of law and legal reform on one of the fastest growing sectors in India: The Indian Entertainment Industry (commonly known as Bollywood). Through our readings and discussions we examine a number of legal issues with implications for Bollywood and with potential insights for economic development in India more generally. We also discuss Bollywood's growth, its increasing collaborations with Hollywood, and its expanding global reach. Class sessions may involve viewing some Bollywood movies (with English subtitles) to provide a better understanding of the industry.

Law and Economics

Course #: 2146 **Term:** 2013FA **Faculty:** Kaplow, Louis; Shavell, Steven **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 6:30 PM

Location

HAU102

Course Description: This seminar will provide students with an opportunity to engage with ongoing research in the economic analysis of law. At most of the meetings, invited speakers--some from the Law School--will present works in progress. Students are required to submit, before sessions, brief written comments on the papers to be presented. Enrollment in either or both terms is permitted. Some background in economics or law and economics is helpful; however, knowledge of technical economics is unnecessary.

Note: In order to meet accreditation requirements, two three-hour evening sessions will be held during the term, schedule to be determined.

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2013-2014 Academic Year

Law and Economics

Course #: 2146 **Term:** 2014SP **Faculty:** Kaplow, Louis; Shavell, Steven **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: Tue 5:00 PM - 6:30 PM **Location:** HAU102

Course Description: This seminar will provide students with an opportunity to engage with ongoing research in the economic analysis of law. At most of the meetings, invited speakers--some from the Law School--will present works in progress. Students are required to submit, before sessions, brief written comments on the papers to be presented. Enrollment in either or both terms is permitted. Some background in economics or law and economics is helpful; however, knowledge of technical economics is unnecessary.

Note: In order to meet accreditation requirements, two three-hour evening sessions will be held during the term, schedule to be determined.

Law and Film: Kieslowski's Decalogue

Course #: 2633 **Term:** 2014SP **Faculty:** Tushnet, Mark **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times: Mon 5:00 PM - 7:30 PM **Location:** HAU101

Course Description: Each class will consist of a viewing of one episode in Kieslowski's series of short films (under one hour each), the Decalogue, followed by a discussion of the episode's treatment of morality and, when relevant, law. In addition, we will view and discuss the two completed full-length films in a projected trilogy, "Heaven" and "Hell." Requirements include regular attendance and active participation in discussion. Students must write at least two short papers (approximately 1,250 words each) during the course, and one short paper at its conclusion.

Law and Finance of Start-Up Companies

Course #: 2147 **Term:** 2013FA **Faculty:** Ferrell, Allen; Forrest, Richard **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Seminar

Days and Times: Mon 5:00 PM - 7:00 PM **Location:** WCC5048

Course Description: This seminar will cover topics in the area of start-up company law. Topics include institutional and legal arrangements important to start-up companies, agency problems facing start-up firms and mechanisms to deal with these problems, contractual issues start-up companies face, and the structure and operation of venture capital funds.

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2013-2014 Academic Year

Law and Forensic Science

Course #: 2609 **Term:** 2013FA **Faculty:** Gertner, Nancy **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3009

Course Description: The National Academy of Science has reported that the courts have been less than receptive to the scientific analysis and critique of certain forensic sciences. Trace evidence (e.g. fingerprint, ballistics) has been admitted into evidence without critical scrutiny at any court level, notwithstanding serious questions about the extent to which this evidence comports with the norms of science. And these deficiencies raise particular issues in connection with certain areas. Recent advances in neuroscience, for example, seek to address fundamental criminal law concepts such as impulsivity, mens rea, risk assessment, or lie detection (No Lie MRI). (More recently, neuroscientific evidence was used in the Supreme Court's decisions in Miller, dealing with the mandatory application of life without parole to juveniles.) Social psychology and neuroscience, along with DNA exonerations, have raised fundamental questions with respect to eye witness identification. The seminar will seek to understand the relationship between courts and forensic sciences more generally touching on issues regarding the philosophy of science, the scientific method, the rules of evidence, and the conduct of trials. While scientific proof may be based on group data, courtroom testimony purports to draw conclusions about individuals. While scientific conclusions may be tentative, evolving, courtroom testimony requires the decisionmaker to come to a decision. The students will produce a paper on a topic raised by the course materials or one in litigation.

Prerequisite: Course enrollment is by permission of the faculty.

Law and Literature

Course #: 2321 **Term:** 2014SP **Faculty:** Stone, Alan **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3015

Course Description: This seminar deals with texts that have played a role in the Law and Literature dialogue. Students should anticipate some changes in the readings which have included short novels (Kafka, *The Trial*; Melville, *Billy Budd*; Coetzee, *Disgrace*, etc.), short stories (by Chekhov, Tolstoy, etc.), plays (*The Merchant of Venice* and *Hamlet* by Shakespeare), one long, dense and difficult novel (vol. 1 only of *The Man Without Qualities* by Robert Musil), and commentary on Law and Literature (Posner, etc.).

Students must read the novella *Billy Budd* by Herman Melville and submit a brief review before the first class. Requirements include regular class attendance and active participation in discussion. Students must write four short papers to be shared with other members of the seminar.

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2013-2014 Academic Year

Law and Philosophy Colloquium

Course #: 2470 **Term:** 2013FA **Faculty:** Fallon, Richard **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: Wed 5:00 PM - 7:00 PM **Location:** WCC3008

Course Description: This seminar will explore some of the ways in which philosophical analysis and discussions of what the law is and ought to be can enrich one another, with a special focus on moral issues involving law and government policy. Students in the seminar will write frequent short papers, focused on weekly readings, as well as a longer paper at the end. For roughly half of the weeks, the readings will be drafts of works-in-progress by philosophers, political theorists, and law professors who will present their work in the seminar.

Law and Psychology: The Emotions

Course #: 2151 **Term:** 2013FA **Faculty:** Cope, David **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times: Tue 5:00 PM - 7:00 PM **Location:** WCC3008

Course Description: Love, jealousy, guilt, anger, fear, greed, compassion, hope, and joy play important roles in the lives of lawyers and those with whom they interact. The most effective lawyers are not just good thinkers, they are also empathic students of human emotions. This seminar will offer students a chance to explore what is missing from the traditional law school rational actor model of human nature through discussion of readings, primarily from psychology (but with contributions from economics, biology, philosophy, and literature), about the nature and operation of the emotions, the use of emotion in persuasion and negotiation, emotions and the good life, and the role of emotions in moral and legal decision making.

Students will be asked to write short papers (1-2 pages) on each weeks readings. There will be no required final examination or term paper.

Law and Race

Course #: 2614 **Term:** 2013FA **Faculty:** Driver, Justin **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times: Wed 5:00 PM - 7:00 PM **Location:** HAU103

Course Description: This reading group will explore the intersection of race with legal institutions in both historical and contemporary contexts. Among other topics, the class will examine: racial profiling, racial tokenism, and critical race theory (and its discontents). The class will meet in six two-hour sessions over the course of the semester. There will be no paper or exam, and class will be graded credit/fail based on class participation.

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Law and Rhetoric

Course #: 2639 **Term:** 2014SP **Faculty:** Minow, Martha; Vermeule, Adrian **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3015

Course Description: This reading group will explore topics in law and rhetoric, meaning the study and uses of language as it is used to coordinate behavior, organize and maintain social groups, construct meanings and identities, and persuade varied audiences.

Admission is by application only. Please submit a CV and statement of interest to Mindy Eakin (eakin@law.harvard.edu) by Wednesday, January 15, 2014.

The reading group will meet on alternate Wednesday from 5 - 7pm. The meeting dates are: February 5, 19, March 5, 26, April 9 and 23.

Law and Social Change Workshop

Course #: 2256 **Term:** 2014SP **Faculty:** Sachs, Benjamin **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3013

Course Description: The Law and Social Change Workshop will expose students to contemporary thinking about the relationship between law (broadly defined) and social change. During six of the twelve workshop sessions, outside speakers will present their scholarly works on this relationship and students will engage the speakers about their work. During the intervening weeks, students will discuss the papers to be presented and will read background materials related to the papers. During these weeks, students will also present written critiques and oral defenses of the speakers papers. Each student will be responsible for one written critique and one oral defense during the semester. There are no prerequisites for this course, but students should have an interest in exploring academic issues related to law and social change.

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Law and Society in Michele Foucault's College de France Lectures

Course #: 2590 **Term:** 2014SP **Faculty:** Halley, Janet **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law

Delivery Mode: Reading Group

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC4056

Course Description: This Reading Group will focus on the changing conceptions of law and society developed by Michele Foucault in his late work. We will concentrate on History of Sexuality Volume I, History of Sexuality Volume II, and the recently translated College de France Lectures. We will ask: which of these conceptions can be useful in trying to understand contemporary forms of legality and government on the one hand, and evolving images of society on the other?

Prerequisite: Enrollment is by permission of the instructor.

Law and the International Economy

Course #: 1009 **Term:** 2014SP **Faculty:** Wu, Mark **Credits:** 4.00

Type: 1L International
Comparative
Course

Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC2009

WCC2009

Course Description: This course is designed to introduce first-year students to the architecture of the international economic law system. Its emphasis is on elements of international law that affect cross-border economic transactions and deals. The first part of the course examines the nature and sources of international law. The course then shifts to provide an overview of international commercial litigation, the trade and investment regimes, and emergent areas such as international regulation of corruption and intellectual property. The course will introduce students to the various types of law that affect cross-border transactions (bilateral and multilateral treaties, customary international law, domestic law, foreign law, and hard/soft law) as well as the various dispute resolution mechanisms available to resolve crossborder disputes (including domestic courts, international courts, international commercial arbitration, and investor-state disputes).

This course is one of the 1L required international or comparative courses and is available to first-year and LL.M. students only.

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Law and the Political Process

Course #: 2154 **Term:** 2013FA **Faculty:** Guinier, Lani **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Location

HAU104

HAU104

Course Description: This course will consider the way law informs and regulates representation and participation in the political process. We will examine constitutional constraints on legislative apportionment, districting and on access to the ballot. We will explore the relationship between democratic principles and the electoral participation of racial, language, and political minorities. We will study in depth the Voting Rights Act of 1965, as amended, to understand how the law both shapes and has been shaped by social science research, political theory, historical forces, and practical considerations. We shall also briefly take up issues of alternative election systems and the role of women in politics.

Constitutional Law is strongly recommended but is not a prerequisite for this course. There will be a take-home examination. Up to five students will be allowed to write papers in lieu of the exam. In addition to the exam, class participation will count in grading. Class formats will include lecture, Socratic dialogue, small-group participation, guest speakers, and student facilitation.

Some seats are reserved for students enrolled in the Law and Political Process clinic. Students must be enrolled in the clinic before they are able to claim one of the reserved clinical seats. Enrollment in this course under a reserved clinical seat is dependent on a student's enrollment in the clinic.

Law and the Political Process Clinic

Course #: 8024 **Term:** 2013FA **Faculty:** Guinier, Lani **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Not Applicable

Delivery Mode: Clinic

Days and Times:

Location

Course Description: Required Class Component: Law and the Political Process (3 fall credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in one of the reserved clinical seats.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements. Clinical placements are with various local legal advocacy organizations dedicated to voting rights, legislation, and election law. Students should have at least one full day open in their schedule for clinical work. Placements are coordinated by the Office of Clinical and Pro Bono Programs.

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Law of Research with Humans and Animals

Course #: 2575 **Term:** 2014SP **Faculty:** Barnes, Mark **Credits:** 2.00

Type: Elective **Subject Areas:** Health Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Location

WCC4061

Course Description: Research is often defined as an attempt to gain generalizable knowledge through systematic generation and study of data. When conducted with human or animal subjects, the research process has become heavily regulated in the U.S. and in other national jurisdictions. This course will explore the history and development of legal rules and ethical precepts governing research, and will concentrate on those relating to research with human and animal subjects. We will consider, among other issues, the limits of applicability of these regimes; the various types of research to which regulations may or may not apply, and why (e.g., clinical trials, social science research, public health research, survey and political opinion research, oral history); the widespread reliance on peer review committees to consider ethics and scientific merit of proposed studies; the extent to which "group harms" (as opposed to individual harms) should be considered in the research approval process; and the potential conflict between these regulatory regimes, First Amendment freedoms, and academic traditions. Specifically, the course will cover the "Common Rule" governing federally funded research, analogous FDA regulations governing clinical trials, animal research regulations of the USDA and the U.S. Public Health Service, the EU Clinical Trials Directive, federal and state laws governing stem cell and genetic research, and to the extent they apply to research with humans, privacy regulations under HIPAA and the EU Data Privacy Directive. Attention will also be directed to research involving pediatric subjects, persons in correctional custody, pregnant woman and fetuses, and the decisionally impaired and mentally ill. As background, we will consider allegations of fraud in research, and how these allegations are investigated and resolved through complex, mandatory procedural regulations, and how these procedures intersect with the separate regulatory systems regarding research with humans and animals.

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Law, Culture, and Social Change in Developing Countries

Course #: 2600 **Term:** 2014SP **Faculty:** Salacuse, Jeswald **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

HAU101

Course Description: The lives of billions of people in developing countries are to a greater or lesser extent governed by some form of indigenous customary law, the unwritten legal rules that are based on the traditions, practices and cultures of individual ethnic groups, rather than on the acts of national legislatures and courts. Customary law is particularly vigorous with respect to land, the family, personal status, and inheritance. While customary law is adapted to the cultural values and living conditions of the groups concerned, it also often embodies institutions and practices, such as insecure land tenure, the subservient status of women, child and forced marriage, and female genital cutting, which national governments and international organizations consider problematic. This reading group will explore the nature and role of customary law in developing countries and the various strategies and policies that their governments may follow to adapt and reform customary law to meet the demands of development, modernization, and international human rights.

Law, Economics, and Organizations Research

Course #: 2157 **Term:** 2013FA **Faculty:** Kaplow, Louis; Spier, Kathryn; Bebchuk, Lucian **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times:

Mon 12:30 PM - 2:00 PM

Location

Course Description: This seminar is co-taught by Professors Bebchuk, Kaplow, Spier, Spamann and Prof. Oliver Hart, an Andrew E. Furer Professor of Economics in the Economics Department.

This seminar will involve the presentation by speakers of papers in the fields of law and economics, law and finance, and contract theory. This two-credit seminar will meet for one and a half hours for two-thirds of the weeks in each of the two terms. Lunch will be served. A student may take the seminar for only one term, for one credit (2 credit fall/spring terms, 1 credit fall term, or 1 credit spring term). The seminar is given jointly with the FAS Economics Department, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

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Law, Economics, and Organizations Research

Course #: 2157 **Term:** 2013FS **Faculty:** Kaplow, Louis; Spier, Kathryn; Spamann, Holger **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times:

Mon 12:30 PM - 2:00 PM

Location

HAU105

Course Description: This seminar is co-taught by Professors Bebchuk, Kaplow, Spier, Spamann and Prof. Oliver Hart, an Andrew E. Furer Professor of Economics in the Economics Department.

This seminar will involve the presentation by speakers of papers in the fields of law and economics, law and finance, and contract theory. The two-credit seminar will meet for one and a half hours for two-thirds of the weeks in each of the two terms. Lunch will be served. A student may take the seminar for only one term, for one credit (2 credit fall/spring terms, 1 credit fall term, or 1 credit spring term). The seminar is given jointly with the FAS Economics Department, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

Note: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

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Law, Economics, and Organizations Research

Course #: 2157 **Term:** 2014SP **Faculty:** Kaplow, Louis; Spier, Kathryn; Spamann, Holger **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times: Mon 12:30 PM - 2:00 PM **Location:** HAU105

Course Description: This seminar is co-taught by Professors Bebchuk, Kaplow, Spier, Spamann and Prof. Oliver Hart, an Andrew E. Furer Professor of Economics in the Economics Department.

This seminar will involve the presentation by speakers of papers in the fields of law and economics, law and finance, and contract theory. The two-credit seminar will meet for one and a half hours for two-thirds of the weeks in each of the two terms. Lunch will be served. A student may take the seminar for only one term, for one credit (2 credit fall/spring terms, 1 credit fall term, or 1 credit spring term). The seminar is given jointly with the FAS Economics Department, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

Law, Psychology, and Morality: An Exploration through Film

Course #: 2158 **Term:** 2014SP **Faculty:** Stone, Alan **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times: Thu 5:00 PM - 7:00 PM **Location:** WCC3036
Thu 7:15 PM - 9:15 PM WCC3036

Course Description: This seminar will deal with subjects at the intersection of law, psychology, and morality using film as text. Subjects include: responsibility and community, love and redemption, reconstructing the claims of family, gender and sexual identity, narratives of justice and injustice, the lawyers identity, patriarchy and misogyny, and race and the subculture of poverty. Films shown in the past years include (director and title): Gorris, Antonias Line; Mikhalkov, Burnt by the Sun; Fassbinder, The Marriage of Maria Braun; Coppola, Apocalypse Now; Resnais, Hiroshima Mon Amour; Verhoeven, The Nasty Girl; Tarantino, Pulp Fiction; Hrebejk, Divided We Fall; van Diem, Character; Vidor, The Crowd: Visconti, Rocco and His Brothers; Zhang, The Story of Qui Ju; Zwick, Glory; Leigh, Secrets and Lies; Fellini, 8 1/2; Allen, Crimes and Misdemeanors; Lee, Do the Right Thing; Fears, My Beautiful Laundrette, and Sautet, Un Coeur en Hiver.

Students must view John Sayless film Lone Star and submit a brief review before the first class. Requirements include regular class attendance and active participation in discussion. Students must write five short papers to be shared with other members of the seminar.

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2013-2014 Academic Year

Laws of War

Course #: 2155 **Term:** 2013FA **Faculty:** Blum, Gabriella **Credits:** 3.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

PND101

PND101

Course Description: The Laws of War (also known as International Humanitarian Law) are a set of rules which seek to reconcile the realities of armed conflicts with humanitarian concerns for those affected by them. Although some humanitarian norms have been part of human history from its earliest times, the complexities of modern conflicts combined with the growing reach of international law and a greater public and media interest all make the laws of war a topic of greater relevance and interest than ever before. Through a historical and thematic journey, we will examine the application of these laws in a variety of conflict settings, its normative drive and moral underpinnings, and the inevitable compromises it must make to be relevant for parties in conflict. Specific topics covered include the rules of distinction, proportionality, military necessity, conduct of hostilities, the regulation of weapons, and belligerent occupation.

Laws, Markets, and Religions

Course #: 2159 **Term:** 2014SP **Faculty:** Clark, Robert **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC4056

Course Description: This spring semester reading group will explore articles and books that help to illuminate the characteristic attributes and the relative advantages and disadvantages of four major systems of social control: legal systems, markets, social groups, and the world religions. The readings may also provide comparative insight into the scope and the historical development of these differing systems. Readings may be chosen from a broad array of social-science disciplines, including sociology, psychology, evolutionary theory, and behavioral law and economics.

Students will be asked to write a short response paper about the readings for each session. The six two-hour sessions will usually be scheduled on an every-other-week basis.

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2013-2014 Academic Year

Lawyer as Facilitator

Course #: 2591 **Term:** 2013FA **Faculty:** Bordone, Robert **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Wed 2:00 PM - 6:00 PM

Location

LEW301

Course Description: Lawyers facilitate. In contemporary practice, lawyers constantly work on matters that require groups of people to work together in order to solve problems, reach decisions, and resolve conflicts. This group work can include collaborating with lawyers and clients to develop complex legal strategies and coordinating with colleagues around duties and responsibilities. Lawyers may work with corporate and non-profit boards to make a decision or improve the decision-making process. Facilitation may include working with community stakeholders, multiple family members, or local officials to increase understanding, resolve a dilemma, or re-build trust. The typical lawyer in the U.S. will spend at least 10,000 hours in meetings during her/his professional career. And yet, few lawyers receive training in how to organize, run, and facilitate gatherings of people.

This 2-credit workshop introduces students to the theory and practice of facilitation, both in traditional legal as well as non-legal contexts. It also provides opportunities for students to develop the skills necessary for their role as a facilitator, whether a facilitator of meetings, with people in conflict, or with groups problem-solving together. Through simulations, exercises, readings, discussions, and videos, students will practice facilitation and will explore some of the challenges and dilemmas of this important, but often neglected, lawyering skill.

The Lawyer as Facilitator Workshop is scheduled for 2:00 - 6:00 p.m. on Wednesdays. However, students should note the varied schedule within that framework: on some Wednesdays, the Workshop will meet for only 2 hours, from 2:00 - 4:00 p.m.; on other Wednesdays, the class will meet for the full time allotted in order to allow for more in-depth practice and review; and on still other Wednesdays, the class will not meet at all. Enrollment will be limited to 12 students, selected by application (see more information on the application procedure below). A full schedule will be made available during the first week of class. Attendance at all sessions is mandatory in order to accommodate various group exercises and simulations. Negotiation Workshop is a pre-requisite for this Workshop.

Application Instructions

To be considered for admission to the Facilitation Workshop, we ask you to submit a resume and a narrative statement of interest, no longer than one page, by April 5, 2013, to Tracy Blanchard, tblanchard@law.harvard.edu. You will be notified by April 12, 2013 (before the elective registration begins), if you have been admitted into the Workshop. The statement of interest should succinctly explain:

why you are interested in participating in the Facilitation Workshop;
what you hope to learn;
what you hope to contribute; and
how you hope engaging in the Facilitation Workshop material will advance your professional interests.

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Lawyers, Doctors, Ethics, and Professionalism

Course #: 2632 **Term:** 2014SP **Faculty:** Cohen, I. Glenn; Brendel, Rebecca **Credits:** 1.00

Type: Elective **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Reading Group

Days and Times:

Tue 7:15 PM - 9:15 PM

Location

Course Description: Prof. I. Glenn Cohen (HLS) and Assistant Prof. Rebecca Brendel (HMS)

This reading group will meet for 6 two-hour blocks in the Spring semester. It will cross-enroll Harvard Law and Harvard Medical school students to explore the ways in which professional responsibility and ethical issues common to law and medicine are handled by the two professions. Potential topics to be covered include: rationing; fiduciary responsibilities; lawyering and doctoring in war; truth-telling and privileges (including duties to warn); origins of professionalism; organizational form, self-dealing, referrals, and other financial conflicts of interest. The course will be taught by one HLS and one HMS professor. Half the sessions will be at HLS and half at HMS. The course is pass/fail, there is no written work or examination, and the expectation is that students will attend EVERY session having read all materials and ready to participate.

Enrollment is by permission of instructor. Interested students should send an email to Prof. Cohens assistant, Kburroughs@law.harvard.edu, describing the students interest and background pertinent to the reading group by Tuesday, October 15.

This reading group will meet in the Petrie-Flom Center, 23 Everett Street, Third Floor on the following dates: Jan 28, Feb 4, March 11, March 25, April 1, and April 8.

Legal Fictions

Course #: 2603 **Term:** 2013FA **Faculty:** Klerman, Daniel **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; International, Comparative & Foreign Law; Legal History

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

HAU101

Course Description: This reading group explores the role played by legal fictions in Roman law, pre-modern English law, and modern American law. We will read both primary source documents (in English) and secondary sources, such as books by Henry Sumner Maine, Lon Fuller, and John Baker.

There are no prerequisites. The reading group will meet six times, starting the first week of class and concluding by the first week of November. There will be no paper or exam, and class will be graded credit/fail based on class participation.

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2013-2014 Academic Year

Legal History Workshop

Course #: 2596 **Term:** 2013FA **Faculty:** Brown-Nagin, Tomiko **Credits:** 2.00

Type: Elective **Subject Areas:** Legal History

Delivery Mode: Course

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC4059

Course Description: This workshop will examine major works in the field of legal history, important historiographical debates and critical methodologies. Students will participate in workshop presentations by leading scholars.

Law students have a choice of enrolling in the workshop for two or three credits. Law students who choose to write a substantial paper will receive three credits upon successful completion of the course; law students who do not complete substantial papers will receive two credits. All FAS graduate students who enroll in the workshop must complete a substantial paper; all FAS students will receive three credits upon successful completion of the course.

Note: This course is jointly-listed with FAS as History 2475.

Legal History: American Legal Education

Course #: 2164 **Term:** 2014SP **Faculty:** Coquillette, Daniel **Credits:** 2.00

Type: Elective **Subject Areas:** Legal History

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3007

Course Description: This seminar is designed for students who are genuinely interested in what has happened to them at law school and who would like to examine carefully the nature of their legal education. It is also a practical introduction to the many different careers available in legal education. We will commence with the English and Continental origins of legal scholarship and teaching, examine the development of formal legal education in America from the founding of the Litchfield and Harvard Law Schools to the rise of Legal Realism, and conclude with the pressing controversies facing Americas law schools today. Among the topics covered will be the relationship between formal legal education and the practicing bar, the changing composition of the faculty and the student body, the early pedagogical controversies, the different methods and ends of modern legal instruction, and the role played by law schools in fundamental disputes about jurisprudence, political ideology, economics, and social reform.

A research paper will be required rather than a final examination.

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2013-2014 Academic Year

Legal History: History of American Economic Regulation

Course #: 2167 **Term:** 2014SP **Faculty:** Mack, Kenneth **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Legal History; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Location

WCC3008

WCC3008

Course Description: This course examines the history of American economic regulation, focusing on the history of banking, corporate, anti-trust and administrative law. It will focus in particular on the history of banking and financial regulation beginning with the establishment of the Federal Reserve in 1913, continuing through the New Deal reforms of the banking and financial system and the movement for deregulation beginning in the 1970s. Finally, we will survey recent proposals to regulate banks and other financial institutions. The course will examine the intellectual, social and institutional history of economic regulation.

Legal History: Workshop on the Political Economy of Modern Capitalism

Course #: 2168 **Term:** 2013FS **Faculty:** Desan, Christine; Beckett, Sven **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Legal History

Delivery Mode: Seminar

Days and Times:

Mon 4:00 PM - 6:00 PM

Location

Course Description: As modern capitalism becomes dominant across the globe, the need to understand it increases. Is it a form of market organization, a material or social phenomenon, an epistemological development, a set of legal categories, or a mode of governance? This seminar explores modern capitalism as an historical form of political economy, developed over the last three centuries, that may partake of all these dimensions. The seminar is designed to include both students who are interested in the in-depth study of capitalism as a political economic form, and faculty/scholars already engaged in that research who seek a forum for presenting works-in-progress.

The seminar will include sessions for student participants focused on influential works that have contributed a working vocabulary to current debates over capitalism. In alternating sessions, we will discuss new research by faculty and student participants, associated scholars, and guests. The seminar will run biweekly during the Fall 2012 and Spring 2013 semesters. Student participants will be required to attend and participate regularly, to lead the commentary on at least one work discussed in the seminar, and to submit a final paper of twenty-five to thirty pages. Law students may write papers that satisfy Option 1 of the JD Written Work Requirement in conjunction with the seminar.

Cross-registrants are encouraged to apply.

Note: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

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2013-2014 Academic Year

Legal Profession

Course #: 2169 **Term:** 2013FA **Faculty:** Dacey, Timothy **Credits:** 3.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

WCCB010

WCCB010

Course Description: Ethical issues can arise in any type of practice and at any point in a lawyer's work, often unexpectedly, in medias res. In this course, students will learn how to identify and respond to such issues. The course will focus on the types of problems a lawyer will encounter in daily practice, especially in litigation and transactional work, and on the rules of professional conduct, case law and other considerations that a lawyer is expected to take into account in resolving such issues. We will examine issues both from the perspective of a lawyer starting out in practice and a more experienced lawyer with supervisory responsibility, and will consider the different types of practice and the different institutional settings in which such problems arise. In addition, we will discuss challenges to the profession's legal and regulatory framework posed by developments such as outsourcing, the continuing growth of large, multi-national law firms, the increasing role of in-house counsel, and innovations in the marketing of legal services.

Legal Profession

Course #: 2169 **Term:** 2013FA **Faculty:** Wilkins, David **Credits:** 4.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

PND100

PND100

Course Description: This course offers a look at the organization, economics, operation, and ideology of the legal profession. We will discuss history, current trends and recent developments in the organization and operation of law firms, legal services offices, government legal offices, and corporate legal departments. We will consider professional autonomy, commercialism, and regulation (by clients, by the courts, and by regulatory agencies). We will contrast US legal practice and regulation with other professions in the US (e.g., medicine, accounting, engineering), as well as with legal practice and regulation in other countries, and the prospect for changes driven by globalization and cross-border trade in legal services. We will consider the effects of increasing demographic diversity on the profession. We will discuss ethical problems most often encountered in legal practice, and the effects of the regulation of legal practice on the organizations and institutions that deliver legal services. We will focus on issues and problems faced by entrepreneurs considering whether to start-up a new legal services organization.

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Legal Profession

Course #: 2169 **Term:** 2014SP **Faculty:** Kaufman, Andrew **Credits:** 2.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 10:00 AM

Tue 9:00 AM - 10:00 AM

Location

WCC2009

WCC2009

Course Description: This course considers three categories of materials. First, we will study the nature of professionalism in American society with readings and problems dealing with practical issues of professional responsibility faced by lawyers in the daily routine of private practice. Second, we will deal with issues faced by the profession as a whole, including the ways of providing effective legal services to all members of the community, regulation of competition, and the imposition of professional discipline. Third, we will also look at the organization and demographics of the profession, its units of practice, and what professional life is like in the twenty-first century. The course also invites students to address the questions: What kind of lawyer do I want to be, and to what kind of profession do I wish to belong?

Grades will be based principally on a final in-class examination (or, alternatively, a 5000-word paper on an approved topic) but also, to some extent, on class participation or assigned classroom exercises.

The materials will be Kaufman and Wilkins, *Problems in Professional Responsibility for a Changing Profession* (5th edition), and *Professional Responsibility Standards, Rules & Statutes* (Dzienkowski, latest abridged edition).

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2013-2014 Academic Year

Legal Profession

Course #: 2169 **Term:** 2014SP **Faculty:** Gordon-Reed, Annette **Credits:** 3.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 6:30 PM

Wed 5:00 PM - 6:30 PM

Location

WCCB015

WCCB015

Course Description: This course considers three categories of materials. First, we will study the nature of professionalism in American society with readings and problems dealing with practical issues of professional responsibility faced by lawyers in the daily routine of private practice. Second, we will deal with issues faced by the profession as a whole, including the ways of providing effective legal services to all members of the community, regulation of competition, and the imposition of professional discipline. Third, we will also look at the organization and demographics of the profession, its units of practice, and what professional life is like in the twenty-first century. The course also invites students to address the questions: What kind of lawyer do I want to be, and to what kind of profession do I wish to belong?

Grades will be based principally on a final in-class examination but also, to some extent, on assigned classroom exercises.

The materials will be Kaufman and Wilkins, *Problems in Professional Responsibility for a Changing Profession* (5th edition), and *Professional Responsibility Standards, Rules & Statutes* (Dzienkowski, latest abridged edition).

Legal Profession

Course #: 2169 **Term:** 2014SP **Faculty:** Cummings, Scott **Credits:** 3.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

WCCB015

WCCB015

Course Description: This course provides an overview of the law regulating lawyers conduct and the operation of the legal profession. It covers the ethical rules governing topics such as confidentiality and conflicts of interest, as well as systemic issues, such as the lawyers role in society and the distribution of legal services.

