B506 Climate Law & Policy (3) – Cole
Climate change presents enormous legal and policy challenges for society. This course examines those challenges and proposed solutions to them at all levels of governance. Students will learn about the science of climate change, the socio-economic consequences of rising global mean temperatures (along with uncertainties and other problems of climate modeling), climate change law and policies at international (e.g., United Nations processes and EU policies), national (focused predominantly on the US), regional, state, municipal and even private levels of governance, and climate change litigation. The goal of the course is to prepare students to engage effectively as lawyers and policy makers in the developing field of climate law and policy.
Please note that this class meets according to SPEA regulations and calendar.
Updated 3/16

B524 Representing the State ## (2 or 4: see below) – Fisher
State attorneys general have long represented and advised government officials, handled criminal appeals, and protected consumers from deceptive trade practices. Nowadays, in many states they are expected to play a role in any social crisis that arises. This course will offer a systematic treatment of how and why state attorneys general function as they do. This is a writing class (satisfying the advanced writing requirement for graduation) where, in lieu of a final exam, students will write three or four short papers (1000-1500 words) on subjects covered in class or in readings (with feedback provided between papers). Participants may also enroll in a clinical component for an additional two credit hours where they will work directly under the supervision of Indiana Deputy Attorneys General on a variety of matters for approximately 100 hours during the semester. Second and Third Year Students who are interested in interning at the Office of the Attorney General, but will not be taking this course, should see Director David Main in the Office of Career and Professional Development.
Updated 3/16

B528 Advanced Appellate Advocacy ^^ (2) – Lahn
This course provides a structure for the Fall-semester academic work of the Sherman Minton Executive Advocacy Board. Enrollment is mandatory for, and limited to, students selected for the Executive Board. The course encompasses the curricular portions of the board’s work, including: (1) researching and writing the Fall 2016 Sherman Minton moot court case problem and related materials, such as the bench memo and scoring rubrics; and (2) serving as teaching assistants for the 2L Appellate Advocacy course (B642) by developing a case problem for, and then judging and critiquing, practice oral arguments and similar exercises during the first half of the semester. All class members will contribute to each of these tasks. Please note that because work on the moot court case problem must be completed in advance of the Fall Semester, all class members will take part in significant research, analysis, and writing over the spring and summer months. The class will meet once weekly, at a time that is mutually available for all class members. The class will also meet at least once in April 2016, date and time to be announced once board selection is complete, and will meet by Skype or conference call several times over the summer.
months. Please feel free to contact Prof. Lahn with any questions about the details of this course. (Pass/Fail)
Updated 3/16

**B534 Civil Procedure II (3) – Parrish**
This three-credit foundational course focuses on the legal framework governing civil litigation, including key jurisdictional doctrines and the policies underlying procedural law. While we may discuss state law from time to time, the course emphasizes federal civil procedure. In Civil Procedure II, we will cover the following topics: personal jurisdiction, subject matter jurisdiction, notice, venue, transfer, forum non conveniens, and the Erie doctrine. The course also introduces students to legal strategy and professionalism issues. Updated 3/16

**B536 Health Privacy Law (2) –**
No description available

**B537 Nonprofit Legal Clinic ^^ (3) – Prusak**
The Indiana University Maurer School of Law’s Nonprofit Legal Clinic is a three-credit, one semester, transactional legal clinic, offered to second- and third-year law students.

The Clinic allows students to engage in public interest lawyering through business and transactional work for nonprofit organizations. Depending on client needs, students form new nonprofit entities; counsel clients looking to dissolve existing entities; draft and negotiate contracts; provide basic tax advice; advise on governance, employment, communications, intellectual property, and compliance matters; provide general corporate support; and provide other transactional legal assistance as needed.

Students develop fundamental analytical, editorial, counseling, planning and negotiation skills through live projects and classroom work that make them well suited to serve as in-house or outside counsel to organizations in a wide variety of settings. Real-world client communication and collaboration skills are emphasized throughout the semester.

Class meets for 1.5 hours twice per week during the first six weeks of the semester. The remainder of the semester class meets only once per week. Throughout the semester students also have a weekly one-hour individual supervision meeting with Professor Prusak.

