

## LAW SCHOOL

### ADMINISTRATION

Lee E. Teitelbaum, dean of the law faculty and professor of law

John A. Siliciano, vice dean and professor of law

Gary J. Simson, associate dean for academic affairs and professor of law

Anne Lukingbeal, associate dean and dean of students

Richard D. Geiger, associate dean and dean of admissions, financial aid, and information technologies

Harry B. Ash, associate dean for external relations

Karen V. Comstock, assistant dean for career services

Charles D. Cramton, assistant dean for alumni and international affairs

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Nan A. Colvin, registrar

### LAW SCHOOL

The primary function of the Law School is to prepare attorneys for both public and private practice who will render the highest quality of ethical and professional service to their clients and who will further legal progress and reform. The curriculum is designed to prepare students for admission to the bar in all American states and territories.

Ordinarily, a student who is admitted to the Law School must have a baccalaureate degree from an approved college or university. The course of study leading to the degree of Doctor of Law (J.D.) covers three academic years. Students may be admitted to a program of study leading to the degree of Doctor of Law "with specialization in international legal affairs." The Law School also offers to a limited number of students an opportunity to earn both a J.D. degree and an LL.M. degree in international and comparative law.

There are combined graduate degree programs with the Johnson Graduate School of Management, the Department of City and Regional Planning of the College of Architecture, Art, and Planning, the School of Industrial and Labor Relations, the graduate divisions in economics, history, and philosophy of the College of Arts and Sciences, the Université de Paris I (Pantheon-Sorbonne), and Humboldt University, as well as a special opportunity for highly qualified undergraduates in the College of Arts and Sciences to register in the Law School during their senior year.

Each year the graduate program of the Cornell Law School admits a limited number of students, generally all from abroad. The LL.M.

degree (Master of Laws, Legum Magister) and the J.S.D. degree (Doctor of the Science of Law, Jurisprudentiae Scientiae Doctor) are conferred. A small number of law graduates may also be admitted as special students, to pursue advanced legal studies without seeking a degree.

For further information, refer to the Law School catalog, which may be obtained from the Office of the Registrar, Myron Taylor Hall.

### FIRST-YEAR COURSES

#### LAW 500 Civil Procedure

Fall and spring. 6 credits. K. M. Clermont, B. J. Holden-Smith, F. F. Rossi.

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

#### LAW 502 Constitutional Law

Fall. 4 credits. K. A. Abrams, S. H. Shiffrin, G. J. Simson, I. P. Stotzky.

A study of basic American constitutional law, including judicial review, some structural aspects of the Constitution as developed particularly in light of the passage of the Civil War amendments, and certain of its rights provisions.

#### LAW 504 Contracts

Fall and spring. 6 credits. R. A. Hillman, R. S. Summers, W. F. Taylor.

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

#### LAW 506 Criminal Law

Spring. 4 credits. S. D. Clymer, S. P. Garvey.

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

#### LAW 508 Legal Methods

Fall and spring. 4 credits. P. Anderson, J. Atlas, C. Bond, D. French, C. Grumbach.

Legal Methods is a full-year course designed to introduce first-year students to lawyering skills, with primary emphasis on legal writing, analysis, and research. In the context of a law office, students create some of the essential legal writings that lawyers produce. For example, students prepare predictive memoranda for their boss, pointing out the strengths and weaknesses of their client's case and attempting to develop winning arguments. Students may also write a "client letter," using plain English to explain to their client the law, the merits of the case, and, possibly, advise the client on the best course of conduct. Finally, students develop their oral

and written advocacy skills and start thinking about litigation strategy by researching and writing persuasive memoranda or legal briefs for a trial or appellate court and then, at the end of the year, orally arguing their case. Instruction occurs in small sections of approximately 37 students and in individual conferences. Each student receives extensive editorial and evaluative feedback on each written assignment.

#### LAW 512 Property

Spring. 4 credits. G. S. Alexander, A. D. Davis.

An investigation of the law's protection of ownership, including the beginnings of property, legal and equitable estates, concurrent ownership, and public and private regulation of land use.

#### LAW 515 Torts

Fall. 4 credits. J. A. Henderson, Jr., J. J. Rachlinski, S. J. Schwab, J. A. Siliciano.

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

### UPPERCLASS COURSES

#### LAW 602 Administrative Law: The Law of the Regulatory State

Fall or spring. 3 credits. Limited enrollment. Prerequisite: Constitutional Law strongly advised. Students without such background should consult the instructor. C. R. Farina, J. J. Rachlinski.

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

#### [LAW] Alternative Dispute Resolution: Mediation as a Nontraditional Approach to Litigation

2 credits. Limited enrollment. Not offered 2000–2001.

This seminar will emphasize mediation as a nontraditional, modern alternative to the traditional litigation process. The seminar will introduce students to the spectrum of ADR processes, but will emphasize mediation as both a concept and a set of skills. The process of mediation will be explored through readings, videotapes, simulations, and role-playing exercises.]

#### LAW 608 American Indian Law

Spring. 2 credits. Recommended prerequisite: Administrative Law and Public International Law. J. Tahsuda.

An examination of the primary themes and materials of the federal law concerning Native American tribes and individuals. The course devotes considerable attention to the historical development of law and policy in that area and to the present division of authority over Indian country among federal, state, and tribal governments.

#### **LAW 610 Antitrust Law**

Fall. 2 or 3 credits. Students who have taken an antitrust course in the Paris Program may take this course for 2 credits. G. A. Hay.

A consideration of the basic antitrust rules enacted by Congress and amplified by the courts to protect competitive markets and limit the exercise of monopoly power. Price fixing, boycotts, and market allocation agreements among competitors; agreements between suppliers and customers; joint ventures; attempts to monopolize and monopolization; price discrimination; and mergers.

#### **LAW 611 Arbitration**

Fall. 3 credits. Limited enrollment. R. K. Hull.

Arbitration is the principal method of resolving disputes between unions and employers, between securities brokers and their clients, and under international business agreements, and is gaining favor in many other areas. This course familiarizes students with arbitration practice in a variety of fields through the use of simulation exercises, role-playing, and discussion of readings and videotapes. Class exercises focus on practical skills, including case preparation, preliminary hearings, all phases of case presentation, and post-hearing briefs. The practical distinctions between arbitration and traditional litigation are noted throughout.

#### **[LAW Banking Law and Regulation**

3 credits. Not offered 2000–2001.

The course begins by defining the roles that banks and other financial intermediaries play in the economy. It considers the claim that a specialized set of regulations governing the activities of financial intermediaries is justified by the special role banks occupy in society. In that context a variety of theoretical arguments about banking regulation are considered. The course then examines each of the major laws that govern banking activities against the background of the various regulatory theories discussed. Topics addressed include entry restrictions, growth and expansion of bank activities, regulation of the business of banking, expansion through the bank holding-company structure, branch banking, interstate banking, and regulation of failing or failed banks.]

#### **LAW 613 Bankruptcy**

Spring. 3 credits. Prerequisite: Students who have taken Debtor-Creditor Law are ineligible for this course. T. Eisenberg. Selected topics in the law of bankruptcy. An overview of the various bankruptcy chapters and a detailed study of the bankruptcy provisions of most general applicability. The relationship between the rights of an Article 9-secured creditor and the bankruptcy trustee's power to avoid liens. Related topics in the enforcement of money judgments and the law of fraudulent conveyance.

#### **LAW 614 The Business Acquisitions Process**

Spring. 3 credits. Prerequisite: Corporations. Limited enrollment. V. F. Garrity, Jr.

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

#### **LAW 615 Children, Parents, and the State**

Spring. 2 credits. L. Teitelbaum. This course explores legal and social understandings of the rights of children, parents, and the state with respect to issues such as access to and control over the content of education, authority regarding health care, claims to speech and expression, and procreative decisions. The course also examines the operation of rights in connection with juvenile court jurisdiction over neglect and abuse, delinquency, and status offenses.

#### **[LAW Civil Rights Legislation**

3 credits. Not offered 2000–2001.

Explores in depth the history and current status of federal civil rights legislation. The course focuses on 42 U.S.C. §1983, the dominant vehicle for vindication of constitutional rights in civil cases, and on Title VII of the Civil Rights Act of 1964, the principal federal statute covering employment discrimination.]

#### **LAW 616 Commercial Law**

Spring. 3 credits. W. F. Taylor. Examines a variety of commercial dealings and focuses on Articles 2 and 3 of the Uniform Commercial Code, with some coverage of other Articles and the Convention on Contracts for the International Sale of Goods. The course is designed to give students an understanding of commercial statutes and to inform them about many of the underlying commercial transactions to which the law relates.

#### **LAW 617 Comparative Law**

Spring. 2 credits. Prerequisite: basic common law. F. Werro.

The course tackles first the sources, structures, and assumptions common to the legal systems of continental Europe, Latin America, and some countries of the Far East, and then examines the enduring divisions of their private law. Particular examples are then studied and may be grouped under a topic (e.g., the liability of the post office or the problem of the injured rescuer) or by country (e.g., French contract law, European private law, and German tort law). The course aims to demonstrate the utility of the comparative method by encouraging students to rethink their own law in the light of other approaches. This enables students to see how problems may sometimes be solved by breaking the categories in which they are embedded in a

given system, and thus to gain a better understanding of the reasons for the rules.

#### **LAW 618 Comparative Law: Asian Legal Systems**

Spring. 3 credits. A. Riles.

This course has two related goals. First, we will consider some elements and motifs of legal systems of the Asia Pacific region. Second, we will consider some elements and motifs of the discipline of comparative law—its aims, tradition, methods, and achievements—and use materials and problems from the Asia Pacific region to reflect critically and programmatically on a disciplinary project that traditionally defines itself in predominantly Euro-American terms. One question for the course will be how to bring to fruition the practical implications and theoretical richness of the materials we will study, from the points of view of both academics and practitioners. The course also aims to provide students with a prism for thinking about legal questions in their own society through the comparison of other cultures and conceptions of law.

#### **LAW 619 Conflict of Laws**

Spring. 3 credits. G. J. Simson.

A study of the methods used by courts to decide the applicable law in cases that, in their parties or events, involve more than one state or country. Attention to the due-process limitations on jurisdiction, a state's obligation under the full-faith-and-credit clause to respect sister-state judgments, and conflicts between federal and state law.