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2013-2014 Academic Year

Legal Profession: American Legal Profession

Course #: 2169

Term: 2014WI

Faculty: Gordon, Robert

Credits: 2.00

Type: Legal Profession Course
Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Mon 2:00 PM - 4:15 PM

Tue 2:00 PM - 4:15 PM

Wed 2:00 PM - 4:15 PM

Thu 2:00 PM - 4:15 PM

Fri 2:00 PM - 4:15 PM

Location

WCCB010

WCCB010

WCCB010

WCCB010

WCCB010

Course Description:

This course will deal with selected aspects of the history, organization, economics, ethics, and possible futures of the legal profession in the United States. Likely topics will include, in addition to the ABAs Model Rules of Professional Conduct: demographic changes in the profession, the evolution of law firms, bar associations, and law schools from the early twentieth century to the present; the development of corporate law, personal injury, mass torts, prosecutorial and criminal defense practices, and the "public-interest" bar; the dominant professional ethic of adversary-advocacy, and its critics; the regulation of lawyers; the economics of the market for legal services; and the organization and culture of law firm practice. Ethical problems will be examined as they arise in different practice contexts: litigation, corporate counseling, plaintiffs personal-injury, prosecution and defense, and cause lawyering.

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2013-2014 Academic Year

Legal Profession: Delivery of Legal Services

Course #: 2169 **Term:** 2014SP **Faculty:** Charn, Jeanne **Credits:** 3.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:50 PM

Tue 3:20 PM - 4:50 PM

Location

GRS110

GRS110

Course Description: High quality legal service in civil matters is beyond the financial reach of most people. This course addresses the policy and professional responsibility implications of expanding access to the civil justice system in the US. We will compare the US system to the much larger programs in peer nations. The course will emphasize the professional and institutional problems of allocating scarce resources among needy claimants and the difficulty in assuring quality and a strong consumer orientation in a subsidized delivery system. We will explore the contours of a more comprehensive delivery system, which might include on-line legal advice and other technological innovations; simplification of rules and procedures; expanded roles for paralegals; expanded roles for the private bar; vouchers and low fee service; and pre-paid/legal insurance systems.

We will meet weekly for two hours and we will have an additional two hour meeting six weeks during the semester, for a total of three classroom credits. The additional meetings will offer an opportunity to explore on the ground innovations and projects. There will be no examination but students will, in consultation with the course instructor, develop a project that relates to making legal services available. Students may work on course projects individually, or in pairs or groups. Where appropriate and with permission of the instructor, completion of student projects may extend beyond the semester. Students may satisfy all or part of the J.D. written work requirement in connection with the course.

Some seats are reserved for students enrolled in the Delivery of Legal Services Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Delivery of Legal Services Clinic. Please see the clinic's description for more information.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Legal Profession: Ethical and Professional Challenges in New Approaches to Personal Service Law Practice

Course #: 2169 **Term:** 2013FA **Faculty:** Charn, Jeanne **Credits:** 3.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:50 PM

Tue 3:20 PM - 4:50 PM

Location

PND100

PND100

Course Description:

Whether in solo, small firm or not for profit legal aid offices, new modes of serving clients of modest means offer promise of expanded access to legal advice and assistance but also pose ethical and professional challenges for the personal service bar. This course explores new modes of practice such as: discrete task representation (unbundled legal services), collaborative law practice, advice and hot line services, on-line advice services, virtual law practices, and participation in court based lawyer of the day and other on-site assistance for self-represented litigants. We will also consider the professional duty to provide pro bono services, review the rule and code changes enacted to accommodate new modes of practice, and study leading ethical opinions and judicial rulings relevant to service innovations. In addition to a focus on the law and ethics of the profession, we will consider practical issues such as law practice management, developing a sound business plan, participating in referral services, assuring service quality, assessing the outcome and cost-effectiveness of different approaches to service delivery, understanding typical legal needs of people of modest means, and assuring that prospective clients/consumers of legal services understand the service options available to them. In lieu of a final exam, students will, in consultation with the course instructor, investigate and report on the efficacy, ethics and feasibility of one or more service innovations.

Some seats are reserved for students enrolled in the fall Delivery of Legal Services clinic. Students must be enrolled in the clinic before they are eligible to claim one of these reserved seats. Please see the fall clinics description for more information.

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2013-2014 Academic Year

Legal Profession: Ethics and Tactics in Criminal Law

Course #: 2169 **Term:** 2013FA **Faculty:** Dershowitz, Alan **Credits:** 2.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Location

LAN272

Course Description: The purpose of this course is to sensitize law students to the array of ethical issues that they are likely to encounter if they practice law, either as a defense or prosecuting attorney (or even as a judge). It is my experience that ethical issues do not arise in a vacuum; nor can they always be anticipated. Typically they force themselves on the busy lawyer amidst the hurly-burly of a hotly contested criminal trial. Sometimes they arise in the pretrial phases; sometimes before a trial--or even a crime--is contemplated. Many practicing lawyers fail to recognize ethical issues when they arise. It is the goal of this course to assure that such recognition occurs at the earliest possible time so that the lawyer can think about, and decide, how to resolve ethical issues. There rarely are clear-cut right and wrong answers to the kind of dilemmas we will be posing, and it is not my purpose to moralize you. Resolution of ethical issues is the responsibility of each lawyer. It is the purpose of this course to make you think about these issues as clearly as possible.

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2013-2014 Academic Year

Legal Profession: Government Ethics - Scandal and Reform

Course #: 2169 **Term:** 2014WI **Faculty:** Rizzi, Robert; Borden, Charles **Credits:** 3.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

Location

WCC1010

WCC1010

WCC1010

WCC1010

WCC1010

Course Description:

The course will focus on the rapidly-changing legal system that is designed to regulate government ethics. The course will allow students to explore the legal and associated challenges for lawyers who represent clients in ethics-related matters, as well as for lawyers in the government who are charged with applying these complex and onerous rules to federal employees.

Over the past few years, numerous ethics-related scandals have led to a substantial overhaul of federal ethics law for all three branches of government, with the result that government employees are now subject to more stringent ethical restrictions than they have been in the past. At the same time, growing media scrutiny has made the reputational consequences to individuals and companies caught up in ethics scandals exceptionally severe, even in cases where no legal violation is ultimately established. Providing effective counsel to public sector and private sector clients thus increasingly requires an appreciation of both the legal and non-legal dimensions of ethics-related representations.

The course will concentrate primarily on the ethics rules that apply to individuals appointed to or serving in Executive Branch positions, although comparisons with rules in the other Branches will be addressed. The course will follow the timeline for appointees from initial selection to Senate confirmation, and will use case studies from recent administrations. The course will analyze the legal and practical questions that lawyers must address at each stage of government service, from initial appointment to departure from office. The course will also examine the ethics issues that arise for appointees upon their return to the private sector.

The course will involve readings from a wide range of sources; examination of a number of case studies; analysis of statutes, regulations and case law; and discussion of various approaches to the regulation of ethical behavior by government officials. Students will be expected to become familiar with the principal rules and authorities and with the basic tools used to regulate ethical behavior of government officials and with the role of the lawyer -- both in the government and in the private sector -- in the representation of parties involved in the system of government ethics.

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2013-2014 Academic Year

Legal Profession: Responsibilities of Public Lawyers

Course #: 2169 **Term:** 2014SP **Faculty:** Guinier, Lani **Credits:** 4.00

Type: Legal Profession Course **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCCB010

WCCB010

Course Description:

Using case studies on lobbying, public conflict resolution, class-action litigation, community-based advocacy, and lawyering for the government, this course will explore the many tensions for public lawyers who advocate on behalf of individual clients, who seek to represent causes or the "public's" interests or who engage in legislative advocacy, community organizing or alternative forms of problem-solving and deliberation. In particular, we will focus on the philosophical, ethical, strategic and identity or role conflicts that confront lawyers as professionals and adversaries but also public citizens. We shall explore the distinctive challenges facing impact litigators, prosecutors, government agency lawyers, Legal Service lawyers, lawyers doing pro bono cases and/or community organizers.

The entire class will meet weekly to discuss background readings and to engage in simulations, role-playing exercises, and small group brainstorming sessions. In addition, the class will be divided into smaller sections that will each meet separately with the professor at scheduled intervals to pursue a topic in greater depth.

In lieu of an examination, students will have the option of either writing a final paper or submitting two shorter papers during the term. Those who choose to write a final paper must be registered as a clinical student or be a weekly volunteer at a public policy or public interest organization. The final paper should be an empirical-based study of an ongoing public lawyering project in which the student is a participant-observer. The paper will give students an opportunity to assess critically the public lawyering/public policy approach they observed in light of the background reading and class discussions of the philosophical, ethical, and strategic conflicts or issues at stake. Those who choose instead to write two shorter papers during the term must join one of the small facilitation groups, which will meet with the professor to discuss the assigned readings, as well as additional background material.

Students enrolled in this course fulfill their professional responsibility requirement. Enrollment is limited to five clinical students; fifty students total. A limited number of slots are available for interested first-year students.

Five seats are reserved for students enrolled in the Responsibilities of Public Lawyers clinic. Students must be enrolled in the clinic before they are able to claim one of these reserved seats.

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2013-2014 Academic Year

Legal Research, Writing and Analysis I

Course #: 2541 **Term:** 2013FA **Faculty:** Taggart, Christopher **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Course Description: This series of lectures and discussions is designed to introduce foreign-educated LL.M. students to the sources of U.S. law and the overall structure of the U.S. legal system, including the court system. These lectures and discussions serve to provide background information for students wishing to understand how U.S. lawyers analyze and frame legal positions and present their arguments and conclusions. Topics covered will include: how to read a case, the hierarchy of legal authorities, holdings vs. dicta, precedential argument by analogy, and American Legal Realism. The course will be taught by a team led by Christopher Taggart, with some guest lectures given by members of the Law School faculty, and will meet for a minimum of twelve hours during late August. This course will be graded Credit/Fail; attendance at all sessions is mandatory.

Note: Enrollment is limited to foreign-educated LL.M. students.

Legal Research, Writing and Analysis II

Course #: 2541 **Term:** 2013FA **Faculty:** Taggart, Christopher **Credits:** 2.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Tue 7:15 PM - 9:15 PM PND102

Course Description: This course introduces foreign-educated LL.M. students to the way U.S. lawyers analyze and frame legal positions, conduct legal research, and present their work in writing. (It presupposes the lectures and work completed in the LRWA I Perspectives series that occurs during late summer orientation.) During the fall semester, students learn research, writing, and analytical skills by (1) preparing legal memoranda, (2) becoming familiar with how to access legal research materials, and (3) completing exercises in class that emphasize other legal writing skills. This course is limited to foreign-educated LL.M. students and is designed specifically for those who wish to qualify for the New York State Bar Exam.

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2013-2014 Academic Year

Legal Research: Advanced

Course #: 2173 **Term:** 2013FA **Faculty:** Wise, Virginia **Credits:** 3.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

Location

WCC3018

WCC3018

Course Description: American legal research in the twenty-first century offers an often bewildering array of options. This course will offer an in-depth exposure to the dissemination and use of legal information in various formats, including print, Lexis, Westlaw, and the Internet. Emphasis will be placed on contemporary developments, such as Westlaw Next, Lexis Advance, Key Search, Bloomberg, and emerging Internet providers of information. The course will focus on practical techniques and strategies for research, but will include some examination of information policy issues. Students should find the course particularly useful to prepare for conducting third-year paper research, writing and editing for law reviews, participating in clinical courses, working as a faculty research assistant, serving a judicial clerkship, practicing law, or becoming a legal academic.

At the end of the course students should be able to find current and retrospective cases, records and briefs, verdicts, settlements and other litigation materials, statutes, administrative rules and regulations, administrative decisions, and periodical articles and books in print and online from any U.S. jurisdiction. Students will be able to compile legislative histories and use legal looseleaf services. They will be proficient in using online catalogs to retrieve materials both at Harvard and at other institutions. They will receive an introduction to an array of non-legal material available through Nexis, Harvard Libraries E Resources, and on Westlaw which may be useful for legal researchers.

The course will meet once each week for an hour and 45 minutes in a lecture setting and for one hour and 15 minutes each week in the computer lab. Students taking the course for three credits will be required to complete a series of eight research assignments throughout the term using print and online sources, two in-class quizzes announced in advance, and one short (10-15 pages) paper. There is no final examination. Enrollment may be limited due to constraints on lab space.

Students may elect to write a paper for 1 extra credit in this course. This paper may, but need not be, written to satisfy Option 1 of the J.D. Written Work Requirement. Students electing this option will be expected to complete an extensive (40-60 pages) research guide in a given subject area chosen by the student. This guide is intended to apply and synthesize the practical knowledge gained during the course.

Course materials will include a legal research textbook, the Bluebook, and supplementary materials distributed by the instructor.

Prerequisite: For LLM students only, permission from the instructor is required for enrollment.

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2013-2014 Academic Year

Legal Research: Advanced

Course #: 2173 **Term:** 2014SP **Faculty:** Wise, Virginia **Credits:** 3.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

Location

WCC5044

WCC5044

Course Description: American legal research in the twenty-first century offers an often bewildering array of options. This course will offer an in-depth exposure to the dissemination and use of legal information in various formats, including print, Lexis, Westlaw, and the Internet. Emphasis will be placed on contemporary developments, such as Westlaw Next, Lexis Advance, Key Search, and emerging Internet providers of information. The course will focus on practical techniques and strategies for research, but will include some examination of information policy issues. Students should find the course particularly useful to prepare for conducting third-year paper research, writing and editing for law reviews, participating in clinical courses, working as a faculty research assistant, serving a judicial clerkship, practicing law, or becoming a legal academic.

At the end of the course students should be able to find current and retrospective cases, records and briefs, verdicts, settlements and other litigation materials, statutes, administrative rules and regulations, administrative decisions, and periodical articles and books in print and online from any U.S. jurisdiction. Students will be able to compile legislative histories and use legal looseleaf services. They will be proficient in using online catalogs to retrieve materials both at Harvard and at other institutions. They will receive an introduction to an array of non-legal material available through Nexis, Harvard Libraries E Resources, and on Westlaw which may be useful for legal researchers.

The course will meet once each week for an hour and 45 minutes in a lecture setting and for one hour and 15 minutes each week in the computer lab. Students taking the course for three credits will be required to complete a series of eight research assignments throughout the term using print and online sources, two in-class quizzes announced in advance, and one short (10-15 pages) paper. There is no final examination. Enrollment may be limited due to constraints on lab space.

Students may elect to write a paper for 1 extra credit in this course. This paper may, but need not be, written to satisfy Option 1 of the J.D. Written Work Requirement. Students electing this option will be expected to complete an extensive (40-60 pages) research guide in a given subject area chosen by the student. This guide is intended to apply and synthesize the practical knowledge gained during the course.

Course materials will include a legal research textbook, the Bluebook, and supplementary materials distributed by the instructor.

Prerequisites for this course: LL.M. candidates only must have taken Introduction to American and International Legal Research or have permission of the instructor.

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2013-2014 Academic Year

Legal Research: International, Foreign, and Comparative

Course #: 2174 **Term:** 2014SP **Faculty:** Wise, Virginia **Credits:** 3.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Wed 8:10 AM - 9:40 AM

Thu 8:10 AM - 9:40 AM

Location

WCC5044

WCC5044

Course Description: This course will provide an overview of research in international, foreign, and comparative law. As legal practice becomes more global, Harvard-educated lawyers need to be able to conduct research worldwide. The course should be especially valuable to students expecting to fill their third-year paper requirement on an international, foreign, or comparative law topic, journal editors editing and working on foreign and international materials, students planning to work in U.S. firms, government agencies, or NGOs with foreign or international concerns, or to work abroad.

Emphasis will be placed on the use of Internet, and online sources such as Lexis and Westlaw, although the use of print materials will also be covered. Approximately half the course will explore formal international law by examining treaty research, both U.S. and non-U.S., and use of sources, such as the international law digests, Restatement on Foreign Relations, and United Nations documents. The European Union will serve as a model for doing research using regional organizations legal materials. Although it will obviously not be possible to cover all non-U.S. jurisdictions, the foreign law component of the course will use one non-U.S. common law jurisdiction and one civil law jurisdiction as paradigms of the structure of legal information in those systems. Students should be able to find legal materials, including books and periodicals, in English and foreign languages at Harvard and elsewhere around the world, upon completion of this course.

The course meets twice a week, one day in a lecture setting and one day in the computer lab. Students taking the course for three credits will be required to complete a series of eight legal research assignments requiring the use of print and online sources, take two quizzes announced in advance, and complete one short (10-15 pages) paper. There is no final examination in this course. As with any study of international, foreign, or comparative law, some knowledge of a language other than English is useful, but not required for the course. Legal Research: Advanced is not a prerequisite for this course.

Students may elect to write a long paper for one hour extra credit in this course. Students electing this option will be expected to complete an extensive (40-60 page) research guide in a given subject area chosen by the student. This guide is intended to apply and synthesize the practical knowledge gained during the course.

Course materials will consist of photocopied materials prepared by the instructor and publishers explanatory handouts.

Prerequisite: For LLM students only, they must have taken Introduction to American and International Legal Research or have permission of the instructor.

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2013-2014 Academic Year

Legal Research: Introduction to American and International Legal Research

Course #: 2175 **Term:** 2013FA **Faculty:** Wise, Virginia **Credits:** 1.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Wed 8:10 AM - 10:10 AM

Location

WCC3018

Course Description:

Designed for LL.M. students from countries other than the United States, this one-credit credit/fail course will be taught in two-hour modules for the first two months of the term. This course will cover sources of information about the location of cases, statutes, administrative regulations and decisions, books, and periodical articles. It will introduce computerized legal research aids such as Harvard Libraries E Resources, Westlaw, and Lexis. A limited overview of international law sources will also be offered. The course will emphasize actual use of the materials in a series of legal research exercises. Satisfactory completion of all exercises and two quizzes will be required.

Note: Enrollment is limited to LL.M. students from countries other than the United States.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Legal Thought Now: Law and the Structure of Society

Course #: 2389 **Term:** 2014SP **Faculty:** Unger, Roberto **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Location

HAU104

Course Description: This course explores central themes of legal and social theory. It takes as its focus the relation of law and legal thought to the formative institutional arrangements and ideological assumptions of society: that is to say, to the structure of society. The course can serve as an introduction to jurisprudence. However, it is not a survey; it seeks to offer a sustained treatment of a fundamental question.

No issue is more important to either legal or social thought. Law has been defined as the institutional form of the life of a people: its subject matter are the institutions and practices of a society, viewed in relation to the interests and ideals that are supposed to justify them and to give them meaning. This subject matter is also the concern of politics, which upholds or transforms a society's established assumptions and arrangements, expressed as law.

Today, however, we lack a way of thinking about such structures: what they are, how they are made, how we can change them, and what they should become. Legal thought has been part of this problem; it could become part of the solution.

The course begins with a discussion of the past and present of legal thought, seen from the perspective of what legal thought says, and fails to say, about the structure of society. We then consider the achievements and failures of some of the most ambitious attempts to provide us with a way of thinking about the structure of society and about its manifestation in law. We go on to address major ways in which contemporary legal theory and legal doctrine evade the task of structural criticism, and explore the political consequences of these evasions. After reflecting on the relation of institutions to beliefs, within and outside law, we turn to the constructive agenda of the course: the recovery of structural imagination in legal and social thought.

Readings are drawn from classic and contemporary legal and social theory.

The final takes the form of an extended take-home examination.

Note: This course is jointly-listed with FAS as Government 1096.

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2013-2014 Academic Year

Legal Writing: Advanced

Course #: 2178 **Term:** 2013FA **Faculty:** Burling, Philip **Credits:** 2.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:20 PM

Wed 3:20 PM - 4:20 PM

Location

WCC5044

WCC5044

Course Description: This course provides advanced training in legal writing across the range of situations typically met by the practicing lawyer and in the ways that different types of legal writing help to solve clients problems. Using the format of a small class and one-on-one sessions with the instructor, this course will examine the way that practicing lawyers use writing for the varying types of tasks which they perform. The course asks students to distinguish between the types of writing that lawyers use for transactions, litigation, statutes, and client communication and helps them to decide how to use those four types of legal writing in particular situations. Each class session will explore a factual situation that calls for a type of legal writing. After each class, there will be a short writing assignment asking the student to deal with the problem in a paper using the relevant type of legal writing. Between classes, students will meet with the instructor to go over his comments and edits in the way that a junior lawyer can expect to meet with a superior in a law office.

Prerequisite: For LLM students only, instructor permission is required.

Legal Writing: Advanced

Course #: 2178 **Term:** 2014SP **Faculty:** Burling, Philip **Credits:** 2.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:20 PM

Wed 3:20 PM - 4:20 PM

Location

LEW301

LEW301

Course Description: This course provides advanced training in legal writing across the range of situations typically met by the practicing lawyer and in the ways that different types of legal writing help to solve clients problems. Using the format of a small class and one-on-one sessions with the instructor, this course will examine the way that practicing lawyers use writing for the varying types of tasks which they perform. The course asks students to distinguish between the types of writing that lawyers use for transactions, litigation, statutes, and client communication and helps them to decide how to use those four types of legal writing in particular situations. Each class session will explore a factual situation that calls for a type of legal writing. After each class, there will be a short writing assignment asking the student to deal with the problem in a paper using the relevant type of legal writing. Between classes, students will meet with the instructor to go over his comments and edits in the way that a junior lawyer can expect to meet with a superior in a law office.

Prerequisite: For LLM students only, instructor permission is required.

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2013-2014 Academic Year

Legislation and Regulation 1

Course #: 1003 **Term:** 2014SP **Faculty:** Manning, John **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC1010
Tue 10:20 AM - 11:40 AM	WCC1010
Wed 10:20 AM - 11:40 AM	WCC1010

Course Description: Legislation and Regulation is an introduction to lawmaking in the modern administrative state. It will examine the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and administrative agencies -- interpret and apply these laws. It will consider, in particular, the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts. It will consider, in particular, the justifications for regulation, the structure of the modern administrative state, etc.

Legislation and Regulation 2

Course #: 1003 **Term:** 2013FA **Faculty:** Davies, Susan **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Thu 9:50 AM - 11:50 AM	WCC1010
Fri 9:50 AM - 11:50 AM	WCC1010

Course Description: This course is an introduction to lawmaking in the administrative state, including the enactment of rules by legislatures and administrative agencies, and the interpretation of statutes by administrative agencies and courts. We will study the architecture of the federal administrative state, the institutional dynamics of federal administrative policymaking, and the legal rules that structure relationships between and among legislatures, agencies, courts and other actors.

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Legislation and Regulation 3

Course #: 1003 **Term:** 2014SP **Faculty:** Barron, David **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC1010

WCC1010

Course Description: This course is an introduction to lawmaking in the administrative state, including the enactment of rules by legislatures and administrative agencies, and the interpretation of statutes by administrative agencies and courts. We will study the architecture of the federal administrative state, the institutional dynamics of federal administrative policymaking, and the legal rules that structure relationships between and among legislatures, agencies, courts and other actors.

Legislation and Regulation 4

Course #: 1003 **Term:** 2013FA **Faculty:** Stephenson, Matthew **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Wed 8:20 AM - 9:40 AM

Thu 8:20 AM - 9:40 AM

Fri 8:20 AM - 9:40 AM

Location

WCC1015

WCC1015

WCC1015

Course Description: This course is an introduction to lawmaking in the modern administrative state. It will examine how Congress and executive agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and agencies -- interpret and apply these rules. The course will consider theories and tools of statutory interpretation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the laws that structure the relationships among Congress, the agencies, and the courts.

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Legislation and Regulation 5

Course #: 1003 **Term:** 2014SP **Faculty:** Gersen, Jacob **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC2004

WCC2004

Course Description: Legislation and Regulation is an introduction to lawmaking in the modern administrative state. It will examine the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and administrative agencies -- interpret and apply these laws. It will consider, in particular, the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts. It will consider, in particular, the justifications for regulation, the structure of the modern administrative state, etc.

Legislation and Regulation 6

Course #: 1003 **Term:** 2013FA **Faculty:** Freeman, Jody **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 10:00 AM - 12:00 PM

Tue 10:00 AM - 12:00 PM

Location

WCC2009

WCC2009

Course Description: This course is an introduction to lawmaking in the modern administrative state. It will examine the legislative process by which Congress passes statutes; theories of statutory interpretation (including purposivism and textualism); tools and techniques of statutory construction (including semantic canons, substantive canons and the use of legislative history); the structural position of administrative agencies in the constitutional system; the process of agency rulemaking; and judicial review of agency action.

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Legislation and Regulation 7

Course #: 1003 **Term:** 2013FA **Faculty:** Tushnet, Mark **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:40 PM

Tue 3:20 PM - 4:40 PM

Wed 3:20 PM - 4:40 PM

Location

WCC1010

WCC1010

WCC1010

Course Description: Legislation and Regulation is an introduction to lawmaking in the modern administrative state. It will examine the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and administrative agencies -- interpret and apply these laws. It will consider, in particular, the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts.

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Legislative Lawyering in Education

Course #: 2063 **Term:** 2014SP **Faculty:** Gregory, Michael; Cole, Susan **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC5052

Course Description:

Required Clinic Component: Education Law Clinic (2-4 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: January 17, 2014.

LLM Students: LLM students are not eligible to enroll.

Students must attend a mandatory orientation session on Saturday, January 25 from 9am-2pm. In this seminar students will learn the theory and practice the skills that will enable them to be effective legislative and administrative lawyers in the area of education. Students will learn how to identify and understand systemic problems, assess the educational systems response to at-risk children, and reflect on the challenges and rewards of interdisciplinary advocacy at the intersection of the fields of law, education, neurobiology, psychology, and public policy. The seminar will cover several general substantive areas related to legislative and administrative lawyering: the constitutional roles and powers of the General Court, the executive branch and administrative agencies in Massachusetts, House and Senate procedure, the state budget process, and lobbying.

Through a series of hands-on activities and simulations students will develop and practice the skills of a legislative lawyer in the area of education law including: identifying and researching a problem, proposing solutions and approaches, developing and drafting a desired legislative remedy, learning who the stakeholders are in the education establishment, accurately assessing the political and legal landscape surrounding the desired remedy, building a vibrant and effective coalition, engaging in oral presentations and negotiations, and analyzing ethical issues that arise in legislative and administrative advocacy. The seminar will also introduce students to distinguished guest speakers from practice. The goal is for students to learn the unique role lawyers can play as part of a movement to create effective remedies for at-risk children. There is no final examination for this course; students will prepare a "rounds" memo and presentation in which they lead a discussion with their colleagues based on an interesting issue or problem they encountered in their clinic advocacy during the semester.

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Local Government Law

Course #: 2181 **Term:** 2013FA **Faculty:** Frug, Gerald **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 10:30 AM - 12:00 PM

Tue 10:30 AM - 12:00 PM

Location

WCC2012

WCC2012

Course Description: This course examines the possibility and desirability of decentralization of power in America. In the process of doing so, it focuses on issues such as federal and state control of city decision-making, the conflict between central cities and suburbs and among the suburbs themselves, alternatives to city-delivered services and to city taxation as a source of local revenue, and the ways in which racial and ethnic division fracture American metropolitan areas. Above all, this is a course about local democracy. For that reason, among others, active class participation is an integral part of the course and will be expected of every student enrolled in it.

Text: Frug, Ford and Barron, Local Government Law (5th ed. 2009/10).

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Making Rights Real: The Ghana Project

Course #: 2326 **Term:** 2013FS **Faculty:** White, Lucie **Credits:** 3.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Legal & Political Theory

Delivery Mode: Course

Days and Times:

Location

Wed 7:15 PM - 9:15 PM

Course Description: Required Clinic Component: Making Rights Real: The Ghana Project (2 winter credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Pre-/Co-Requisites: None.
By Permission: Yes. Applications to the clinic are due by 5:00pm on March 27, 2013.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 15, 2013.
Multi-Semester: This is a fall-winter-spring course (1 fall credit + 1 winter credit + 1 spring credit).

This course is an academic workshop that wraps around and is concurrent with an on-going field-based clinical project in which students work with Ghanaian partners on economic and social rights realization on the ground. The course -- both the theoretical and practical dimensions -- are situated at the intersection of economic and social rights, development, and, human rights advocacy. Consult the clinical description for a more elaborate account of the partnership, the projects evolution, and the specific health rights which the 2014 partnership is likely to target.

The workshop, which awards 3 academic credits -- 1F/ 1W / 1S -- is designed to offer the theoretical frame for the 2013-14 theory/practice experience. Thus, the workshop will focus on Ghana in the context of its history, geography, religion and culture, socioeconomic profile, and development trajectory. It will also enable students to prepare for the interpersonal and cultural challenges of North/South lawyering partnerships. The fall and spring term workshop will include readings, group presentations, academic writing, and jointly produced background and follow-up documents anchored in the practical work. While in Ghana during the winter Term, the workshop will be centered on seminars, group discussions, consultations with public officials, and site visits that address the theoretical, doctrinal, policy, and sociocultural dimensions of their field-based engagements. There will also be time to visit Ghanas cultural sites and nature reserves.

Admission to the academic and clinical components is determined together, by permission of the instructor. For JD students, apply for both the academic and clinical components by sending a single application -- i.e., a two-page double spaced statement of interest and a one-page CV -- to the clinical office (clinical@law.harvard.edu) with a cc to Ellen Keng (ekeng@law.harvard.edu) by 5:00pm on March 27, 2013. Accepted candidates will be notified prior to the clinical registration date.

For LLM students, apply by sending a one-page CV and two-page double spaced statement of interest to clinical@law.harvard.edu by August 15, 2013.

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Making Rights Real: The Ghana Project Clinic

Course #: 8025 **Term:** 2014WI **Faculty:** White, Lucie **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description: Required Class Component: Making Rights Real: The Ghana Project (1 fall credit + 1 winter credit + 1 spring credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.

Additional Pre-/Co-Requisites: None.

By Permission: Yes. Applications are due by 5:00pm on March 27, 2013.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 15, 2013.

Placement Site: Ghana.

The Making Rights Real clinic will build on a partnership between Professor White, Harvard law students, and a network of Ghanaian Human Rights / Development organizations which began in 2002. Each year this team plans and implements the winters activities, which focus on a dimension of economic and social rights implementation on the ground. Thus the team might focus on the negative impact of mining or similar development issues that are exploitive to communities, on the ground. Within such a broad issue, the work will address a range of human rights, such as access to education, health care, securing a livelihood, and having a voice in policy formation. Specific clinical activities include the full range of conventional and community lawyering strategies, such as legal research and analysis; reviewing and drafting legislation and regulations; strategy mapping; human rights documentation; participatory action research; partner briefings; designing and facilitating grassroots education and empowerment workshops; conducting community meetings; and working with media. In January of 2014, the work will take place primarily in Ghanas high poverty far north, with some activities taking place in the Accra region.

Admission to the academic and clinical components is determined together, by permission of the instructor. For JD students, apply for both the academic and clinical components by sending a single application -- i.e., a two-page double spaced statement of interest and a one-page CV -- to the clinical office (clinical@law.harvard.edu) with a cc to Ellen Keng (ekeng@law.harvard.edu) by 5:00pm on March 27, 2013. Accepted candidates will be notified prior to the clinical registration date.

For LLM students, apply by sending a one-page CV and two-page double spaced statement of interest to clinical@law.harvard.edu by August 15, 2013.

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Management and Leadership Skills for Lawyers

Course #: 2547 **Term:** 2014SP **Faculty:** Friedman, David **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Mon 7:10 PM - 9:10 PM

Location

WCC5044

Course Description: This Reading Group will study the practical, policy and ethical dimensions of management in various organizational settings, with a heavy emphasis on practical understanding and skills.