Clinic students must be either enrolled in Corporations the same semester they’re taking the clinic, or else have taken it in a prior semester. Interested students must submit a short statement of interest to Jennifer Prusak, the Director of the NPLC, to jsprusak@indiana.edu. Updated 3/16

**B538 Semester Public Interest Program ^^ (8) – Hughes**
Select third-year students spend an entire semester in Washington, D.C as public interest interns with nonprofit corporations, trade associations, or federal, state, or local government agencies. The core of the program is a semester-long internship (B538) coupled with an on-site or video-conferenced seminar on lawyering in the public interest (B539). Students work at least 400 hours during the semester at the internship site (for eight hours of credit). The internship also includes some established and regular communication among the student, the supervising faculty member, and the supervisory attorney. Students also write weekly reflective essays, which focus not on particular (and often confidential) work products but more on the working of the host organization, its role in administrative, legislative or advocacy work, and on the types of specific challenges it faces in administrative law, legislative drafting and representation, litigation or advocacy
from a more academic perspective. Depending on whether they have taken Administrative Law or Legislation before matriculating in B 538 and B 539, students should read selected portions of the Aman-Penniman treatise on Administrative Law, which is widely available from online sources as well as the Bloomington area textbook sellers. Students will submit a total of 17 short papers over the course of the semester as the deliverables for the B 538-B539 combination of courses. Students get to present five of the six deliverables in class in B 539 and also receive specially tailored advanced legal research presentations and assistance focused on practice before Congress and federal agencies, and meet with Maurer alumni who specialize in federal practice each in-person meeting. Admission to the program requires special permission from Executive Associate Dean Donna Nagy and the instructor. The companion course, B 539, offers an additional two credits for a total of 10. Some students need to earn up to two more credits from directed readings or independent research to meet the requirements for graduation on time. For more information, go to http://www.law.indiana.edu/students/clinic/washington.shtml

Updated 3/16

**B539 Lawyering in the Public Interest ^^ (2) – Hughes**

This two-credit course works in tandem with B 538 (8 credits) (the DC semester externship program) to give students a full ten academic credits for the semester. Each student participating in the DC Semester Externships must enroll in B 539 as well as B 538.

This course has several components – a preliminary assignment designed to allow students to plan their networking in DC and sources for information about their fields of interest, five regular writing assignments that deal with aspects of the legislative and rulemaking processes, and Freedom of Information Act (FOIA) requests on subjects of each student’s choosing; a class session of roughly four hours on Friday afternoons every other week in which we cover a combination of advanced legal research aimed at federal legislation and rulemaking and the federal FOIA as well as some administrative law coverage (taught by myself, other Maurer faculty on occasion, and Maurer faculty librarians); student presentations about their written products; and interactions during each class period with one or more speakers drawn from alumni/ae working in the DC area in fields of interest to students enrolled for the particular semester.

Students should leave this class with a portfolio of short written products suitable to share with potential employers that do not require permission from supervisors or redactions and that match what DC-based lawyers do on a routine basis if they represent clients before Congress, regulatory agencies, or need information from the Executive Branch or independent regulatory commissions.

Students will need to arrange their schedules with their host agencies and organizations so as to be free from meetings and deadlines during these bi-weekly class sessions. Classes will begin the first Friday of the semester with in-person meetings commencing the Friday after Labor Day and continue to the end of class, which for Fall 2016 will be the Friday before Thanksgiving.

Students should expect that the five regular written assignments will be due by 9 am on the Thursday before the class meeting during which presentations will be made. These writing assignments will be in addition to the biweekly “reflective essays” for B 538 that are required by ABA regulations in which the student shares his or her sense of their respective workplaces, work environments, ethical issues observed and resolved, or commentary on growth opportunities and challenges they encounter during their B 538 work during the semester. The two sets of writings will be due on alternate weeks so as to avoid too much work product due in any one week.
Students are encouraged to read Professor Fred Aman’s short treatise on Administrative Law in advance of the semester’s start (inexpensive used copies often available on Amazon.com or from the SBA bookstore), the ABA’s Networking for Lawyers (2006) (used copies generally available on Amazon.com and two in the Maurer Library), and one of the following newspapers to stay abreast of happenings in DC: The Washington Post, The Washington Times, Politico, or The Hill, and may wish to follow areas of interest on specialty online trade publications and blogs.

I will be available on email (sjhughes@indiana.edu) and by phone (812-855-6318). I will hold the equivalent of “office hours” following the bi-weekly class sessions should anyone have need for them.