#### **LAW 620 Constitutional Law II: The First Amendment**

Spring. 3 credits. S. H. Shiffrin.

A comprehensive discussion of freedom of speech, press, and association. The free-exercise-of-religion clause and the establishment clause of the First Amendment are treated less extensively.

#### **[LAW Constitutional Remedies**

2 credits. Not available to students who have taken Civil Rights Legislation. Not offered 2000–2001.

Explores in depth the history and current status of 42 U.S.C. §1983, the major statutory vehicle for vindication of constitutional rights in civil cases.]

#### **LAW 621 Copyright**

Fall. 3 credits. P. W. Martin.

Copyright law has become increasingly important as the American economy has shifted from a predominantly manufacturing economy to an information economy. This course provides students with a comprehensive overview of the U.S. copyright law. It begins with coverage of the substantive and procedural requirements for qualifying for copyright protection, then provides an in-depth study of the rights granted to authors under this law, the standards for judging copyright infringement, public policy limitations on the scope of copyright interest (such as the fair use defense), and remedies available to successful litigants. Issues raised by new information technologies and recent amendments addressing them receive special attention. Partly as an aid for understanding United States law better and partly because copyright law is of increasing international importance, the course also provides some comparative and international copyright law components. In addition, it touches on issues of trademark and right of publicity law as they overlap or complement copyright.

**LAW 622 Corporate Finance and Emerging Markets**

Spring. 3 credits. A. B. Kingston.

The course examines legal aspects of various types of corporate finance transactions in emerging markets and the role of commercial lawyers in these transactions. The course focuses on corporate finance transactions occurring in the midst of the transformation of former Soviet bloc states from command to market economic systems. Transactions in emerging markets pose different political, economic, social, and legal challenges from those arising from transactions in other, more predictable, legal systems. At the same time, the globalization of the world economy and the profound shortage of capital in many emerging markets make this one of the fastest growing fields of commercial law.

**LAW 624 Corporate Governance**

Fall. 2 credits. Prerequisite: Corporations. P. Puri.

This course focuses, at an advanced level, on the principal legal and economic governance questions facing major corporations today. Among the subjects considered are: (1) a reevaluation of the consequences of the divorce of corporate control from ownership; (2) the status and practicability of "shareholder democracy"; (3) proper corporate goals; (4) the corporation and its constituencies (shareholders, labor, consumers, etc.); (5) the duties and responsibilities of corporate directors, officers, and insiders; (6) the role of the corporate lawyer; (7) the role—and new activism—of institutional investors; (8) the respective roles of state corporation law and federal securities law; and (9) comparative corporate governance and the problems of systemic convergence and transitions.

**LAW 625 Corporations**

Fall or spring. 4 credits. J. R. Macey, P. Puri.

An introduction to the business corporation laws affecting the rights and roles of corporate boards of directors, senior executive officers and shareholders, with an emphasis on large, publicly traded firms. Shareholders' economic interests are examined from the perspective of limited liability and dividend standards, expectations of liquidity or transferability of shares and the use of debt capital as a mode of financing corporate activity. Shareholders' limited participation rights in corporate decision making are examined from the perspective of state and federal rules governing shareholder voting and the disclosure of corporate information and the notion of managerial expertise (e.g., as evidenced by judicial application of the "business judgment rule"). The latter part of the course focuses on directors' and officers' fiduciary obligations to shareholders, examining the operation of these duties in a variety of settings and transactions. Issues relating to the roles and functions assumed by corporate attorneys (with respect to their clients) and the role of business corporations within society are also addressed. No previous business knowledge is assumed.

**LAW 627 Criminal Procedure**

Spring. 3 credits. S. D. Clymer.

This course surveys the law of criminal procedure, with emphasis on the constitutional constraints that regulate the pretrial stage of the criminal process. More specifically, the course focuses on the law of interrogations and confessions, the admissibil-

ity of evidence, and on the right to counsel throughout all stages of the criminal process.

**[LAW Current Topics at the Crossroads of Law and Finance (also NBA 551)]**

3 credits. Not offered 2000-2001.

Financial institutions of all kinds, whether they are formally known as insurance companies, banks, investment banks, mutual funds, or pension funds, invest money on behalf of clients in a wide variety of investment vehicles. This course will look at the way that these financial institutions are treated from both a legal and an economic perspective. Emphasis will be placed on the intersections between modern financial theory and legal analysis. Topics to be covered include insurance, bank regulation and reform, securities markets, investment banking, and pensions.]

**LAW 629 Death Penalty in America: A Survey**

Fall. 2 credits. J. H. Blume.

The course will survey the law relating to the administration of the death penalty.

**LAW 630 Directed Reading**

Fall or spring. 1 or 2 credits. Arrange directly with instructor. See Law School Registrar.

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

**LAW 633 Employment Law**

Spring. 3 credits. S. J. Schwab.

Survey of major statutory schemes and common law doctrines that regulate the employer-employee relationship in the private sector, other than laws regulating union formation and collective bargaining which are covered in Labor Law. Topics covered include unjust dismissal, drug testing, free speech, privacy, and antidiscrimination laws. In addition, the course will provide an overview of major statutory schemes affecting the terms and conditions of employment, such as unemployment insurance, employee benefits regulation, workers' compensation, the Fair Labor Standards Act, and the Occupational Safety and Health Act.

**[LAW Entertainment Law**

2 credits. Not offered 2000-2001.

This course explores several areas within the broad field of entertainment law. Topics include contract law, labor, antitrust, the role of agents, personal and privacy rights, literary and music publishing, sound recordings, films, and television.]

**LAW 636 Environmental Law**

Spring. 3 credits. J. J. Rachlinski.

The course surveys the major environmental law with a primary focus on federal statutes (CERCLA, RCRA, NEPA, the Clean Water Act, the Clean Air Act, and the Endangered Species Act). The course lays out the various governmental tools used to address the problems of environmental degradation and discusses the value of these tools. Special attention is paid to the economic, social, and political obstacles to efficient regulation of the environment.

**[LAW Estate and Gift Taxation**

3 credits. Prerequisite: Federal Income Taxation. Not offered 2000-2001.

This course surveys the three federal taxes imposed on wealth transfers: the estate tax, the gift tax, and the generation-skipping tax.

The course uses a problem-oriented approach, with emphasis on the Internal Revenue Code, regulations, and other tax materials.]

**LAW 640 Evidence**

Fall or spring. 3 credits. S. D. Clymer, F. F. Rossi.

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

**LAW 641 Family Law**

Spring. 3 credits. M. A. Fineman.

Broadly understood, family law is the study of state imposed rules regulating intimacy and intimate relationships in society. Consideration of the legal regulation of intimate relations collapses traditional law school distinctions such as those drawn between "civil" and "criminal" or "public" and "private" mechanisms for control of behavior. The laws that effect family formation and dissolution are many and varied. They reach deep into our lives, influencing as well as being influenced by our assumptions and beliefs about what is "natural" and "normal." In this course we will use scientific and social scientific information to explicitly evaluate some of those assumptions and beliefs, and to call into question the appropriateness of a number of current state laws regulating families. We will examine the evolution of our society's understanding of and expectations for marriage, as well as shifts over the past several decades in the nature of and justification for state regulation of that institution. Substantial attention also will be paid to the social and legal consequences of marriage dissolution, including an examination of the imposition of a gender neutrality-gender equality model in the divorce context. The imposition of this model has resulted in a transformation of the legal rules governing distribution of property and allocation of custody and control over children with some problematic consequences. Topics to be considered include: definitions, policy and trends in American family law, the regulation of marriage, the legal significance of marriage: rights and obligations, private ordering within the marital context, nonmarital relationships—rights and obligations, divorce and divorce substitutes, spousal and child support obligations, marital property and theories of marital equality, rights to children.

**LAW 643 Federal Courts**

Spring. 4 credits. Prerequisite: Constitutional Law and second semester of Civil Procedure. Students without such background should consult with instructor. B. J. Holden-Smith.

An intensive examination of the federal courts and their constitutional and statutory role in the federal system. The relationship of the federal courts with the other branches of the federal government and with the states, and the relationship between state and federal law. Case-or-controversy problems, the allocation of jurisdiction between state and federal courts, federal question and diversity jurisdiction of the district courts, and limitations thereon. The course is strongly recommended for anyone planning a judicial clerkship.

**LAW 644 Federal Income Taxation**

Fall or spring. Fall, 4 credits; spring, 3 credits. Limited enrollment. T. Eisenberg, R. A. Green.

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

#### **LAW 646 Feminist Jurisprudence**

Spring. 3 credits. Limited enrollment.

K. A. Abrams.

This course examines the role of law, and, more generally, the role of the state, in perpetuating and remedying inequities against women. We will study several paradigmatic feminist legal theories, including equality, difference, dominance, and various antiessentialist theories (e.g. intersectional, poststructuralist). Among the questions considered will be: How does the law help to construct gender? In what ways does it interact with cultural images and assumption regarding women to perpetuate women's disadvantaged status in society? To what extent can a set of institutions implicated in women's marginalization be used to remedy it? Can a legal system predicated on the liberal assumption of a unitary, prepolitical, autonomous self accommodate feminist accounts of social construction, constrained "choice," or decentered subjects? What methods have feminists used to argue in and about the law, and do these methods themselves have the potential to transform legal thinking?

#### **LAW 647 Health Law**

Fall. 3 credits. L. I. Palmer.

This course examines the role of law and policy in the health care industry. Students will be invited to take a "systems approach" to the study of the role of law in arriving at coherent policy solutions for a host of dilemmas facing a rapidly evolving industry. Students will be asked to consider if a particular statute, regulation, or judicially crafted legal doctrine is consistent with new developments or any public policy towards health care. Topics covered include: access to health care; purchasing health care; commercialism vs. professionalism; the antitrust challenge to professional dominance; changing institutional providers; and public and industry-sponsored quality control.

#### **[LAW Injunctions]**

3 credits. Prerequisite: 2 semesters of Civil Procedure. Students without such background should consult with instructor. Limited enrollment. Satisfies the first or second writing requirement. Not offered 2000–2001.