Attorneys can - and should - develop management and legal skills from their very first day in practice. As your legal career advances, in the future you may be entrusted to run a government agency (or an entire government), a law firm, a non-profit organization, a company's in-house law department, a court system, or a smaller division of any of these. We will examine principles, case studies and hypothetical problems with an eye to building awareness and habits that prepare you for management roles. And until you become a supervisor, understanding how managers and leaders function will better prepare you to be an effective counsel and to understand the people and entities with whom you work and interact.

We will cover the fundamental aspects of business management, with an eye to the unique dynamics, challenges and responsibilities that attorneys face in management and leadership roles. We will also explore how management roles and challenges vary across different legal practice settings, including government agencies and offices, for-profit companies, non-profit organizations, and law firms.

Some of the specific questions and topics we will examine include:

How do you set goals and measure performance for attorneys when so much of what attorneys do cannot be easily quantified (providing sound judgment and counsel, pursuing justice, preventing disputes, etc.)?

What management and communication styles work most effectively in various settings and circumstances?

What decisionmaking approaches can managers and leaders use to facilitate good, sound decisions?

How can managers handle situations over which they have limited direct authority and control?

How can lawyers excel as leaders?

How do various compensation systems affect the management of lawyers and how can compensation be optimally structured?

How can managers successfully create change in their organizations?

How can junior attorneys develop leadership skills and practices that will prove valuable later on in their careers - and what are those key skills and best practices?

We will be joined by special guests for several sessions who will share their own stories and experiences of managing and leading in different settings. Every student already has management and leadership experience, whether its been as a camp counselor or a leader in a student organization or a senior executive in the private sector before going to law school. Pre-requisite: To create a Reading Group of students who can enrich each others classroom experience, please send a short one-paragraph description of your own past management and leadership experience, and a separate short paragraph about your interest in participating in the Reading Group to Mr. Friedman at dfriedman@law.harvard.edu. Applications are due by Friday, October 25 at 5pm.

The class will meet on Monday evenings from 7:10 p.m. to 9:10 p.m., for 6 sessions over the

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course of the semester.

Mau Mau on Trial: History, Law and the High Court of Justice

Course #: 2642 **Term:** 2014SP **Faculty:** Elkins, Caroline **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Location

Fri 10:00 AM - 12:00 PM

Course Description: This course will offer an in-depth examination of the historic Mau Mau reparations case in London's High Court of Justice, and the ways in which historical and legal expertise combined to produce a landmark settlement more than fifty years after British colonial rule in Kenya. Drawing upon the instructor's direct involvement in the case, this course will look at the revisionist history that provided the basis for the claims, the particulars of the case, and the historic nature of the two strike out hearings, as well as the British government's settlement of the claims in 2013. The course will also place this case in comparative perspective, both with regard to other historical reparations cases, as well as potential future cases from the former British Empire and elsewhere. This course is also listed at FAS as African and American Studies 216.

Mediation

Course #: 2183 **Term:** 2013FA **Faculty:** Hoffman, David **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Location

Thu 4:00 PM - 7:00 PM

WCC3019

Course Description: Mediation is having an increasingly profound impact on the way law is practiced in the U.S. and internationally, and clients expect both transactional lawyers and litigators to have a working knowledge of the mediation process. This course focuses on the theory and practice of mediation. Students will have opportunities to try mediating and serving as an advocate in mediation. The readings and discussion will address legal, ethical and policy issues arising from the use of mediation -- such as confidentiality and privilege, credentialing of mediators, the institutionalization of mediation in courts and world of business, differing styles of mediation and mediation advocacy, and the role of gender, class, culture and psychology in the mediation process. Students will write a research paper in lieu of a final exam. Students will also do some writing during the semester about the readings -- approximately one page per week.

There is no required text other than photocopied materials.

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Mediation

Course #: 2183 **Term:** 2014SP **Faculty:** Hoffman, David **Credits:** 3.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Thu 4:00 PM - 7:00 PM

Location

WCC3018

Course Description: Mediation is having an increasingly profound impact on the way law is practiced in the U.S. and internationally, and clients expect both transactional lawyers and litigators to have a working knowledge of the mediation process. This course focuses on the theory and practice of mediation. Students will have opportunities to try mediating and serving as an advocate in mediation. The readings and discussion will address legal, ethical and policy issues arising from the use of mediation -- such as confidentiality and privilege, credentialing of mediators, the institutionalization of mediation in courts and world of business, differing styles of mediation and mediation advocacy, and the role of gender, class, culture and psychology in the mediation process. Students will write a research paper in lieu of a final exam. Students will also do some writing during the semester about the readings -- approximately one page per week.

There is no required text other than photocopied materials.

Some seats are reserved for students enrolled in the spring Mediation Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Mediation Clinic. Please see the clinic's description for more information. Students enrolled in the Mediation Clinic are required to attend one of the two 32-hour training sessions offered by the Harvard Mediation Program. The first session will occur on October 5, 6, 19 & 20. The second training session will occur on February 8, 9, 22 & 23. For more information, contact Prill Ellis, Clinical Supervisor at prillellis@gmail.com, call the HMP office at 617-494-1854, or stop by HMP located in Pound Hall, Room 521.

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Mediation Clinic

Course #: 8026 **Term:** 2014SP **Faculty:** Hoffman, David **Credits:** 1.00

Type: HLS Clinic **Subject Areas:** Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Mediation (3 spring credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students are eligible to enroll.
Placement Site: HLS.
Clinic placements are with the Harvard Mediation Program (HMP), where students are given an opportunity to observe and conduct mediations in small claims courts in the Boston area. Clinic students must complete HMPs 32-hour basic mediation training and mediate or observe in small claims court every week during the spring semester and work one hour per week in the HMP office. Clinic students also keep a weekly journal reflecting on their mediation experiences and write a short final report at the end of the semester. The HMP mediation training is required of all students, and occurs twice during the year (students only need to complete this training once). The fall training will occur on October 5, 6, 19, and 20. The second training session will occur on February 8, 9, 22 & 23. For more information, contact Prill Ellis, Clinical Supervisor at prillellis@gmail.com, call the HMP office at 617-494-1854, or stop by HMP located in Pound Hall, Room 521.

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Mergers and Acquisitions Law

Course #: 2184 **Term:** 2014SP **Faculty:** Coates, John **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

WCC3019

WCC3019

Course Description: A merger or large acquisition is often the most significant event in the life of a firm, and can have dramatic consequences for all of a firm's constituencies--from shareholders, directors, and managers to employees, customers, and communities. Lawyers and the law play critical roles in how mergers and acquisitions are evaluated, structured, and implemented. The course covers contract, corporate, and securities law issues relevant to mergers and acquisitions of large companies, both public and private, including the Williams Act, proxy rules, state case law, and important forms of private ordering (such as poison pills, lockups and earn-outs). It also touches on basics of antitrust procedure relevant to a lawyer working on such transactions. The approach is practical rather than theoretical, and the focus is on law, not finance. Students will work in assigned teams of 4 or 5, and grades will be based on team projects, including in-class presentation and a jointly written final paper as well as a 1-hour in-class exam.

Prerequisite: Corporations

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Mergers and Acquisitions Workshop: Boardroom Strategies and Deal Tactics

Course #: 2185 **Term:** 2014WI **Faculty:** Gordon, Mark **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:00 PM - 4:30 PM

Tue 1:00 PM - 4:30 PM

Wed 1:00 PM - 4:30 PM

Thu 1:00 PM - 4:30 PM

Fri 1:00 PM - 4:30 PM

Location

WCC1023

WCC1023

WCC1023

WCC1023

WCC1023

Course Description:

Successful M&A lawyers (and bankers) provide leadership and judgment in the boardroom and tactical execution at the negotiating table. Taught by a Mergers & Acquisitions partner at Wachtell, Lipton, Rosen & Katz, this workshop is intended to give students exposure to both the macro strategic issues faced by directors in M&A situations (buy-side and sell-side; hostile, friendly and crisis) as well as the tactical issues involved in negotiating acquisition agreements and other transaction documents. Topics to be explored include how buyers select, and then woo, their targets and what tactics buyers might pursue to keep the price low and eliminate competition; how target boards respond to acquisition overtures and evaluate bids; how to best structure a sale or auction of a public company; management-led buyouts and the potential for conflicts of interest; distressed company acquisitions and negotiating key provisions of an acquisition agreement, such as representations, "deal protection", closing conditions, walk-away rights and related penalties, and deal financing. The workshop is based around case studies of several real transactions or strategic situations, and makes use of real transaction documents. Students will be expected to make presentations and participate in class discussions and mock strategy and negotiating sessions. Some sessions may feature guest speakers who have been involved in recent deals.

BUSINESS SCHOOL STUDENTS ARE VERY MUCH WELCOME (and have done well in this course in the past), and spaces have been reserved for you. Business School students need not have taken Corporations; cross-listing students from other parts of Harvard should seek permission from Professor Gordon.

This course will meet for the first two weeks of the term.

Prerequisites: Corporations.

Enrollment limited at 50 students.

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Mergers, Acquisitions, and Split-Ups

Course #: 2186 **Term:** 2013FA **Faculty:** Strine Jr., Leo **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

AUS101

Course Description: This course, taught by the Chancellor of the Delaware Court of Chancery, will focus on the law affecting corporate mergers and acquisitions including both third-party and going-private deals. Though state corporate law will be heavily emphasized, it will also address laws affecting cross border M&A. The course will also deal substantially with merger agreements, considered as contracts, and the important contractual principles and issues that are relevant in almost every M&A transaction. The course will have a practical bent and will address the real-world problems faced by parties contemplating, attempting, or resisting acquisitions, as well as the policy dilemmas faced by courts called upon to assess such transactions. To further this goal, several key classes will involve the participation of leading practitioners.

Prerequisites: JD students should have already taken Corporations; LLM students should have had a comparable basic business organization course, or relevant background and experience, or should be contemporaneously taking the basic Corporations course; cross-registering Business School students (whom the teacher very much welcomes) need not have taken Corporations; cross-registrants from other parts of Harvard should seek permission from Chancellor Strine.

Modern Political Philosophy and the Human Condition

Course #: 2630 **Term:** 2013FA **Faculty:** George, Robert **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4062

Course Description: This reading group will examine writings of six pairs of philosophers whose very different views about justice and the common good reflect competing ideas about human nature, dignity, and destiny. Students will engage a range of perspectives, including utilitarianism, pragmatism, socialism, social liberalism, social conservatism, and libertarianism. Religious as well as secular thinkers will be considered.

Prerequisite Enrollment in this reading group is by permission of the instructor. Interested students should send a CV and short statement of interest to Professor George at rgeorge@princeton.edu Applications are due Friday, August 23rd, and admissions decisions will be made by Friday, August 30th.

Meeting dates: The reading group will meet on the following dates: September 23, October 21, November 4, November 18, November 25, and December 2.

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Music and Digital Media

Course #: 2189 **Term:** 2014SP **Faculty:** Bavitz, Christopher **Credits:** 2.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3008

Course Description:

This course explores a variety of legal issues relating to the creation, exploitation, and protection of music and other content. The seminar focuses on traditional legal regimes and business models and the ways in which new technologies (particularly the evolution of digital media and the Internet) have affected legal and business strategies involved in the making and distribution of content. The course's primary emphases are music and the ways in which legal principles manifest themselves in practice in the music industry. The seminar builds off a discussion of music rights to address issues surrounding content rights in other contexts (e.g., news media), and it reviews the ways in which traditional concepts and practices in this area are challenged by and evolving in the digital world. The course balances discussions of big-picture doctrinal, policy, and theoretical considerations with a focus on day-to-day legal and business practices and specific skills (transactional, client counseling, and litigation) that are relevant to practitioners in this area.

A prior course or other background in copyright law would be useful but is not required.

Some seats are reserved for students enrolled in the Cyberlaw Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Cyberlaw Clinic. Please see the clinic's description for more information.

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National Security Law: Legal Frameworks and National Security Decision-making

Course #: 2191 **Term:** 2014SP **Faculty:** Zarate, Juan **Credits:** 1.00

Type: Elective **Subject Areas:** Criminal Law & Procedure; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:	Location
Tue 7:15 PM - 9:15 PM	HAU102
Wed 7:15 PM - 9:15 PM	HAU102
Thu 7:15 PM - 9:15 PM	HAU102

Course Description: Drop Deadline: March 5, 2014

This course will explore legal frameworks in national security policy and decision making. Legal frameworks and lexicon -- involving definitions and interpretations of evidence, burdens and standards of proof, and legal presumptions -- are often embedded in national security decision-making. These elements, which are fundamental to legal training and jurisprudence, are often incorporated into major national security policymaking, discourse, and diplomacy and are affected directly by the risk calculus applied by policymakers -- especially after 9/11. The course will review how these issues emerge in, affect, and can complicate policies related to terrorism, attribution of threats and attacks, international sanctions, and decisions to intervene globally or use military force. Particular attention will be paid to the domestic and international debate regarding the decision to intervene in Syria, the treatment of terrorist suspects, the use of targeted financial sanctions against terrorist supporters, the Iraq war, sanctions intended to isolate nation states like Iran and North Korea, and responses to cyber and physical attacks. Active participation in classroom discussions, to include scenario-based debates, is required along with two short (3-5 page) papers.

Note: This course will meet on the following dates: March 4, 5, 6, 11, 12, and 13.

Natural Law and Positive Law

Course #: 2192 **Term:** 2013FA **Faculty:** Sargentich, Lewis **Credits:** 1.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Reading Group

Days and Times:	Location
Thu 5:00 PM - 7:00 PM	LEW301

Course Description: We will look briefly at the classical debate between exponents of natural law (Thomas Aquinas) and positive law (John Austin). Then we will focus on debates in contemporary jurisprudence between legal positivists (H.L.A. Hart, Joseph Raz) and their opponents (Lon Fuller, Ronald Dworkin, John Finnis). The question throughout is: what is laws relation to morality?

Class will meet every other week for two hours, there will be no paper or exam, and class will be graded credit/fail.

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Natural Resources Law

Course #: 2193 **Term:** 2014WI **Faculty:** Echeverria, John **Credits:** 3.00

Type: Elective **Subject Areas:** Environmental Law

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:15 PM	PND102
Tue 9:00 AM - 12:15 PM	PND102
Wed 9:00 AM - 12:15 PM	PND102
Thu 9:00 AM - 12:15 PM	PND102
Fri 9:00 AM - 12:15 PM	PND102

Course Description: This course focuses on the laws and doctrines governing the acquisition and control of natural resources, including water, wildlife and federal public lands. The course begins with the history of the allocation of property interests in natural resources between the government and private citizens as well as the division of authority over natural resources between the federal government and the states and, at the federal level, among the different branches of government.

This is followed by an examination of the key federal agencies responsible for managing federal public lands, including the Forest Service, the National Park Service, and the Bureau of Land Management. The course next explores key issues surrounding the management of wildlife, including implementation of the Endangered Species Act.

Finally, the course explores challenges in modern water management in light of climate change, with particular emphasis on property takings disputes arising from regulatory restrictions on the use of water.

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Negotiation and Mediation Clinical Seminar

Course #: 2194 **Term:** 2014SP **Faculty:** Carr, Chad **Credits:** 1.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3034

Course Description:

Required Clinic Component Harvard Negotiation and Mediation Clinic (2-4 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: Negotiation Workshop. Students must enroll in Negotiation Workshop separately from clinic enrollment. There is no clinic preference or priority to enroll in Negotiation Workshop. Failure to meet the co-/pre requisites by the clinic' add/drop deadline will result in the student being dropped from the clinic and this required course.

Students enrolled in the winter-spring Negotiation Workshop for the 13-14 year will qualify for meeting this pre-requisite. Students enrolled in the spring 2014 Negotiation Workshop, however, must complete the Workshop before enrolling in this clinic.

LLM students may use either the winter-spring or spring Negotiation Workshop to satisfy the pre-requisite.

By Permission: Yes. Applications are due to the clinic by March 29, 2013 at noon.

Add/Drop Deadline: December 6, 2013.

LLM Students: LLM students may apply to the clinic by submitting an application.

This 1-credit seminar is the required classroom component for students doing work through the Negotiation & Mediation Clinical Program during the spring of 2014. Students will read and discuss works related to the various models for conducting conflict assessments, designing dispute systems, and working as a lawyer to be an effective deal-design architect. In addition, readings and discussions will focus on the practical and ethical quandaries and special challenges faced by professionals in conflict resolution, mediation, and dispute systems design. Some sessions will require students to present problems related to the clinical work in which they are currently engaged to the members of the class for discussion and brainstorming. The 1-credit class will be front-loaded with weekly meeting times for the first part of the semester and fewer or no class sessions in the second half of the semester in order to allow students to focus more intently on their clinical work.

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Negotiation Workshop

Course #: 2195 **Term:** 2014SP **Faculty:** Bordone, Robert **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Wed 3:20 PM - 7:30 PM

Thu 3:20 PM - 7:30 PM

Location

LAN225

LAN225

Course Description: *Cross-Registrants: Please note that students interested in cross-registering must participate in the application process (see below for more information on how to apply). *Online cross-registration petitions will not be accepted. The deadline to apply is October 14, 2013.

Most lawyers, irrespective of their specialty, must negotiate. Litigators resolve far more disputes through negotiation than by trials. Business lawyers -- whether putting together a start-up company, arranging venture financing, or preparing an initial public offering -- are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators.

This Workshop, by combining theory and practice, aims to improve both the participants' understanding of negotiation and their effectiveness as negotiators. Drawing on work from a variety of research perspectives, the readings and lectures will provide students with a framework for analyzing negotiations and tools and concepts useful in negotiating more effectively. Participants will spend much of their time in a series of negotiation exercises and simulations, where as negotiators and critical observers, they will become more aware of their own behavior as negotiators and learn to analyze what works, what does not work, and why.

The Workshop is intensive and time-consuming. It meets Wednesdays and Thursdays from 3:10 p.m. to 7:20 p.m. In addition, students will need to be present for exercises for portions of two weekends during the term. These sessions are required.

The Workshop will be limited to 144 students who will be divided into six working groups of 24 each. Plenary sessions of the full class will be devoted to demonstrations, discussion problems, lectures, video and film. Much of the time devoted to exercises and simulations will take place in the smaller working groups, each of which will be led by an experienced instructor and a teaching assistant.

No fewer than 30 spots will be reserved for 1Ls. 1Ls will be admitted to the course through an application process during the fall semester. The remainder of the slots will be open to all 2Ls, 3Ls, LL.M.s and cross-registrants who will be interspersed within the working groups. LLM and cross-registrant students may apply online for the workshop. The deadline to apply is noon on Monday, October 14, 2013. For more information please visit the course website: <http://blogs.law.harvard.edu/hnmcp/negotiation-workshop/>.

In addition to participating in the daily activities, students will be expected to keep a journal and write a short paper. The journal is submitted weekly. This course has no final examination.

During the first week of the Workshop, upperclass and LL.M. students will be given an opportunity to elect to take the Workshop on a credit/fail basis. For cross-registrants, the availability of the credit/fail option is dependent on the policies of their home school.

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Note - Early Drop Deadline

The Workshop has an early drop deadline of December 6, 2013. The course may not be dropped after December 6, 2013 without the written permission of the instructor and students who drop after this date will receive a WD on their transcript.

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Negotiation Workshop

Course #: 2195 **Term:** 2014WS **Faculty:** Mnookin, Robert **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 5:00 PM

Tue 9:00 AM - 5:00 PM

Wed 9:00 AM - 5:00 PM

Thu 9:00 AM - 5:00 PM

Fri 9:00 AM - 5:00 PM

Location

LAN225

LAN225

LAN225

LAN225

LAN225

Course Description: Note - Early Drop Deadline The Workshop has an early drop deadline of November 12, 2013. The course may not be dropped after November 12, 2013 without the written permission of the instructor and students who drop after this date will receive a WD on their transcript.

*Cross-Registrants: Please note that students interested in cross-registering must participate in the application process (see below for more information on how to apply). *Online cross-registration petitions will not be accepted. The deadline to apply is October 14, 2013.

Most lawyers, irrespective of their specialty, must negotiate. Litigators resolve far more disputes through negotiation than by trials. Business lawyers -- whether putting together a start-up company, arranging venture financing, or preparing an initial public offering -- are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators.

This Workshop, by combining theory and practice, aims to improve both the participants understanding of negotiation and their effectiveness as negotiators. Drawing on work from a variety of research perspectives, the readings and lectures will provide students with a framework for analyzing negotiations and tools and concepts useful in negotiating more effectively. Participants will spend much of their time in a series of negotiation exercises and simulations, where as negotiators and critical observers, they will become more aware of their own behavior as negotiators and learn to analyze what works, what does not work, and why.

The Workshop is intensive and time-consuming. Participants should have no other work commitments during the winter term. Specifically, participants should be available each day from 9:00am until 5:00pm (although class will often end earlier). There will be simulations and videotaping on some evenings and some weekends. Class attendance is essential and required at all sessions including the evening and weekend sessions. Students may not take the Workshop if they have other courses that conflict with the daily hours or with any other significant obligation during the winter term. There will be no classes during the spring term.

The Workshop will be limited to 144 students who will be divided into six working groups of 24 each.

LLM and cross-registrant students may apply online for the workshop. The deadline to apply is noon on Monday, October 14, 2013. For more information please visit the course website: <http://blogs.law.harvard.edu/hnmcp/negotiation-workshop/>.

Plenary sessions of the full class will be devoted to demonstrations, discussion problems, lectures,

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video and film. Much of the time devoted to exercises and simulations will take place in the smaller working groups, each of which will be led by an experienced instructor and a teaching assistant.

In addition to participating in the daily activities, students will be expected to keep a journal and write a short paper. The journal is submitted weekly. This course has no final examination and the short paper will be due during the spring semester in light of the intensity of the Workshop during the winter term.

During the first week of the Workshop, JD and LLM students will be given an opportunity to elect to take the Workshop on a credit/fail basis. For cross-registrants, the availability of the credit/fail option is dependent on the policies of their home school.

The credit breakdown for this course is as follows: four total credits with three credits awarded in the winter and one credit awarded in the spring.

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Online Law and Business in a Globalized Economy

Course #: 2196 **Term:** 2014SP **Faculty:** Gasser, Urs **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC5052

Course Description: The Internet has initiated a series of fundamental shifts in our information ecosystem. First, anyone with a computer and Internet access can create a message, while the costs of production have dramatically decreased in the digital age. Second, the message network of the Internet enables global and real-time transmission of information at marginal costs close to zero. Third, the Internet leads to an unprecedented level of access both to information infrastructure and content. Fourth, the Internet has shaped what users do with information. These four shifts have in turn permitted the emergence of new businesses and business models: Wikipedia and YouTube illustrate the power of user-created content. RapidShare and Soundcloud are two examples of new forms of content distribution. Search engines like Google or projects such as the Digital Public Library of America are the symbols of new ways to access information. And sites like YouTube or Facebook illustrate the increased levels of interactivity among users on the one hand and content on the other.

In this seminar, Urs Gasser will work with a small group of students to gain a deeper understanding of the legal implications of these seismic shifts at the intersection of law, technology, and new business models. The seminar takes a phenomenological approach: Instead of dividing topics along the lines of traditional areas of law (such as, e.g., competition law, privacy, IP, etc.), we will discuss the multi-faceted legal questions in their respective context, based on studies of recent cases and developments. The seminar also takes into account that online businesses operate in a global environment. While addressing key questions such as, for example, the liability of online intermediaries, we will be discussing statutory and case law from both the U.S. and from Europe. Urs Gasser will invite a small group of outside speakers to participate in a subset of class meetings.

The course has three main objectives. First, it seeks to familiarize the students with important and enduring changes in the information economy. Second, it analyzes - focusing on online businesses - the key legal and regulatory problems faced by decision-makers in the private (and public) sector. Third, it aims to introduce a set of frameworks and analytical tools that might be helpful to lawyers when dealing with future shifts triggered by the Internet.

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Partnership Tax

Course #: 2298 **Term:** 2013FA **Faculty:** Abrams, Howard **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Taxation

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

HAU102

HAU102

Course Description: This course covers the detailed income tax rules applicable to all business entities taxed as partnerships under the Internal Revenue Code including general partnerships, limited partnerships, and limited liability companies. Topics include formation and operation of the entity, allocation of tax items among the partners, allocation of liabilities, current and liquidating distributions, and various statutory anti-abuse rules. This course requires close reading of the Code and regulations and is particularly important for those interested in taxation, real estate, private equity, or hedge funds.

Prerequisite: Taxation

Patent Law

Course #: 2197 **Term:** 2014SP **Faculty:** Roin, Benjamin **Credits:** 4.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

LAN225

LAN225

Course Description: This course covers the core aspects of United States patent law, including the patentability standards (utility, novelty, non-obviousness, and enablement), infringement and remedies. The course emphasizes the basic legal principles of patent law and the patent systems role in promoting innovation.

Materials will consist of Robert Merges and John Duffy, Patent Law and Policy (5th ed. 2011) and supplementary readings available through the course homepage.

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Patent Litigation Workshop

Course #: 2514 **Term:** 2014SP **Faculty:** Porcelli, Frank **Credits:** 2.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3019

Course Description: This two-credit course will provide students with exposure to the practical aspects of patent litigation. We will cover all of the major phases of a patent infringement suit, from pleading through trial. Students will participate in exercises intended to simulate many of the nuts-and-bolts tasks associated with a patent case, including preparing infringement and invalidity contentions and presenting oral argument on claim construction or summary judgment. Most classes will be conducted in a seminar format, with discussions focused primarily on litigation strategy and tactics, with reference to recent developments in the law. We will also have occasional guest lectures and demonstrations by distinguished practitioners in this field.

The instructor for this course is Frank Porcelli, a senior principal at the firm of Fish & Richardson P.C. Mr. Porcelli has over 30 years' experience specializing in patent trial and appellate work. Mr. Porcelli will be joined for most class sessions by other senior patent litigation attorneys from his firm who will share with the class their varied perspectives on patent litigation practice.

Prerequisites: Patent Law or Intellectual Property.

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Personal Debt and Bankruptcy

Course #: 2627 **Term:** 2014SP **Faculty:** Fleming, Anne **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC5048

Course Description: Over the past fifty years, American households have increasingly relied on borrowing to make ends meet. For most families, growth in household debt has outpaced growth in wages. Credit fills the gap between stagnant incomes and rising expenditures. As a result, many families struggle under unmanageable debt obligations. So, what happens when households do not pay their debts? This course focuses on the laws that govern when debtors default: state laws allocating rights and remedies between debtors and creditors and federal consumer bankruptcy law. We will examine both legal doctrines and the public policy debates that shape their development.

We will first consider why families incur debt, where they borrow, and how debt fits into the household balance sheet. We will also explore how law has encouraged the proliferation of certain forms of debt and aided the flow of capital into the consumer credit industry. Then, we will examine what rights the law gives to creditors to collect from debtors - such as through self-help repossession, court-sanctioned seizure and sale of the debtor's property, garnishment of wages, and foreclosure of residential mortgages. We will likewise study the scope of debtors' substantive rights and procedural protections, and the limits they place on debt collection activities. Finally, we will delve into the law of consumer bankruptcy, exploring how the system works, who can file, what debts may be discharged, and the range of post-bankruptcy outcomes of debtors who file. Throughout the course, we will consider not only the formal legal rules governing household debt, but also how those rules work in the real world.

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Philosophical Analysis of Legal Argument

Course #: 2526

Term: 2014SP

Faculty: Brewer, Scott

Credits: 2.00

Type: Elective

Subject Areas: Not Applicable

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3019

Course Description:

One of the most enduring questions in legal theory is the extent to which legal argument is, can be, or should be "rational." Some vigorously maintain that it can and should be rational (even when in particular instances it is not); others are deeply skeptical about claims to legal rationality. Often this debate is framed as a dispute about whether the "rule of law" is a realizable, viable, valuable ideal for lawyers, judges, and citizens. This course will explore those closely related ideas of legal rationality and the rule of law. To investigate these abstract themes in concrete detail, we will examine the characteristic types of (Anglo-American) legal argument and legal interpretation: deductive inference (often used in legal interpretation), inductive inference (often used in reasoning about evidence), analogical inference (often used in reasoning from precedent), and "inference to the best explanation" (used in both reasoning about evidence and in reasoning about how to characterize a fact pattern from a legal standpoint).

Readings will be from judicial opinions, statutory and constitutional provisions, Anglo-American jurisprudence, and relevant areas in philosophy.

No background in philosophy is required or presupposed. Note that we will pay careful attention not only to theorizing about legal arguments but also sharpening our skill at making various kinds of legal arguments. Anyone seeking information about this course should feel free to contact Professor Scott Brewer at sbrewer@law.harvard.edu.

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Philosophy and Literature: The Problem of Consent

Course #: 2619 **Term:** 2014SP **Faculty:** Scarry, Elaine **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 3:10 PM - 4:10 PM

Wed 3:10 PM - 4:10 PM

Location

Course Description:

The course opens with philosophic texts on consent (four dialogues by Plato, Locke's Second Treatise, Rousseau's Social Contract), then continues to revisit the philosophic concept of consent by looking at a sequence of practical contexts: Part I-the relation of consent and the body in marriage, in medicine, and in state citizenship; Part II - the act of consent and dissent in war (beginning with the dissent of Achilles in the Iliad and including readings up to the present); Part III - freedom of movement, freedom of entry and exit in citizenship (including contexts where right of movement has been denied); Part IV - consent as the basis of cultural creation. The nature of individual and collective deliberation is at the center of the course throughout.

Readings include: case law (Plessy v. Ferguson, Pratt v. Davis, Schloendorff v. Society of New York Hospital), constitutional writings (Federalist Papers 4, 7, 8, 23, 25, 27-29, 41; Madison's Record of Federal Assembly; Ratification Debates), plays (Euripides' Hecabe, Sophocles' Philoctetes, five U.S. suffrage plays), films, novels, and historical narratives (e.g. Thucydides selections, Underground Railroad narratives).

Note:

This course will be jointly-listed with FAS as English 190x.

This course will meet at FAS. There will also be a required discussion section every week; days and times are TBD.

The course iSites page is available at the following link.

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Political Authority and Legitimacy in the Jewish Tradition

Course #: 2635 **Term:** 2014SP **Faculty:** Walzer, Michael **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 8:00 PM

Thu 5:00 PM - 8:00 PM

Location

HAU104

HAU104

Course Description: The seminar will address two questions: Who rules in the Jewish world? And; how is the legitimacy of the rulers defended and criticized? Though these questions are addressed chiefly in legal (halachic) terms, I will be discussing them from the vantage point of a political theorist. Other perspectives are, obviously, welcome. The text for the seminar will be volume one of The Jewish Political Tradition, which is focused on issues of authority. Readings will be from the Bible, the Talmud and the midrashim, medieval responsa, philosophical works, early modern debates about emancipation, and contemporary debates about the state of Israel. All the assigned texts are in English. The seminar will meet the weeks of March 3 - March 31.

Political Economy After the Crisis

Course #: 2390 **Term:** 2014SP **Faculty:** Unger, Roberto **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

LAN272

Course Description: This course will explore alternative ways of thinking about contemporary market economies and their reconstruction. It will do so by addressing three connected themes: the worldwide financial and economic crisis and the response to it, the effort to advance socially inclusive economic growth in richer as well as in poorer countries, and the past, present, and future of globalization. In addressing these themes, it will ask what economics is and should become. For 2013-2014, the central topic will be crisis and the struggle for recovery as provocations to insight and as opportunities for reform.

Students should have some previous acquaintance with economics, but no advanced economic training is required. The course is addressed to undergraduate and graduate students outside as well as within economics.

Readings drawn from the classic and contemporary literatures of economics, philosophy, and social theory.

Extended take-home examination.

Note: This course is jointly-listed with FAS as Societies of the World 31 and HKS as PED-233.