Updated 3/16

**B545 Criminal Law Externship ^^ (1-4) – Main**

The Criminal Law Externship provides an opportunity for selected second-year and third-year students to receive 1-4 hours of academic credit for their work at various prosecutor and public defender offices in south central Indiana.

The course is graded on a pass/fail basis. In order to “pass”, a student must:

1. Perform 50 hours of work per credit hour (i.e., 50, 100, 150 or 200 hours for 1, 2, 3 or 4 credits, respectively);
2. Maintain a time/activity log tracking hours worked and work activities;
3. Submit 1-4 reflective essays (one essay per credit hour) on a periodic basis regarding their externship experience (2-3 pages, double spaced);
4. Participate in 2 one-on-one meetings during the semester (one at the beginning and one at the end);
5. Submit a sample work-product (with employer’s approval); and

**Prerequisites:** Students must be eligible for certification as a “student legal intern” per Indiana Supreme Court Admission and Discipline Rule 2.1 (requiring completion of one-half of the hours required for law school graduation and enrollment in or completion or “The Legal Profession” course). Information regarding certified legal interns and the application are available at: http://www.in.gov/judiciary/ble/2334.htm

**Permission to register:** Enrollment is limited and participation may be restricted to one semester. Students must obtain permission to register for the class from Prof. David Main. Interested students should submit a resume and schedule an interview with Prof. Main (dmmain@indiana.edu, 855-3028, Room 016B) as part of the approval process.

**Participating Offices:**

- Bartholomew County Prosecutor
- Brown County Prosecutor
- Hamilton County Prosecutor
- Greene County Prosecutor
- Johnson County Prosecutor
- Lawrence County Prosecutor and Lawrence County Public Defender
- Marion County Prosecutor and Marion County Public Defender Agency
- Monroe County Prosecutor and Monroe County Public Defender
- Morgan County Prosecutor
- Owen County Prosecutor
- Other prosecutor and public defender offices by request

**Note:** Students may not both be paid and receive academic credit for the same externship hours.

Updated 3/16
B547 Public Interest Externship Program ^^ (1-3) – Van Der Cruysse, I.
No description available

B551 Intellectual Property Externship ^^ (1-4) – Du Mont
No description available

B553 Disability Law Clinic ^^ (3) – Weng
The Disability Law Clinic is a three-credit course open to second- and third-year students. Students will assist low-income clients with claims involving Social Security, Veterans, and Medicaid disability benefits. Students serve as the primary case handlers, handling client interactions, fact investigation, brief writing, agency communications, and most administrative hearings. Students are expected to devote 10-12 hours per week to their clinic responsibilities. This time includes a weekly supervision meeting with the clinic director and office hours.
The primary academic focus of the DLC is problem solving. Students learn a model for problem solving and apply it in their client work and interactions with clinic colleagues. Grading is based on a problem solving portfolio and competency in client work.
If a student has completed 44 credit hours and has taken or is taking the Legal Profession course, the student may be eligible for certification as a legal intern. Certification is required to handle state administrative hearings (Medicaid) and judicial review petitions.
The DLC will be offered only in Fall 2016. Students who enroll in the fall course will have the option of continuing to work on DLC client matters through a B710 during Spring 2017.
Additional requirement: All students who enroll in the DLC must consent to criminal background and sex offender registry checks pursuant to the Indiana University Policy for Programs Involving Children. More information about the policy and use of information obtained through these checks is available at: http://policies.iu.edu/policies/categories/administration-operations/public-safety-institutional-assurance/PS-01.shtml.
Enrollment requires permission of the clinic director. To apply, please send a statement of interest and a copy of your resume to Carwina Weng (wengc@indiana.edu), two days before the deadline for 3L registration.
Updated 3/16

B554 Legislation ## (2) – Popkin
Most law today is found in statutes and it is therefore important to understand how courts deal with statutory law. The major emphasis in this course is statutory interpretation.
Part I deals with the history of statutory interpretation, from the early period when judge-made law dominated to the current period, when statutes dominate.
Part II discusses both the theory and technique of statutory interpretation. Part II-A focuses on text, external context, and change. We want to know what the modern textualists are trying to tell us and whether their efforts at controlling judicial discretion are successful. Textualism is contrasted with purposivism (the dominant approach during much of the 20th Century). We also consider canons of construction, which is the technique by which judges bring substantive values to interpretation. An important question is how modern textualists with these canons.
Part II-B deals with legislative history and the shift from judicial enthusiasm for considering such history in the mid-20th Century to current suspicion about its use.
Part II-C discusses how statutes interact with the common law and with each other to create law. Now that most law is statutory, working out the interaction of statutes has become more important than the older problem of working out the relationship of statutes to traditional common law.
On a broader note, the course takes two approaches – the practical side of helping lawyers tell judges how to interpret legislation and the jurisprudential perspective of worrying about what approach is best in our constitutional democracy.