The course integrates theory and practice in focusing on the availability and use of the injunction, an increasingly important remedial tool in both public-interest and private-section litigation. Coverage includes the substantive and procedural prerequisites for obtaining interlocutory and permanent injunctions, permissible scope and timing, the types and incidents of contempt, and the duties of those enjoined. Special consideration is given to the use of the injunction as a remedial tool for federal courts in public law litigation. The substantial writing component involves several drafting exercises based on real case studies of recent injunction requests.]

#### **LAW 649 Initial Public Offerings and Acquisitions**

Spring. 3 credits. Prerequisite: Corporations. Z. J. Shulman.

An in-depth look at initial public offerings and acquisitions from a practitioner's point of view. With respect to initial public offerings,

the course covers: the applicable statutory framework, pre-offering corporate preparations (such as the implementation of poison pills and stock option plans), the due diligence process, the implementation of corporate governance policies appropriate for a public company, the offering registration process, liability under federal securities laws, the Securities and Exchange Commission review process, underwriting arrangements, selection of a trading forum (i.e., NYSE, NASDAQ, or AMEX), and the transaction closing. Regarding mergers and acquisitions, the course explores: financing alternatives, accounting treatment, due diligence, choosing an appropriate transaction structure (i.e., stock versus asset sale), public company transaction issues (i.e., antitakeover matters and fiduciary duty concerns), and crucial legal aspects of the acquisition, such as letters of intent, successor liability, continuity of employees, and noncompetition agreements.

#### **[LAW Insurance]**

3 credits. Not offered 2000–2001.

This course provides a working knowledge of basic insurance law governing insurance regulation; risk classification; property, commercial, and liability insurance; and claims processes. The emphasis throughout the course is on the link between traditional insurance law doctrine and modern ideas about the function of private law.]

#### **[LAW Intellectual Property]**

3 credits. Not offered 2000–2001.

An introduction to the domestic and international context of intellectual property law with a review of state and federal law relating to intellectual property, principally copyright, patent, and trademark law. Intellectual property issues raised by new information technologies are emphasized throughout the course.]

#### **LAW 652 International Business Transactions**

Spring. 3 credits. J. J. Barceló III.

An examination of the unique legal features of business transactions across national boundaries. The first half of the course deals with the private law of international transactions. The topics covered include: choice of law in the United States and Europe concerning international sales; the U.N. Convention on the International Sale of Goods; financing international transactions through letters of credit; and international dispute settlement (litigation and arbitration). The second half of the course deals with public regulatory law, including an overview of the World Trade Organization (WTO/GATT) with some attention to the trade-environment conflict; fair and unfair trade rules (escape clause, subsidies and countervailing duties, and antidumping); the trade consequences of intellectual property rights; and international antitrust.

#### **LAW 653 International Commercial Arbitration**

Fall. 3 credits. J. J. Barceló III.

A study of arbitration as a dispute resolution process for international trade and business disputes. The course analyzes ad hoc and institutional arbitration, the authority of arbitral panels, enforcement of agreement to arbitrate, challenging arbitrators, procedure and choice of law in arbitral proceedings, and enforcement of international arbitral awards. The course gives special attention to the international convention on the recognition

and enforcement of international arbitral agreements and awards (New York Convention) and the UNCITRAL (U.N. Commission of International Trade Law) arbitral rules and model law. It will focus on commercial arbitration as an international phenomenon and not on arbitration under any particular national system.

#### **LAW 655 International Human Rights**

Spring. 3 credits. D. Wippman.

This course explores the development and effectiveness of international legal rules governing the conduct of a state toward people within its jurisdiction. Topics include the substantive norms of human rights, and their philosophic basis; the mechanisms for the protection of human rights, such as the United Nations, specialized agencies, international human rights commissions, and domestic courts; and current issues such as the doctrine of humanitarian intervention, the status of indigenous peoples, and human rights during armed conflicts, illustrated where possible through case studies of current situations.

#### **LAW 656 International Mergers and Acquisitions**

Spring. 1 credit. J. J. Hanks.

This course covers issues relating to mergers and acquisitions in an international context. Topics include business due diligence, pricing and negotiation, and other important topics from both the buy and sell side. The course will use both lecture and case formats. Students will be evaluated on the basis of group and individual written assignments.

#### **LAW 657 International Organizations and Human Rights**

Fall. 2 credits. M. Ndulo.

The course provides a comprehensive legal analysis of problems concerning membership, the structure of the United Nations organs, and a variety of other international organizations. It considers their functions and acts taking into account the United Nations Charter and texts establishing these organizations. The course further considers the structure, jurisdiction, and functions of the International Court of Justice and the International Criminal Court. It also examines the international machinery for the protection of human rights in the world community including the United Nations Human Rights Committee, the European Court of Human Rights and the Inter-American Court of Human Rights. Relevant decisions of these courts and of municipal courts are studied as well as basic documents.

#### **LAW 658 International Protection of Intellectual Property**

Fall. 2 credits. Recommended prerequisite: Intellectual Property. J. R. Thomas.

This course studies intellectual property rights in the international legal system. A general introduction reviews the international protection of patents, trademarks, industrial design, and copyright. The starting and focal point is the Agreement on Trade Related Aspects of Intellectual Property (TRIPS) adopted in the framework of the World Trade Organization (WTO). The international protection of intellectual property is studied through consideration of the TRIPS agreement and the several international conventions the observation of which is made mandatory for WTO Members by TRIPS. Also examined are issues of international court jurisdiction and applicable law in the area of intellectual property.



**[LAW International Taxation]**

3 credits. Prerequisite: Federal Income Taxation. Not offered 2000-2001.

This course examines the U.S. income tax treatment of foreign investment and business operations in the United States, as well as the treatment of U.S. investment and business operations abroad. The course focuses on international tax jurisdiction and on the methods by which the United States relieves international double taxation, both by statute and through income tax treaties.]

**LAW 660 Labor Law**

Fall. 3 credits. S. J. Schwab.

A study of collective bargaining, including the process of union formation, legal regulation of strikes and other economic weapons, negotiation and enforcement of collective agreements, the duty of fair representation, the application of antitrust law to union activity, and the relationship between federal labor law and local laws regulating the employment contract.

**[LAW Law and Medicine]**

3 credits. Not offered 2000-2001.

This course considers legal issues related to medical care and biomedical science. Topics include constraints on access to health care, organization and financing of health services, promoting quality of care in hospitals and outpatient sites, fraud and abuse in clinical practice and biomedical research, dilemmas engendered by therapeutic applications of new technologies, and pathways to reform of the U.S. health care system. Teaching materials will comprise a law and medicine casebook, and scientific literature.]

**LAW 668 Lawyers and Clients**

Fall. 3 credits. Satisfies the professional responsibility requirement. D. A. Kysar, A. Sarat.

This courses uses the lawyer-client relationship as a lens through which to consider the nature and function of the law governing lawyering and its complex relations to ethics, politics, culture, and identity. Among the questions we will address are: To whom do lawyers owe duties? And what are the duties that are owed? What role does the law governing lawyering play in the constitution of competing ideologies of professionalism? From the viewpoint of ethics, how satisfactory is the law governing lawyering? In addressing these questions we will analyze the varying settings in which lawyers practice and inquire about the social and cultural conditions which encourage or discourage conformity to the law governing lawyering. Do we need more and/or better rules to regulate the profession? Or, should attention also be focused on the character of the profession itself and the domains and conditions under which law is practiced? What kinds of allegiances should lawyers develop to their firms, to third parties, to political causes? We will examine representations of lawyers in popular culture and the significance of those representations in the lives of lawyers. In addition, the course we will discuss the intersections of personal and group identity with the practice of law. For example, is it appropriate for African-American lawyers to represent leaders of the KKK, for Jewish lawyers to advocate on behalf of the free speech rights of Nazis, for gay and lesbian lawyers to defend those accused of harassing gays and lesbians? Throughout, we will consider what effective assistance of counsel entails and whether the law of lawyering contributes to, or impedes, the

attainment of a meaningful and personally fulfilling career in law.

**LAW 669 Legal Aspects of Foreign Investment in Developing Countries**

Fall. 3 credits. M. B. Ndulo.

This course will study legal aspects of foreign investments in developing countries. It will seek to identify legal problems that are likely to affect a commercial investment in a developing country. Inter alia, it will deal with the public international law principles and rules governing the establishment by foreign businesses of various factors of production (persons and capital) on the territory of other states and the protection of such investments. Thus, the course includes a discussion of the following topics: economic development and foreign capital; obstacles to the flow of investments to developing countries; guarantees to investors and investment codes; bilateral treaties; nationalization; joint ventures; transfer of technology; arbitration; investment insurance; unification of trade law; and the settlement of investment disputes.

**LAW 670 Legislation**

Fall. 3 credits. L. I. Palmer.

This course explores various theories of legislation by studying how statutes become a source of public policy, how judges interpret them, and how lawyers draft them. The course examines theories and doctrines of statutory interpretation as a means of determining the degree to which legislation can be used to reform law or to remedy particular social problems.

**LAW 671 Mergers and Acquisitions**

Fall. 2 credits. R. F. Balotti.

This course examines the principal business and legal issues in the purchase and sale of publicly held businesses. Emphasis is placed on the duties of directors in the acquisitions of publicly held companies (including hostile takeovers).

**LAW 672 Negotiations**

Fall or spring. Enrollment limited. 3 credits.

The purpose of this course is to provide opportunities for class participants to develop their negotiating abilities for use in organizational and other settings. The course is premised on the assumption that negotiating concepts are best learned through practice which is grounded in rigorous analysis and reflection. While theoretical principles and concepts from various reference disciplines (such as social psychology, sociology, and economics) will be presented through lectures and readings, this course will focus primarily on improving practical skills. Class participants will not only learn to enhance their individual abilities in dyadic and group situations, but also to analyze contexts for the most effective application of these skills.

**LAW 675 Patent Law**

Fall. 3 credits. J. R. Thomas.

The patent law is a regime of private regulation, initiated by individual inventors and resulting in proprietary interests in an increasingly ambitious range of human endeavor. This course provides a thorough review of the requisites of patentability, including eligible subject matter, utility, novelty, nonobviousness, and disclosure. It then turns to patent enforcement issues such as claim interpretation, the doctrine of equivalents, and remedies. Most inventors seek to obtain proprietary interests in multiple

jurisdictions, so the course includes considerable coverage of comparative and international patent law. Because the system of patents is a capacious one, allowing individuals to appropriate such inventions as sports methods, techniques from the social sciences, and methods of doing business, a traditional technological background is neither required nor recommended as a prerequisite to enroll in this course.