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Post Foreclosure Eviction/Housing Law Clinical Seminar

Course #: 2199 **Term:** 2013FA **Faculty:** McDonagh, Maureen **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3009

Course Description: Required Clinic Component: Post-Foreclosure Eviction Defense/Housing Law Clinic (2-4 fall credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.
The Post-Foreclosure/Housing Law Clinical Workshop provides students, who are enrolled in the Legal Services Centers Post-Foreclosure Eviction Defense/Housing Law Clinic, with the practical skills and substantive knowledge necessary to effectively advocate for tenants in and out of the courtroom. Objectives of the course include: understanding the statutes, cases and rules applicable in housing law cases; enhancing student understanding of the professional roles, values and ethics involved in the practice of law; developing practical lawyering skills (such as interviewing clients, negotiating settlements, arguing motions, and introducing evidence); and analyzing and proposing advocacy approaches to contemporary housing law issues (such as post-foreclosure evictions).
A large part of the workshop is hands-on and group-oriented; students engage in small and large-group exercises and discussions. Throughout the course, we work on a hypothetical case from the initial client interview through the final disposition of the case. In addition, students will prepare a memorandum and conduct a presentation on one of their ongoing active cases at the Legal Services Center and will lead class discussion on the case. There is no final examination or paper for this course. Students will be evaluated based on their preparation for and participation in class exercises and discussions.
This workshop is a required component for students working in the Post-Foreclosure Eviction Defense/Housing Law Clinic of the WilmerHale Legal Services Center.
For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh, mcdonagh@law.harvard.edu, (617) 390-2542.

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Post Foreclosure Eviction/Housing Law Clinical Seminar

Course #: 2199 **Term:** 2014SP **Faculty:** McDonagh, Maureen **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3015

Course Description: Required Clinic Component: Post-Foreclosure Eviction Defense/Housing Law Clinic (2-4 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students are not eligible to enroll.
The Post-Foreclosure/Housing Law Clinical Workshop provides students, who are enrolled in the Legal Services Centers Post-Foreclosure Eviction Defense/Housing Law Clinic, with the practical skills and substantive knowledge necessary to effectively advocate for tenants in and out of the courtroom. Objectives of the course include: understanding the statutes, cases and rules applicable in housing law cases; enhancing student understanding of the professional roles, values and ethics involved in the practice of law; developing practical lawyering skills (such as interviewing clients, negotiating settlements, arguing motions, and introducing evidence); and analyzing and proposing advocacy approaches to contemporary housing law issues (such as post-foreclosure evictions).
A large part of the workshop is hands-on and group-oriented; students engage in small and large-group exercises and discussions. Throughout the course, we work on a hypothetical case from the initial client interview through the final disposition of the case. In addition, students will prepare a memorandum and conduct a presentation on one of their ongoing active cases at the Legal Services Center and will lead class discussion on the case. There is no final examination or paper for this course. Students will be evaluated based on their preparation for and participation in class exercises and discussions.
This workshop is a required component for students working in the Post-Foreclosure Eviction Defense/Housing Law Clinic of the WilmerHale Legal Services Center.
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Post-Foreclosure Eviction Defense/Housing Law Clinic

Course #: 8034 **Term:** 2013FA **Faculty:** McDonagh, Maureen **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Not Applicable

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Post-Foreclosure Eviction Defense/Housing Law Workshop (2 fall credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

As part of a broad coalition of legal services providers and community organizers, The Post-Foreclosure Eviction Defense/Housing Clinic represents tenants and foreclosed upon owners who are facing eviction. The work is done as part of a movement to effect change in the community and the bulk of the clinic's work consists of litigation in the Boston Housing Court. Students defend evictions and prosecute affirmative cases to improve housing conditions and prevent utilities terminations. Students engage very actively in client interviewing and counseling, fact investigation, pre-trial discovery (including the taking and defending of depositions), negotiation, and motion practice, as well as trying cases in court. Students also have the opportunity to engage in community lawyering and mobilization efforts with long term community partners and to work on legislative and other law reform initiatives. Students participate in a Boston Bar Association Attorney for the Day Program and offer "game day" advice to unrepresented litigants in Court on the day of the litigants hearing or trial. As eviction cases are first scheduled by rule on Thursday mornings, students find it helpful if they are available for clinic work on Thursdays (from around 8:30 to 1:00) as many opportunities arise through the Attorney for the Day Program to argue contested motions and negotiate live client cases.

The clinic is part of the WilmerHale Legal Services Center (LSC), a general practice community law office in the Jamaica Plain neighborhood of Boston. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services. Students are taught and mentored under the supervision and guidance of clinic directors, instructors and fellows and have an opportunity to meet students and advocates working in many areas of the law.

For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh, mcdonagh@law.harvard.edu, (617) 390-2542.

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Post-Foreclosure Eviction Defense/Housing Law Clinic

Course #: 8034 **Term:** 2014SP **Faculty:** McDonagh, Maureen **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Not Applicable

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Post-Foreclosure Eviction Defense/Housing Law Workshop (2 spring credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students are not eligible to enroll.
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

As part of a broad coalition of legal services providers and community organizers, The Post-Foreclosure Eviction Defense/Housing Clinic represents tenants and foreclosed upon owners who are facing eviction. The work is done as part of a movement to effect change in the community and the bulk of the clinic's work consists of litigation in the Boston Housing Court. Students defend evictions and prosecute affirmative cases to improve housing conditions and prevent utilities terminations. Students engage very actively in client interviewing and counseling, fact investigation, pre-trial discovery (including the taking and defending of depositions), negotiation, and motion practice, as well as trying cases in court. Students also have the opportunity to engage in community lawyering and mobilization efforts with long term community partners and to work on legislative and other law reform initiatives. Students participate in a Boston Bar Association Attorney for the Day Program and offer "game day" advice to unrepresented litigants in Court on the day of the litigants hearing or trial. As eviction cases are first scheduled by rule on Thursday mornings, students find it helpful if they are available for clinic work on Thursdays (from around 8:30 to 1:00) as many opportunities arise through the Attorney for the Day Program to argue contested motions and negotiate live client cases.

The clinic is part of the WilmerHale Legal Services Center (LSC), a general practice community law office in the Jamaica Plain neighborhood of Boston. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services. Students are taught and mentored under the supervision and guidance of clinic directors, instructors and fellows and have an opportunity to meet students and advocates working in many areas of the law.

For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh, mcdonagh@law.harvard.edu, (617) 390-2542.

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Poverty Law

Course #: 2201

Term: 2014SP

Faculty: White, Lucie

Credits: 3.00

Type: Elective

Subject Areas: Constitutional Law & Civil Rights; Family, Gender & Children's Law

Delivery Mode: Course

Days and Times:

Location

Wed 1:10 PM - 2:40 PM

Thu 1:10 PM - 2:40 PM

Course Description:

A growing portion of the US population is living in poverty. Historically and today, groups such as racial and ethnic minorities, Native Americans, immigrants, people with disabilities, and single parent households have borne the brunt of US poverty. "Poverty law," which has its roots in the old English "Poor Laws," can be viewed as both a cause of these groups economic marginalization and a tool that activists use to promote their social rights. In the course, we will consider this "double-edged" character of US poverty law through a close examination of that laws intersections, both historical and contemporary, with the socioeconomic status and lived experience of Americas most resource-limited groups.

We will begin with an overview of federal programs that provide a "safety net" for all citizens. We will then turn to the groups enumerated above, and consider where they have stood with respect to the distribution of the nations wealth, its "universal" safety net, and the particular laws and policies that have been directed at them. The course will be taught as a workshop with the objective of giving students a solid grounding in both the content and differential impact of US "poverty law." In addition to readings, short reponse papers, and oral exercises, the course will require each student to do a longer paper or group presentation on a course theme.

Scheduling note:This course will meet in both Griswold 110 and WCC 3016. The first class meeting will be held in G110.

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2013-2014 Academic Year

Poverty, Human Rights, and Development

Course #: 2202 **Term:** 2013FA **Faculty:** White, Lucie **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Location

HAU102

HAU102

Course Description: This course uses a multidisciplinary lens to explore the linkages between global poverty, human rights, and development from an historical, theoretical, institutional, and policy-making perspective. Its departure point is the emergence of a recent "human rights and development" trend, both in academia and policy, as a result of the combined failure of development economics and the human rights movement to effectively address the challenge of global poverty and inequality.

The first part of the course draws on foundational readings from law, development economics, political science, moral philosophy, and social anthropology to introduce historically and normatively situated approaches to development and human rights. The second part explores key themes and current policy debates in the field as they play out at the levels of international financial institutions, national level development strategies, and the private sector. The third part focuses on how human rights to food, health, housing, and a decent livelihood, for instance, can be advanced in developing countries. In this final section of the course, student groups will design and teach workshops about bringing social rights, poverty alleviation, and equitable development together in grounded ways. In addition to readings, response papers, and class exercises, the course will require each student either to write a final paper or take part in teaching an in-class student workshop.

Note:

This course will meet for two hours per week. Students are advised to keep C-block (Monday, Tuesday, Wednesday from 10:20am-12pm) free for flexible class meetings.

Students will have the option of adding an additional writing credit.

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2013-2014 Academic Year

Practical and Theoretical Regulation of Voting

Course #: 2622 **Term:** 2014SP **Faculty:** Snyder, James; Ansolabehere, Stephen **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Location

Wed 2:00 PM - 4:00 PM

Course Description: The course will focus on points of contact between legal scholarship on voting rights and election law and the political science literature on redistricting, voting behavior, and elections. Emphasis will be placed on how observed data can be, and should be, used as evidence.

Note: This course will be jointly-listed with FAS as Government 2453. This course will meet at FAS as well.

Practical Lawyering in Cyberspace

Course #: 2203 **Term:** 2013FA **Faculty:** Bavitz, Christopher; Topelson Ritvo, Dalia **Credits:** 2.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Seminar

Days and Times:

Location

Thu 5:00 PM - 7:00 PM

WCC3007

Course Description: This course will explore the complex challenges of effectively representing clients in a wide variety of intellectual property, technology and internet-related disputes. Using a rich set of cyberlaw-related case studies drawn from recent legal controversies, including targeted case readings, court filings, real-life testimony, deposition videotapes and other demonstrative materials, we will condense and weave together a broad range of experiences lawyers encounter in the actual practice of law in these dynamic fields with the core doctrinal and theoretical principles of the relevant areas of law, including IP, online speech, anonymity, privacy, cybercrime, antitrust and others. We will focus particularly closely on critical and strategic thinking and analysis, complex legal-practical problem solving and decision-making; and clear and persuasive writing and drafting. At appropriate points, we will bring in outside specialists to enhance our understanding of the interplay between substantive and practical issues. (Previous guests have included Microsoft's head of global IP strategy, Twitter's general counsel, Facebook's chief privacy officer, Google's chief competition counsel, a top Justice Department official responsible for cybercrime, a senior Assistant U.S. Attorney who prosecutes major high-tech cases, and noted computer scientists who have testified as experts in antitrust and patent cases).

Some seats are reserved for students enrolled in the Cyberlaw Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Cyberlaw Clinic. Please see the clinic's description for more information.

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2013-2014 Academic Year

Predatory Lending and Consumer Protection Clinic

Course #: 8035 **Term:** 2013FA **Faculty:** Bertling, Roger; Weinstein, Max **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Predatory Lending/Consumer Protection Clinical Seminar (2 fall credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).
The Predatory Lending/Consumer Protection Clinic focuses its advocacy efforts on preserving and protecting equity for low- and moderate-income homeowners; combating abuses in the consumer financial services industry; and ensuring equal and fair access to credit markets. The practice is primarily litigation and involves consumer, bankruptcy, real estate, banking, and tort law. The Clinic defends homeowners against foreclosure and commences complex litigation in Federal District Court, Bankruptcy Court, and Massachusetts Superior Court against subprime lenders, banking institutions, mortgage brokers, loan servicers, and foreclosure rescue scam artists. The Clinic also maintains a vibrant consumer law practice in which students defend against unlawful debt collection practices in state court, represent consumers who have been victimized by for-profit colleges and student lenders and represent consumers seeking a fresh start through petitions for bankruptcy.
Students in the Clinic gain extensive experience interviewing clients, analyzing loan documents, drafting complaints, drafting and responding to discovery requests, conducting and defending depositions, negotiating with opposing counsel, arguing motions, and engaging in long-term case strategizing. Students also have the opportunity to engage in bankruptcy and transactional work; to participate in the State Court Debt Collection Project; and, on occasion, to work on legislative initiatives and impact litigation.
For more information on the Predatory Lending Prevention / Consumer Protection Clinic, please contact Roger Bertling, (617) 390-2572; or Max Weinstein, (617) 390-2694.

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2013-2014 Academic Year

Predatory Lending and Consumer Protection Clinic

Course #: 8035 **Term:** 2014SP **Faculty:** Bertling, Roger; Weinstein, Max **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Predatory Lending/Consumer Protection Clinical Seminar (2 spring credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students are not eligible to enroll.
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).
The Predatory Lending/Consumer Protection Clinic focuses its advocacy efforts on preserving and protecting equity for low- and moderate-income homeowners; combating abuses in the consumer financial services industry; and ensuring equal and fair access to credit markets. The practice is primarily litigation and involves consumer, bankruptcy, real estate, banking, and tort law. The Clinic defends homeowners against foreclosure and commences complex litigation in Federal District Court, Bankruptcy Court, and Massachusetts Superior Court against subprime lenders, banking institutions, mortgage brokers, loan servicers, and foreclosure rescue scam artists. The Clinic also maintains a vibrant consumer law practice in which students defend against unlawful debt collection practices in state court, represent consumers who have been victimized by for-profit colleges and student lenders and represent consumers seeking a fresh start through petitions for bankruptcy.
Students in the Clinic gain extensive experience interviewing clients, analyzing loan documents, drafting complaints, drafting and responding to discovery requests, conducting and defending depositions, negotiating with opposing counsel, arguing motions, and engaging in long-term case strategizing. Students also have the opportunity to engage in bankruptcy and transactional work; to participate in the State Court Debt Collection Project; and, on occasion, to work on legislative initiatives and impact litigation.
We encourage students to concurrently enroll in: Legal Profession: Delivery of Legal Services (3 spring credits), which satisfies the Law School's Professional Responsibility Requirement.
For more information on the Predatory Lending Prevention / Consumer Protection Clinic, please contact Roger Bertling, (617) 390-2572; or Max Weinstein, (617) 390-2694.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Predatory Lending and Consumer Protection Clinical Seminar

Course #: 2204 **Term:** 2013FA **Faculty:** Bertling, Roger; Weinstein, Max **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Procedure & Practice; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3012

Course Description: Required Clinic Component: Predatory Lending/Consumer Protection Clinic (2-4 fall credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are not eligible to enroll.

The Predatory Lending and Consumer Protection Clinical Seminar is a required component of a clinical placement in the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Students in this clinic defend against foreclosures and commence affirmative litigation against banking institutions, sub-prime lenders, for-profit colleges and student lenders, servicers of loans, debt buyers and collectors, home improvement contractors, brokers and foreclosure rescue scam artists; and also represent consumers in Chapter 7 and Chapter 13 bankruptcies as well as in all facets of litigation on significant consumer issues, such as automobile financing, utility disputes, credit card, fair lending and fair credit reporting issues. The seminar introduces students to the substantive law germane to the clinics areas of practice, offers training in the skills needed to effectively litigate, (such as depositions, motion drafting and oral argument), and provides the opportunity for students to think strategically about their cases and to discuss the larger policy framework. Students will draft and argue a mock motion related to the coursework. Students will be graded based upon their participation in class and their motions and arguments.

A clinical practice component is required of all students. Enrollment is through clinical registration. Clinical placements are with the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Predatory Lending and Consumer Protection Clinical Seminar

Course #: 2204 **Term:** 2014SP **Faculty:** Bertling, Roger; Weinstein, Max **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Procedure & Practice; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4063

Course Description: Required Clinic Component: Predatory Lending/Consumer Protection Clinic (2-4 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students are not eligible to enroll.

The Predatory Lending and Consumer Protection Clinical Seminar is a required component of a clinical placement in the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Students in this clinic defend against foreclosures and commence affirmative litigation against banking institutions, sub-prime lenders, for-profit colleges and student lenders, servicers of loans, debt buyers and collectors, home improvement contractors, brokers and foreclosure rescue scam artists; and also represent consumers in Chapter 7 and Chapter 13 bankruptcies as well as in all facets of litigation on significant consumer issues, such as automobile financing, utility disputes, credit card, fair lending and fair credit reporting issues. The seminar introduces students to the substantive law germane to the clinics areas of practice, offers training in the skills needed to effectively litigate, (such as depositions, motion drafting and oral argument), and provides the opportunity for students to think strategically about their cases and to discuss the larger policy framework. Students will draft and argue a mock motion related to the coursework. Students will be graded based upon their participation in class and their motions and arguments.

A clinical practice component is required of all students. Enrollment is through clinical registration. Clinical placements are with the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Privacy, Technology, and National Security

Course #: 2205 **Term:** 2013FA **Faculty:** Heymann, Philip **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3007

Course Description: The threat of terrorism is leading to the development of remarkable, new methods of surveillance --- methods that do not require either the physical intrusion or traditional ways of overhearing conversations to which the courts have been applying Fourth Amendment law for decades. Nor have statutes filled the gaps in privacy that the new technology is opening. With the assistance of relevant scientists and engineers, we will look at a number of surveillance devices that will, foreseeably, be developed within the next decade and consider to what extent they will narrow the sphere of freedom that privacy and anonymity have long granted. This will require a careful analysis of the values protected by privacy, the usefulness of new technology in terms of security, and the possibilities for regulation by statute or judicial interpretation that could begin to reconcile these competing concerns.

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2013-2014 Academic Year

Private Fund Investment Management Law

Course #: 2323 **Term:** 2014WI **Faculty:** Champ, Norman **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 12:15 PM

Tue 9:00 AM - 12:15 PM

Wed 9:00 AM - 12:15 PM

Thu 9:00 AM - 12:15 PM

Fri 9:00 AM - 12:15 PM

Location

WCCB015

WCCB015

WCCB015

WCCB015

WCCB015

Course Description:

The goal of this course is to teach the fundamental legal and regulatory regimes that govern the operation of an investment management advisory business that is managing investment funds or accounts that are exempt from the Investment Company Act of 1940, as amended (Investment Company Act). These types of privately offered funds include private equity funds, hedge funds and real estate funds but can include any private funds established under exemptions from the Investment Company Act. Such funds control several trillion dollars of investment capital. The Dodd-Frank Act of 2010 required that the Securities and Exchange Commission change the regulatory scheme applicable to private funds. Legal advice in establishing these funds and helping the managers of the funds comply with new laws and regulations is in great demand. This course will use a study of statutes, rules, regulations, regulatory decisions, court cases, fund documentation and other materials to familiarize students with the legal issues in the investment management area and the principles that guide the resolution of these issues.

As will be apparent from the syllabus, investment management law encompasses several different areas of the law including the federal securities laws, employment law, tax law, partnership and corporate law. It is my goal to integrate these areas into a cohesive view of the legal aspects of the private fund investment management business. Using contacts in the regulatory agencies, investment management industry and bar, I plan to bring guest speakers to give students exposure to industry participants.

There are no prerequisites for this course; however, some knowledge in securities regulation and tax would be helpful.

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2013-2014 Academic Year

Private Law Workshop

Course #: 2206 **Term:** 2014SP **Faculty:** Smith, Henry; Goldberg, John **Credits:** 2.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Course

Days and Times:

Mon 1:00 PM - 3:00 PM

Location

WCC4059

Course Description: This workshop will explore the foundations of private law -- property, contracts, torts, and restitution. Emphasis will be on theories that offer explanations, justifications, and criticisms of architectural features of these areas of law and of their connections to one another. Sessions will be devoted to paper presentations by outside speakers and to discussions of classic and contemporary works reflecting philosophical, historical, and economic approaches to private law topics.

Paper required.

Prerequisite: Admission is by permission of the instructors. Students who wish to be considered for the seminar should submit a CV to Henry Smith (hsmith@law.harvard.edu).

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2013-2014 Academic Year

Problem Solving Workshop B

Course #: 1007 **Term:** 2014WI **Faculty:** Rakoff, Todd **Credits:** 2.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 12:00 PM

Tue 9:00 AM - 12:00 PM

Wed 9:00 AM - 12:00 PM

Thu 9:00 AM - 12:00 PM

Fri 9:00 AM - 12:00 PM

Location

WCC1019

WCC1019

WCC1019

WCC1019

WCC1019

Course Description: This is a required course for 1Ls only.

The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients.

The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there are required exercises, including on the evenings of January 14th and 22nd presentations to practitioners.

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2013-2014 Academic Year

Problem Solving Workshop C

Course #: 1007 **Term:** 2014WI **Faculty:** Wilkins, David **Credits:** 2.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 12:00 PM

Tue 9:00 AM - 12:00 PM

Wed 9:00 AM - 12:00 PM

Thu 9:00 AM - 12:00 PM

Fri 9:00 AM - 12:00 PM

Location

WCC1023

WCC1023

WCC1023

WCC1023

WCC1023

Course Description: This is a required course for 1Ls only.

The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients.

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2013-2014 Academic Year

Problem Solving Workshop D

Course #: 1007 **Term:** 2014WI **Faculty:** Shay, Stephen; Caffrey, Andrew **Credits:** 2.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 12:00 PM

Tue 9:00 AM - 12:00 PM

Wed 9:00 AM - 12:00 PM

Thu 9:00 AM - 12:00 PM

Fri 9:00 AM - 12:00 PM

Location

WCC2004

WCC2004

WCC2004

WCC2004

WCC2004

Course Description: This is a required course for 1Ls only.

The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients.

The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there are required exercises, including on the evenings of January 14th and 22nd presentations to practitioners.

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2013-2014 Academic Year

Problem Solving Workshop F

Course #: 1007 **Term:** 2014WI **Faculty:** Lee, William **Credits:** 2.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 12:00 PM

Tue 9:00 AM - 12:00 PM

Wed 9:00 AM - 12:00 PM

Thu 9:00 AM - 12:00 PM

Fri 9:00 AM - 12:00 PM

Location

WCC2012

WCC2012

WCC2012

WCC2012

WCC2012

Course Description: Lauren Fletcher will be assisting with this winter course.

This is a required course for 1Ls only.

The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients.

The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there are required exercises, including on the evenings of January 14th and 22nd presentations to practitioners.

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2013-2014 Academic Year

Problem Solving Workshop G

Course #: 1007 **Term:** 2014WI **Faculty:** Kramer, Andrea **Credits:** 2.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 12:00 PM

Tue 9:00 AM - 12:00 PM

Wed 9:00 AM - 12:00 PM

Thu 9:00 AM - 12:00 PM

Fri 9:00 AM - 12:00 PM

Location

WCC1010

WCC1010

WCC1010

WCC1010

WCC1010

Course Description: This is a required course for 1Ls only.

The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients.

The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there are required exercises, including on the evenings of January 14th and 22nd presentations to practitioners.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Progressive Alternatives: Institutional Reconstruction Today

Course #: 2391 **Term:** 2014SP **Faculty:** Unger, Roberto **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Tue 1:00 PM - 3:00 PM

Location

HAU102

Course Description: An exploration of the past and future agenda of progressives, whether self-described as liberals or as leftists. What should they propose, now that they no longer believe in the usefulness of governmental direction of the economy or in the sufficiency of redistributive social programs? A basic concern is the relation of programmatic thought to the understanding of change and constraint.

The course will draw on many disciplines and consider examples from many settings. It will try to develop ways of thinking as well as proposals for change. Readings from classic and contemporary social and political theory.

Extended take-home examination.

Note: This course is jointly-listed with FAS as Government 1092.

Property 1

Course #: 1004 **Term:** 2013FA **Faculty:** Singer, Joseph **Credits:** 4.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC1015

WCC1015

Course Description: This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Topics will cover aspects of commercial land transfers such as leases, conveyances, recording, and other methods of title assurance; the role of property law in producing and remedying racial and economic inequality; private land use planning methods; and zoning, health and safety regulations, and takings doctrine. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Property 2

Course #: 1004 **Term:** 2014SP **Faculty:** Benkler, Yochai **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC1015

WCC1015

Course Description: Basic introduction to property and the role of law in the construction of markets and social relations; an introduction to the vocabulary and grammar of legal forms; and initial development of skills in institutional design and critical examination of the effects of different legal arrangements on the social and economic relations they regulate.

Property 3

Course #: 1004 **Term:** 2013FA **Faculty:** Mann, Bruce **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Thu 1:00 PM - 3:00 PM

Location

WCC1019

WCC1019

Course Description: This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

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Property 4

Course #: 1004 **Term:** 2014SP **Faculty:** Mack, Kenneth **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

Location

WCC2009

WCC2009

WCC2009

Course Description: This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Topics will cover aspects of commercial land transfers such as leases, conveyances, recording, and other methods of title assurance; the role of property law in producing and remedying racial and economic inequality; private land use planning methods; and zoning, health and safety regulations, and takings doctrine. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

Property 5

Course #: 1004 **Term:** 2013FA **Faculty:** Mann, Bruce **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Wed 8:25 AM - 10:25 AM

Thu 8:30 AM - 10:30 AM

Location

WCC1019

WCC1019

Course Description: This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

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Property 6

Course #: 1004 **Term:** 2014SP **Faculty:** Smith, Henry **Credits:** 4.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

Location

WCC1019

WCC1019

WCC1019

Course Description: This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

Property 7

Course #: 1004 **Term:** 2013FA **Faculty:** Glendon, Mary Ann **Credits:** 4.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Thu 1:00 PM - 3:00 PM

Location

WCC1023

WCC1023

Course Description: This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

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Prostitution: The Critical Questions

Course #: 2580 **Term:** 2013FA **Faculty:** MacKinnon, Catharine; Rosenfeld, Diane **Credits:** 1.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Thu 4:00 PM - 6:00 PM

Location

WCC3009

Course Description: This reading group will consider the most crucial questions raised by prostitution today, including its nature, relation to trafficking and pornography, and how the institution affects womens and childrens lives around the world. Beginning with Nawal El Saadawis "Woman at Point Zero," we inquire into what is known and not known about the sex industry and consider domestic and international legal and policy approaches to its criminalization, decriminalization, regulation, and abolition.

Public Health Law

Course #: 2579 **Term:** 2013FA **Faculty:** Barnes, Mark **Credits:** 3.00

Type: Elective **Subject Areas:** Health Law

Delivery Mode: Course

Days and Times:

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Location

WCC2004

WCC2004

Course Description: In the practice of public health, the patient is the population rather than the individual; and actions and policies to promote public health therefore consider the welfare of the collective, often without regard for the interests of individuals. In liberal society, public health practice therefore exists in tension with constitutional law, judicial precedent, and even our culture itself, in which the individual is most often the unit of measure and analysis. In this course, we will consider the major categories of public health practice - including disease reporting and data collection, compelled treatment and vaccination, isolation and quarantine, inspection of public facilities and private homes, licensure of health professionals, regulation of food and drugs, environmental regulation, and sanitation - and their sources of legal authority and legal limitations. Public health will be viewed in historical perspective, and we will particularly examine the roots of modern public health practice in the nineteenth century work of Hermann Biggs and John Snow, and in the odd alignment of German public health practitioners with Nazi government efforts in the 1930s to control tobacco use and promote national health. Case examples will be drawn from recent public health controversies relating to the control of multi-drug resistant tuberculosis, HIV/AIDS, obesity, tobacco, and substance abuse.

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Public Health Law and Policy

Course #: 2497 **Term:** 2013FA **Faculty:** Greenwald, Robert **Credits:** 2.00

Type: Elective **Subject Areas:** Health Law

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3034

Course Description: This seminar will provide an overview of the historical law and policy decisions that have shaped the U.S. health care system and are informing current debates about health reform. Students will learn about the structure and functioning of the U.S. health care system, with a focus on how this system is working (or not working) for vulnerable populations (e.g., low-income people living with chronic health conditions). Incorporating varying perspectives, the seminar will discuss and analyze federal and state policy options that the nation has going forward to address the current public health and access to care crisis that is a direct outgrowth of 50 million Americans being without health insurance. The seminar will encourage discourse, dialogue, and debate from all perspectives about U.S. health law and policy choices.

This seminar will include a mix of substantive and skills-based classes. For the substantive classes, we will analyze and discuss key elements of the current U.S. health care system as well as major federal and state law and policy initiatives, including the national health care reform law - the Patient Protection and Affordable Care Act - with a focus on how these initiatives impact access to care for vulnerable populations. For the skills-based classes, the goal is to develop students' ability to effectively identify, analyze, describe, and advocate for a particular policy issue or objective.

This seminar will begin with an overview and comparison of the health systems currently in place in other democratic countries, to put the U.S. health system into context. Next, we will discuss the origins of the U.S. health system and key policy decisions over the past century that have shaped the current patchwork of public and private insurance coverage options in this country. After providing this international and historical context, we will move to a detailed analysis of the key elements of the current U.S. health system through the lens of its impact on vulnerable populations. We will look at the components of the federal approach to reform, looking first at piecemeal reforms and programs aimed at particular areas or populations and then stepping back to analyze some of the most recent proposals that come closer to a complete overhaul of the current system, including extensive analysis of the Affordable Care Act. Moving from federal health care initiatives to state initiatives, we will look to several case studies that highlight the ways in which states are acting as laboratories of innovation to implement sweeping health care reforms.

Finally, we will look at what forces are at play that favor the health policy status quo in this country and then discuss the many avenues that health policy solutions focusing on increasing access to health care can take.

This seminar is open to students interested in health law and policy and its implications on access to care for vulnerable populations, and no background or prerequisites are required. The reading materials for the course will be provided in a course reader, and will include various book chapters, cases, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The course is intended to spark debate between different sides of these often controversial issues, and students will be asked to participate in different in-class role plays and debates.

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Rather than an examination, students will be required to submit responses to the readings or relevant news articles via the on-line course blog, prepare for and participate in in-class role playing activities and debates, and prepare short policy briefs. During several weeks of the semester we will also have clinical students present case rounds about their clinical work, to introduce the rest of the students to the health policy work currently taking place at HLS through clinical, volunteer, and pro bono opportunities.

Enrollment in the seminar is limited to 20 students, and is open to LLM students by permission. Some seats are reserved for students enrolled in the fall and winter Health Law and Policy Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Health Law and Policy Clinic. Please see the clinic's description for more information.

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Public Health Law and Policy

Course #: 2497 **Term:** 2014SP **Faculty:** Greenwald, Robert **Credits:** 2.00

Type: Elective **Subject Areas:** Health Law

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3012

Course Description: This seminar will provide an overview of the historical law and policy decisions that have shaped the U.S. health care system, and are informing current debates about health reform. Students will learn about the structure and functioning of the U.S. health care system, with a focus on how this system is working (or not working) for vulnerable populations (e.g., low-income people living with chronic health conditions). Incorporating varying perspectives, the seminar will discuss and analyze federal and state policy options that the nation has going forward to address the current public health and access to care crisis that is a direct outgrowth of 50 million Americans being without health insurance. The seminar will encourage discourse, dialogue, and debate from all perspectives about U.S. health law and policy choices.

The seminar will include a mix of substantive and skills-based classes. For the substantive classes, we will analyze and discuss key elements of the current U.S. health care system as well as major federal and state law and policy initiatives, including the national health care reform law - the Patient Protection and Affordable Care Act - with a focus on how these initiatives impact access to care for vulnerable populations. For the skills-based classes, the goal is to develop students' ability to effectively identify, analyze, describe, and advocate for a particular policy issue or objective.