Updated 3/16

B558 Conservation Law Clinic ^^ (3) – Weeks, Director; Hyman, Staff Attorney
The Conservation Law Clinic is an opportunity for second and third year law students to serve as interns in the Conservation Law Center, a public interest law firm that represents non-profit clients who need legal assistance with natural resource conservation matters. The Clinic is a three credit hour course. Conservation Law Clinic interns, working closely with Clinic Attorneys, participate directly in the representation of Conservation Law Center clients. In one of the two semesters, clinical work is supplemented with a seminar that will focus on the legal background of a conservation issue of current issue; the topic for the fall semester of 2015 was the Orca or “Killer Whale” and the Endangered Species Act. In the seminar, we extract general principles for the practice of conservation law by taking a close look at the law associated with one species. Clinic interns report that they value the experience of representing real-world clients and working in a law firm setting. Clinic matters have included analysis of conservation related laws; development of and commenting on new administrative; rules, drafting legislation; and litigation at administrative, trial and appellate levels. Permission of the Clinic Director is required for enrollment. Preference will be given to students who have completed half of the required course work toward a degree or joint degree, and to students interested in enrolling in the Clinic for two consecutive semesters. To apply, please send a statement of interest and a copy of your resume to W. William Weeks (wwweeks@indiana.edu) prior to registration.
Updated 3/16

B561 Elmore Entrepreneurship Law Clinic ^^ (3) – Need
The Elmore Entrepreneurship Law Clinic is designed to provide students the unique opportunity to work on actual business formation, planning, and strategy issues in a multidisciplinary setting. Students interested in transactional law practice, advising entrepreneurs, or becoming entrepreneurs are typical candidates for participation in the Clinic.

The Clinic operates much like a small law firm, with Clinic interns working under the supervision of the Clinic Director, providing legal and business consulting to a variety of early stage companies. Client projects vary widely, but frequently include advising clients on appropriate business form; drafting necessary formation documents; obtaining permits and licenses; negotiating contracts and leases; and providing business planning advice. Students frequently have opportunities to review and provide feedback on business plans of actual startups.

Clinic interns meet with the Director in groups or individually to review project status and to discuss experiences and concerns. Clinic interns also attend a two-hour class each week. The course surveys typical legal issues affecting entrepreneurial enterprises, including choice of entity issues; ownership and governance issues; employment issues; operational liabilities and insurance issues; financing issues; and employment issues.

Strongly suggested prerequisites for participation in the Clinic include Corporations, Corporate Taxation, and Business Planning, or equivalent preparations as determined by the Director. Per Indiana Supreme Court Rules, students participating in the Clinic must also have completed or be in enrolled in a Professional Responsibility course. 3Ls or 4th-year JD/MBAs only. Enrollment in the clinic is limited, so students must, at or prior to enrollment, submit a current resume and a brief statement of interest to the Director by email in order to obtain permission to participate, and proceed to enroll in the course while awaiting approval.
Updated 3/16
B563 Domestic Relations Mediation ^^ (3) – Applegate
This course, offered for three (3) credit hours and available to up to sixteen (16) students, is the prerequisite and companion course to B691–Family and Children Mediation Clinic. Through this course, 2L and 3L students are trained to serve as registered domestic relations mediators in Indiana, and become eligible to mediate family law cases referred to the clinic from local courts. The course will be offered one time for the 2016-2017 school year: August 3, 4, 5, 8, 9, and 10, 2016, from 8:30 a.m. to 5:30 p.m. each day. Students who complete the course also will take B691–Family and Children Mediation Clinic in either the fall 2016 or spring 2017 semester.

Interested students should contact Professor Applegate by e-mail (aga@indiana.edu) explaining their interest in the course (and related clinic, B691), and attaching a current resume. Students may only enroll in the course (and clinic) after receiving advance approval from Professor Applegate to enroll. Given the limited number of spaces, any interested student should contact Professor Applegate in advance of 3L registration for the fall 2016 semester.