**LAW 676 Private Justice: Arbitration and Other Forms of Alternative Dispute Resolution**

Spring. 4 credits. Limited enrollment.

K. V. W. Stone.

Arbitration has become a major aspect of legal practice in such fields as labor law, commercial law, securities law, family law, and other areas. This course will examine the developing law of arbitration and the relationship between private arbitration and the judicial system. It will examine issues such as the enforceability of arbitration agreements, arbitral due process, judicial review of arbitration awards, and the effect of arbitration on statutory rights. It also examines other forms of alternative dispute resolution, including mediation, small claims courts, and the new mandatory arbitration requirements of some federal and state judicial systems. The course focuses on the law of alternative dispute mechanisms and includes six simulation and problem-solving sessions.

**LAW 678 Products Liability**

Fall. 3 credits. J. A. Henderson, Jr.

Applications of products-liability doctrine and theory to a variety of problems drawn from or closely approximating actual litigation. An overview of the relevant case law, statutes, and administrative regulations, including the new *Restatement, Third, of Torts: Products Liability*.

**LAW 680 Public International Law**

Fall. 3 credits. D. Wippman.

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

**[LAW Remedies]**

Fall. 3 credits. Not offered 2000-2001.

This is an overview of legal remedies and their origins, including equitable remedies, restitution, and damages. The emphasis is on private rather than public law. A considerable amount of the course is spent on the nature and history of equity.]

**[LAW Securities Regulation]**

2 credits. Not offered 2000-2001.

This course examines the federal system of regulation of the offering, sale, and distribution of securities, including the Securities Act of 1933 and the Securities Exchange Act of 1934. Emphasis is placed on the structure, negotiation, and consummation of securities transactions as part of the capital-raising process. The responsibilities of securities professionals are also reviewed.]

**LAW 683 Securities Regulation and the Regulation of Financial Intermediaries**

Fall. 2 credits. J. R. Macey.  
This course covers the federal rules relating to the public offering of securities, secondary market trading of securities, and the regulation of commercial banking, investment banking, and investment companies (mutual funds). Emphasis is placed on the relationship between the various forms of financial intermediation and capital formation, and on the role of these activities in corporate governance. The increasing internationalization of the capital markets, and the public policy issues related to globalization, also will be discussed.

**[LAW Social and Cognitive Psychology for Lawyers]**

3 credits. Not offered 2000–2001.  
In their short history, cognitive and social psychology have produced a rich understanding of how human beings think and how they interact with each other. It should therefore come as no surprise that these two fields have a number of applications to law. This course will explore those applications. Examples include: what effect common errors in judgment have on tort and contract law; how the perception of risk affects societal demand for regulation in environmental law; how organizational and group decision-making processes affect corporate governance; how social norms about fairness impede or facilitate negotiation and dispute resolution; how biases in judgment influence litigation strategies; and what studies of conformity mean for the development of international human rights law. The goal of this course is to introduce students with interests in different areas of law to some general principles of human thought and social interaction that will be valuable to them in their future practice.]

**LAW 684 Sports Law**

Spring. 2 credits. Recommended prerequisite: Antitrust Law and Labor Law.  
W. B. Briggs.  
The course traces the development of sports law in the United States. Particular attention is given to the relationship of sports with antitrust and labor law. Contemporary issues involving arbitration, collective bargaining, amateur athletics, agents, torts, criminal law, and constitutional law are addressed.

**LAW 687 Supervised Teaching**

Fall or spring. 1 or 2 credits. Arrange directly with instructor. See Law School Registrar.

**LAW 688 Supervised Writing**

Fall or spring. 1, 2, or 3 credits. Arrange directly with instructor. See Law School Registrar.

**LAW 689 Taxation of Corporations and Shareholders**

Spring. 3 credits. Prerequisite: Federal Income Taxation. R. Green.  
This course examines the federal income taxation of corporate structure and transactions involving alterations in structure, including the rules governing incorporation, dividends, redemptions, liquidations, divisions, and reorganizations.

**LAW 690 Trademark and Related Doctrines**

Spring. 3 credits. D. Bordewick.  
This course examines trademark, trade dress, trade secret, and trade libel law, and related

doctrines such as unfair competition, false advertising, and the right of publicity. We will examine the various kinds of marks, names, slogans, symbols, product configurations, and packaging for which federal trademark and trade dress protection can be obtained; the need to establish secondary meaning; what constitutes likelihood of confusion; trademark infringement on the Internet; remedies for trademark infringement, counterfeiting, and dilution, and for trade secret misappropriation, and defenses to infringement, dilution, and misappropriation claims. This course may not be taken by students who previously took Patent and Trademark Law.

**LAW 692 Trial Advocacy**

Spring. 4 credits. Prerequisite: Evidence. Limited enrollment. G. G. Galbreath.  
This course is devoted to the study of the trial. Fundamental skills are taught in the context of challenging procedural and substantive law problems. Each stage of the trial is examined: jury selection, opening, objections, direct examination, cross-examination, impeachment, expert witnesses, child witnesses, summation, and pretrial. In addition to exercises every week on a particular segment of a trial, the student also does a full-day jury trial at the completion of the course. Video equipment is used to teach and critique student performances. There are a few written assignments.

**LAW 694 Trusts and Estates**

Spring. 3 credits. E. Sherwin.  
The course surveys the basic law of succession to property, including wills and intestate succession, and the law of trusts. Among the recurring themes of the course are strict and lenient enforcement of formal requirements and methods of interpretation. This is not a course on estate taxation. Grades will be based primarily on a closed book exam with essay and objective questions.

**PROBLEM COURSES AND SEMINARS**

All problem courses and seminars satisfy the writing requirement. Limited enrollment.

**LAW 700 Advanced Civil Procedure**

Fall. 3 credits. B. J. Holden-Smith.  
A study of complex civil litigation involving multiple parties and multiple claims. Topics include joinder of parties and claims, impleader, interpleader, class actions, and intervention.

**[LAW Advanced Criminal Procedure Seminar: Post-Conviction Remedies]**

Fall. 3 credits. Not offered 2000–2001.  
This seminar will explore various post-conviction remedies available to state and federal prisoners, including motions for new trial, state post-conviction proceedings, federal habeas corpus, and other extraordinary writs.]

**[LAW Advanced Criminal Procedure Seminar: Pre-Conviction]**

3 credits. Recommended prerequisite: Criminal Procedure. Not offered 2000–2001.  
This seminar starts where the course, criminal procedure, ends. Topics may include double jeopardy, restraints on the decision to prosecute, pretrial detention and release, preindictment and pretrial delay, discovery and the obligation to disclose exculpatory evidence, the right to an impartial jury, jury

selection, the right to confront witnesses and to present a defense, and sentencing.]

**[LAW African Americans and the Supreme Court]**

3 credits. Not offered 2000–2001.  
Beginning with its first decisions related to the slavery question, the Supreme Court has at times aided and at other times hindered efforts to afford African Americans full citizenship. This seminar explores the relationship between blacks and the Supreme Court by examining the major Court decisions affecting African Americans and attempting to understand those decisions in their historical contexts. The course begins with a review of the background and meaning of the constitutional provisions pertaining to the status of blacks in the new nation and ends with an intensive look at *Brown v. Board of Education*.]

**LAW 703 Advanced Legal Research**

Spring. 3 credits. C. M. Germain and staff.  
Teaches cutting-edge research techniques to prepare students for practice in the law office of the future. Focuses on desktop electronic legal research, and covers U.S., international, and foreign law, as well as multidisciplinary research. The course is designed to teach students, whose careers will begin in a period of information transition, how to handle traditional and electronic sources and formats and make efficient choices.

**LAW 707 American Legal Theory**

Fall. 3 credits. R. S. Summers.  
The fall 2000 topic for this seminar is the appropriate form of basic types of legal phenomena such as criteria of valid law (for both publicly and privately made law), statutory rules, accepted methods of statutory interpretation, the principle of stare decisis and common law rules, adjudicative processes, limitations on judicial power to modify rules, and the formal characteristics of the legal system viewed as a whole. American law lacks appropriate form in many important ways and a heavy price is paid for this. However, appropriate legal form and its distinctive underlying rationales (general legal values) profoundly affect the overall content of law and its practice by lawyers in the American as well as other legal systems. Such form and its rationales have as much or more of a claim to primacy as the essence of law than do problem-specific policies that also inform the laws content. In this seminar, there is equal emphasis on practical skills and theory.

**LAW 709 Biblical Law**

Spring. 3 credits. C. M. Carmichael.  
Analysis of law and narrative in the Bible from the perspective of ancient law and legal history. Topics include the nature of the law codes (e.g., hypothetical formulation versus statutory law), legal issues in the narratives (e.g., law of adultery and women's rights), law and morality (e.g., Ten Commandments), law and religion (e.g., institutions guaranteed by the law but condemned by religious authority), the transformation of extralegal relations into legal ones (e.g., with the introduction of money), legal interpretation in antiquity (e.g., Sermon on the Mount), social factors in legal development (e.g., shame and guilt), and aspects of criminal, family, and private law (e.g., eye for an eye, incest rules, and unjust enrichment).

**LAW 710 Civil Rights in Housing: Theory and Practice**

Fall. 3 credits. M. B. Grant.

Students will explore federal fair housing laws, history, and policies, while learning practical litigation skills. The seminar includes reading materials, class discussion, legal writing, and litigation exercises. The seminar materials include cases and statutes, as well as literature about policies underlying fair housing rights in the United States. The policy literature will be selected from a broad political spectrum and will be designed to provoke thought and encourage classroom debate. The legal writing assignments and the litigation exercises simulate work assignments common in a civil litigation practice. Students will draft two briefs on different issues at various procedural postures (injunction, summary judgment, and appeal). Additionally, students will complete seven short litigation exercises, including developing a proof schema and discovery plan, designing a fair housing test, drafting an affidavit and correspondence in support of a motion, writing jury instructions and a special verdict, and planning a trial notebook.

**LAW 711 The Common Law and African Legal Systems**

Spring. 3 credits. M. Ndulo.