This seminar will begin with an overview and comparison of the health systems currently in place in other democratic countries, to put the U.S. health system into context. Next, we will discuss the origins of the U.S. health system and key policy decisions over the past century that have shaped the current patchwork of public and private insurance coverage options in this country. After providing this international and historical context, we will move to a detailed analysis of the key elements of the current U.S. health system through the lens of its impact on vulnerable populations. We will look at the components of the federal approach to reform, looking first at piecemeal reforms and programs aimed at particular areas or populations and then step back to analyze some of the most recent proposals that come closer to a complete overhaul of the current system, including extensive analysis of the Affordable Care Act. Moving from federal health care initiatives to state initiatives, we will look to several case studies that highlight the ways in which states are acting as laboratories of innovation to implement sweeping health care reforms. Finally, we will look at what forces are at play that favor the health policy status quo in this country, and then discuss the many avenues that health policy solutions, focusing on increasing access to health care, can take.

The seminar is open to students interested in health law and policy and its implications on access to care for vulnerable populations. No background or prerequisites are required. The reading materials for the course will be provided in a course reader, and will include various book chapters, cases, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The course is intended to spark debate between different sides of these often controversial issues, and students will be asked to participate in different in-class role plays and debates.

Rather than an examination, students will be required to submit responses to the readings or relevant news articles via the on-line course blog, prepare for and participate in in-class role playing activities and debates, and prepare short policy briefs. During several weeks of the

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semester we will also have clinical students present case rounds about their clinical work to introduce the rest of the students to the health policy work currently taking place at HLS through clinical, volunteer, and pro bono opportunities.

Enrollment in the seminar is limited to 20 students and it is open to LLM students by permission. Some seats are reserved for students enrolled in the spring Health Law and Policy Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Health Law and Policy Clinic. Please see the clinic's description for more information.

Public Interest Environmental Litigation

Course #: 2387 **Term:** 2013FA **Faculty:** Goho, Shaun **Credits:** 2.00

Type: Elective **Subject Areas:** Environmental Law; Procedure & Practice; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC4063

Course Description: This course provides an overview of the practice of public interest environmental litigation. Most federal environmental statutes, such as the Clean Air Act and the Clean Water Act, include a provision allowing any person to bring suit in federal court against any person who violates the statute. These citizen suits have many unique characteristics that distinguish them from typical civil litigation. Public interest plaintiffs may also challenge agency action under certain other environmental statutes, such as the National Environmental Policy Act, pursuant to the Administrative Procedure Act.

Students in this class will learn, from start to finish, how to litigate cases under the federal environmental laws—both true citizen-suit cases and cases brought under the APA. The emphasis will not be on mastering the substance of the various environmental laws (although some of that will be necessary), but instead on the practical skills and knowledge necessary to prosecute and defend these suits.

The topics to be covered include:

- Factual investigation of potential claims and evidentiary issues.
- Drafting notice letters.
- Conditions precedent to suit and other procedural requirements and defenses.
- Standing declarations: interviewing clients and helping them prepare a declaration to establish their standing.
- Intervention.
- Remedies, including injunctions, civil penalties, and attorneys fees.
- Characteristics of different types of environmental suits.
- Strategies for plaintiffs, defendants, and intervenors.
- Media relations.
- Ethical issues in public interest environmental litigation.

Students are encouraged to enroll in the Environmental Law & Policy Clinic, which will provide students with practical experience through projects for clinic clients. Some seats in this seminar are reserved for students who are enrolled in the clinic (students must be enrolled in the clinic before they can claim one of these reserved seats). A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Environmental Law & Policy Clinic. Please see the clinic's description for more information.

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Public Interest Lawyering

Course #: 2606

Term: 2014SP

Faculty: Cummings, Scott

Credits: 2.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3011

Course Description:

This course explores the practice, potential, and pitfalls of public interest lawyering. It asks who public interest laweys are, what causes they represent, and how they mobilize law in the pursuit of change. Drawing upon scholarly research and practical examples, the course studies public interest lawyers pursuing a diverse range of political goals (from civil rights to property rights) across multiple practice sites (from nonprofit organizations to private law firms) with a variety of strategic approaches (from individual litigation to multifaceted advocacy campaigns). In so doing, it seeks to illuminate the complex and contested world of contemporary public interest lawyering: examining how it has changed, what it has accomplished, and what challenges lie ahead.

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Public International Law

Course #: 2212 **Term:** 2013FA **Faculty:** Burke-White, William **Credits:** 3.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

WCC3018

WCC3018

Course Description: This course introduces students to the legal rules and institutions that govern the international political system. The course provides a formal introduction to international law and emphasizes the relationships between law and politics in the behavior of states, institutions, and individuals in international affairs.

International law is both more relevant and more interesting today than ever before. From the war against terror to the war in Iraq; from the challenges of free trade to the dangers of environmental destruction; from prisoners in Guantanamo Bay to former heads of state appearing in court, international law has a direct bearing on many of the key issues in international affairs. This course examines how international law is created, how it operates, and what effect it has on these and other issues in contemporary international relations.

The course begins with an introduction to the nature and structure of the international legal system. Topics include: the subjects and forms of international law, the key institutional actors, the theoretical background to the international legal system, and the relationships between international law and international relations. The second part of the course turns to particular substantive areas of international law. The professor will select certain topics and there will be an opportunity for the class to help select additional topics to consider. Topics may include: international economic law and the WTO; international criminal law, the ICC, and the trial of Saddam Hussein; the protection of human rights and the detentions of enemy combatants in Guantanamo Bay; the use of force and the conflicts in Kosovo and Iraq; the proliferation of weapons of mass destruction and the future of the United Nations. Additional topics may be added or substituted if international events so warrant.

This course is available to students who have not previously taken a course in public international law.

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Public International Law

Course #: 1008 **Term:** 2014SP **Faculty:** Blum, Gabriella **Credits:** 4.00

Type: 1L International
Comparative
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

AUS101

AUS101

Course Description: This is an introductory course to public international law. The first part of the course examines the nature, sources, and methods of international law, the relationship between international law and domestic U.S. law, the determination of international responsibility and the resolution of international disputes, and the bases of national jurisdiction over international conduct. In the second part of the course we will study select substantive areas of international law, including the use of force and the laws of war, human rights, international criminal law, and international trade law. Where relevant, the course will follow current events.

This course is one of the 1L required international or comparative courses and is only available to HLS first-year students.

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Public International Law

Course #: 1008 **Term:** 2014SP **Faculty:** Linos, Katerina **Credits:** 4.00

Type: 1L International
Comparative
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC2012

WCC2012

Course Description: This course provides an introduction to international law broadly defined. It presents the basic concepts that every lawyer should know about the international dimensions of law in the modern world, and offers a rigorous foundation for advanced courses in this field. After covering the sources of international law, we will discuss a wide range of specific topics, from international human rights and the use of force, to international environmental law, trade and investment, and international business transactions.

Why study international law? Legal systems today are highly interconnected. We will see that changes in laws that appear entirely domestic in character can have global consequences. Conversely, foreign countries' laws, international norms, and treaties can shape how domestic legal systems evolve. With its dominant role in the development and enforcement of the rules connecting the world, the U.S. often finds itself at the center of both these forces. International law is essential for careers in many government agencies, international organizations and tribunals. In addition, American lawyers today often represent U.S. companies doing business abroad or foreign companies doing business here.

The course has no prerequisites, and no prior knowledge will be assumed. That said, LLM students and others who already have a background in international law are encouraged to take the course. A particular emphasis of this course will be the use of international law in domestic litigation and law reform. Additionally, we will examine how politics and culture inform the negotiation and enforcement of international agreements, and draw on a growing theoretical literature on international law and international relations.

This course is one of the 1L required international or comparative courses and is available to first-year and LL.M. students only.

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Public Law Workshop

Course #: 2213 **Term:** 2014SP **Faculty:** Gersen, Jacob; Vermeule, Adrian **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Wed 10:00 AM - 12:00 PM

Location

WCC3009

Course Description: The Public Law Workshop reads a mix of classic and contemporary work, in legal theory and adjacent disciplines, on the legal and political foundations of constitutional theory, practice, and regulatory design. In approximately half of the sessions, invited speakers will present papers on topics relevant to the workshop theme. Students will be required to write short response papers.

Due to conflict with other courses, the Public Law Workshop (Spring 2014) has been rescheduled to Wednesdays from 10-12. Because of this change, the application requirement has been rescinded; interested students should simply send an email as soon as possible to Ellen Keng (ekeng at law.harvard.edu), expressing their intent to take the workshop.

Public Problems: Advice, Strategy and Analysis

Course #: 2398 **Term:** 2014SP **Faculty:** Barron, David; Fung, Archon **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Thu 10:00 AM - 12:00 PM

Location

WCC3008

Course Description: This is a two-credit jointly taught seminar that is required for students in their third and fourth years of the HLS/HKS joint degree program. It will use a series of case studies to examine how to analyze, advise and strategize the resolution of a series of difficult real world public problems at the intersection of law and policy from the vantage point of government decision makers at the city, state and federal levels, as well as from the vantage point of nongovernmental organizations and advocacy groups.

Students enrolled at the Kennedy School who have already received a JD or have completed the first year of law school, or students at the law school who have received a public policy degree or are presently enrolled in a public policy program other than the HKS program may also take this seminar with the permission of Professors Barron and Fung.

Prerequisite: Instructor permission is required for enrollment. For students who want permission to enroll, please email Professors Barron and Fung expressing why you would like to take the seminar. Their emails are archon_fung@harvard.edu and dbarron@law.harvard.edu.

Note: This course is jointly-listed with HKS as DPI-562.

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Race and Justice: The Wire

Course #: 2214 **Term:** 2013FA **Faculty:** Ogletree, Charles **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Location

WCCB015

WCCB015

Course Description: This course will examine the wide ranging legal procedures utilized in the highly acclaimed HBO series "The Wire". The readings will focus on police procedure, criminal codes, crime policy, criminal investigation, drug interdiction, and sentencing alternatives among other topics. Students will get a firsthand view of the manner in which law enforcement officials exercise broad discretion in the course of criminal investigations, and how legislative responses and the problems of crime often lead to dramatic and overreaching public policy.

Students will be required to write three short reflection papers during the course and submit a 20 to 25 page paper at the end of the course.

Race and Politics

Course #: 2484 **Term:** 2013FA **Faculty:** Robinson, Stephanie **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC5052

Course Description: This course traces the trajectory of select sentiment, ideology and media relevant to the recent concept of a "post-racial" American society. While the successful campaign of President Barack Obama certainly acted as a galvanizing force for post racial conceptualizations and discourse, this course will consider this political watershed within a larger context of the historical and current factors facilitating the development of such a debatable construct. Relevant factors including the flaws and promises of traditional civil rights movements, changing demographics, evolving issues of race and marriage, the rise of the Tea Party, anti-immigrant sentiment, political polarization, ongoing economic turmoil, and sympathy for the loss of whiteness in traditional national identity will be discussed through literature, journalism and visual media.

The final grade for the course will be based on 1) class attendance, 2) class participation, 3) a class presentation, and 4) a final paper.

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Race Relations Law: 1776-1876

Course #: 2215 **Term:** 2013FA **Faculty:** Kennedy, Randall **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Legal History

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 2:40 PM

Tue 1:10 PM - 2:40 PM

Location

HAU102

HAU102

Course Description: This course will cover developments in the law of race relations between the founding of the United States and the end of Reconstruction. Each class will begin with a lecture followed by time for comments, questions, and objections.

Race Relations Law: 1877-Present

Course #: 2216 **Term:** 2014WI **Faculty:** Kennedy, Randall **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Legal History

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 12:15 PM

Tue 9:00 AM - 12:15 PM

Wed 9:00 AM - 12:15 PM

Thu 9:00 AM - 12:15 PM

Fri 9:00 AM - 12:15 PM

Location

AUS101

AUS101

AUS101

AUS101

AUS101

Course Description: This course will cover developments in race relations law between the end of Reconstruction and the present. Each class will begin with a lecture followed by time for comments, questions, and objections.

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Real Estate Law

Course #: 2218

Term: 2014SP

Faculty: Mechanic, Jonathan

Credits: 2.00

Type: Elective

Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Fri 1:15 PM - 3:15 PM

Location

HAU104

Course Description:

This course will provide a practical introduction to the exciting world of real estate law. It will canvas a broad range of sophisticated real estate transactions and explore issues relating to sales, purchases, mortgage financing, mezzanine financing, commercial leasing, ground leasing, joint ventures, "air rights" transactions, land use and private/public partnerships.

The course is designed to give students, who are interested in practicing real estate law, insight into the practical lawyering experiences of real estate attorneys practicing in major urban centers and to provide them with a head-start in pursuing their career interests. We will use documentation from actual deals to study each type of transaction. Some sessions will feature guest speakers, including leading developers and other industry experts.

Class size will be limited, so attendance is mandatory and class participation will be a component of final grades.

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Reason in Law: Challenges of Skepticism and Paradox

Course #: 2525 **Term:** 2013FA **Faculty:** Brewer, Scott **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3034

Course Description: To what extent, and in what ways, are law and legal process governed or disciplined by reason? This millennial question of legal theory, dating back in the West to at least the time of the Sophists, Plato, Aristotle, and Socrates, continues to be robustly debated around the world today. In America, the question received new vigor in the work of the Legal Realists and their followers (consider Holmes' influential edict, the life of the law has not been logic, it has been experience). The question has also been deeply connected to the very idea of the rule of law, conceived as a government of laws and not of men. In this seminar we will consider this question by focusing on two kinds of possible limits on the extent to which law can be governed or disciplined by reason: the possibility of paradoxes in law or legal process, and the possibility of skepticism about law or legal process. We will examine some philosophical paradoxes and consider whether they surface in law. We will also consider some varieties of philosophical skepticism and compare and contrast them to some types of skepticism that have been advanced in legal theory (such as rule skepticism and fact skepticism).

Work for the course consists of one paper, on a topic related to the course topic, and participation in class discussion.

No background in philosophy is required. Some basic tools of logic will be taught to help explain and explore claims about paradox and skepticism in law, but one need have no background in logic - only a willingness to engage in careful reflection and analysis. Anyone seeking information about this course should feel free to contact Professor Scott Brewer at sbrewer@law.harvard.edu.

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Regulation of Financial Institutions

Course #: 2219 **Term:** 2013FA **Faculty:** Jackson, Howell **Credits:** 4.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Wed 1:45 PM - 3:00 PM

Thu 1:30 PM - 3:00 PM

Fri 1:30 PM - 3:00 PM

Location

WCCB015

WCCB015

WCCB015

Course Description:

This course explores the regulation of financial institutions in the United States, covering a range of firms including banks, mutual funds, securities firms, financial markets, and insurance companies. We will examine the many different supervisory mechanisms that have evolved in the United States to regulate financial services firms, with a particular emphasis on jurisdictional boundaries, the division of regulatory authority over the financial services industry, issues of consumer protection in mortgage lending and consumer credit practices, and the oversight of systemic risks.

Over the course of the semester, students will be expected to prepare one short reaction paper on a topic of current interest and also to take an in-class final examination.

Teaching materials will include a number of business school case studies as well as more traditional legal sources. Readings will be from Howell E. Jackson, *The Regulation of Financial Institutions* (current edition).

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Reproductive Rights and Justice

Course #: 2540 **Term:** 2014SP **Faculty:** Roseman, Mindy **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

LEW214B

Course Description: This seminar will examine reproductive rights and justice, domestically and globally. The concept of reproductive rights cuts across many legal doctrines such as family law, property, health law, criminal law, immigration, human rights, and constitutional law. Reproductive rights include access to fertility treatment, pre-natal care, contraception, pregnancy termination, perinatal and post-natal care, genetic counseling, gender equality and more--and yet in public and political discussions, attention is often limited to questions involving abortion.

This course will address the entire range of reproductive rights through the interdisciplinary and cross-cultural examination of historical, anthropological, sociological and public health articles as well as legal cases, film and literature. We will explore social movements, population policy, sexuality, gender, race/ethnicity and poverty, as well as look at legal and policy responses such as decriminalization, financial regulation, and public interest litigation.

Some of the questions this seminar will consider are: What are the legal doctrines that constitute reproductive (and sexual) rights, and in being so constructed, what actions do they enable and constrain? What roles have the US Supreme, and other Constitutional Courts, played in constructing elite and popular debates? Why is abortion so central? How do reproductive and new media technologies contribute to the global and local conversations and social movements? How have the concepts of reproductive rights transformed into claims for reproductive and what does it mean?

Grades will be based on an oral class presentation and final paper.

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Responsibilities of Public Lawyers Clinic

Course #: 8023 **Term:** 2014SP **Faculty:** Guinier, Lani **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Disciplinary Perspectives & Law

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Legal Profession: Responsibilities of Public Lawyers (4 spring credits). Some seats are reserved for clinical students. Students must enroll in this clinic before they are permitted to enroll in one of the reserved clinical seats.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements. Clinical placements are with various local governmental, non-profit, law firms, and legal services organizations. Students should have at least one full day open in their schedule for clinical work. Placements are coordinated by the Office of Clinical and Pro Bono Programs.

Responsibility

Course #: 2571 **Term:** 2013FA **Faculty:** Goldberg, John **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Reading Group

Days and Times: **Location**
Tue 5:00 PM - 7:00 PM WCC4061

Course Description: The identification of a person or entity as being responsible for some action or state of affairs is a basic concern of both law and morality. This reading group will examine puzzles that attend the assignation of responsibility, particularly as they arise in tort and criminal law. These include: (1) when and on what grounds a person can fairly be deemed responsible for an act or outcome; (2) whether attributions of responsibility are necessarily tied to notions of blame; and (3) ways in which one person or entity can be responsible for acts that are in the first instance undertaken by others.

Readings will consist primarily of articles and book excerpts that provide philosophical analyses of responsibility and related topics.

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2013-2014 Academic Year

Rethinking the Legal and Ethical Status of Humans, Animals, and the Environment

Course #: 2545

Term: 2014SP

Faculty: Skopek, Jeffrey

Credits: 2.00

Type: Elective

Subject Areas: Environmental Law; Health Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC5052

Course Description:

Cutting across issues in bioethics, animal rights, and environmentalism, this course will explore the law's treatment of entities whose legal and ethical status is ambiguous or contested.

The first section of the course will be devoted to human entities, such as embryos, the brain dead, and future persons. With respect to future persons, for example, we will ask whether an activity can be considered harmful to a future person if it alters the person's genetics so much that it changes the person's identity; whether a law that prevents someone from coming into existence can be justified by reference to the best interests of that person; and if it can be justified, in what circumstances and on what grounds.

The second section of the course will be devoted to animal entities, such as primates, farm animals, and chimeras. With respect to primates, for example, we will ask whether animal protection statutes should be understood as granting rights to primates; how their status as property without legal standing to enforce these statutes shapes the answer to that question; and whether they should be granted standing or a functional alternative, such as equitable self-ownership.

The third section of the course will be devoted to environmental entities, such as the climate, forests, and endangered plant species. With respect to the climate, for example, we will ask whether cap and trade regimes create objectionable rights to impose harm by which they can be meaningfully distinguished from other regulatory regimes; how a cap and trade solution to the problem of global warming conceptualizes the harm of emissions; and what conception of the good of the environment underlies this conception of harm.

Across these categories, we will also explore a broader set of common questions and issues. For example, we will explore the relationship between legal and natural categories, as well as the nature of ethical and legal justification, asking whether rights and duties should be based on general categories (such as species membership), individual capacities (such as sentience or rationality), or a completely different type of criterion (such as the meaning of a form of treatment).

Grading will be based on class participation and reading responses.

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Revitalizing America's Cities

Course #: 2393 **Term:** 2014SP **Faculty:** Ogletree, Charles **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 10:30 AM - 12:00 PM

Tue 10:30 AM - 12:00 PM

Location

LAN272

LAN272

Course Description: This course is designed to examine the major challenges that cities face in the 21st century, challenges ranging from home rule to education alternatives to employment to health care, as well as ways of revitalizing the 21st century city. The course will focus on the relationship between cities and to some extent, counties and rural areas, and their relationship to state, federal, and international authorities.

The course requirements are two response papers (2-4 pages double spaced) during the semester and a 20 to 25 page paper at the end of the term. There are no prerequisites for the course and it is open to first year students.

The required text for the course is *City Bound: How States Stifle Urban Innovation* (Cornell University Press 2008) by Professors Gerald Frug and David Barron. A number of additional articles will be presented during the course.

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Running a Federal Agency: Lessons from Business, Technology and Game Theory

Course #: 2631 **Term:** 2013FA **Faculty:** Genachowski, Julius **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 8:00 PM

Location

LEW214A

Course Description: COURSE OBJECTIVES

This course will offer first-hand insights into the management of a U.S. federal agency and the role of the Federal Communications Commission, particularly in unleashing the opportunities of wired and wireless broadband. The class instructor served as FCC Chairman from 2009-2013, after a decade as an executive and investor in Internet and media.

Informally called Running a Federal Agency: Lessons from Business, Technology and Poker, the class will focus on the development, adoption and implementation of policies in a time of changing technology, a challenging economy, and increasing polarization. In other words, how to get good things done as the head of a federal agency, in a sector important to U.S. innovation, economic growth and global competitiveness.

Questions that will be discussed include:

What major policies and initiatives should the FCC adopt if its goals are to drive private investment and innovation in wired and wireless broadband networks and applications; foster competitive and healthy markets; and empower consumers and entrepreneurs? Should those be its goals?

How can a 75-year-old agency with roughly 2,000 employees and numerous legacy practices and processes best develop those policies and initiatives?

Should a federal agency conduct a strategic planning process and, if so, how?

What are the key challenges to successful development, adoption and implementation of major policies and initiatives, and how can they be overcome?

How should the FCC interact with the President, other federal agencies, and Congress?

What role can and should outside stakeholders play? The media?

What works, and what doesn't, when it comes to managing a federal agency and engaging with external constituencies? What are the lessons from the private sector, both operations and dealmaking? What are the lessons from game theory and games of skill (like poker)?

What's the role of technology in managing a federal agency and achieving its mission?

COURSE APPROACH & CONTENT

The class will take an informal case studies approach, looking at how the FCC tackled several major initiatives and proceedings during the last four years, including:

Open Internet rules (net neutrality)

Decisions on the attempted AT&T/T-Mobile merger and completed Comcast/NBC acquisition

Developing and implementing Incentive Auctions and other major initiatives to free up spectrum for mobile broadband

Modernizing complex regulatory systems from telephone to broadband: Universal Service Fund and Intercarrier Compensation reform.

Mesh networking, next-gen 911 and other new ideas to harness technology for public safety communications

Education Technology: 21st century connectivity and learning in K-12

The course will meet on

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September 11, October 9, November 13 and December 4. The first class meeting will take place in Griswold 110. All other class meetings will take place in Lewis 214A.

PREREQUISITES

Enrollment is by permission of the instructor. Interested students should send one paragraph on their interest in the class, along with a CV, to Patricia Merullo at pmerullo@law.harvard.edu. Applications are due Friday, August 30 and decisions will be made by Monday, September 9. The course is open to HBS students for credit and to other graduate students.

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Secession

Course #: 2604 **Term:** 2013FA **Faculty:** Levinson, Sanford **Credits:** 1.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3008

Course Description: Secession very much remains an issue of great theoretical interest and, for better and worse, a topic of practical importance. Most persons in the United States, of course, properly concentrate on the attempted secession by eleven states in 1860-61 that led to the deaths of approximately 750,000 persons on both sides (whether it is accurate to describe these persons in any uncomplicated way as Americans is, of course, the central issue posed by the secessionist challenge). But one need only look to the northern neighbor of the United States to discover a country in which many people within Quebec, including the current provincial prime minister, continue to harbor secessionist aspirations and where the Canadian Supreme Court wrote an immensely interesting opinion about the constitutional status of a potential attempt to secede by Quebec. Scotland will also vote next year about undoing the 1707 Treaty of Union that generated the United Kingdom, even as Great Britain itself seems set to participate in a referendum on whether in effect to secede from the European Union. There are rumblings of secession in Catalonia, and the future of Belgium as a united country remains very much in doubt. And, of course, there were the manifold developments in what used to be the Soviet Union, Yugoslavia, and Czechoslovakia. One could look at other continents as well, including the recent creation of South Sudan out of what used to be simply Sudan or secessionist impulses in Iraq or, possibly, Syria (depending on the outcome of that country's civil war).

No six-session reading course could possibly do justice to the plethora of issues raised by taking secession seriously as a topic of study. Nonetheless, we will try to look at a sampling of materials to at least help us get a fix on how one might approach the topic. We will begin by looking at some of the literature in political theory about the (im)propriety of secession, using the American Revolution and the Declaration of Independence as practical illustrations of two central positions. One focuses on the ostensible right to self-determination and government by consent of the governed; the other suggests the necessity of legitimate claims by a geographically concentrated group, often of distinctive ethnicity, that it is being systematically oppressed by a central government. We will move on to look at the debate surrounding secession in the United States in 1860-61, including the important question whether that debate could/should be described primarily as legal or, instead, political or moral. (E.g., is the slaughter of the War better justified under the rubric of a war on slavery than a war to save the Union?) We will then move on to Canada and discuss the Quebec Secession case (and the specific claims by Quebec in behalf of withdrawal from Canada). The final three sessions will be devoted to a mixture of the international law involving secession-not surprisingly, existing states are extremely reluctant to adopt principles of international law that might encourage secessionist movements-and some of the concrete secessionist movements around the globe.

It should be clear that I would very much welcome the participation of any of the remarkable group of Harvard LLM or SJD students from abroad, as well, of course, as HLS 2- or 3-Ls. I might well choose readings for the end of the course based on the presence of students from a particular country facing one or another secessionist challenge. The reading for each meeting will probably run around 60-100 pages. There is, of course, no exam, and no writing will be required other than the preparation, during the course of the term, by each student of one response paper to the assigned readings for a given session. A major purpose of these papers is to set the agenda for the group discussion that will take place that week.

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This reading group will meet September 9, September 23, October 7, October 21, November 4 and November 18.

Securities Regulation

Course #: 2224 **Term:** 2014SP **Faculty:** Gadinis, Stavros **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Thu 1:10 PM - 2:40 PM

Fri 1:10 PM - 2:40 PM

Location

WCC2012

WCC2012

Course Description: This course provides an overview of the regulation of securities offerings and trading under the Securities Act of 1933 and the Securities Exchange Act of 1934. The course explores the elaborate disclosure obligations that this country imposes on the distribution and trading of investment securities as well as the role of the Securities Exchange Commission and private plaintiffs in shaping and enforcing these disclosure obligations. Topics to be covered include: public offerings of securities and the registration process under the Securities Act of 1933, exemptions from these registration requirements and the role of exemptions in the financing of private and public firms, and the disclosure obligations of publicly-traded issuers. The course will also examine the role of anti-fraud rules in the issuance and trading of securities.

The casebook required for the class is James D. Cox, Robert W. Hillman and Donald C. Langevoort, *Securities Regulation: Cases and Materials* (6th edition, 2009, or latest).

Prerequisite: Corporations is a prerequisite for this course, or may be taken concurrently in the spring with Securities Regulation.

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Securities Regulation

Course #: 2224 **Term:** 2014WI **Faculty:** Ferrell, Allen **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

Location

WCC2012

WCC2012

WCC2012

WCC2012

WCC2012

Course Description:

This course offers an introduction to the two most important federal securities laws: the Securities Act of 1933 and the Securities Exchange Act of 1934. The course explores the elaborate disclosure obligations these statutes impose on the distribution and trading of investment securities. Topics to be covered include the preparation of disclosure documents, exemptions from disclosure requirements, the relationship between disclosure obligations and anti-fraud rules, the duties of participants in securities transactions, and the applicability of federal securities laws to transnational transactions. The course will also explore the public and private enforcement of securities laws in the United States.

Most students find it helpful to have completed or to take concurrently a course in Corporations before taking Securities Regulation.

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Security, Power, and the Internet

Course #: 2641 **Term:** 2014SP **Faculty:** Schneier, Bruce **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC4057

Course Description: Well explore how the Internet affects power, and how power affects the Internet. By "power" I mean something very general: institutional power such as governments and large corporations, and distributed power such as criminals and dissident groups. Topics will include:

technologies of social control: surveillance, censorship, propaganda, and use control

technologies of evading the same

the social value of breaking the rules

the metaphor of data as pollution, and the public good from data sharing versus the individual interest of data privacy: security data, health data, education data, behavioral data, etc.

changing societal norms and how different power groups influence them

anything else we find interesting.

This builds on much of my writing on NSA surveillance, as well as the talk I gave at TEDxCambridge in September, available

https://www.youtube.com/watch?v=h0d_QDgl3gl">here.

I also have a 3000-word essay on this, available here.

Prerequisite: Faculty permission is required for enrollment. Please send Bruce Schneier (schneier@schneier.com) your CV and a short statement of interest by December 1, 2013. Cross-registrants are welcome to apply.

This reading group will meet on the following dates: 1/29, 2/19, 3/12, 3/26, 4/9, and 4/23.

Mr. Schneier is a fellow at the Berkman Center for Internet and Society.

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Self, Serenity, and Vulnerability: East and West

Course #: 2392 **Term:** 2014SP **Faculty:** Unger, Roberto **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: Mon 1:00 PM - 3:00 PM **Location:** AUS100

Course Description: This course is a comparative inquiry into certain forms of moral consciousness and their metaphysical assumptions in the high cultures of Eurasia. We organize discussion around a broad background concern as well as a focused foreground theme. The background concern is the meaning or meaninglessness of human life: comparison of some of the ways in which philosophy, religion, and art in the West and in the East have dealt with the fear that our lives and the world itself may be meaningless. The foreground theme is the contrast between two answers to the question-how should I live my life? One answer, valuing serenity achieved through disengagement from illusion and vain striving, is: stay out of trouble. Another answer, prizing the acceptance of vulnerability for the sake of self-construction and self-transformation is: look for trouble. The second answer has come to play a major part in the moral and political projects that command attention throughout the world today. We seek to understand this second answer and to assess it in the light of speculative ideas that have been prominent in Western and Eastern thought. Conversely, we use our chosen theme to explore how Western and Eastern speculation have dealt with the limits of insight into what matters most. To these ends, we consider exemplary writings from several traditions: modern European, ancient Greek, Chinese, South Asian.

Extended take-home examination.

Note: This course is jointly-listed with FAS as Ethical Reasoning 20.

Seminar on Law and Political Science

Course #: 2553 **Term:** 2014SP **Faculty:** Stephenson, Matthew; Gersen, Jacob; Ansolabehere, Stephen **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times: Fri 3:00 PM - 4:30 PM **Location:** WCC4059

Course Description: This interdisciplinary seminar, offered jointly with the Harvard Government Department, will provide students and faculty with an opportunity to engage with scholarship at the intersection of law and political science. Seminar meetings will feature invited speakers presenting their current research. The seminar is intended primarily for students interested in pursuing academic careers, particularly those enrolled in or considering a joint JD-PhD program.

Note: This course is jointly-listed with FAS as Government 3003.

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Seminar: Human Rights in the UN Treaty Bodies

Course #: 2343 **Term:** 2013FS **Faculty:** Neuman, Gerald **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Location

Thu 5:00 PM - 7:00 PM

Course Description: This advanced seminar will focus on selected topics relating to the work of the UN human rights treaty bodies, especially the Human Rights Committee (of which the instructor is currently a member). Topics vary from year to year, but may include such subjects as arbitrary detention, religious exemptions, military trials, forced evictions, "hate speech," rights of persons with disabilities, and international monitoring procedures. The seminar will meet six times each semester, in two-hour sessions. Grading will be based on class participation and a series of short reaction papers.