Mediation Course: This course meets Indiana state requirements for forty (40) hours of mediator training in order to become registered Indiana domestic relations mediators, as well as completing the three-credit hour skills-based course in family law mediation. In accordance with state licensing requirements, experts in communications and mental health issues will teach several of the classes during the course. In addition to Professor Applegate, other experienced mediators will periodically attend to demonstrate and/or provide feedback to students during role plays, thus exposing students to different styles of mediation.

After successfully completing the course (and related requirements), the students will apply to become registered domestic relations mediators in Indiana. Interested students should understand that for state licensing purposes, attendance during the entire the course is mandatory. In addition, there is a substantial amount of reading, as well as class preparation and simulated role plays in the course. This training serves as the foundation for students to mediate cases referred by local courts in the clinic.

Exam/Grading: On August 11 and 12, 2016, after completing of the course, students will conduct a videotaped simulated mediation. On August 15, 2016, students will take an open book proficiency examination in Indiana family law and ethics. Final grades in the course will be based on class attendance, participation, and performance, as well as performance on the proficiency examination and the videotaped simulated mediation.

Scheduling Requirements: Given the state licensing requirements, attendance at all classes is mandatory. Students who commit to take the course must also commit not to participate in activities that will conflict with the class schedule (August 3-10, 2016), e.g., employment interviews or job fairs. It is each student’s responsibility to determine at the time of registration for the course that s/he will be able to attend all the classes for the course AND commit to participating in the clinic.

In addition, students in the mediation course must submit their applications to the Indiana Commission for Continuing Legal Education to become registered domestic relations mediators in Indiana promptly upon completing their training, i.e., within several days of completing the course and testing.

Selection of Students for the Course: Both 2L and 3L students are eligible for the course. One half of the students will enroll in the clinic (B691) in the fall 2016 semester, and the other half of the students will enroll in the clinic in the spring 2017 semester. As a general rule,
preference for enrollment in the clinic in the fall semester is given to 3L students, and preference for enrollment in the clinic in the spring semester is given to 2L students. These preferences are designed to ensure that there are a sufficient number of students who will be available to continue on as student mentors in the semester following completion of the clinic. In addition to these preferences, students are selected on the basis of a number of criteria, including their level of commitment to the program, professionalism, work ethic, ability to work independently and as part of a team, communication and interpersonal skills, organization skills, and background/special interest in the program.

Prerequisites: There is no prerequisite for the course, although the course is the prerequisite to the clinic.

Additional requirement: All students who enroll in the mediation clinical program must consent to a criminal background check and sex offender registry check required by the Indiana University Policy for Programs Involving Children. More information about the policy and use of information obtained through these checks is at: [http://policies.iu.edu/policies/categories/administration-operations/public-safety-institutional-assurance/PS-01.shtml](http://policies.iu.edu/policies/categories/administration-operations/public-safety-institutional-assurance/PS-01.shtml)

Contact Information: Interested students should contact Professor Applegate by e-mail (aga@indiana.edu) explaining their interest in the course and attaching a current resume. Students may only enroll in the course (and clinic) after receiving advance approval from Professor Applegate to enroll. Given the limited number of spaces, any interested student should contact Professor Applegate in advance of 3L registration.

Updated 3/16

**B564 PreTrial Litigation ^^ (2) –**
No description available

**B564 Litigation Drafting ## (2) – Rosiello**
Using a hypothetical personal injury case, students will work on drafting and revising litigation documents such as demand letters, pleadings, discovery requests, motions and briefs in the trial court, and evaluation letters to the client. The course will focus on three areas: general rules of good legal writing; principles for drafting different litigation documents; and developing editing skills. In addition to drafting documents, students will edit the drafts of other students. We will discuss the drafts and revisions in small group sessions. Evidence is a prerequisite.
Updated 3/16