This seminar will study legal systems in post colonial Africa. It will concentrate on the former British colonies. During the colonial period, the common law was imported into British Africa. As a result, these countries are now common law jurisdictions. The description is supported by the history of the countries as well as by current statutory guidelines. African countries, however, also retained African customary law as part of the legal system. The two systems of law operated alongside one another and interacted at various points. During the colonial period, the common law was considered superior to African customary law and became the dominant system of law. In today's Africa, the two systems continue to operate side by side in very much the same way they did in colonial times. Conflicts between them have generated considerable interest among legal scholars. This seminar will consider the following issues: the introduction of the common law in Africa; nature of the customary judicial process; the nature of the plural system; areas of conflict between customary law and the common law in such areas as succession, land tenure, marriage laws, and gender. It will also examine issues relating to constitutional law and governance. Contemporary Africa is engaged in efforts aimed at building democratic political systems that are responsive to the needs of African communities. In this regard, we will examine such issues as constitutional arrangements in post-independence Africa, and conditionality, good governance, and development aid.

**LAW 713 Constitutional Law and Political Theory**

Spring. 3 credits. S. H. Shiffrin.

The purpose of the seminar is to explore theories of freedom of speech and theories of equality. How are the ideas of freedom, equality, association, and community linked in doctrine, and how should they be linked? Neoconservative, liberal, radical, feminist, and Marxist writings are considered.

**LAW 715 Corporate and White Collar Crime**

Fall. 3 credits. P. Puri.

This seminar focuses on contemporary issues in the prosecution of white collar crime, with special attention to crimes committed within corporations and other large organizations. The initial focus will be on the substantive law and the primary federal statutes: mail and wire fraud, the Hobbs Acts, the federal securities laws, RICO, money laundering statutes, the False Statements Act, and the Foreign Corrupt Practices Act. A second focus will be on corporate criminal responsibility, including the rationale therefor and the problems of optimal corporate sanctions. Some attention will be given to the current proposals before the United States Sentencing Commission. A final focus will be on representing defendants, both corporate and individual, in a white collar prosecution.

**LAW 716 Corruption Control**

Spring. 3 credits. R. C. Goldstock.

This seminar examines the factors that facilitate and inhibit public or private corruption and analyzes the wide variety of criminal, civil, and nontraditional approaches designed to control corruption and to promote governmental and commercial integrity.

**[LAW Emerging Problems of Health Law**

Spring. 3 credits. Not offered 2000-2001.

The delivery of health care presents problems on the frontiers of both law and medicine. These include whether legislatures should authorize physicians to assist the death of dying patients, prohibit the cloning of humans beings, or modify the regulations concerning the administration of pain medication. In addition, new knowledge about reducing risks has emerged in policy discussions about how to improve the "quality" of health care during an era of managed care. There are now new questions about whether law inhibits the health care system's ability to make the system "safe" for patients. Students will study selected problems on the frontiers of law and medicine and prepare a seminar paper on a topic related to one of the emerging issues in health law or bioethics.]

**[LAW Empirical Studies of the Legal System**

Fall. 3 credits. Not offered 2000-2001.

This seminar guides students in their own empirical studies of the legal process. Students derive research topics from a variety of empirical sources and design and run their own computer programs. Sample topics may include evaluating patterns of punitive damages awards, studying jurors' perceptions in death penalty cases, evaluating the success rates and burden of Title VII cases, and studying products liability cases.]

**[LAW Employment Discrimination**

Spring. 3 credits. Not offered 2000-2001.

This seminar explores contemporary problems in equal-employment law. It focuses on legal issues involving Title VII, comparable worth, wrongful discharge, disability discrimination, age discrimination, and equal pay. Students are required to submit a paper as partial fulfillment of the requirements of the course.]

**LAW 718 Environmental Litigation**

Fall. 3 credits. D. Bordewieck.

This seminar examines claims, defenses, and issues frequently asserted and arising in environmental litigation—in particular, private litigation under the federal Comprehensive

Environmental Response, Compensation, and Liability Act ("CERCLA"), the federal Resource Conservation and Recovery Act ("RCRA"), and the California Environmental Quality Act ("CEQA"). Issues arising in litigation under several other federal statutes will briefly be considered. Previous study of environmental law is helpful but not required. Each student will be expected to present three seminar papers.

**[LAW Ethnic Conflict and International Law**

3 credits. Recommended prerequisite:

International Human Rights or Public

International Law. Not offered 2000-2001.

This seminar examines the status and rights of ethnic, racial, religious, and national groups under international law, and considers the role of international law in developing an adequate response to intercommunal conflicts in Europe, Asia, and Africa. Topics include the sources of nationalism and ethnic conflict, pertinent individual and group rights, principles of humanitarian law and humanitarian intervention, the relationship between group identity and democracy, the role of international organizations in responding to ethnic conflict, and possible solutions to ethnic conflict, including secession, autonomy, and federalism.]

**LAW 720 European Union Law**

Spring. 3 credits. J. J. Barceló III.

The course studies the EU and EU treaty, institutions, and lawmaking processes; the direct effect, supremacy, and reception of EU law in the member states, the development of the four freedoms (goods, services, persons, and capital) fundamental rights doctrine, protection of the environment, and the EU antitrust law.

**[LAW Family Law Seminar**

3 credits. Not offered 2000-2001.

This course is designed to familiarize the student with the practical problems facing the practitioner in family law cases. Students participate in negotiating separation agreements, presenting oral arguments of motions, preparing a memorandum of law, and developing interviewing skills and client relationships. The philosophy of the family law practitioner and methods of dealing with clients involved in divorce, custody, and the like are covered. The emphasis is on method rather than substantive law.]

**[LAW Federal Litigation Seminar**

3 credits. Not offered 2000-2001.

This seminar is designed for students genuinely interested in being litigators. It explores the "real world" of civil litigation in federal court, from commencement of a lawsuit through termination by some means other than trial. Particular attention is given to local rules; complaints; answers; document requests; removal issues; venue motions; preliminary injunction motions; summary judgment motions; nonparty discovery; sanctions; FRCP 26 disclosures and requirements; attorney-client privilege issues; and case-management procedures and orders. Throughout the course, the seminar endeavors to determine how one rationally litigates before frequently disinterested judges pursuing their own agendas and against counsel evidencing little regard for the rules or the law. This seminar entails a very substantial quantity of written work.]

**[LAW Health Care Reform]**

3 credits. Not offered 2000–2001.

This seminar addresses the role of law in structuring efforts to resolve problems of access, quality, and costs in health care. The focus is on the U.S. health care system but approaches of some other nations to comparable problems are briefly explored. Materials will include a health law casebook and selected readings from medical and health policy sources. During the later sessions of the semester students present their seminar papers to the class.]

**LAW 731 Immigration and Refugee Law**

Fall. 3 credits. Prerequisite: Constitutional Law. S. W. Yale-Loehr.

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

**LAW 733 International Criminal Law**

Spring. 3 credits. D. Wippman.

This seminar will examine the evolution of modern international criminal law, from Nuremberg to the new International Criminal Court. Topics will include the nature and sources of international criminal law, jurisdiction, individual and state responsibility, penalties and deterrence, and alternatives to criminal trials, such as truth commissions and amnesties. The seminar will emphasize recent developments, such as the Pinochet extradition proceedings and efforts to try senior Khmer Rouge leaders.

**LAW 734 Introduction to French Law**

Spring. 3 credits. Prerequisite: Not available to students with significant knowledge of civil law system.

C. M. Germain.

Introduction to the French legal system from a comparative law perspective, with a focus on civil law methodology and French legal institutions. Topics studied include French law sources and authorities, such as legislation, court decisions, and scholarly writings; the relationship between French law and the European Union; the French court structure in civil, criminal, and administrative law matters and its major procedural features; and the organization of the legal profession.

**LAW 735 Introduction to Islamic Law**

Spring. 3 credits.

This course is designed to introduce students to the terminology, principles, and concepts of Islamic law. In part one, devoted to the classical period, we will examine the historical formation of Islamic law, jurisprudence, judicial procedure, penal law, personal status, and property law. In part two, devoted to the modern period, we will examine the modern transformation of Islamic law through a series of case studies focusing on Egypt, Saudi Arabia, The United Arab Emirates, Morocco, and Iran. Seminar discussions will be based

on primary sources (court cases, judicial opinions, statutes, etc.) in English translation.

**[LAW Issues in Tort Law]**

Spring. 2 credits. Not offered 2000–2001.

The course explores some of the major theoretical and practical questions surrounding the tort system. The central inquiry focuses on the purported goals of tort law, their compatibility with each other, and the degree to which they are realized in practice. The course also examines a variety of substantive areas and considers various proposals to restructure tort law.]

**LAW 736 Juvenile Advocacy**

Spring. 4 credits. C. Grumbach.

In this simulation-based lawyering course, students learn about litigation involving juveniles charged with either criminal acts or status offenses. Using accusatory instruments from juvenile delinquency and Persons in Need of Supervision proceedings as a framework for discussion, students examine the substantive juvenile and criminal laws that underlie such proceedings, explore the sometimes controversial roles that lawyers play when representing juveniles, and practice defending juveniles in such cases. Either through simulated cases or cases from the Tompkins County law guardian office, Citizens Concerned for Children, students will have an opportunity to examine and potentially work on different aspects of a case. Possible areas include: interviewing the client, attempting to negotiate a settlement, developing a trial strategy and theory of the case, preparing discovery requests and pre-trial memoranda, and developing a dispositional plan. Students may also have a chance to research and write a portion of an appellate brief for the New York City Legal Aid Society, Juvenile Rights Division.

**[LAW Labor Law Theory and Policy Seminar (also ILR 608)]**

3 credits. Prerequisite: Labor Law. Not offered 2000–2001.

The U.S. collective bargaining system, which had its origins during the New Deal period, has come under intense attack. The intellectual premises of the system have been challenged by scholars on both the right and the left, and at the same time, the decline in the labor movement has undermined its political support. This seminar will look at the theoretical attacks on the New Deal collective bargaining system and at some of the current proposals for its replacement. Some of the topics to be discussed are: the theory of regulation embodied in the National Labor Relations Act and its critique; alternative conceptions of labor markets and their policy ramifications; and the emerging global economy and its ramifications for domestic labor regulation. There will also be discussion of alternative systems of labor regulation, such as found in West Germany, Sweden, and Japan.]