The seminar is required for LL.M. students in the LL.M. human rights concentration. Participation by J.D. students is also encouraged. Students who have taken the International Human Rights introductory course at HLS may enroll without special permission; other students who have not taken that course but believe that they have equivalent preparation may contact the instructor for permission to enroll. Auditing will not be permitted.

Prerequisite: Instructor permission is required for all students.

Note: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

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2013-2014 Academic Year

Separation of Powers

Course #: 2225 **Term:** 2014WI **Faculty:** Kavanaugh, Brett **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 9:00 AM - 12:15 PM

Tue 9:00 AM - 12:15 PM

Wed 9:00 AM - 12:15 PM

Thu 9:00 AM - 12:15 PM

Fri 9:00 AM - 12:15 PM

Location

WCC3016

WCC3016

WCC3016

WCC3016

WCC3016

Course Description:

This course will examine the structure of our national government and our system of separated powers with checks and balances. We will examine a variety of cases and disputes concerning separation of powers issues; as we do so, we will focus not only on court decisions but also on how officials and lawyers in the Legislative Branch and Executive Branch have handled - and should have handled - those controversies. During the course, we also will discuss ongoing and current events that illustrate the continuing significance of our three-branch constitutional structure. General topics will include: the process for electing the President; the appointment and removal of executive officers; the role of the President in the legislative process, including the veto power; the interaction of the three Branches with respect to war and the foreign policy and national security of the United States; Presidential power with respect to criminal law enforcement and prosecution; the Presidents authority to issue signing statements and to decline to execute unconstitutional laws; the congressional spending authority and power of the purse; congressional oversight of the executive branch; the scope of executive privileges, particularly with respect to congressional inquiries; the roles of the President and the Senate in the appointment of Supreme Court Justices and inferior court judges; and the role of the Judiciary in refereeing disputes and power struggles between the Legislative and Executive Branches.

As we explore these topics, we will examine historical precedents and controversies relating to these issues. We will also explore more modern separation of powers controversies and debates, such as: the post-September 11 Supreme Court, Presidential, and congressional decisions and actions with respect to the war against al Qaeda; the similarities and changes in war powers matters in the Bush and Obama Administrations; the actions of the President and the Senate in the appointments of Supreme Court Justices and executive branch officials, including recess appointments; the independent counsel law and investigations of executive officials; executive privilege and impeachment controversies; and the functions of the Attorney General, Counsel to the President, and Assistant Attorney General for the Office of Legal Counsel in formulating legal advice for the President.

The textbook will be Shane and Bruff, Separation of Powers Law (3rd ed. 2011). Enrollment is limited to 28 students. Students will have to submit short reaction emails for every third class. There will be an in-class, open-laptop, 3-hour examination. Alternatively, students may do a paper in lieu of the exam. Papers will not be due during the Winter Term itself but will be due at the end of February 2014.

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Sex Equality

Course #: 2226

Term: 2013FA

Faculty: MacKinnon, Catharine

Credits: 3.00

Type: Elective

Subject Areas: Family, Gender & Children's Law

Delivery Mode: Course

Days and Times:

Wed 1:00 PM - 3:00 PM

Thu 1:00 PM - 3:00 PM

Fri 1:00 PM - 3:00 PM

Location

PND101

PND101

PND101

Course Description:

The relation between sex equality under law and sex inequality in society is interrogated in theory and practice in the context of relevant social science, history, and international and comparative law. Mainstream equality doctrine is probed on its own terms and through an alternative. Cases on concrete issues--including work, family, rape, sexual harassment, lesbian and gay rights, abortion, prostitution, pornography--structure the inquiry. Race, economic class, and transsexuality are considered throughout. The purpose of the course is to understand, criticize, and expand the law toward equality between women and men.

No prerequisites.

Note: This course will meet between September 11 and October 18, on Wednesdays, Thursdays and Fridays.

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Sex, Drugs and Rolling Dice: The Criminal Regulation of Vice

Course #: 2626 **Term:** 2014SP **Faculty:** Stoughton, Seth **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC3013

Course Description: This seminar explores the history, politics, and practical effects of regulating six types of activity that are commonly considered vices: unorthodox sexual behavior, pornography, prostitution, gambling, alcohol, and illicit drugs. Traditionally, these activities were viewed as victimless offenses. Criminalization and prosecution were justified primarily because the activities were considered morally offensive social evils. Modern debate has challenged both assumptions, calling into question both whether they are truly victimless and whether they are truly immoral. Consequently, the United States has experienced tremendous shifts in the criminal regulation of vice over the last hundred years, but those shifts have been schizophrenic. Pornography has been decriminalized at the same time that the War on Drugs has sent millions of people to jail or prison, for example, and many states that have a general ban on gambling still offer state-run lotteries.

These developments lead to a series of descriptive and normative questions. Descriptively, why has the modern regulation of vice taken shape the way it has? Is there a principled justification for distinctions between, among and even within the different vices? Is the justification political? Economic? How has the criminal regulation of vice changed the way police departments investigate crime? What effects, both positive and negative, has it had on society more generally? Normatively, how should we define the limits of the criminal law when it comes to voluntary activity between consenting adults? Are the benefits of criminalization worth the costs? How should law enforcement prioritize the investigation of vice crimes, and how should the correctional system punish offenders? What role should be played by other forms of regulation, such as decriminalization, legalization, taxation, and administrative government oversight?

In this seminar, we will attempt to answer these questions by assessing historic and modern trends in the criminal regulation of vice, the practical effects that have resulted, and the philosophical debates that have raged about criminalization and enforcement practices.

COURSE INFORMATION

I will hold office hours in Griswold Hall 119 from 9:30am to 11:30am every Monday unless otherwise noted. Students with unavoidable conflicts may contact me at [sstoughton@law.harvard.edu](mailto:ssoughton@law.harvard.edu) for alternative arrangements.

GRADING

This course will follow the HLS grading system of H, P, LP and F. Your course grade will consist of a final paper (60%), in-class presentation(s) (25%), and participation (15%).

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Shareholder Rights Clinic

Course #: 8036 **Term:** 2013FS **Faculty:** Bebchuk, Lucian; Hirst, Scott **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Required Class Component: Shareholder Rights Clinical Seminar (1 fall-spring credit, to be awarded in the spring). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: Corporations. Students must enroll in Corporations separately from clinic enrollment. There is no clinic preference or priority to enroll in Corporations. Failure to meet the co-/pre-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and the required course.

By Permission: Yes. Students must submit an application to be considered for enrollment.

Applications are accepted on a rolling basis.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students may apply to this clinic by submitting an application.

Multi-Semester: This is a fall-spring clinic (1 fall credit + 1 spring credit).

Placement Site: HLS.

The Shareholder Rights Project (SRP) provides students with the opportunity to obtain hands-on experience with shareholder rights work. The SRP works on behalf of public pension funds and charitable organizations seeking to improve corporate governance at publicly traded companies in which they are shareowners, as well as on research and policy projects related to corporate governance. In addition to clinical work, students will participate in classroom sessions to provide background and knowledge that compliments the work undertaken in the clinic.

Enrollment requires an application process and is open to Harvard Law School 2L, 3L and LLM students who have taken Corporations or are taking Corporations in the Fall term. LLM students with prior corporate experience may speak with the instructor about waiving this requirement. To apply, students must submit a statement of interest (maximum 200 words), a resume, an academic transcript (unofficial or official), and can elect to submit a writing sample of no more than 15 pages (one sample only). Applications should be addressed to the instructors and submitted to Emily Lewis at emlewis@law.harvard.edu. Applications will be considered on a rolling basis, and interested students are encouraged to apply as early as possible. Students should check the Shareholder Rights Project website to determine if the clinic has been filled or has available seats remaining.

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Shareholder Rights Clinical Seminar

Course #: 2409 **Term:** 2013FS **Faculty:** Bebchuk, Lucian; Hirst, Scott **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Mon 7:15 PM - 9:15 PM

Tue 7:30 PM - 9:30 PM

Wed 7:30 PM - 9:30 PM

Location

LEW214B

WCC3013

WCC3013

Course Description: Required Clinic Component: Shareholder Rights Project (1 fall credit + 1 spring credit). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: Corporations. Students must enroll in Corporations separately from clinic enrollment. There is no clinic preference or priority to enroll in Corporations. Failure to meet the co-/pre-requisites by the clinic's add/drop deadline will result in the student being dropped from the clinic and this course.

By Permission: Yes. Student must submit an application to the clinic. Applications are accepted on a rolling basis.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students may apply to the clinic by submitting an application. Multi-Semester: This is a fall-spring course (1 spring credit).

This clinical seminar, taken in conjunction with the Shareholder Rights Project, provides students with the opportunity to obtain hands-on experience with shareholder rights work by assisting public pension funds in improving governance arrangements at publicly traded firms. Students may also have the opportunity to be involved in policy work relating to shareholder rights issues.

The seminar will include six 2-hour classroom sessions throughout the year. Courses will be held on Tuesdays and Wednesdays from 7:15 pm to 9:15 pm. The seminar will meet on September 17 and 18, October 1 and 2, October 23, and October 30.

Classroom sessions, and related assignments, will provide students with background and knowledge useful for undertaking the clinical work in this area.

Admission is with the permission of the instructors and requires an application. To apply, students must submit a statement of interest (maximum 200 words), a resume, an academic transcript (unofficial or official), and can elect to submit a writing sample of no more than 15 pages (one sample only). Applications should be addressed to the instructors and submitted to Emily Lewis at emlewis@law.harvard.edu. Applications will be considered on a rolling basis, and interested students are encouraged to apply as early as possible.

Harvard Law School Course Catalog

September 10, 2015 1:33 PM

2013-2014 Academic Year

Solving Legal Problems: The Power of Teams and Networks

Course #: 2638

Term: 2014SP

Faculty: Westfahl, Scott

Credits: 1.00

Type: Elective

Subject Areas: Not Applicable

Delivery Mode: Reading Group

Days and Times:

Tue 5:00 PM - 6:30 PM

Location

WCC4062

Course Description:

This Reading Group will study the ways lawyers do, could and should work in teams to solve problems more effectively, as well as the ways that successful lawyers and leaders leverage the power of teams and networks to solve legal problems.

Historically, the study of law has mostly been an individual pursuit, though conducted in a group setting. By contrast, business schools have long used team-based exercises, learning and evaluations to prepare their students to be more effective in the context in which they will most likely work following graduation. Lawyers entering practice are increasingly being called upon to collaborate, work in teams and rely upon broad internal and external networks, and yet they are often unprepared for that challenge. Several factors are making it increasingly important for lawyers to become highly proficient at leveraging the powers of teams and networks:

As the world becomes more complex and interdependent, lawyers possess uniquely powerful analytical and problem solving skills to help address critical global issues, provided they learn to collaborate and work in teams effectively;

Social media and collaborative technologies are dramatically improving the ability, speed and efficiency with which teams communicate in problem solving;

New research has definitively proven that diverse teams solve problems more effectively than individuals or homogenous teams of experts; and

New theories and models of collaboration among people and enterprises are sparking the innovation revolution that is advancing change at a rate rarely if ever before seen.

We will cover the fundamental aspects of how effective teams operate and how lawyers might learn from and apply team theory to solve legal problems. We will also examine the importance of networks to the art of problem solving, and what lawyers can learn from related research about networks. Finally, we will examine current models for team-based legal education.

Throughout the semester, we will be joined by special guests who will share their knowledge and expertise in this area and help us to address these questions.

This class will meet on the following dates: February 4, 11, 18, 25, March 4, April 1, 8, and 15.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Sovereign Debt and Financial Stability

Course #: 2602 **Term:** 2013FA **Faculty:** Gelpern, Anna **Credits:** 1.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3036

Course Description: This reading group will focus on sovereign debt management and the role of sovereign debt in national and global financial systems. It will consider legal and policy responses to sovereign debt and banking crises, and links between the two. Case studies from the United States, Europe, Asia, and Latin America may be featured as appropriate in light of current events.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Sports and the Law: Examining the Legal History and Evolution of America's Three "Major League" Sports: MLB, NFL and NBA

Course #: 2229 **Term:** 2013FA **Faculty:** Carfagna, Peter **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:	Location
Thu 1:15 PM - 4:15 PM	HAU102

Course Description: This basic Sports Law course will offer an overview of the three major sports that dominate the American sports scene today: Major League Baseball, the National Football League, and the National Basketball Association. The Course will devote approximately equal time to each of these 3 major sports, and compare/contrast the similarities and differences among them, from an historical legal perspective. Specifically, it will evaluate the evolution of the 3 major leagues, and examine how Supreme Court and other courts landmark decisions have affected the path of their progress. In so doing, practical examples of the cutting edge issues for practitioners in each of these 3 leagues will be offered. "Hypothetical" examples of negotiating, drafting and litigating the most significant issues in each of these 3 sports will be analyzed in group settings. Negotiation strategies, contract-drafting techniques and litigation-related resolutions will be explored within each group.

Class participation and successful completion of weekly assignments will count for a significant portion of the students final grade. Enrollment is available to second year, third year and LLM students. For JD students who take this course, it will satisfy one half of the Option 2 writing requirement.

Students taking this course and who are interested in sports law clinical placements during winter or spring 2014 are strongly encouraged to enroll in the 1-credit fall 2013 "Sports and the Law: Advanced Contract Drafting. This seminar will provide students the opportunity to negotiate and draft agreements that a lawyer advising a sports team would encounter. Students in the seminar will learn about the various components of complex deal documents and have the opportunity to then draft these documents. Students in the seminar will also explore and experiment with negotiating strategies. Overall, the goal of the seminar is to have students master skills related to negotiating, drafting, and analyzing the various moving parts of complicated agreements regarding stadium leasing; naming rights; sponsorship; media rights; food and beverage; provision of medical; hospital and financial services; state-operated entities; and purchase and sale of sports teams.

This course fulfills the pre-requisite for the Sports Law Clinic. Please see the clinic's description for more information.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Sports and the Law: Representing the Professional Athlete

Course #: 2230 **Term:** 2014WI **Faculty:** Carfagna, Peter **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 4:15 PM	HAU104
Tue 1:00 PM - 4:15 PM	HAU104
Wed 1:00 PM - 4:15 PM	HAU104
Thu 1:00 PM - 4:15 PM	HAU104
Fri 1:00 PM - 4:15 PM	HAU104

Course Description: This course will begin with an overview of the sports marketing industry and then proceed to discuss some of the more important legal doctrines relating to that industry, involving intellectual property law, labor law and contract law. In that context, the course will explore the skills necessary to conduct a series of "hypothetical" sports-related contract negotiations. The students will then participate in group-based contract-drafting exercises with an emphasis on client representation. Contracts to be drafted include a "product endorsement agreement," and a "name, image and likeness" lithograph poster agreement. Simulated depositions and "oral arguments" will also be conducted. Next, in the context of a mock litigation, students will assume a "contract breach" of the agreements they have drafted. In turn, they will draft document requests, deposition questions and legal briefs in support of the contractual positions taken during the contract drafting exercises.

Class participation and successful completion of weekly assignments will count for a significant portion of the students final grade. Enrollment is available to second year, third year, and LLM students. For JD students who take this course, it will satisfy one half of the Option 2 writing requirement.

This course fulfills the co-/pre-requisite for the Sports Law Clinic. Please see the clinic's description for more information.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Sports Law Clinic

Course #: 8028 **Term:** 2014SP **Faculty:** Carfagna, Peter **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: This clinic requires that students have taken or are currently taking at least one of the courses listed below.
Additional Co-/Pre-Requisites: The following courses do not have any seats reserved for clinical students: Sports Law: Advanced Contract Drafting; Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA; Sports and the Law: Representing the Professional Athlete.
By Permission: Yes. The deadline to apply is Monday, October 14, 2013. Please see below for additional instructions.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.
Sports Law clinical placements are in a variety of settings, including legal departments of major leagues or sports franchises, and with law firms and lawyers doing sports law in representing individual players, teams, or leagues. Students clinical work in the field can may include contract and transactional work, arbitration, litigation, research, and writing.
Peter Carfagna, instructor of sports law courses at HLS, oversees clinical placements and students clinical work. Admission in the clinic is by application. Applications are due by 5pm on Monday, October 14, 2013. To apply, please submit a statement of interest (including which semester you are applying for) and a resume to clinical@law.harvard.edu and to Professor Carfagna (pcarfagna@law.harvard.edu). Please note that your application materials may be sent to placement organizations during the selection process.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Sports Law Clinic

Course #: 8028 **Term:** 2014WI **Faculty:** Carfagna, Peter **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: This clinic requires that students have taken or are currently taking at least one of the courses listed below.
Additional Co-/Pre-Requisites: The following courses do not have any seats reserved for clinical students: Sports Law: Advanced Contract Drafting; Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA; Sports and the Law: Representing the Professional Athlete.
By Permission: Yes. The deadline to apply is Monday, October 14, 2013. Please see below for additional instructions.
Add/Drop Deadline: December 6, 2013.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.
Sports Law clinical placements are in a variety of settings, including legal departments of major leagues or sports franchises, and with law firms and lawyers doing sports law in representing individual players, teams, or leagues. Students clinical work in the field can may include contract and transactional work, arbitration, litigation, research, and writing.
Peter Carfagna, instructor of sports law courses at HLS, oversees clinical placements and students clinical work. Admission in the clinic is by application. Applications are due by 5pm on Monday, October 14, 2013. To apply, please submit a statement of interest (including which semester you are applying for) and a resume to clinical@law.harvard.edu and to Professor Carfagna (pcarfagna@law.harvard.edu). Please note that your application materials may be sent to placement organizations during the selection process.

Harvard Law School Course Catalog

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2013-2014 Academic Year

Sports Law: Advanced Contract Drafting

Course #: 2349 **Term:** 2013FA **Faculty:** Carfagna, Peter **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Employment & Labor Law; Procedure & Practice

Delivery Mode: Course

Days and Times:	Location
Wed 5:00 PM - 7:00 PM	GRS110

Course Description: This seminar will provide students the opportunity to negotiate and draft agreements that a lawyer advising a sports team would encounter. Students in the seminar will learn about the various components of complex deal documents and have the opportunity to then draft these documents. Students in the seminar will also explore and experiment with negotiating strategies. Overall, the goal of the seminar is to have students master skills related to negotiating, drafting, and analyzing the various moving parts of complicated agreements regarding stadium leasing; naming rights; sponsorship; media rights; food and beverage; provision of medical; hospital and financial services; state-operated entities; and purchase and sale of sports teams.

This course fulfills the pre-requisite for the Sports Law Clinic. Please see the clinic's description for more information.

State Constitutional Law

Course #: 2507 **Term:** 2014WI **Faculty:** Sutton, Jeffrey **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 10:00 AM - 12:15 PM	HAU104
Tue 10:00 AM - 12:15 PM	HAU104
Wed 10:00 AM - 12:15 PM	HAU104
Thu 10:00 AM - 12:15 PM	HAU104
Fri 10:00 AM - 12:15 PM	HAU104

Course Description: This survey course explores the nature and significance of state constitutional law, a topic that has long lived in the shadow of federal constitutional law but that has become increasingly relevant in recent years. The course covers rights and structure, and in both settings it compares the federal model to the various state models. Of particular emphasis is the role of the state courts in protecting liberty and property rights under their own constitutions, and most notably whether they should construe these guarantees to offer protections that the federal courts have not provided in construing the federal constitution. Examples include litigation involving school funding, marriage, property takings, criminal procedure, the free exercise of religion, among others. We also will consider the amendment procedures of the state constitutions, the election of state court judges, the non-unitary executive under most state constitutions and other structural issues.

Each student will be responsible for one in-class presentation and two 6-8 page papers.

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2013-2014 Academic Year

Statutory Interpretation in the Modern Day

Course #: 2645

Term: 2014SP

Faculty: Davies, Susan

Credits: 2.00

Type: Elective

Subject Areas: Not Applicable

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

LEW214B

Course Description:

This seminar will focus on the central features of modern debates on the modes and goals of statutory interpretation through a critical analysis of the academic literature and the caselaw.

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2013-2014 Academic Year

Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions

Course #: 2324 **Term:** 2014WI **Faculty:** Levin, Jack **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	AUS100
Tue 9:00 AM - 12:30 PM	AUS100
Wed 9:00 AM - 12:30 PM	AUS100
Thu 9:00 AM - 12:30 PM	AUS100
Fri 9:00 AM - 12:30 PM	AUS100

Course Description: This course covers tax, legal, and economic principles applicable to a series of interesting, complex, current entrepreneurial transactions, utilizing venture capital or private equity financing, including (1) new business start-up, (2) growth-equity investment in existing business enterprise, (3) leveraged buyout of private or public company (including going-private transaction), (4) use of flow-through tax entity such as S corporation, partnership, or LLC for variety of venture capital or private equity financed transactions, (5) devising equity-based executive compensation program, (6) private equity financed restructuring or workout (in or out of bankruptcy) for troubled over-leveraged enterprise and utilizing troubled company's NOL after restructuring, (7) devising exit scenario for successful venture capital or private equity financed enterprise (such as IPO, SEC rule 144 sale, sale of company, or merger of company into larger enterprise), and (8) forming new venture capital, LBO, or private equity fund.

Substantive subjects covered include federal income tax, securities regulation, corporate law, partnership law, LLC law, bankruptcy law, fraudulent conveyance law, and other legal doctrines, as well as accounting rules and practical structuring issues (including use of common and preferred stock, subordinated debt, convertible debt, convertible preferred stock, warrants, and options).

The course reviews these tax, legal, and accounting principles in a transactional context and also considers their policy underpinnings and likely future evolution. Although there are no specific prerequisites, basic tax is strongly recommended, and taxation of entities (corporations, partnerships, LLCs) is desirable. In addition, knowledge of corporate law, securities regulation, bankruptcy, and accounting is helpful. However, the course book and the course book appendix contain adequate discussion and supplemental precedents for an understanding of the material covered by the course.

The course book (which includes the appendix) is Levin and Rocard Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions (2013 edition).

Note: The last class session on Wednesday, January 22, 2014 is cancelled and the additional time has been added into the other class meetings which runs from 9:00am - 12:30pm.

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2013-2014 Academic Year

Supreme Court Litigation

Course #: 2233 **Term:** 2014WI **Faculty:** Goldstein, Thomas; Russell, Kevin; Massey, Jonathan **Credits:** 1.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Course Description: Required Clinic Component: Supreme Court Litigation Clinic (2 winter credits).
Additional Co-/Pre-Requisites: None.
By Permission: Yes. Applications are due by October 21, 2013.
Add/Drop Deadline: December 6, 2013.
LLM Students: LLM students may apply to the clinic by submitting an application.

This winter-term class is taken concurrently with the Supreme Court Litigation Clinic. Students are immersed in the intensive practice of law before the United States Supreme Court. Both the class and clinic will take place in Washington, D.C. to facilitate greater interaction between students, instructors and the litigation process at the Supreme Court.

The clinic and course will consist of intensive work on actual cases before the Court, as well as a series of lectures and classroom discussions on Supreme Court practice -- including strategy, procedure, brief writing, and oral advocacy. Students will be assigned to small teams, each working closely with an instructor to write and file a petition for certiorari, brief in opposition to certiorari, merits brief, amicus brief and/or to prepare for oral argument in a pending case. In addition, students will attend arguments at the Supreme Court, participate in moot courts, and meet with leading members of the Supreme Court bar, former Supreme Court clerks, and members of the Supreme Court press corps. Transportation to and from Washington, as well as housing during the term, will be provided.

The work is both rewarding and extremely intensive, precluding students from undertaking any significant non-class-related activities during the winter term. Students will work long hours, including on the weekends. They will be provided transportation to and from Washington, D.C., as well as housing (which will require students to share hotel rooms, likely two students per bedroom). Housing will not be provided for students spouses or significant others. Students will be responsible for providing themselves meals and transportation within the city (housing will be located as close as possible to the metro system).

Enrollment is through an application process. Interested students must submit a resume, an informal transcript, and an unedited writing sample (i.e., a writing sample not edited by anyone other than the author) of fifteen to twenty pages to Kevin Russell (krussell@goldsteinrussell.com) by October 21, 2013. Enrollment is limited to 10 students.

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2013-2014 Academic Year

Supreme Court Litigation Clinic

Course #: 8030 **Term:** 2014WI **Faculty:** Goldstein, Thomas; Russell, Kevin; Massey, Jonathan **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Not Applicable

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Supreme Court Litigation (1 winter credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: Yes. Applications are due by October 21, 2013. Add/Drop Deadline: December 6, 2013. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: Various externship placements in Washington D.C. This winter-term clinic and class will immerse students in the intensive practice of law before the United States Supreme Court. Both components will take place in Washington, D.C. to facilitate greater interaction between students, instructors and the litigation process at the Supreme Court. The clinic and course will consist of intensive work on actual cases before the Court, as well as a series of lectures and classroom discussions on Supreme Court practice -- including strategy, procedure, brief writing, and oral advocacy. Students will be assigned to small teams, each working closely with an instructor to write and file a petition for certiorari, brief in opposition to certiorari, merits brief, amicus brief and/or to prepare for oral argument in a pending case. In addition, students will attend arguments at the Supreme Court, participate in moot courts, and meet with leading members of the Supreme Court bar, former Supreme Court clerks, and members of the Supreme Court press corps. Transportation to and from Washington, as well as housing during the term, will be provided. The work is both rewarding and extremely intensive, precluding students from undertaking any significant non-class-related activities during the winter term. Students will work long hours, including on the weekends. They will be provided transportation to and from Washington, D.C., as well as housing (which will require students to share hotel rooms, likely two students per bedroom). Housing will not be provided for students spouses or significant others. Students will be responsible for providing themselves meals and transportation within the city (housing will be located as close as possible to the metro system). Enrollment is through an application process. Interested students must submit a resume, an informal transcript, and an unedited writing sample (i.e., a writing sample not edited by anyone other than the author) of fifteen to twenty pages to Kevin Russell (krussell@goldsteinrussell.com) by October 21, 2013. Enrollment is limited to 10 students.

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2013-2014 Academic Year

Tax Law, Policy and Practice

Course #: 2496 **Term:** 2013FA **Faculty:** Shay, Stephen **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law; Taxation

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3011

Course Description: This seminar will consider a range of current issues in taxation focusing on works-in-progress by invited participants. Students will be asked to write short response papers to the papers to be presented. The seminar will meet every other week (one credit.) The seminar will be offered in the spring by Professor Halperin. Students may enroll for the entire year or a semester.

Prerequisite: Taxation

Tax Law, Policy and Practice

Course #: 2496 **Term:** 2014SP **Faculty:** Halperin, Daniel; Shay, Stephen **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law; Taxation

Delivery Mode: Seminar

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC5044

Course Description: This seminar will consider a range of current issues in taxation focusing on works-in progress by invited participants. Students will be asked to write short response papers to the papers to be presented. The seminar will meet every other week (one credit). The seminar will be offered in the fall by Professor Shay. Students may enroll for the entire year or a semester.

Prerequisite: Taxation

Taxation

Course #: 2234 **Term:** 2013FA **Faculty:** Shay, Stephen **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law; Taxation

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:40 PM

Tue 3:20 PM - 4:40 PM

Wed 3:20 PM - 4:40 PM

Location

WCC1023

WCC1023

WCC1023

Course Description: This course is an introductory study of federal income taxation covering inclusion and exclusion of items in computing gross income; deductions from gross income; tax accounting; capital gains and losses; and the treatment of the family and trusts. Consideration will be given to the interaction of legislative, executive, and judicial agencies in the making, administering, and interpreting of the tax law; to the goals of the tax law and possibilities for future development of it; to the private lawyers professional role with respect to administration of the tax law; and to the impact of the tax law on private property transfers and other transactions.

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2013-2014 Academic Year

Taxation

Course #: 2234 **Term:** 2014SP **Faculty:** Warren, Alvin **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law; Taxation

Delivery Mode: Course

Days and Times:

Wed 8:15 AM - 9:40 AM

Thu 8:15 AM - 9:40 AM

Fri 8:15 AM - 9:40 AM

Location

LAN225

LAN225

LAN225

Course Description: This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers, whether wealthy (e.g., the capital gains preference), middle-income (the education credits) or lower-income (the earned income credit). A principal goal of this course is also to teach students to analyze and apply a complex federal statute. Unless waived by the instructor, Taxation is generally a pre-requisite for J.D. students in the advanced tax courses.

The materials for the course are Graetz, and Schenk, Federal Income Taxation (7th edition, 2013), and CCH Federal Income Tax, Code and Regulations, Selected Sections (2013-2014 edition).

Taxation

Course #: 2234 **Term:** 2014SP **Faculty:** Abrams, Howard **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law; Taxation

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

PND100

PND100

Course Description: This course is an introductory study of federal income taxation covering inclusion and exclusion of items in computing gross income; deductions from gross income; tax accounting; capital gains and losses; and the treatment of the family. Consideration will be given to the interaction of legislative, executive, and judicial agencies in the making, administering, and interpreting of the tax law; to the goals of the tax law and possibilities for future development of it; to the private lawyers professional role with respect to administration of the tax law; and to the impact of the tax law on private property transfers and other transactions.

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2013-2014 Academic Year

Taxation

Course #: 2234 **Term:** 2014SP **Faculty:** Halperin, Daniel **Credits:** 4.00

Type: Multi-section Course **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law; Taxation

Delivery Mode: Course

Days and Times:

Wed 1:20 PM - 2:40 PM

Thu 1:20 PM - 2:40 PM

Fri 1:20 PM - 2:40 PM

Location

WCC1023

WCC1023

WCC1023

Course Description: This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers, whether wealthy (e.g., the capital gains preference), middle-income (the education credits) or lower-income (the earned income credit). A principal goal of this course is also to teach students to analyze and apply a complex federal statute. Unless waived by the instructor, Taxation is generally a pre-requisite for J.D. students in the advanced tax courses.

Taxation of Business Corporations

Course #: 2274 **Term:** 2014SP **Faculty:** Warren, Alvin **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law; Taxation

Delivery Mode: Course

Days and Times:

Mon 8:30 AM - 10:10 AM

Tue 8:30 AM - 10:10 AM

Location

WCC1019

WCC1019

Course Description: This course covers the federal income tax issues involved in the organization, operation, and restructuring of U.S. corporations. The course provides the tax background necessary for understanding and participating in the creation of many types of business transactions of both publicly and closely held enterprises, including acquisitions, liquidations, mergers, and spinoffs.

The materials for the course are Doernberg, Abrams & Leatherman, *Federal Income Taxation of Corporations and Partnerships* (5th ed., 2014) and CCH, *Federal Income Tax Code and Regulations -- Selected Sections* (2013-14 edition).

Prerequisite: Taxation is a prerequisite for this course, or you must seek permission from the instructor. Corporations is a recommended preparation

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2013-2014 Academic Year

Taxation: International Aspects of U.S. Income Taxation

Course #: 2236

Term: 2014SP

Faculty: Shay, Stephen

Credits: 3.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law; Taxation

Delivery Mode: Course

Days and Times:

Mon 3:20 PM - 4:50 PM

Wed 3:20 PM - 4:50 PM

Location

HAU104

HAU104

Course Description:

This course examines U.S. income tax laws and policies relating to the taxation of foreign income of U.S. persons and U.S. income of foreign persons. Emphasis will be on fundamental issues, such as jurisdiction to tax, source of income, U.S. taxation of foreign persons, the credit for foreign taxes paid by U.S. persons, U.S. taxation of foreign income earned by foreign entities owned by U.S. persons, pricing transactions between related parties, and income tax treaties.