**B572 Intellectual Property Clinic ^^ (3-4) – Hedges, N.**
The IP Clinic provides students the opportunity to work directly with clients on actual intellectual property law matters (e.g. patent, trademark, and copyright applications, interaction with the United States Patent & Trademark Office (USPTO), licenses, due diligence, and non-infringement and/or invalidity opinions). Students interested in IP law and advising individuals, start-ups, and small business are candidates for the Clinic. Because the Clinic is certified by the USPTO, students are eligible to receive temporary registration to practice before the USPTO. The Clinic is organized much like a law firm, with students working with other students and adjunct professors under the supervision of the Clinic Director. Students meet with the Director to review project status and to discuss experiences and concerns and attend at least a two-hour class each week. Students elect to participate in either (1) the patent section of the Clinic; (2) the non-patent section of the Clinic (trademark and other non-patent IP matters); or (3) both sections. Class sessions
survey practical IP legal issues, including ethics, ownership, protection strategies, infringement avoidance, and client counseling.
Enrollment in the Clinic is limited, so students must submit a resume and an interest statement to the Director to obtain permission to enroll. Strongly suggested prerequisites or co-requisites include at least one of Patent Law, Trademark Law, or Survey of IP or equivalent experience. 3-4 credits, professional skills.
Updated 3/16

**B575 Constitutional Design in Multiethnic Societies (3) – D. Williams**
In the twenty-first century, more countries than ever before are searching for a constitution tailored to their own challenges and traditions, in the hope that proper constitutional design can improve their politics and social relations. This course will consider how such countries can design a constitution. It will consider the choices open to constitutional designers on a range of subjects, such as the different electoral systems, styles of federalism, and approaches to civil/military relations, and it will examine what we know (or think we know) about the likely consequences of the various choices. Students will then put this knowledge to work: in teams, they will choose a real country in the world and design a good constitution for it, through several short papers and one long paper written over the course of the semester. Extensive research into the constitutional history, traditions, politics, and social relations of the chosen country will be required, so as to draft a constitution closely tailored to conditions on the ground.
Updated 3/16

**B587 Information Security Law (3) – Cate**
Our economy increasingly depends on data and on an increasingly ubiquitous cyber infrastructure that not only collects and transmits these data, but also controls critical systems including financial payment networks, transportation infrastructure, utilities (e.g., smart grid), just-in-time supply and manufacturing chains, and command and control structures in military and civilian operations. Information security is a rapidly growing area of law that responds to the need to secure these data and this cyber infrastructure from hacking and other forms of unauthorized access, viruses, denial of service attacks, terrorist attacks, theft, misuse, and accidental destruction or alteration. This course will examine these topics and the legal and policy issues they raise for a wide range of corporations, not for profit organizations, civilian government agencies, and individuals. We will look at vulnerabilities of data and cyber infrastructure; statutes and cases addressing Fourth Amendment and related issues; industry-specific laws and regulations affecting information security; and new initiatives from federal and state governments. No technical knowledge is required.
(Professor Fidler offers a course on cybersecurity law and policy in the spring semester that focuses on national security challenges governments face when addressing crime, terrorism, espionage, and war in cyberspace.)
Updated 3/16

**B590 Entertainment Law (2) – Meitus**
No description available

**B601 Criminal Process: Investigation (3) – Scott**
No description available

**B602 Criminal Process: Trial (3) – Hoffmann**
This course covers the procedures that govern criminal cases after the initiation of formal legal proceedings. We will learn about trials, trial-related issues (such as the charging
process, discovery, jury selection, and verdicts), and plea bargaining as a substitute for trials. We will also learn about post-trial appellate and habeas corpus review of criminal cases. We will give special attention to the right to counsel, and the meaning of the phrase, “due process of law.” We will emphasize the role of the U.S. Constitution, as interpreted by the U.S. Supreme Court, in regulating criminal procedures. This course is one of three basic Bill of Rights courses offered by the law school (along with Constitutional Law II and Criminal Process: Investigation). As such, it is a fundamental part of a sound legal education, and covers topics that are frequently part of the bar exam. This course is vital for anyone contemplating a career in criminal law or a judicial clerkship. The only prerequisite is the first-year Criminal Law course. PLEASE NOTE that this course may be taken independently of Criminal Process: Investigation – neither course is a pre-requisite for the other one.

Updated 3/16

**B603 Remedies & Equity ## (2) – Conrad**

This course will introduce students to a wide range of legal and equitable remedies, with attention to damages, restitution, and protection generally of property interests and economic rights. There will be two required textbooks for the course: (1) the classic hornbook *Law of Remedies: Damages-Equity-Restitution*, by Dan B. Dobbs (in hardback); and the companion textbook *Problems in Remedies: Damages-Equity-Restitution*, by Dan B. Dobbs and Kathleen Kavanagh (in paperback). As the foregoing indicates, the course will use the problem method, rather than the case method. With much briefer reading assignments than the case method allows, we can increase both breadth of coverage and narrowness of focus on the remedial elements of the litigation and settlement situations we address. The course textbooks and the planned pedagogical approach are very practice-oriented, with emphasis on "black-letter" law, policy factors, and strategy and tactics of litigation/settlement. Round-table class discussion is very important in the course.