**LAW 739 Law and American Literature**

Spring. 3 credits. A. Davis.

This course emphasizes mainly American literature to probe key legal themes such as slavery and the questions of nationhood, the distinction between public and private spheres of action, punishment and discipline, and the social significance and meaning of crime. In all of the texts, the course explores competing vision of "justice," with special attention to race, class, and gender. Literary analysis includes contrasting modes of interpretation,

assessing the similarities and differences between literary and legal texts, and considering the role and effects of narration.

**LAW 740 Law and Economics**

Spring. 3 hours. Prerequisite: No prior acquaintance with economics is assumed. S. J. Schwab.

The seminar provides an introduction to the main concepts of "law and economics" and an opportunity to apply those concepts to a particular legal issue in an individual research project. Topics to be covered include alternative notions of efficiency, rational choice and public choice theory, the Coase theorem, transaction and administrative costs, the impact of public and private regulation on individual behavioral choice, and the application of these concepts to various aspects of the legal system, including: the choices between statutory and common law, rules and standards, property and liability rules, and strict liability and negligence; the determination of damages for breach of contract; and the rules of legal procedure. Some attention will also be paid to the moral, ethical, and philosophical criticisms often made of the economic approach to law.

**LAW 741 Law and Higher Education**

Spring. 3 credits. Prerequisite: Constitutional Law or Administrative Law. J. J. Mingle.

Higher education is a complex, idiosyncratic institution. Universities and colleges have a unique mission—teaching, research, and public service—and a uniquely challenging task of accommodating the various constituencies and organizations both internal (governing boards, faculty, students) and external (alumni, legislatures, courts, government agencies), that influence how they are managed and how policies are shaped. This seminar will explore the dynamic tensions, high expectations, and complex legal policy issues universities face in fulfilling their mission.

**LAW 743 Law and Mental Health Seminar**

Fall. 3 credits. H. R. Beresford.

The seminar explores issues at the interface of law and psychiatry. After an introduction to clinical and scientific aspects of mental illness, the seminar will address issues of autonomy, liberty, competency, coercion, and criminal responsibility as they relate to persons with disorders of behavior, cognition, or mood. Students write and present seminar papers on self-selected topics.

**LAW 744 Law, Science, and Technology**

Fall. 3 credits. Y. M. Cripps.

An examination of the interaction between legal principles and procedures and scientific research and development. Topics include the role of the law in regulating cloning, recombinant DNA research, surrogacy, and in vitro fertilization; plant breeders' rights and the patentability of organic matter; judicial assessment of expert scientific evidence; and compensation for damage caused by scientific experiments and new technologies.

**LAW 745 Law through Literature**

Fall. 3 credits. N. L. Cook.

In this seminar, students use literature, supplemented by law texts, as a basis for understanding operations of law and the impact of legal process on people's lives. An explicit goal of the course is the acquisition of literary skills that can be cross-utilized in law



practice. Students thus not only analyze legal principles in the context of stories, but also learn how to apply such literary concepts as metaphor, imagery, plot and character development, perspective, and point of view in their legal work.

**LAW 746 Lawyering Skills: Practical Ethical Challenges in Firm Litigation**

Fall. 3 credits. D. French.  
This course is dedicated to a "real world" look at typical ethical challenges faced by associates and partners in the law firm litigation context. Rather than focusing on abstract discussions of sometimes vague ethical guidelines, the course will focus on common, concrete problems. From inadequately researched complaints, to partners who blatantly abuse the discovery rules, to the suspected lying client, the course problems will reflect a full range of realistic challenges that students will face in practice. Students will be asked to discuss and debate these problems and make affirmative, realistic decisions—decisions that reflect the political and social realities of law firm life.

**LAW 756 Legal Aspects of Commercial Real Estate Development**

Spring. 3 credits. J. E. Blyth.  
Through the use of several written memoranda and one oral presentation, this seminar addresses considerations basic to commercial real estate development. It focuses on purchase agreements, options, rights of refusal, memoranda thereof, representations, and warranties; disclosure required of brokers and sellers, attorneys as brokers, notarial misconduct; conveyancing and surveys; commercial leases; conventional financing; conflicts between commercial tenants and institutional lenders; alternatives to conventional financing; title insurance; attorney opinion letters; and choice of real estate entity. About one-half of the course is devoted to commercial leases; conventional financing, and alternative to conventional financing (such as tax exempt financing and synthetic leases).

**LAW 760 Organized-Crime Control**

Fall. 3 credits. Prerequisite: Criminal Procedure. R. C. Goldstock.  
This seminar discusses selected aspects of criminal procedure and civil remedies that are used to control sophisticated illegal syndicated activity. Constitutional, statutory, and practical concerns in the use of electronic surveillance and RICO are a particular focus.

**LAW 766 Origins of English and American Law**

Spring. 3 credits. E. Sherwin.  
This course provides an overview of Anglo-American legal history, including Roman law origins, early English law, early American law, and modern social and intellectual legal debates. Approximately one half the course will be spent on foundational reading; the second half will consist of presentation of student papers.

**LAW 770 Reproductive Issues Seminar**

Fall. 3 credits. M. A. Fineman.  
This seminar will consider various reproductive dilemmas, paradoxes, and policies in modern American society. Birth control and abortion will be addressed, but the emphasis will be on placing the reproductive process within a broad sociolegal context. To this end, we explore issues such as eugenics, the use and regulation of medical technology, lesbian

mothering, the relationship between reproduction and poverty programs, and a variety of other contemporary issues.

**LAW 772 Selected Business Transactions Seminar**

Fall. 3 credits. Recommended prerequisites: Corporations. Z. J. Shulman.  
An in-depth look at initial public offerings and acquisitions from a practitioner's point of view. With respect to initial public offerings, the course will cover: the applicable statutory framework, pre-offering corporate preparations (such as the implementation of poison pills and stock option plans), the due diligence process, the implementation of corporate governance policies appropriate for a public company, the offering registration process, liability under federal securities laws, the Securities and Exchange Commission review process, underwriting arrangements, selection of a trading forum (i.e., NYSE, NASDAQ, or AMEX) and the transaction closing. Regarding mergers and acquisitions, the course will explore: financing alternatives, accounting treatment, due diligence, choosing an appropriate transaction structure (i.e., stock versus asset sale), public company transaction issues i.e., antitakeover matters and fiduciary concerns, fiduciary duties, and crucial legal aspects of the acquisition, such as letters of intent, successor liability, continuity of employees, and noncompetition agreements.

**LAW 773 Selected Topics of Tax Policy**

Spring. 3 credits. Prerequisite: Federal Income Taxation. R. Green.  
This seminar will focus on one or more topics of current importance in tax policy. Examples might include the taxation of electronic commerce, the taxation of new financial products, the problem of corporate tax shelters, or international tax competition.

**LAW 774 Separation of Powers**

Spring. 3 credits. Prerequisite: Constitutional Law and Administrative Law strongly advised. Students without such background should consult instructor. C. R. Farina.  
The last 20 years have witnessed more debate about the nature and consequences of "separation of powers" than we have seen since the Founding Era. This seminar examines the ways this concept is understood and used by modern judges, legislators, executive officials, and scholars to justify, or to attempt to modify, the distribution of power within contemporary American government.

**LAW 775 Social Security Law**

Spring. 3 credits. P. W. Martin.  
The course focuses especially on how Social Security's benefit rules relate to employment, families, and household composition and how its procedures address the challenge of adjudicating the massive numbers of benefit claims that arise each year. It introduces the general features of the Social Security Act's entitlement, benefit formulae, and procedural rules; highlights those that pose the greatest difficulty to administrators and advocates; and surveys current proposals for change.

**[LAW The Supreme Court and the Death Penalty**

3 credits. Not offered 2000–2001.  
This seminar examines the role of the Supreme Court in modern capital punishment jurisprudence focusing on how, and to what extent, the Court's view of death penalty cases has changed in the last 30 years. Students will

have the option of writing a paper or assisting in the research for and drafting of a petition for writ of certiorari or brief filed in the Supreme Court.]

**[LAW Theories of Property**

3 credits. Prerequisite: Property. Not offered 2000–2001.  
This seminar explores the various ways that people have conceived of, or understood, property. The materials studied are eclectic and interdisciplinary. They include readings on slavery and property, women and property, community interests in property, as well as classical theories (libertarian, utilitarian, Marxian).]

**LAW 776 Topics in Criminal Law**

Spring. 3 credits. Prerequisite: Criminal Law. S. P. Garvey.  
This seminar examines a range of topics in the substantive criminal law, including recent accounts of why and when punishment is justified; the extent to which political commitments and principles impose limits on the state's authority to punish wrongdoers; the meaning and legitimacy of "abuse" excuses; recent proposals to reform the law of rape; the role of character, virtue, and multiculturalism in the criminal law; and the relationship between emotion and reason in the assessment of criminal liability.

**LAW 777 Topics in the Anthropology of Law**

Spring. 3 credits. A. Riles.  
What makes law distinctive as a set of knowledge practices? What does an understanding of late modern law contribute to current debates in anthropology and critical theory? In order to answer these questions, this seminar considers some cases of legal thought and practice, drawn from diverse legal settings, in tandem with current work in critical theory and the anthropology of knowledge. After a brief discussion of the most significant debates in twentieth-century legal anthropology, the seminar will focus in particular on the "aesthetics" of legal knowledge, that is, on lawyers' understanding of, and commitment to form, and its relationship to other kinds of twentieth-century formalisms from mathematics to architecture to anthropology. Seminar participants will write one 20-page paper. Weekly participation in the discussion will count for a substantial portion of the final grade.