Prerequisite: This course is open only to students who have completed the basic course in Taxation.

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2013-2014 Academic Year

Teaching Copyright

Course #: 2636 **Term:** 2014SP **Faculty:** Fisher, William **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Location

Course Description: 3 credits (2 classroom credits & 1 writing credit) This class has an early drop deadline of December 6, 2013. This course is designed for students who are interested in deepening their knowledge of copyright law and gaining experience with law teaching. Each student in the course will be a Teaching Fellow for CopyrightX, an online copyright course taught by Prof. Fisher to roughly 500 students worldwide.

CopyrightX closely parallels the HLS course on Copyright. Like the HLS students, the CopyrightX students learn the essential elements of both doctrine and theory by watching videotaped lectures prepared by Prof. Fisher, reading cases and secondary materials, and watching webcast special events that examine controversial current topics. In addition, each CopyrightX student participates in a 25-person seminar led by a Teaching Fellow.

Each Teaching Fellow has three primary responsibilities: to conduct each week an 80-minute live online discussion that uses case studies to refine his or her students' understanding of the pertinent laws and policies; to draft or revise (at some point during the semester) one case study that will be employed both by Prof. Fisher and by the other Teaching Fellows to facilitate discussions; and to monitor and moderate an asynchronous online conversation among the students in his or her section. In addition, the Teaching Fellows will meet once a week (on Wednesday, between 10:20 and 11:40 am) with Prof. Fisher to debate the issues addressed in the lecture and readings for that week and to exchange ideas concerning possible ways of teaching their own seminars.

Additional information concerning CopyrightX and the role of the Teaching Fellows can be found by visiting <http://cyber.law.harvard.edu/node/8568> or by contacting the Head Teaching Fellow, Ana Enriquez. An information session, in which Prof. Fisher will describe this venture in more detail and respond to questions, will be held in Hauser 104 on October 7, from 12 pm to 1 pm. Pre-requisite: Teaching Copyright is open to Harvard Law School students who either have already taken a course on Copyright at HLS or will be enrolled in such a course during the Spring of 2014. Other students can enroll only with the permission of the instructor.

Harvard Law School Course Catalog

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2013-2014 Academic Year

The 2007-2009 Financial Crisis

Course #: 2448 **Term:** 2013FA **Faculty:** Spamann, Holger **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC3011

Course Description: This seminar will examine the recent financial crisis alleged causes and the regulatory response. Topics include: securitization; derivatives; credit rating agencies; bank capital regulation; investment bank supervision; repo financing and money market funds; mark-to-market accounting; executive compensation; interest rate policy; and housing policy. In class, we will ask if these are plausible culprits, and if the events confirm or challenge our prior understanding of markets.

Students are expected to write a seminar paper examining the adequacy of the regulatory response to one particular alleged problem, and to discuss their preliminary findings in class in the second half of the semester. Doing so in teams of two students is encouraged.

The Anthropology of Law: Perspectives from Africa and Elsewhere

Course #: 2535 **Term:** 2014SP **Faculty:** Comaroff, John **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Wed 2:00 PM - 4:00 PM

Location

Course Description: The seminar will meet weekly, Wednesdays 2.00-4.00 (Spring), in the Locke Room, 230 Barker Center. The early weeks will be devoted to (i) classical readings in the field and (ii) theoretical questions, old and new. The later weeks will address the topics of (iii) law and colonialism, (iv) liberalism, difference, and the law in the postcolonial world, and (v) the judicialization of politics across the globe. Throughout, attention will be given to comparative perspectives in both time and space - and to the lessons to be learned from the anthropology of law for interrogating the present moment in the USA and Europe. Each session, with the exception of the first (January 28), will begin with an overview of the topic under discussion, and end with a summary statement; in between, the set readings will be introduced by participants in the course, who will be expected to offer a critical synopsis of the most significant points at issue and raise questions for our collective conversation.

Note: This course is jointly-listed with FAS as AAAS190X.

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2013-2014 Academic Year

The Article V Convention Process

Course #: 2564 **Term:** 2013FA **Faculty:** Lessig, Lawrence; Levinson, Sanford **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3011

Course Description: This seminar is in part generated by the call by some (albeit not many) persons for a new constitutional convention within the United States to consider the adequacy of the present Constitution (and how it has been interpreted by the Supreme Court) for our 21st century realities. Article V clearly contemplates the possibility of a new convention, but just as clearly no such convention has occurred since 1787, at least at the national level. So a series of important questions suggest themselves with regard to a new constitutional convention: Who could/must initiate one? How would delegates be chosen? Who would/could set the rules by which a new convention would operate (e.g., proportional representation or state equality in voting power, for starters)? Would/could such a convention be limited in its scope?

As already suggested, the American constitutional experience in fact includes over 225 constitutional conventions since 1787, but all of them have taken place at the state level. An obvious question is whether there is anything to be learned from this facet of the American experience (including, of course, whether such conventions are a good or bad idea, and what assumptions underlie either a negative or affirmative answer). Moreover, there is the experience of many foreign countries, especially since World War II. Even in the 21st century, there have been episodes of constitution drafting in such countries as Egypt, Kenya, and Iceland, not to mention the tangled history of the European Union treaty/constitution. So an obvious question is what we might have to learn from the experience of these countries, including, for example, the use of the Internet to encourage the participation of the entire Icelandic populace in the enterprise of constitutional formation.

For what should be obvious reasons, we would welcome the participation in the seminar of students from foreign countries. Scheduling note: The first class meeting will take place on September 17.

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2013-2014 Academic Year

The Constitutional Law of Money

Course #: 2452 **Term:** 2014SP **Faculty:** Desan, Christine **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

HAU102

HAU102

Course Description: Money and credit are public institutions that are created by law. As the financial crisis revealed, the way they are configured matters enormously. The authority of the Federal Reserve, for example, apparently includes the ability to make monetary policy decisions that move hundreds of billions of dollars. Similarly, the struggle to make a national money, along with the tax and debt levers used to that end, have shaped federalism at a basic level. This course will consider how American polities, including the early colonies, the states, and the national government, have created money and used it for public purposes from war to economic development, as well as how those governments have made money available to individuals for their exchange.

Our coverage will include the following and similar controversies. 1) The debate over the constitutionality of the Bank of United States, 2) The changing definition of money - including the litigation over the Greenbacks and the legislation identifying government securities as the basis of high-powered money today, 3) U.S. v. Perry and the American devaluation of the dollar, 4) The authority of the Federal Reserve as an independent agency.

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2013-2014 Academic Year

The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624 **Term:** 2013FA **Faculty:** Umunna, Dehlia **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC5051

Course Description: More than 6 million Americans are under correctional supervision in the United States which incarcerates people at a rate drastically out of proportion with its population compared with the rest of the world. The yearly US cost of incarceration is over \$60 billion per year. There are major debates on incarceration issues swirling in the general public and in the legal community ranging from the morality and efficacy of solitary confinement to the effects of prison overcrowding to the proper administration of parole to the appropriateness of life sentences without parole for a variety of populations and crimes. The effects of incarceration fall disproportionately on communities of color and perpetuate the cycle of poverty.

Through a combination of practical experiences and written texts, students will examine the experience and effects of incarceration and parole locally, nationally, and internationally. Experiences in the reading group may include: touring local prisons or jails, guest speakers including lifetime parolees and formerly incarcerated individuals, and a wide variety of written texts including essays, case studies, and research. This course will meet on September 9, September 23, October 7, October 28, November 11, and December 2.

The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624 **Term:** 2014SP **Faculty:** Umunna, Dehlia **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4062

Course Description: More than 6 million Americans are under correctional supervision in the United States which incarcerates people at a rate drastically out of proportion with its population compared with the rest of the world. The yearly US cost of incarceration is over \$60 billion per year. There are major debates on incarceration issues swirling in the general public and in the legal community ranging from the morality and efficacy of solitary confinement to the effects of prison overcrowding to the proper administration of parole to the appropriateness of life sentences without parole for a variety of populations and crimes. The effects of incarceration fall disproportionately on communities of color and perpetuate the cycle of poverty.

Through a combination of practical experiences and written texts, students will examine the experience and effects of incarceration and parole locally, nationally, and internationally. Experiences in the reading group may include: touring local prisons or jails, guest speakers including lifetime parolees and formerly incarcerated individuals, and a wide variety of written texts including essays, case studies, and research.

This course will meet on the following dates: 1/27, 2/10, 2/24, 3/10, 3/24, 4/7 and 4/14.

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2013-2014 Academic Year

The Fulfilled Life and the Life of the Law

Course #: 2382 **Term:** 2013FA **Faculty:** Brewer, Scott **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Disciplinary Perspectives & Law

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC4059

WCC4059

Course Description: What is it to lead a fulfilled life? This was the central question for ancient philosophers, in both the east and the west, for whom philosophy was not only theory. It was a method designed to achieve both rigorous conceptual analysis and a fulfilled human life. In this course we will explore several of the methods philosophers have proposed for leading a fulfilled life and consider some of the rich suggestions or implications of these methods for leading a fulfilled life of the law, the life led by law students, lawyers, judges, and others interested in administering, shaping, or living according to law. Among the methods or philosophical ways of life we will explore are: use of the Socratic method (and the closely related methods of reflective equilibrium and casuistry) to lead an examined life (Socrates and Plato), use of the dialectical method to achieve a transcendent conceptual clarity (Plato), use of skeptical therapy to achieve a life of serenity (Pyrrhonian skepticism), use of meditative techniques designed to enable a life of equanimity and awareness (Buddhist and Hindu philosophy), and cultivation of joyful wisdom (Nietzsche). Readings are from a variety of legal theorists and ancient, modern, and contemporary philosophers.

The class meets for a total of three classroom hours a week, divided into two hours (Thursday) plus one hour (Friday). The Thursday meeting is a seminar-style discussion of assigned readings. The Friday meeting is a workshop devoted to practicing the different philosophical methods that we are studying; we will, for example, not only learn what the Socratic method is, but we will also practice doing the Socratic method (and the other philosophical methods noted above).

No background in philosophy is required. Course work consists of ten one-to-two page response papers based on the weekly reading (of which you may choose eight as the basis of the written work component of your grade) and class participation. Cross-registrants are welcome. Anyone seeking information about this course should feel free to contact Professor Scott Brewer at sbrewer@law.harvard.edu.

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2013-2014 Academic Year

The Genealogy of Continental Philosophy and Law

Course #: 2506 **Term:** 2013FS **Faculty:** Kennedy, Duncan; Xifaras, Mikhail **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Wed 7:15 PM - 9:15 PM

Thu 7:15 PM - 9:15 PM

Location

WCC4059

Course Description: This year long seminar will read and discuss heavily edited texts by eleven authors whose reflections on law have had a deep influence on modern legal thought. These are Bentham, Kant, Hegel, Savigny, Marx, Jhering, Kierkegaard, Nietzsche, Weber, Schmitt and Kelsen. The seminar will first of all be concerned with developing clear and accurate interpretations of the texts. A second focus will be on the authors' interventions in legal theory as situated in the social and political context of their times. A third will be identifying the development and subsequent transformation of new modes of legal reasoning, as bearing on law as a supposedly autonomous discipline.

Reactions papers and a twenty page final paper will be required.

Note:

The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

This seminar will meet for four-two hour sessions in the fall on the following dates: October 23, 24, 30 and 31. There will be eight-two hour sessions in the spring on the following dates: February 19, 20, 26, 27, April 16, 17, 23 and 24.

Drop Deadline: October 24, 2013

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2013-2014 Academic Year

The Israel Palestinian Conflict

Course #: 2625 **Term:** 2013FA **Faculty:** Mnookin, Robert **Credits:** 1.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times: **Location**

Course Description: This one unit reading group will explore the Israeli-Palestinian dispute with special emphasis on identifying the primary barriers to resolution. Prerequisite: Instructor permission is required. Application for this reading group is by email to mnookin@law.harvard.edu indicating any relevant prior course work or experience. The application deadline is Friday, August 30.

Note: The reading group will meet at Professor Mnookins home for six two-hour evening sessions on a schedule to be announced.

The Law of Nonprofit Organizations

Course #: 2156 **Term:** 2014SP **Faculty:** Bjorklund, Victoria **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Taxation

Delivery Mode: Course

Days and Times: **Location**
Mon 5:00 PM - 7:00 PM WCC3009
Tue 5:00 PM - 7:00 PM WCC3009

Course Description: Students will read and discuss statutes, regulations and cases and then draft governing documents, filings, and memoranda related to public charities and private grantmaking foundations. Students will also consider legal aspects of charities' operating issues, including dispute resolution. In addition to classes, students will have the opportunity to meet individually with the professor to discuss her markups of their drafts.

Students will be graded on drafting assignments, class attendance and regular active class participation.

Note: The course will meet on the following days: February 3 and 4, 10 and 11, 24 and 25
March 3 and 4, 10 and 11, 24 and 25
The drop date for this course is February 4.

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2013-2014 Academic Year

The Politics of Private Law in Historical and Comparative Perspective

Course #: 1017 **Term:** 2014SP **Faculty:** Kennedy, Duncan **Credits:** 4.00

Type: 1L International Comparative Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Location

WCC1015

WCC1015

Course Description: This course is based on cases and materials from Property, Contracts and Torts as taught at Harvard Law School, along with materials on similar issues as they arise in the French and German legal systems. The course will begin with introductions to Western European civil law systems, and to the discipline of comparative law. It will survey the ways in which legal thinkers have tried to unify contract, property and tort law as aspects of the larger category of private law, and related that field to constitutional law. The emphasis will be on theories of the politics of private law, meaning on the ways in which different private law rules, and also different theories of the field, have been integrated into larger notions of left/right or liberal/conservative conflict.

This course is one of the 1L required international or comparative courses and is available to first-year and LL.M. students only.

The Role of the African-American Lawyer

Course #: 2291 **Term:** 2013FA **Faculty:** Mack, Kenneth **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Legal History

Delivery Mode: Seminar

Days and Times:

Mon 1:10 PM - 3:10 PM

Location

WCC3008

Course Description: The seminar will examine historical and contemporary sources that illuminate the changing roles of African American lawyers from the nineteenth century to the present. Little is known about black lawyers of any era preceding the 1970s, save for generally laudatory biographies of mid- to late-twentieth-century civil rights figures. The course will cast a critical eye on the professional and social roles played by the men and women who comprise the black bar, both in the pre-1970s period and in the present. It will relate those roles to the structure of the legal profession, the social structure of African American communities, and the profound difficulty of claiming a racial link between lawyers, clients and communities.

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2013-2014 Academic Year

The Role of the State Attorney General

Course #: 2237 **Term:** 2014SP **Faculty:** Tierney, James **Credits:** 2.00

Type: Elective **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Location

WCC3018

Course Description: The role of state attorneys general has dramatically expanded as these elected officials and their staff have become increasingly important actors in American jurisprudence. In the aftermath of their historic \$27 Billion settlement against major banks and the litigation against the tobacco industry, attorneys general continue to make their mark in consumer protection, antitrust, civil rights, education, immigration, labor law, political corruption and environmental protection even as they tender daily legal advice that impacts the workings of state government. Working alone or in combination with the federal government, their colleagues in other states or with businesses, unions and interest groups, the attorneys general are now major players in American jurisprudence.

This two credit course examines the core duties of attorneys general and reviews and critiques their authority and performance. The class will examine the means utilized by attorneys general in carrying out their responsibilities including their ethical responsibilities. We will also discuss the implications for federalism and separation of powers by exploring state relations with state and federal agencies that have parallel jurisdiction. Finally, the course will discuss the impact that interest groups and the media have on the office of attorney general. Attorneys general and their staff regularly visit the class.

Students admitted into the clinic must complete a security clearance in advance of starting clinical work. Due to the security clearance, this clinic has early add/drop deadlines. Clinical students are also required to attend three to four additional non-credit evening seminars that are held on campus and are facilitated by the Assistant Attorney General intern coordinator. Students are strongly recommended to set aside 15 hours per week (3 credits) in their schedule for clinical work. For additional information, please see the clinics description.

Some seats are reserved for students enrolled in the Government Lawyer: Attorney General Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the Attorney General Clinic. Please see the clinic's description for more information.

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2013-2014 Academic Year

The Strategic Management of a Mass Tort: Legal & Business Challenges Arising from the COX-2 Inhibitor Litigations

Course #: 2477 **Term:** 2014SP **Faculty:** Schulman, Amy **Credits:** 2.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3019

Course Description: This course will provide a practical examination of how a major company manages mass tort litigation. Led by the former General Counsel and Business Unit Lead for Consumer Healthcare of Pfizer, the class will study how Pfizer faced the legal and business problems associated with Celebrex and Bextra, two of its non-steroidal anti-inflammatory medications (NSAIDs), in a holistic manner, with an emphasis on the role that in-house and outside lawyers play in helping a company navigate a thicket of complex legal and business decisions. The class will be structured around a series of real-world, hands-on exercises in which students will simulate some of the critical turning points in the litigations, including the advice lawyers at Pfizer provided and the decisions they made in the wake of the Vioxx withdrawal, the strategies and discovery the lawyers for each side pursue in product liability and other litigations in preparation for trial, and how the parties resolve these litigations. The exercises will teach students how courts manage and adjudicate complex litigation; how lawyers strategically promote their clients' interests at each stage of the litigation; and how lawyers advise clients in the face of ongoing litigation that impacts business decisions. We aim to provide a practical education in how in-house and outside lawyers balance competing demands in quickly evolving and challenging environments, both before litigation commences and as litigation unfolds. In addition to learning from the perspective of Pfizer's former General Counsel and one of her outside lawyers who helped run the litigation on a day-to-day basis, participants also will hear from a number of guest instructors, including the special master who oversaw the Bextra and Celebrex litigation and other in-house and outside lawyers who assisted Pfizer's General Counsel. Civil Procedure is a pre-requisite. Students will be evaluated based on their participation in class, particularly during the exercises. There will be no examination or paper.

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2013-2014 Academic Year

The Supreme Court's 2012 Term

Course #: 2515 **Term:** 2013FA **Faculty:** Kagan, Elena **Credits:** 1.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Reading Group

Days and Times:

Tue 9:00 AM - 12:00 PM

Wed 9:00 AM - 12:00 PM

Fri 9:00 AM - 12:00 PM

Sat 9:00 AM - 12:00 PM

Location

WCC4059

WCC4059

WCC4059

WCC4059

Course Description: This reading group will focus on a collection of decisions from the most recent Supreme Court term. Admission is by permission of the instructor.

The class will meet on the following days: Tuesday, September 3, Wednesday, September 4, Friday, September 6 and Saturday, September 7 from 9am - 12pm. Please note that the exact course meeting times may change (including possibly some evening sessions) and students are asked to be flexible regarding the class schedule.

Participation in all sessions of the reading group is expected. Students admitted to the reading group should make interview and other plans accordingly

Application Process

Please submit a CV and short essay (one or two paragraphs) explaining interest in the reading group. The essay should include discussion of relevant study at HLS or another institution including constitutional law, administrative law, and statutory interpretation courses. All materials must be submitted no later than 5pm, Friday, July 26th. Admissions decisions will be made by Tuesday, August 6th and all applicants will be notified of their status on the 6th. Please forward all application materials to Kristin Flower at kflower@law.harvard.edu

Drop Deadline: September 4, 2013

The Two-Way Mirror: Media Imaging in the 21st Century

Course #: 2612 **Term:** 2014SP **Faculty:** Robinson, Stephanie **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC4062

Course Description: This 1-credit reading group examines mass media depictions and images in the modern era. It situates this loaded imaging process within an appropriate social and historical context while considering how the quest to maintain a normalized national identity competes with evolving notions of race, culture and gender. Such imaging will be discussed through literature, journalism and visual media. This reading group will meet on the following dates: February 5, February 19, March 5, March 26, April 9 and April 23.

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2013-2014 Academic Year

The U.S. Congress and Law Making

Course #: 2251 **Term:** 2014SP **Faculty:** King, David **Credits:** 3.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 2:40 PM - 4:00 PM

Wed 2:40 PM - 4:00 PM

Location

Course Description: The United States Congress is the "board of directors" for the Federal Government, and it plays the central role in most national policy decisions. Yet how it works - the real story of how it works - is largely unknown, even among people who have worked in policymaking for a long time. Taught by the faculty chair of Harvards Bipartisan Program for Newly Elected Members of Congress, this course puts students in the midst of legislative politics through academic readings and real-world cases. The course begins with the theory and history of legislatures and ends with a simulation involving lobbyists, journalists, and would-be legislators. It is ideal for anyone considering working with the Congress or state legislatures.

Note: This course is jointly-listed with HKS as DPI-120. Please note, this course will meet at HKS.

The Warren Court

Course #: 2005 **Term:** 2013FA **Faculty:** Klarman, Michael **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Legal History

Delivery Mode: Seminar

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC5052

Course Description: This seminar will examine most of the leading constitutional rulings of the Warren Court. The readings will be considerable--you should expect somewhere between 6 and 10 hours of reading per week--as I am trying to give you a wide range of angles from which to approach each of the subject matter areas we will be discussing. Readings will include: cert. memos from law clerks, briefs, conference notes, memos between the justices, excerpted opinions, newspaper reaction, letters to the justices, and law review commentary. We will also be using Lucas Powes The Warren Court and American Politics to provide background and an overview.

There is no exam or long-paper requirement. Students are expected to attend class, do the readings, and participate in class discussion. In addition, you will be asked to write 2 short papers over the course of the semester responding to the readings. These should be in the range of 4-6 double-spaced pages. Final grades will be based half on these short papers and half on class participation.

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2013-2014 Academic Year

The Water-Energy Nexus

Course #: 2628 **Term:** 2014SP **Faculty:** Jacobs, Sharon **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC4061

Course Description: Water and energy are both resources vital to a vibrant society and economy, and there is a growing recognition that the two are mutually interdependent. This reading group will explore that interdependence, examining how laws and regulations account for the use of water in energy production and for the use of energy in the production and use of water. Topics are likely to include hydroelectric and hydrokinetic power, mineral extraction, biofuels, desalination technologies and bottled water. Our readings will draw on a variety of materials that must be part of the practicing lawyer's toolkit, including case law, legislative and administrative materials, and secondary sources such as reports, scholarship, and news articles. The reading group will meet for six two-hour sessions. Participation will be graded credit/fail. There are no prerequisites for the reading group other than a genuine interest in the subject matter, although students who have taken administrative, environmental or energy law will find the background helpful.

The six meeting dates for the course are February 12th and 26th, March 12th and 26th, and April 9th and 23rd.

Theories About Law

Course #: 2319 **Term:** 2014SP **Faculty:** Sargentich, Lewis **Credits:** 2.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

PND100

Course Description: This course begins with a survey of positions in American legal thought, from the time of the Legal Realists to the contemporary period. Then the course looks at law from the standpoint of a number of larger theories, considering law in relation to social theory, literary understanding, moral psychology, and the critique of liberalism. The last two sessions ask how law might go forward on premises of critical jurisprudence.

Readings are selected as exemplary texts, displaying core theoretical positions. After the initial survey, each session restricts its focus to a close look at basic ideas of one or two major theorists. There will be one or two short papers in lieu of an examination.

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2013-2014 Academic Year

Theory and Practice of Social Change

Course #: 2240 **Term:** 2014SP **Faculty:** Guinier, Lani **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Reading Group

Days and Times:

Tue 7:15 PM - 9:15 PM

Location

WCC5048

Course Description: Lawyers who advocate for the disadvantaged and under-represented and thus for a more equal, sustainable, and participatory society are practicing in a new context today. These lawyers use different techniques and play different roles than those of the litigation impact lawyers of the 1960s or 1970s. In this reading group, we will take an in-depth look at new lawyering practices. We will build on the critique of traditional lawyering models presented in the Responsibilities of Public Lawyers course, and further engage with theories of race, gender, and power as developed in the Critical Perspectives seminar, to search for roles, sites, and practices of public education and legal advocacy that build ethical relationships, enhance learning and motivate emancipatory action. The goal of the reading group is to move beyond critique, to engage with actual lawyering models and pedagogical projects that seek to realize transformative aspirations in down-to-earth ways.

Students will meet in a workshop format or in small group meetings with the professor to discuss assigned readings and student work. Students will have the option of signing up for one or two additional independent writing credits with the instructors permission.

Prerequisite: Students will be admitted by permission of the professor. Preference will be given to those who have taken the Law and Social Movements class; The Responsibilities of Public Lawyers class; the seminar Critical Perspectives on the Law, or Law and the Political Process. Students from other Harvard University Departments of Study are also welcome.

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2013-2014 Academic Year

Title IX

Course #: 2242 **Term:** 2013FA **Faculty:** Rosenfeld, Diane **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

HAU101

Course Description: Title IX of the Civil Rights Act promises equal access to educational opportunities. This seminar considers how Title IX has impacted educational opportunities in relation to sex equality on campus. After a brief look at the history of Title IX and its provisions on athletics, we consider its less well-known--but equally important--requirements regarding schools' obligations to address campus sexual assault. Recently announced guidance from the U.S. Department of Education's Office for Civil Rights (OCR), the enforcement arm for Title IX, focuses on what schools can and must do to prevent and address sexual violence on campus. In the seminar, we develop legal policy on implementation of the guidance as we explore Title IX's potential to promote campus climates of sexual respect.

Readings include cases, articles, and OCR decisions. There are no prerequisites for this course.

Topics in Education Law and Policy

Course #: 2610 **Term:** 2014SP **Faculty:** Brown-Nagin, Tomiko **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3011

Course Description: This seminar will consider selected topics pertaining to elementary, secondary, and higher education law and policy. Topics include schools and race; schools and gender; standardized testing; school choice; higher education admissions and student debt.

Final paper required.

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Torts 1

Course #: 1005 **Term:** 2013FA **Faculty:** Sargentich, Lewis **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:	Location
Wed 1:40 PM - 3:00 PM	PND102
Thu 1:40 PM - 3:00 PM	PND102
Fri 1:40 PM - 3:00 PM	PND102

Course Description: This course concerns the legal protection afforded in civil proceedings against interference by others with security of one's person, property or intangible interests. It is not directly concerned with the law of property and contract, which form the subject of other courses, but it explores relationships with these bodies of law. Three fundamental theories of liability emerge: intentional interference, negligence, and strict liability. The influence of these theories and of associated policies is studied in the context of recognized categories of tort liability, particularly assault, battery, interference with peace of mind, negligence, trespass, nuisance, product liability and also no-fault plans. Through these illustrations the course seeks to develop an understanding of the laws search for basic principles to govern the resolution of human conflicts, particularly disputes having to do with the harmful side-effects of productive activity. Professor Sargentich will use Keeton, Sargentich, and Keating, Tort and Accident Law (4th ed. 2004).

Torts 2

Course #: 1005 **Term:** 2013FA **Faculty:** Lazarus, Richard **Credits:** 4.00

Type: 1L Required Course
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:	Location
Wed 1:00 PM - 3:00 PM	AUS101
Thu 1:00 PM - 3:00 PM	AUS101

Course Description: This course explores the basic principles governing private lawsuits for damages for wrongs that are non-contractual, including consideration of the concepts of strict liability, liability based on fault, intentional and negligent interference with personal and property interests and defenses thereto, recoverable damages, and related problems. Because this is a first year course, it serves more broadly as a vehicle for understanding how the law operates and how lawyers help to argue and shape it.

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Torts 3

Course #: 1005 **Term:** 2013FA **Faculty:** Roin, Benjamin **Credits:** 4.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Wed 8:20 AM - 9:40 AM

Thu 8:20 AM - 9:40 AM

Fri 8:20 AM - 9:40 AM

Location

WCC1010

WCC1010

WCC1010

Course Description: This course concerns the civil causes of action and remedies for interference with ones person, property or intangible interests. We will examine the doctrines of both intentional and unintentional torts, including assault, battery, trespass, false imprisonment, conversion and intentional infliction of emotional distress, negligence and strict liability. By contrasting the different theories of liability, especially negligence and strict liability, we will explore differing views of the basic purposes of the tort system and analyze the consequences of different rule structures in preventing accidents and compensating victims. Professor Roin will use Farnsworth and Grady, Torts: Cases and Questions (2d 2009).

Torts 4

Course #: 1005 **Term:** 2013FA **Faculty:** Robertson, Christopher **Credits:** 4.00

Type: 1L Required
Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Location

WCC2009

WCC2009

Course Description: This course will review the doctrines and history of tort law, various positive and normative theories of tort law, the psychological, social, economic, and political forces and dynamics influencing tort law and tort reform, and the interconnections of tort law to other areas of law.

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Torts 5

Course #: 1005 **Term:** 2013FA **Faculty:** Goldberg, John **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 10:30 AM - 11:50 AM	WCC1019
Tue 10:30 AM - 11:50 AM	WCC1019
Wed 10:30 AM - 11:50 AM	WCC1019

Course Description: A tort is a wrong. To commit a tort is to violate a duty owed to another not to injure her, such that the other is granted a power to hold the wrongdoer accountable. Tort law determines what counts as a tort, what a plaintiff must prove to obtain recourse, the defenses by which a defendant can avoid liability, and the remedies available to successful plaintiffs. Examining negligence, medical malpractice, products liability, battery, assault, trespass, nuisance, and other torts, this course will explore tort law and larger theoretical questions that it raises.

Torts 6

Course #: 1005 **Term:** 2013FA **Faculty:** Hanson, Jon **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Wed 1:00 PM - 2:30 PM	WCC2012
Thu 1:00 PM - 2:30 PM	WCC2012
Fri 1:00 PM - 2:30 PM	WCC2012

Course Description: This course will review the doctrines and history of tort law, various positive and normative theories of tort law, the psychological, social, economic, and political forces and dynamics influencing tort law and tort reform, and the interconnections of tort law to other areas of law.

Please note, class time includes space for section planning.

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Torts 7

Course #: 1005 **Term:** 2014SP **Faculty:** Huang, Bert **Credits:** 4.00

Type: 1L Required Course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:

Wed 1:20 PM - 2:40 PM

Thu 1:20 PM - 2:40 PM

Fri 1:20 PM - 2:40 PM

Location

WCC2004

WCC2004

WCC2004

Course Description: This course concerns the common law of injuries to the person and to property. We will explore topics ranging from basic theories of liability, such as negligence, to class actions and mass injury cases, such as those about tobacco, pharmaceuticals, and environmental disasters. Special attention will be given to the design and use of tort remedies, which range from injunctions to punitive damages.

Torts in the Supreme Court

Course #: 2570 **Term:** 2014SP **Faculty:** Goldberg, John **Credits:** 2.00

Type: Elective **Subject Areas:** Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC5048

Course Description: The U.S. Supreme Court long ago ruled that it lacks authority to fashion a general common law of torts. As a result, state courts and legislatures have for the last 75 years been the primary expositors of tort doctrine. And yet the Supreme Court has nonetheless found ways to control and influence the development of tort law through its articulation of federal common law, its interpretation of federal tort statutes such as the Federal Tort Claims Act and the Federal Employers Liability Act, its development of the doctrine of federal preemption, and its recognition of federal constitutional limits on liability for defamation, infliction of emotional distress, and punitive damages. This seminar will examine the Court's major interventions in tort law, and will seek to assess their legal and practical validity. Students will be required to write several short papers explicating and critiquing aspects of the Court's tort-law jurisprudence.

Prerequisite: Torts

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Trade Secrecy

Course #: 2246 **Term:** 2014SP **Faculty:** Roin, Benjamin **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4057

Course Description: This reading group will examine the laws of trade secrecy through the lens of innovation policy. It will focus on the various policies and doctrines that make up the body of trade secrecy law, including civil actions for trade secret misappropriation, criminal actions under the Federal Economic Espionage Act, and contractual restrictions on employee mobility.