Updated 3/16

**B620 Negotiations ^^ (2) – Ardery**

Class purpose/goal: **LEARN TO NEGOTIATE BETTER AND ENJOY IT MORE**

Every student in this class is a professional negotiator, who has been negotiating from the day he or she was born. This class is designed to offer students an opportunity to increase their self-awareness and awareness of others to learn and practice concrete negotiation skills. Students will be negotiating in class nearly every week. Students should gain a theoretical understanding of negotiation and learn to transfer skills from the classroom to address conflict and engage in negotiation in a professional, ethical and effective way.

We will be using materials that I have developed and excerpts from a variety of sources including books, demonstrations, film clips and other media to consider and analyze negotiations, the goals of the participants and the full array of the human condition that affects everyone in their negotiations.

Negotiation is an all-encompassing experience, so we will consider style, strategy, neuroscience, emotion, trade-offs and consequences—among other things. Each class member will receive a small informal notebook to record his or her own personal negotiations or conflicts. We will discuss specific negotiations in which members of the class may have engaged in during the course of their daily lives, and we will also examine current events and the effective or ineffective negotiation skills of public figures.

**Grades** will be determined as follows:

1. 60% combination of attendance and class participation
2. 15% final paper applying one of the readings to life experience
3. 25% final negotiation (15% result and 10% skills)

Note: 3Ls have priority for this course.
B620 Negotiations ^^ (2) –
No description available
Note: 3Ls have priority for this course.

B632 Business Planning ## ^^ (3) – Fletcher
This course focuses on the diverse array of legal issues that surround the formation, operation, governance, and financing of a business enterprise. Course readings touch on several substantive areas of law, including corporate, IP, and securities law. The course will also highlight the relationship between the business client and counsel and attendant issues of professional responsibility. Throughout the course, students will produce written work based on a semester-long business planning problem that follows a hypothetical client through the formation and growth of her business. Work product will be done individually and as part of a group. Using the tools and background information covered in the reading, students will analyze the client’s legal needs and draft appropriate memorandum, legal opinions, and transactional documents.

This is a writing-intensive class that will require extensive drafting and re-drafting of documents throughout the semester. The course grade is based on class participation, group work product, and the student’s written work product. The course ends on the last day of the semester and has no final exam. Business Planning satisfies the advanced writing and skills requirement.

Prerequisites: Corporations (B653); upon instructor approval, this course may be taken concurrently. Corporate Finance (B656) is strongly recommended. Enrollment is limited to 16 students. The class will meet regularly for twice per week.

Updated 3/16

B639 Advanced Legal Research (3) – Trumbo
No description available

B642 Appellate Advocacy ^^ (1) – Lahn
This Skills course, designed to work in tandem with the Sherman Minton Moot Court Competition, explores the techniques and dynamics of appellate argument. While it will focus on oral argument (a professional skill integral to many areas beyond appellate work, including trial, administrative, and transactional practice), the course will also examine brief-writing and the appellate process as a whole. Students will

- analyze real appellate arguments via video and audio recordings;
- plan and practice oral arguments in class exercises;
- learn how to critique and improve their own professional performances; and
- study the structure, individual components, and strategies of an appellate brief.

As much as possible, instruction will take place through participatory projects and live exercises rather than lectures.

Class members must enter and complete the Fall 2016 Sherman Minton Moot Court Competition, which is open to all second-year law students (and third or fourth-year students who could not participate during their 2L year because of their absence from the law school during the Fall semester). Moot court competitors are not required to take the course, but many have found it useful to their participation. The current and past semesters’ Sherman Minton case problems may be discussed in class.
Other course requirements include: preparing for and participating in weekly classes; submitting (with a partner) a short brief-formatting assignment early in the semester; and completing evening oral argument exercises, including a follow-up self-assessment and review meeting. In order to sync with the schedule of the Sherman Minton competition as far as possible, the course will meet twice a week but will end by early November.