**LAW 778 Transition to Democracy**

Fall. 3 credits. I. Stotzky.  
The closing decades of the twentieth century can rightly be characterized as the era of democracy. During the 1970s, several southern European nations abandoned longstanding dictatorships and adopted democratic regimes. During the early 1980s, most Latin American nations repudiated their aged military dictatorships and instituted democracies. In the 1990s another wave of democratization swept Eastern Europe and the Soviet Union, destroying the "Communist Empire." In nations undergoing this transition, economic, political and social stability has not yet been fully achieved. The corporatist political and social structures have not yet been transformed to allow the vast, underprivileged majority access to the basic necessities that ensure a dignified life. Institutional structures of public life, such as a representative legislative branch, a competent judiciary, and an executive branch that adheres to its constitutionally imposed

boundaries must be developed and stabilized. The rule of law—and thus the fundamental guarantees of due process—have to become an accepted, basic requirement of public life and private social interaction. In this seminar, we will examine the very complicated issues involved in the transition process. For example, we will look at the relationship between constitutionalism, democracy, human rights, and law. We will also discuss the role in the democratization process of cultural norms, human rights trials, economic development, and the international community. A paper is required.

#### **[LAW United Nations, Elections, and Human Rights]**

Fall. 3 credits. Not offered 2000–2001.

The seminar provides a wide range examination of the current status of the international protection of human rights with special emphasis on civil and political rights relating to elections and governance. Taking part in the conduct of public affairs is a basic human right increasingly prized by people throughout the world. Universally, the right to take part in government is proclaimed and guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and is recognized in many other international treaties and declarations. At times free and fair elections necessitate international assistance to countries to aid them in fulfilling international human rights standards, and cooperation in establishing and strengthening the legal, technical, and physical infrastructure necessary to carry out elections. The seminar will further examine: self determination, truth commissions, and the role of non-governmental organizations with regard to standard setting and monitoring of human rights.]

## CLINICAL COURSES AND EXTERNSHIPS

All clinic courses have limited enrollment.

#### **LAW 781 Capital Punishment Clinic: Post-Conviction Litigation**

Spring. 4 credits. Prerequisite: permission of instructor. J. Blume, S. L. Johnson.

This course is taught as a clinic. Two or three cases from the South Carolina Center for Capital Litigation will be worked on by students. These cases may be state postconviction or federal habeas corpus cases, depending on the vagaries of litigation and the needs of the South Carolina Center for Capital Litigation. Students will read the record, may assist in drafting the initial pleading (an application for postconviction relief or a federal habeas petition), and/or may then assist in the preparation of briefs. Students are included in discussion regarding the necessary investigation and the thought process about the case, and in some instances will be involved in investigation.

#### **LAW 782 Capital Trial Clinic**

Spring. 4 credits. Prerequisite: permission of instructor. J. Blume, S. Johnson.

This course addresses the issues that are unique to a capital trial, with a focus on a specific capital trial and the issues it presents. Students will be involved in the preparation of the defense for one or two capital trials. They will also learn about the Colorado voir dire method and the use of focus groups. Both investigation and writing will be required.

#### **LAW 784 Government Benefits Clinic**

Spring. 6 credits. Course has two classroom components: Government Benefits Clinic class and Clinical Skills 1 or Clinical Skills 3 (formerly Legal Aid 1 and 3 class). B. Strom.

The course has a substantive component, in which a broad conceptual understanding of a complex and controversial area of law and public policy is developed, and a live client clinical experience, in which those concepts can be applied in solving actual client problems. The substantive component provides an introduction to government benefits law by examining various social insurance and need-based benefit programs including Social Security, Unemployment Insurance, Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI), Medicaid, and Food Stamps. Case handling involves the representation of clients in government benefits cases involving the Tompkins County Department of Social Services, the N.Y.S. Department of Labor and the Social Security Administration. The course also includes Clinical Skills 1 or Clinical Skills 3. Clinical Skills 1 class will address interviewing, counseling, negotiation, and advocacy skills through the use of readings, videotapes, discussions, demonstrations, and simulation exercises. Clinical Skills 3 builds on the skills taught in Clinical Skills 1 and addresses such topics as alternative dispute resolution, formal discovery, and motion argument.

#### **LAW 785 Government Benefits Clinic/ Neighborhood Legal Services Externship**

Spring. 6 credits. B. Strom.

This course is a combination of Government Benefits and the Neighborhood Legal Services Externship and either Clinical Skills 1 or Clinical Skills 3 (formerly Legal Aid 1 or 3). The course is the same as Government Benefits except that the case handling component involves handling cases for the Ithaca office of Neighborhood Legal Services. See the descriptions for the Government Benefits Clinic and the Neighborhood Legal Services Externship for additional details.

#### **LAW 786 Judicial Externship**

Fall or spring. 4 credits. G. G. Galbreath.

Students work with a trial court judge. Work involves courtroom observation, conferences with the judge, research and writing memoranda, and drafting decisions. The emphasis is on learning about judges, the judicial decision-making process, and trials. There are weekly class meetings with readings and discussions of topics related to the externship experience. While the primary focus is the student's work at the placement, each student will also do class presentations, a final project, and will meet individually with the faculty member.

#### **LAW 790 Law Guardian Externship**

Fall or spring. 4 credits. J. M. Miner.

Students will learn about the representation of children in abuse and neglect cases, juvenile delinquency proceedings, and PINS (Person in Need of Supervision) cases through their placement at the Tompkins County Law Guardian office. Duties may include interviewing, investigation, drafting memoranda and motions, and assisting in trial preparation. The classroom component is provided by Clinical Skills 1, 2 (fall), or 3 (spring), depending on whether the student has previously been enrolled in a course in which Clinical Skills 1 (formerly Legal Aid 1) was a component. Clinical Skills 1 class will address interviewing,

counseling, negotiation, and advocacy skills through the use of readings, videotapes, discussions, demonstrations, and simulation exercises. Clinical Skills 2 builds on the skills taught in Clinical Skills 1 and addresses such topics as fact investigation and analysis, informal discovery, and drafting of pleadings. Clinical Skills 3 builds on the skills taught in Clinical Skills 1 and 2 and addresses such topics as alternative dispute resolution, formal discovery, and motion argument.

#### **LAW 791 Legislative Externship**

Fall or spring. 3 credits. B. Strom.

The students work with the local New York State Member of Assembly. Work involves drafting legislation, tracking legislation for constituents, legal research and writing, responding to constituent requests that particularly require legal research or an explanation of law. The emphasis is on learning about legislative process, drafting of legislation, understanding the reasons for statutory ambiguity, and developing various skills. There are several informal meetings with the faculty supervisor during the semester with readings and group discussions related to the externship experience.

#### **LAW 792 Neighborhood Legal Services Externship**

Fall or spring. 4 credits. B. Strom.

Classroom component is provided by Clinical Skills 1, 2 (fall), or 3 (spring), depending on whether the student has previously been enrolled in a course in which Clinical Skills 1 (formerly Legal Aid 1) was a component. Cases involve the representation of clients of a legal services office, the Ithaca office of Neighborhood Legal Services (NLS). Along with case handling, this externship includes a classroom component, provided by Clinical Skills 1, 2, or 3. The classes are devoted to the development of lawyering skills and issues related to professional responsibility and the role of an attorney. In addition, each student will meet periodically with the faculty supervisor for review of the placement experience.

#### **LAW 793 Public Interest Clinic 1**

Fall or spring. 4 credits. NOTE: During the second or third week there may be an additional class session. Classes are mandatory. N. Cook, G. Galbreath, J. Miner, B. Strom.

Students handle civil cases for low-income clients of the Public Interest Clinic under the supervision of the clinic faculty. Students interview and counsel; investigate and analyze facts; interrelate substantive and procedural law with facts in the context of actual representation; develop a strategy to handle clients' problems; identify and resolve professional responsibility issues; do legal writing; negotiate and settle cases; and represent clients at administrative hearings. Classroom component is provided by the Clinical Skills 1 class, in which students will develop interviewing, counseling, negotiation, and advocacy skills through the use of readings, videotapes, discussions, demonstrations, and simulation exercises.

#### **LAW 794 Public Interest Clinic 2**

Fall. 4 credits. Prerequisite: Public Interest Clinic 1 or a clinic course that included the Clinical Skills 1 (formerly Legal Aid 1) classroom component. N. Cook, J. Miner, G. Galbreath, B. Strom.

Students handle Public Interest Clinic cases, participate in a classroom component, Clinical

Skills 2, and help supervise participants in Public Interest Clinic 1. Cases are handled as described in the course description for Public Interest Clinic 1. The classroom component, Clinical Skills 2, builds on the skills taught in Clinical Skills 1 and addresses such topics as fact investigation and analysis, informal discovery and drafting of pleadings. Students represent the clinic's clients in both federal and state courts.

#### **LAW 795 Public Interest Clinic 3**

Spring. 4 credits. Prerequisite: Public Interest Clinic 1 or a clinic course that included the Clinical Skills 1 (formerly Legal Aid 1) classroom component. N. Cook, G. Galbreath, J. M. Miner, B. Strom.

Students handle Public Interest Clinic cases, participate in a classroom component, Clinical Skills 3, and help supervise participants in Public Interest Clinic 1. Cases are handled as described in the course description for Public Interest Clinic 1. The classroom component, Clinical Skills 3, builds on the skills taught in Clinical Skills 1 and 2, and addresses such topics as alternative dispute resolution, formal discovery and motion argument. Students represent the clinic's clients in both federal and state courts.

#### **[LAW Public International Law Clinic**

3 credits. Prerequisites: Public International Law or International Human Rights. Not offered 2000-2001.

Students will prepare legal memoranda and policy proposals for foreign governments and international organizations. The memoranda will be prepared in coordination with the Public International Law and Policy Group, a nonprofit organization that provides *pro bono* advice on issues of public international law to governments, NGOs, and international organizations. Possible subject areas include minority rights, border treaties, citizenship and nationality disputes, state succession issues, and war crimes.]

#### **[LAW Religious Liberties Clinic**

4 credits. Year-long offering. Not offered 2000-2001.

Students work in teams on cases provided by organizations that handle Establishment and Free Exercise Clause cases. All students do substantial research and memorandum writing, and some may draft portions of briefs. To help ensure that students have the opportunity to take a case to completion (or at least to the next stage of litigation), this is a full-year course, with students required to register for both semesters for a total of four credit hours and a grade at the end. Given the nature of litigation, demands on student time may be sporadic, and students should be prepared to do some work over intercession if court deadlines so require.]

#### **LAW 796 Small Business Clinic**

Fall or spring. 5 credits. W. Kell.