Trademark

Course #: 2462 **Term:** 2013FA **Faculty:** Fisher, William **Credits:** 3.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Mon 10:30 AM - 12:00 PM

Tue 10:30 AM - 12:00 PM

Location

LAN225

LAN225

Course Description: This course will examine trademark law and the law of unfair competition in the United States and in other countries. Substantial attention will be paid to efforts by economic and cultural theorists to justify, reform, or abolish the trademark system.

Materials will consist of cases and secondary materials available online.

A preliminary version of the syllabus is available at
http://cyber.law.harvard.edu/people/tfisher/Trademark_Syllabus_2012.htm.

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Transactional Law Clinics

Course #: 8031 **Term:** 2013FA **Faculty:** Price, Brian **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Transactional Practice Clinical Workshop (2 fall credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No (for the Community Enterprise Project specifically, an application is required).
Add/Drop Deadline: September 4, 2013.
LLM Students: LLM students are eligible to enroll in this clinic through Helios.
Placement Site: HLS.
Students enrolled in the Transactional Law Clinics will engage in actual legal practice with real clients involved in transactional matters. Students practice under the supervision and mentoring of an experienced practitioner in one or more of the three TLC clinics: Business and Non-Profit, Real Estate, and Entertainment Law (Recording Artists Project). Students interested in the Community Enterprise Project must submit an application to be considered for the clinic. TLC clients include entrepreneurs, small businesses, non-profit organizations, real estate parties, community development corporations, and individuals and companies in the art and entertainment industry. Students will have direct hands-on responsibility for handling their cases and will gain experience in various aspects of transactional practice. Depending upon their clinical concentration and client needs, students typically have opportunities to engage in entity formation; start-up financing; contract negotiation and drafting; applications for tax-exemption; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; and other transactional legal work. TLC students typically experience professional growth in areas such as strategic judgment, transactional thinking ability, communication skills, client management, document drafting and review, ethical awareness, and practice-oriented research and writing. Students interested in the Community Enterprise Project must submit an application to be considered. The Community Enterprise Project (CEP) of the Transactional Law Clinics offers an opportunity for a small group of students to undertake clinical work rooted in both community development and transactional law. CEP students will connect with community organizations, identify organizational and community legal needs, and develop comprehensive strategies to address those needs while gaining valuable real-world transactional law experience. Ongoing projects include cross-clinical projects with the Food Law and Policy Clinic as well as the Center for Health Law and Policy Innovation. In addition to registering for the 3 credit hour Transactional Law Clinics and corresponding Tuesday evening Workshop, this semester-long, application-only offering will require students to complete half of their 15 weekly clinical hours at the Harvard Legal Services Center in Jamaica Plain, preferably during one full day. To apply, interested students should submit a brief statement of interest (no more than 100 words), resume, and academic transcript (unofficial or official). Please specify in your statement of interest which semester(s) you are interested in taking the clinic. Applications should be addressed to Brian Price and Amanda Kool and submitted via e-mail to akool@law.harvard.edu. Interested students are encouraged to apply as soon as possible, but in any event no later than April 12th.

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Transactional Law Clinics

Course #: 8031 **Term:** 2014SP **Faculty:** Price, Brian **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Transactional Practice Clinical Workshop (2 spring credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No (for the Community Enterprise Project specifically, an application is required).

Add/Drop Deadline: January 17, 2014.

LLM Students: LLM students are eligible to enroll in this clinic through Helios.

Placement Site: HLS.

Students enrolled in the Transactional Law Clinics will engage in actual legal practice with real clients involved in transactional matters. Students practice under the supervision and mentoring of an experienced practitioner in one or more of the three TLC clinics: Business and Non-Profit, Real Estate, and Entertainment Law (Recording Artists Project). Students interested in the Community Enterprise Project must submit an application to be considered for the clinic. TLC clients include entrepreneurs, small businesses, non-profit organizations, real estate parties, community development corporations, and individuals and companies in the art and entertainment industry. Students will have direct hands-on responsibility for handling their cases and will gain experience in various aspects of transactional practice. Depending upon their clinical concentration and client needs, students typically have opportunities to engage in entity formation; start-up financing; contract negotiation and drafting; applications for tax-exemption; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; and other transactional legal work. TLC students typically experience professional growth in areas such as strategic judgment, transactional thinking ability, communication skills, client management, document drafting and review, ethical awareness, and practice-oriented research and writing. Students interested in the Community Enterprise Project must submit an application to be considered. The Community Enterprise Project (CEP) of the Transactional Law Clinics offers an opportunity for a small group of students to undertake clinical work rooted in both community development and transactional law. CEP students will connect with community organizations, identify organizational and community legal needs, and develop comprehensive strategies to address those needs while gaining valuable real-world transactional law experience. Ongoing projects include cross-clinical projects with the Food Law and Policy Clinic as well as the Center for Health Law and Policy Innovation. In addition to registering for the 3 credit hour Transactional Law Clinics and corresponding Tuesday evening Workshop, this semester-long, application-only offering will require students to complete half of their 15 weekly clinical hours at the Harvard Legal Services Center in Jamaica Plain, preferably during one full day. To apply, interested students should submit a brief statement of interest (no more than 100 words), resume, and academic transcript (unofficial or official). Please specify in your statement of interest which semester(s) you are interested in taking the clinic. Applications should be addressed to Brian Price and Amanda Kool and submitted via e-mail to akool@law.harvard.edu. Interested students are encouraged to apply as soon as possible, but in any event no later than April 12th.

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Transactional Practice Clinical Workshop

Course #: 2247 **Term:** 2013FA **Faculty:** Price, Brian **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Procedure & Practice

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCCB010

Course Description: Required Clinic Component: Transactional Law Clinics (3-4 fall credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 4, 2013. LLM Students: LLM students are eligible to enroll in this clinic through Helios.

This course is the classroom component of the clinical practice for students enrolled in one of the Transactional Practice Clinics (TLC). Students in the Workshop will choose to concentrate their clinical practice in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Recording Artist Project (entertainment), Community Enterprise Project (CEP). In the classroom and the clinical work, students will have the opportunity to explore and directly experience the various roles performed by transactional lawyers in providing legal services to small businesses, non-profit organizations, real estate parties, community development corporations, or individuals and companies in the arts and entertainment industry. Students will develop legal skills utilized by transactional lawyers and will gain the perspective of transactional practice in the context of actual client representation. Depending upon their clinical concentration and clients needs, students typically will have opportunities to engage in entity formation; contract negotiation and drafting; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; or other transactional legal work. Students will be exposed to the various challenges faced by clients engaged in transactional activities and to the laws, policies and institutions impacting their ability to succeed. In addition, the course will engage students in critical reflection about the ethical, strategic and policy dimensions of their clinical work; as well as invite reflection about their own professional development. In the classroom component of the course, every student will participate in "rounds" sessions, by presenting a challenging case for class discussion and by critiquing and analyzing the presentations of fellow students.

A clinical practice component is required of all students. Clinical placements are with the Transactional Practice Clinics (www.harvardtlc.org).

Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other information about the clinical.

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Transactional Practice Clinical Workshop

Course #: 2247 **Term:** 2014SP **Faculty:** Price, Brian **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Procedure & Practice

Delivery Mode: Course

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

HAU104

Course Description:

Required Clinic Component: Transactional Law Clinics (3-4 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: January 17, 2014.

LLM Students: LLM students are eligible to enroll in this clinic through Helios.

This course is the classroom component of the clinical practice for students enrolled in one of the Transactional Practice Clinics (TLC). Students in the Workshop will choose to concentrate their clinical practice in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Recording Artist Project (entertainment), Community Enterprise Project (CEP). In the classroom and the clinical work, students will have the opportunity to explore and directly experience the various roles performed by transactional lawyers in providing legal services to small businesses, non-profit organizations, real estate parties, community development corporations, or individuals and companies in the arts and entertainment industry. Students will develop legal skills utilized by transactional lawyers and will gain the perspective of transactional practice in the context of actual client representation. Depending upon their clinical concentration and clients needs, students typically will have opportunities to engage in entity formation; contract negotiation and drafting; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; or other transactional legal work. Students will be exposed to the various challenges faced by clients engaged in transactional activities and to the laws, policies and institutions impacting their ability to succeed. In addition, the course will engage students in critical reflection about the ethical, strategic and policy dimensions of their clinical work; as well as invite reflection about their own professional development. In the classroom component of the course, every student will participate in "rounds" sessions, by presenting a challenging case for class discussion and by critiquing and analyzing the presentations of fellow students.

A clinical practice component is required of all students. Clinical placements are with the Transactional Practice Clinics (www.harvardtlc.org).

Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other information about the clinical.

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Trauma, Refugees and Asylum Law

Course #: 2576 **Term:** 2013FA **Faculty:** Ardalan, Sabrineh **Credits:** 1.00

Type: Elective **Subject Areas:** Human Rights; International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Thu 5:00 PM - 7:00 PM

Location

WCC5048

Course Description:

Refugees are the quintessential trauma survivors. Trauma affects refugees' memory, emotions, and demeanor. Refugees who have experienced trauma often dissociate themselves from their past, exhibit patterns of forgetfulness and avoidance, and experience a distorted and fragmented sense of time. Representation of refugees requires lawyers to surmount cross-cultural barriers to elicit information about the harm suffered, and to narrate the refugee's story persuasively and effectively in order to present a coherent legal case. Close collaboration with psychologists and medical doctors is often critical both to treat refugees and to substantiate their claims, which necessarily involves explaining the effects of trauma to adjudicators and corroborating the fact that the persecution occurred.

This collaboration raises provocative and important issues for lawyers who, alongside clinicians and doctors, have expertise in their own fields, but view their mandate through different optics. Expert evaluations are more and more frequently submitted in asylum cases; yet, without consultation with a refugee's attorney, evaluations may be inconsistent with the facts or theory of the applicant's case, thereby undermining the applicant's case.

This reading group will address the intersection of refugee law, trauma, and psychology, drawing on literature from both law and psychology, as well as on immigrant and refugee narratives as told through various genres and media. Medical doctors and psychologists from Harvard Medical School, Physicians for Human Rights, and Boston Center for Refugee Health and Human Rights will be invited to join the group.

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Trial Advocacy Workshop

Course #: 2249 **Term:** 2013FA **Faculty:** Ogletree, Charles **Credits:** 3.00

Type: Multi-section Course
Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Course Description: Monday, September 9 - Friday, September 27, 2013.

Early drop deadline of September 3, 2013.

Please note: There will be a mandatory meeting Wednesday, April 17, 2013 in Ames Courtroom at 12:00pm for all students enrolled in the Fall Trial Advocacy Workshop.

The Fall Trial Advocacy Workshop is an intensive course in trial analysis, skills, and techniques taught complete in three weeks. More detailed descriptions of the organization and content of the Workshop programs appear below. It is a required component of ITA: Prosecution Perspectives and Criminal Justice Institute: Defense Theory and Practice. The course is graded Credit/Fail. Any questions pertaining to the Workshop should be directed to the TAW Coordinator, Amy E. Soto: asoto@law.harvard.edu.

Course days and hours are: Monday through Friday, 2:00 p.m. to 9:00 p.m. Students are allowed four hours (maximum) of class conflicts per week. Students must be available for trials from 2:00 p.m. to 9:00 p.m. on 9/19, 9/20, 9/26, & 9/27. If you have concerns regarding the conflicts policy and your schedule, please contact Professor Ogletree directly.

The Fall Trial Advocacy Workshop will take place beginning Monday, September 9, 2013 to Friday, September 27, 2013. The course focuses on the task of the trial lawyer to create in the consciousness of the fact-finders the precise fact picture, which reflects the lawyer's version of the case. The workshop includes simulated exercises on all aspects of in-court trial practice including opening statements, development of witness testimony on direct and cross examination, use of illustrative aids and exhibits in evidence, impeachment, expert testimony and summations. An important feature of the workshop is the on-the-spot evaluation and critique by experienced trial lawyers and judges who teach as volunteers during the workshop. Student performances are also video-recorded and individually critiqued.

The Fall Trial Advocacy Workshop requires intensive study, preparation, and activity. The program is structured as follows:

1. For the first week of the workshop, students will meet in classroom sessions (large groups and small groups) for simulated trial advocacy exercises from 2:00 p.m. to 6:00 p.m. daily. Each student will be expected to perform each of the assigned exercises each day. These sessions will involve short role-playing assignments for students in various aspects of trial advocacy, evaluations of performances, and occasional demonstrations by members of the teaching team.
2. Students will have opportunities, individually or in groups, for detailed review or critique of video-recordings of their own and each other's performances. One or more members of the teaching team will be available at scheduled hours to participate in this review.
3. Following each day's classroom exercises, the students are invited to supper with the faculty, which consists of experienced volunteer judges and lawyers, and are expected to attend an

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evening lecture-demonstration from 7:00 p.m. to 9:00 p.m. each evening.

4. Students will participate in two full trials as members of a team of students trying the case. Trial time will include two to four hours of pretrial conferences and five to eight hours of trial performance and critique for each trial. Students will also be expected to serve as witnesses in two additional trials.

Texts: Mauet, *Trial Techniques* (required), plus multilithed materials and case files. Murray, *Basic Trial Advocacy* (optional.)

Prerequisite(s): None, although familiarity with the rules of evidence is assumed throughout the course.

Registration for the Fall Trial Advocacy Workshop will occur during Clinical and Multi-Section Course Registration. LLM students may enroll with the permission of the instructor.

Note: This course has an early drop deadline of September 3, 2013.

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Trial Advocacy Workshop

Course #: 2249 **Term:** 2014WI **Faculty:** Sullivan, Ronald **Credits:** 3.00

Type: Multi-section Course
Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Course Description: Monday, January 6 - Friday, January 24, 2014 Early drop deadline of September 6, 2013.

Please note: There will be a mandatory meeting in November 2013 (date and time TBD) for all students enrolled in the Winter 2014 Trial Advocacy Workshop. Please note: It is highly recommended that students complete a course in Evidence prior to taking this course. Familiarity with the rules of evidence is assumed throughout the course. The Winter Trial Advocacy Workshop is an intensive course in trial analysis, skills, and techniques taught complete in three weeks. More detailed descriptions of the organization and content of the Workshop programs appear below. The course is graded Credit/Fail. Any questions pertaining to the Workshop should be direct to the TAW Coordinator, Amy E. Soto: asoto@law.harvard.edu.

Course days and hours are: Monday through Friday, 2:00 p.m. to 9:00 p.m. (Class will not be held on Monday, January 20, 2014, due to the Martin Luther King, Jr. Holiday). The Winter Trial Advocacy Workshop will take place beginning Monday, January 6, 2014 to Friday, January 24, 2014. The course focuses on the task of the trial lawyer to create in the consciousness of the fact-finders the precise fact picture, which reflects the lawyers version of the case. The workshop includes simulated exercises on all aspects of in-court trial practice including opening statements, development of witness testimony on direct and cross examination, use of illustrative aids and exhibits in evidence, impeachment, expert testimony and summations. An important feature of the workshop is the on-the-spot evaluation and critique by experienced trial lawyers and judges who teach as volunteers during the workshop. Student performances are also video-recorded and individually critiqued. Each student will take part in two full simulated trials, which are systematically critiqued by trial advisors and judges.

The Winter Trial Advocacy Workshop requires intensive study, preparation, and activity. The program is structured as follows:

1. For the first week of the workshop, students will meet in classroom sessions (large groups of twenty-four and small groups of eight) for simulated trial advocacy exercises from 2:00 p.m. to 6:00 p.m. daily. Each student will be expected to perform each of the assigned exercises each day. These sessions will involve short role-playing assignments for students in various aspects of trial advocacy, evaluations of performances, and occasional demonstrations by members of the teaching team.
2. Students will have opportunities, individually or in groups, for detailed review or critique of video-recordings of their own and each other's performances. One or more members of the teaching team will be available at scheduled hours to participate in this review.
3. Following each day's classroom exercises, the students are invited to supper with the faculty, which consists of experienced volunteer judges and lawyers, and are expected to attend an evening lecture-demonstration from 7:00 p.m. to 9:00 p.m. each evening.
4. A similar schedule is followed for the first two days of the second week of the workshop. Wednesday of the second week is a trial preparation day. Simulated non-jury trials take place on

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the last two days of the week. Each student participates in one non-jury trial as a lawyer and in one as a witness.

5. The first two days of the third week of the workshop follow the same classroom schedule as the first week. On Thursday and Friday of the third week of the workshop, participants conduct simulated jury trials in state and federal courthouses.

Text: Murray, Basic Trial Advocacy, plus multilithed materials and case files.

Prerequisite(s): None, although familiarity with the rules of evidence is assumed throughout the course.

Registration for the Winter Trial Advocacy Workshop will occur during Clinical and Multi-Section Course Registration. LLM students may enroll with the permission of the instructor.

Note: This course has an early drop deadline of September 6, 2013. The course may not be dropped after September 6, 2013, without the written permission of the instructor.

Trusts and Estates

Course #: 2250 **Term:** 2013FA **Faculty:** Sitkoff, Robert **Credits:** 4.00
Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Family, Gender & Children's Law; Regulatory Law; Taxation

Delivery Mode: Course

Days and Times:	Location
Mon 1:10 PM - 3:10 PM	AUS101
Tue 1:10 PM - 3:10 PM	AUS101

Course Description: This course involves the study of: (a) intestate succession; (b) wills (including contests, execution, revocation, and interpretation); (c) will substitutes, nonprobate transfers, and planning for incapacity; and (d) trusts (including creation, modification, termination, spendthrift and other asset protection trusts, charitable trusts, portfolio management, and fiduciary administration).

Trusts and Estates

Course #: 2250 **Term:** 2014SP **Faculty:** Sitkoff, Robert **Credits:** 4.00
Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Family, Gender & Children's Law; Regulatory Law; Taxation

Delivery Mode: Course

Days and Times:	Location
Mon 8:10 AM - 10:10 AM	WCC2012
Tue 8:10 AM - 10:10 AM	WCC2012

Course Description: This course involves the study of: (a) intestate succession; (b) wills (including contests, execution, revocation, and interpretation); (c) will substitutes, nonprobate transfers, and planning for incapacity; and (d) trusts (including creation, modification, termination, spendthrift and other asset protection trusts, charitable trusts, portfolio management, and fiduciary administration).

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Understanding Obama

Course #: 2529 **Term:** 2014SP **Faculty:** Ogletree, Charles **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law

Delivery Mode: Course

Days and Times:

Mon 1:00 PM - 3:00 PM

Location

LAN272

Course Description: This course will focus on the way in which race, religion, and politics have impacted the development of President Obama as a leader. We will explore his views as a biracial child, his time as a student at Harvard Law School, the successes and failures of his political campaigns, and the way religion and his views on faith nearly derailed his campaign. Finally, time will be spent analyzing the challenges he faces as President of the United States in establishing both his domestic and global policies.

Venture Law and Finance

Course #: 2252 **Term:** 2014SP **Faculty:** Fried, Jesse **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:

Thu 9:50 AM - 11:20 AM

Fri 9:50 AM - 11:20 AM

Location

WCC1019

WCC1019

Course Description: This course introduces students to U.S. venture capital (VC) contracting, focusing on the cash flow and control rights of investors. It also examines the legal framework in which such contracting takes place.

Reading materials include VC financing documents, relevant California and Delaware caselaw, and academic and practitioner articles.

Prerequisite: This course is open to students who have taken or are concurrently taking Corporations, or by permission of the instructor. Students should be willing to think mathematically and solve algebraic problems

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2013-2014 Academic Year

Veterans Law and Disability Benefits Clinic

Course #: 8039 **Term:** 2013FA **Faculty:** Nagin, Daniel **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Family, Gender & Children's Law; Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Veterans Law and Disability Benefits Clinical Seminar (2 fall credits). Students must enroll in this clinic before they are permitted to enroll in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 4, 2013. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: WilmerHale Legal Services Center (Jamaica Plain). Students in the Clinic work to protect the rights of veterans and their families and persons with disabilities. Students can select among (1) representing veterans in administrative and court appeals to challenge wrongful denials of federal and state veterans benefits; (2) representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) representing clients in administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The Clinic's practice includes administrative, disability, mental health, probate, and constitutional law. Students gain in-depth experience with: client and witness interviewing; working with medical evidence and experts; drafting pleadings, motions, and briefs; drafting legal instruments; examining and cross-examining witnesses at hearings; judicial review of agency decisions; presenting oral argument, engaging in negotiation; and solving ethical dilemmas. Overall, the Clinic focuses its advocacy efforts on using the law to promote financial stability, access to healthcare, and dignity for veterans and their families and persons with disabilities. For more information about the Clinic, please visit: Veterans Law and Disability Benefits Clinic. This Clinic is part of the WilmerHale Legal Services Center (LSC), a general practice community law office in Jamaica Plain. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services.

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2013-2014 Academic Year

Veterans Law and Disability Benefits Clinic

Course #: 8039 **Term:** 2014SP **Faculty:** Nagin, Daniel **Credits:** 4.00

Type: HLS Clinic **Subject Areas:** Family, Gender & Children's Law; Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Veterans Law and Disability Benefits Clinical Seminar (2 spring credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: January 17, 2014.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).
Students in the Clinic work to protect the rights of veterans and their families and persons with disabilities. Students can select among (1) representing veterans in administrative and court appeals to challenge wrongful denials of federal and state veterans benefits; (2) representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) representing clients in administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The Clinic's practice includes administrative, disability, mental health, probate, and constitutional law. Students gain in-depth experience with: client and witness interviewing; working with medical evidence and experts; drafting pleadings, motions, and briefs; drafting legal instruments; examining and cross-examining witnesses at hearings; judicial review of agency decisions; presenting oral argument, engaging in negotiation; and solving ethical dilemmas. Overall, the Clinic focuses its advocacy efforts on using the law to promote financial stability, access to healthcare, and dignity for veterans and their families and persons with disabilities.
For more information about the Clinic, please visit: Veterans Law and Disability Benefits Clinic. This Clinic is part of the WilmerHale Legal Services Center (LSC), a general practice community law office in Jamaica Plain. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services.

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2013-2014 Academic Year

Veterans Law and Disability Benefits Clinic

Course #: 8039 **Term:** 2014WI **Faculty:** Nagin, Daniel **Credits:** 2.00

Type: HLS Clinic **Subject Areas:** Family, Gender & Children's Law; Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Required Class Component: Veterans Law and Disability Benefits Clinical Seminar (2 fall credits). Students must enroll in this clinic before they are permitted to enroll in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 4, 2013. LLM Students: LLM students are not eligible to enroll. Placement Site: WilmerHale Legal Services Center (Jamaica Plain). Students in the Clinic work to protect the rights of veterans and their families and persons with disabilities. Students can select among (1) representing veterans in administrative and court appeals to challenge wrongful denials of federal and state veterans benefits; (2) representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) representing clients in administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The Clinic's practice includes administrative, disability, mental health, probate, and constitutional law. Students gain in-depth experience with: client and witness interviewing; working with medical evidence and experts; drafting pleadings, motions, and briefs; drafting legal instruments; examining and cross-examining witnesses at hearings; judicial review of agency decisions; presenting oral argument, engaging in negotiation; and solving ethical dilemmas. Overall, the Clinic focuses its advocacy efforts on using the law to promote financial stability, access to healthcare, and dignity for veterans and their families and persons with disabilities. For more information about the Clinic, please visit: Veterans Law and Disability Benefits Clinic. This Clinic is part of the WilmerHale Legal Services Center (LSC), a general practice community law office in Jamaica Plain. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services.

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2013-2014 Academic Year

Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520 **Term:** 2013FA **Faculty:** Nagin, Daniel **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; Government Structure & Function; Health Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3011

Course Description: Required Clinic Component: Veterans Law and Disability Benefits Clinic, either during fall (2-4 fall credits) or winter (2 winter credits). Students must enroll in one of these two clinic offerings (fall or winter) before they are permitted to enroll in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: September 4, 2013.

LLM Students: LLM students may apply to the fall clinic option by submitting an application. LLM students are not eligible to enroll in the winter clinic option.

This seminar is the companion course for students enrolled in the Veterans Law and Disability Benefits Clinic of the WilmerHale Legal Services Center.

Students in the Clinic: (1) represent veterans in administrative and court appeals to challenge wrongful denials of federal and state veterans benefits; (2) represent veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) represent clients in administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The seminar provides students with a practical toolkit (including skills related to client and witness interviewing; working with experts; drafting pleadings, motions, and briefs; drafting legal instruments; examining and cross-examining witnesses at hearings; presenting oral argument, engaging in negotiation; and solving ethical dilemmas) for representing veterans, their families, and individuals with disabilities. Because of the complex array of legal issues veterans and persons with disabilities face, the substantive law covered in the seminar includes elements of administrative, mental health, probate, and constitutional law, among other relevant topics. The seminar will also provide students an opportunity to consider larger questions about the laws and policies affecting veterans and persons with disabilities and about the design of social welfare programs more generally.

There is no final examination or final paper for this course. Concurrent enrollment in the Veterans Law and Disability Benefits Clinic is required. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

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2013-2014 Academic Year

Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520 **Term:** 2014SP **Faculty:** Nagin, Daniel **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; Government Structure & Function; Health Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC3038

Course Description: Required Clinic Component: Veterans Law and Disability Benefits Clinic (2-4 spring credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: January 17, 2014.

LLM Students: LLM students may apply to the clinic by submitting an application.

This seminar is the companion course for students enrolled in the Veterans Law and Disability Benefits Clinic of the WilmerHale Legal Services Center.

Students in the Clinic: (1) represent veterans in administrative and court appeals to challenge wrongful denials of federal and state veterans benefits; (2) represent veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) represent clients in administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The seminar provides students with a practical toolkit (including skills related to client and witness interviewing; working with experts; drafting pleadings, motions, and briefs; drafting legal instruments; examining and cross-examining witnesses at hearings; presenting oral argument, engaging in negotiation; and solving ethical dilemmas) for representing veterans, their families, and individuals with disabilities. Because of the complex array of legal issues veterans and persons with disabilities face, the substantive law covered in the seminar includes elements of administrative, mental health, probate, and constitutional law, among other relevant topics. The seminar will also provide students an opportunity to consider larger questions about the laws and policies affecting veterans and persons with disabilities and about the design of social welfare programs more generally.

There is no final examination or final paper for this course. Concurrent enrollment in the Veterans Law and Disability Benefits Clinic is required. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

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Visual Justice: Old Media, New Media and Advocacy

Course #: 2407 **Term:** 2014SP **Faculty:** Cohen, Rebecca Richman **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Wed 6:00 PM - 9:00 PM

Location

ARE120

Course Description: Despite general excitement about the prospect of new media for human rights advocacy, very little attention has been paid to the prospect of new media for storytelling, for generating the sorts of narratives that are crucial for social movements. In this reading group we will investigate whether familiar questions about storytelling in the documentary film context are useful for understanding and evaluating the use of new media to tell stories in the human rights context, especially as the definitions of new media, documentary film, journalism, amateur, and professional are blurred. Do the same questions about authenticity, objectivity, and purpose that arise in the documentary film context also arise in the new-media-for-social movements context? This inquiry is particularly relevant in the human rights context since many campaigns now make use of new media tools, and since the core of the human rights advocacy strategy includes fact-finding and expose and shame - strategies which naturally lend themselves to the sorts of verite storytelling so often found in documentary film. The dates of the meetings are the first six Wednesdays - Jan 29 - March 5th.

Visual Justice: Documentary Film and Human Rights

Course #: 2407 **Term:** 2013FA **Faculty:** Cohen, Rebecca Richman **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Wed 6:00 PM - 9:00 PM

Location

WCC4063

Course Description: This course will examine how visual stories affect the practice of human rights advocacy. With weekly documentary film screenings, we will examine the interconnectedness of advocacy and visual representations. Considering that documentaries make a claim to represent "the real," is there a commensurate way to visually represent human capacities for suffering and violence? What are the challenges that activists and filmmakers face when they are representing experiences and perspectives different than their own? How have visual representations of mass atrocities simultaneously informed and reformed the meanings we ascribe to such events?

Note: The class will meet on the following dates: September 11, 18 and October 2, 9, 16, 23.

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Voices from Inside the Criminal Justice System

Course #: 2644 **Term:** 2014SP **Faculty:** Steiker, Carol **Credits:** 1.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Reading Group

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

LEW214A

Course Description: This reading group will read selections from the broad literature that addresses the various perspectives of criminal justice insiders - police officers, prosecutors, defense attorneys, judges, jurors, prison guards, and of course individual citizens who are drawn into the system as defendants, victims, and witnesses in criminal cases. We will compare and contrast these divergent perspectives and ask what the resulting kaleidoscope can teach us about our criminal justice system and our society -- and about possibilities for reform, both incremental and radical. The reading group is open to all 2L's and 3L's, with the exception of students who took Professor Steiker's 1L Reading Group of the same name.

Prerequisite: Course enrollment is by permission of the faculty. Interested students should submit a brief (one paragraph) statement of interest by January 10 to Professor Steiker's assistant, Amanda Cegielski, at acegielski@law.harvard.edu.

White Collar Criminal Law and Procedure

Course #: 2254 **Term:** 2013FA **Faculty:** Savarese, John **Credits:** 1.00

Type: Elective **Subject Areas:** Criminal Law & Procedure

Delivery Mode: Course

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

PND102

Course Description: The past several years have witnessed an explosion in white collar criminal prosecutions. Evidence of this heightened level of enforcement is not hard to find: massively larger fines and monetary penalties, dramatically longer prison sentences for individuals, substantial increases in government staffing and enforcement budgets, and the unprecedented use of aggressive investigative techniques previously reserved for organized crime investigations. The breadth of recent enforcement cases is also remarkable: financial fraud and misconduct related to the financial crisis and mortgage meltdown, violations of the Foreign Corrupt Practices Act, Ponzi schemes, and insider trading, to name a few. And investigations that were once limited to the United States now frequently involve regulators and prosecutors across the globe.

This course will examine those developments and will focus on (1) case studies in corporate criminal law enforcement, including how federal law, emerging prosecutorial practices, and corporate cooperation guide and shape the resolution of white collar investigations; (2) evolving government expectations about the role of corporations and corporate counsel; (3) ethical and legal dilemmas in conducting a corporate investigation; (4) the emergence of the deferred prosecution agreement and efforts to regulate it; and (5) the black-letter law of corporate criminal liability, including the challenges posed by this standard for companies in light of the collateral consequences of indictment.

Note: This course will meet for the first half of the fall term.

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Workshop on Crime and Criminal Justice Reform in Global Context

Course #: 2255

Term: 2014SP

Faculty: Foglesong, Todd

Credits: 2.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Location

Wed 4:10 PM - 6:00 PM

Course Description:

This workshop involves students in the comparative study of the operation of criminal justice systems, examining strategies for controlling crime and delivering justice across many different countries. The course combines reading, lecture, and discussion with work in small groups on a current project of practical reform in one or more of the governments collaborating with the Kennedy Schools Program in Criminal Justice Policy & Management. Contingent on funding, students may be able to conduct field work in support of these projects over Spring Break. The course first reviews reforms underway in China, Turkey, and Russia, and the response to crises in criminal justice the United Kingdom and United States. It then examines the governance and measurement of criminal justice in Jamaica, Nigeria, and Ethiopia, and the practices of international development organizations for promoting justice, safety, and rule of law.

Students with prior course work or professional experience in criminal law or procedure, law enforcement, criminal justice, or criminology will be in a strong position to take full advantage of the course material, but the workshop is open to all students.

Note: This course is jointly-listed with HKS as SUP-701. Please note, this course will meet at HKS.