Students will learn and apply a broad range of knowledge in business-related law, through participating in interdisciplinary teams of students assisting small business entrepreneurs with legal and business needs, particularly child care programs, nonprofit programs, and teen start-up businesses. Faculty from the Law School, the Johnson School of Management, and College of Human Ecology will supervise teams of students from each of the above colleges and provide classroom teaching. Under such supervision, student teams will work autonomously to consult with and

provide technical assistance to the small business entrepreneur. There will be weekly classroom sessions focused on substantive areas of knowledge, the development of client relationships, and ethical issues. Skills in building effective working relationships with clients will also be developed through simulation and actual client representation. Readings are drawn from areas of contract, tort, property, employment, and administrative law, as well as areas of business planning, entrepreneurship, and consumer issues. Bi-weekly team meetings are also required for supervision.

#### **LAW 797 Women and the Law Clinic**

Fall. 6 credits. Course has two classroom components: Women and the Law Clinic class and Clinical Skills 1 or Clinical Skills 2 (formerly Legal Aid 1 and 2) class. J. M. Miner.

Students will represent women clients who have legal matters primarily in the family law area (divorce, custody, support, domestic violence). The Women and the Law Clinic class will focus on such issues as the impact of substantive law on women, the impact of legal institutions on women, professional role development, feminist lawyering methods, and other topics related to women and the law. Students will also participate in the lawyering skills classroom component, Clinical Skills 1 or Clinical Skills 2 (formerly Legal Aid 1 or 2). Clinical Skills 1 will address interviewing, counseling, negotiation, and advocacy skills through the use of readings, videotapes, discussions, demonstrations, and simulation exercises. Clinical Skills 2 builds on the skills taught in Clinical Skills 1 and addresses such topics as fact investigation and analysis, informal discovery, and drafting of pleadings.

#### **LAW 798 Youth Law Clinic**

Fall or spring. 6 credits. Course has two classroom components: Youth Law Clinic class and Clinical Skills 1, 2 (fall), or 3 (spring) (formerly Legal Aid 1, 2, and 3) class. N. Cook.

Students will work with groups of youth and service providers in a multifaceted approach to identifying and resolving problems of a legal nature. Under the supervision of faculty and community experts, clinic students will both handle individual representation cases and participate in nonlitigation project work such as community education, legislative advocacy, and mediation training. The emphasis of the course is on planning, communication, policy development and nonadversarial problem solving. Students will also participate in the lawyering skills classroom component, Clinical Skills 1, 2, or 3 (formerly Legal Aid 1, 2, and 3). Clinical Skills 1 class will address interviewing, counseling, negotiation, and advocacy skills through the use of readings, videotapes, discussions, demonstrations, and simulation exercises. Clinical Skills 2 builds on the skills taught in Clinical Skills 1 and addresses such topics as fact investigation and analysis, informal discovery and drafting of pleadings. Clinical Skills 3 builds on the skills taught in Clinical Skills 1 and 2, and addresses such topics as alternative dispute resolution, formal discovery, and motion argument.

## NONPROFESSIONAL COURSE

### **GOVERNMENT 313 The Nature, Functions, and Limits of Law**

Spring. 4 credits. Undergraduates only. J. A. Siliciano.

A general-education course for students at the sophomore and higher levels. Law is presented not as a body of rules but as a set of techniques for resolving conflicts and dealing with social problems. The course analyzes the roles of courts, legislatures, and administrative agencies in the legal process, considering also constitutional limits on their power and practical limits on their effectiveness. Assigned readings consist mainly of judicial and administrative decisions, statutes and rules, and commentaries on the legal process.

## FACULTY ROSTER

- Abrams, Kathryn A., J.D., Yale U. Prof.  
 Alexander, Gregory S., J.D., Northwestern U.  
 A. Robert Noll Prof.  
 Barceló, John J. III, S.J.D., Harvard U. William Nelson Cromwell Professor of International and Comparative Law  
 Blume, John H., J.D., Yale U. Visiting Prof.  
 Clermont, Kevin M., J.D., Harvard U. James and Mark Flanagan Professor of Law  
 Clymer, Steven D., J.D., Cornell U. Assoc. Prof.  
 Cripps, Yvonne M., Ph.D., U. of Cambridge. Visiting Prof.  
 Davis, Adrienne Dale, J.D., Yale U. Visiting Prof.  
 Eisenberg, Theodore, J.D. U. of Pennsylvania. Henry Allen Mark Professor of Law  
 Farina, Cynthia R., J.D., Boston U. Prof.  
 Fineman, Martha A., J.D., U. of Chicago. Doreatha S. Clarke Professor of Feminist Jurisprudence  
 Garrity, Vicent F., Jr., LL.B., Harvard U. Visiting Prof.  
 Garvey, Stephen P., J.D., Yale U. Assoc. Prof.  
 Germain, Claire M., M.L.L., U. of Denver. Edward Cornell Law Librarian and Professor of Law  
 Green, Robert A., J.D., Georgetown U. Prof.  
 Hay, George A., Ph.D., Northwestern U. Edward Cornell Professor of Law and Professor of Economics in the College of Arts and Sciences  
 Henderson, James A., Jr., LL.M., Harvard U. Frank B. Ingersoll Professor of Law  
 Hillman, Robert A., J.D., Cornell U. Edwin H. Woodruff Professor of Law  
 Holden-Smith, Barbara J., J.D., U. of Chicago. Prof.  
 Johnson, Sheri L., J.D., Yale U. Prof.  
 Kahng, Lily, J.D., Columbia U. Assoc. Prof.  
 Kysar, Douglas A., J.D., Harvard U. Asst. Prof.  
 Macey, Jonathan R., J.D., Yale U. J. DuPratt White Professor of Law  
 Martin, Peter W., LL.B., Harvard U. Jane M. G. Foster Professor of Law  
 Ndulo, Muna B., D. Phil., Trinity C. Prof.  
 Palmer, Larry I., LL.B., Yale U. Prof.  
 Puri, Pooman, LL.M., Harvard U. Visiting Prof.  
 Rachlinski, Jeffrey J., Ph.D., Stanford U. Prof.  
 Riles, Annelise, J.D., U. of Cambridge. Visiting Prof.  
 Rossi, Faust F., J.D., Cornell U. Samuel S. Leibowitz Professor of Trial Techniques  
 Rudden, Bernard, D.C.L., Oxford U. Visiting Prof.  
 Sarat, Austin D., J.D., Yale U. Visiting Prof.  
 Schwab, Stewart J., Ph.D., U. of Michigan. Prof.

Sherwin, Emily L., J.D., Boston U. Visiting Prof.  
 Shiffrin, Steven H., J.D. Loyola U. of Los Angeles. Prof.  
 Siliciano, John A., J.D., Columbia U. Prof.  
 Simson, Gary J., J.D. Yale U. Prof.  
 Stone, Katherine V. W., J.D., Harvard U. Prof.  
 Stotzky, Irwin P., J.D., U. of Chicago. Visiting Prof.  
 Summers, Robert S., LL.B., Harvard U. William G. McRoberts Research Professor in Administration of the Law  
 Taylor, Winnie F., LL.M., U. of Wisconsin. Prof.  
 Teitelbaum Lee E., LL.M., Northwestern U. Prof.  
 Thomas, John R., J.D., U. of Michigan. Visiting Assoc. Prof.  
 Wippman, David, J.D., Yale U. Prof.  
 Werro, Franz, LL.M., U. of California at Berkeley. Visiting Prof.

### **Legal Aid Clinic**

Cook, Nancy L., J.D., Georgetown U. Senior Lecturer  
 Galbreath, Glenn G., J.D., Case Western Reserve U. Senior Lecturer  
 Miner, JoAnne M., J.D., U. of Connecticut. Senior Lecturer  
 Strom, Barry, J.D., Cornell U. Senior Lecturer and Director, Cornell Legal Aid Clinic

### **Academic Library Staff**

Germain, Claire M., LL.B., U. of Paris. Edward Cornell Law Librarian and Professor of Law  
 Bynum, Charlotte L., J.D., Tulane U. Reference Librarian  
 Cooper, Eric A., J.D., Indiana U. at Bloomington. Head of Acquisitions and Reference Librarian  
 Court, Patrica G., J.D. Hamline U. Asst. Director for Administration and Public Affairs  
 Gillespie, Janet M., M.S., Cornell U. Administrative Supervisor/Access Service  
 Kreisler, Brandy, J.D., Texas Tech. Reference Librarian  
 Krikorian, Elaine E., J.D., New England. Reference Librarian  
 Pajerek, Jean M., M.L.S., SUNY-Albany. Head of cataloging

### **Members of Other Faculties Associated with the Law School**

Carmichael, Calum M., B. Litt., Oxford U. Prof. College of Arts and Sciences

### **Adjunct Faculty Members**

Balotti, R. Franklin, LL.B., Cornell U. Adjunct Prof.  
 Beresford, H. Richard, M.D., U. of Colorado. Adjunct Prof.  
 Blyth, John E., Dr.jur., Goethe U. Adjunct Prof.  
 Bordewieck, Douglas, J.D., Harvard U. Adjunct Prof.  
 Briggs, W. Buckley, J.D., Georgetown U. Adjunct Prof.  
 Goldstock, Ronald G., J.D., Harvard U. Adjunct Prof.  
 Grant, Mary Elizabeth, J.D., Cornell U. Adjunct Prof.  
 Hanks, James J., Jr., LL.M. Harvard U. Adjunct Prof.  
 Hull, Robert K., LL.M., Harvard U. Adjunct Prof.  
 Kell, William A., J.D., Wayne State U. Adjunct Prof.  
 Kingston, Andrew, J.D., Harvard U. Adjunct Prof.

Mingle, James J., J.D., U. of Virginia. Adjunct Prof.  
 Shulman, Zachary, J.D., Cornell U. Adjunct Prof.  
 Tahsuda John, J.D., Cornell U. Adjunct Prof.  
 Yale-Loehr, Stephen W., J.D., Cornell U. Adjunct Prof.

### **Legal Methods Program**

Anderson, Paige S., J.D. Cornell U. Lecturer  
 Atlas, Joel, J.D., Boston U. Senior Lecturer  
 Bond, Cynthia D., J.D., Cornell U. Lecturer  
 French, David A., J.D., Harvard U. Lecturer  
 Grumbach, Carol, J.D., Cornell U. Director of Legal Methods Prog. and Senior Lecturer