Feel free to contact Prof. Seth Lahn (slahn@indiana.edu) for further information.

(Pass/Fail)

Updated 3/16

**B643 Law & Poverty (2) – Boys**

This course will explore the implications of policy and precedent on the lives of low-income Americans. Social welfare programs, such as TANF, Medicaid, and the Supplemental Nutrition Assistance Program (formally “food stamps”), will be discussed in regard to the program history, legal development, and impact upon poverty. Causes of poverty will be examined in the context of the legal system, as well as other social institutions. The impact of poverty upon access to the justice system will also be a major theme in course content. Broad topics will include: the role of government in poverty prevention, homelessness, health care, hunger, minimum wage, work incentives, lending practices, access to education, and the criminalization of poverty.

Readings will include pertinent cases, as well as social science literature assessing how legislation is being implemented and the consequences for recipients. Current reform initiatives will be covered, such as health care reform and increases in the minimum wage. The course will conclude with an exam, but will also require minor assignments during the semester. An understanding of poverty cannot be attained in a classroom environment alone, so the course will involve an investigatory research project.

Dr. Stephanie Boys is a professor of social work at IUPUI and an alumnus of Indiana University Maurer School of Law.

Updated 3/16

**B645 Wills & Trusts (3) – Stake**

No description available

**B647 Municipal Finance ## (2) – Paul/Blair**

The course in state and local taxation will cover the historical development of the state and local tax laws prevalent in the various states, as well as dealing with the theory for each tax, how each tax works and certain planning opportunities being utilized in business today to minimize each of the various taxes. Primary emphasis in the course will be on both real and personal property taxes, state income taxes, state sales and use taxes, and the statutory underpinnings and constitutional restrictions (both federal and state) which characterize each tax. During the course of the semester, Mr. Paul will discuss cases contained in the Hellerstein casebook, 10th Edition, related to jurisdiction to tax, constitutional issues, property tax, and sales and use taxes as well as corporate and personal income tax issues. The basic income tax course is a pre-requisite for participation in the class.

Updated 3/16
B650 Introduction to Income Taxation (4) – Lederman
The principal subject matter of this course is federal income tax law as it applies to individuals. Topics covered in this course include what constitutes income subject to tax and what is excludible; what is deductible; the tax treatment of gains and losses; and which income items are taxed at preferential rates. Learning to read and apply the Internal Revenue Code and Treasury Regulations is an important focus of this course. The course uses the “problem method;” although some court cases will be discussed at length, class discussion often will focus on the application of the Internal Revenue Code, Treasury Regulations, cases, and other sources of tax law to the factual situations in the problems in the casebook. Policies underlying the tax law will also be discussed. This is an introductory course with no prerequisites. This course is a prerequisite for most other tax courses.
Updated 3/16

B652 Accounting for Lawyers (2) – Head
"Accounting for Lawyers" introduces the field of accounting with an emphasis on financial accounting and reporting. Students will learn basic accounting terminology. Students will evaluate business transactions and learn to prepare the four financial statements required by U.S. GAAP (Generally Accepted Accounting Standards.) Students will read and analyze the financial reports and explore how they are used to make business decisions. The course will introduce the standards utilized by the accounting profession, and will incorporate current accounting issues from the media as well as "real world" financial statements for companies such as Pepsi, Nike, and others. Basic accounting knowledge should be beneficial for people taking the following courses: Wills & Trusts, Corporations, Family Law, Bankruptcy, Tax Law, Antitrust, Securities Law, Employment and Labor Law, Law and Economics, Commercial Law, Estate Planning, and International Law. Students who have already taken any basic accounting course are not eligible to enroll in this course.
Updated 3/16

B653 Corporations (3) – Broughman
This course provides a survey of the legal rules and concepts governing the modern corporation. Topics include rules of agency law, corporate formation, limited liability, fiduciary duties, corporate governance, executive compensation, and mergers and acquisitions. At core, this is a survey course, so many of the topics we will discuss have specialized courses offering a more detailed treatment. The key theme for our purposes is to understand how corporate law regulates the relationships among the many different constituencies of the firm, including shareholders, directors, managers, creditors, employees, customers, and suppliers. There are no prerequisites for this course, and the presentation is designed to be accessible to students lacking a business background.
Updated 3/16

B658 Law & Education: Higher Education ## (2) – Matthews
Examining the primary legal themes present in U.S. colleges and universities, this course focuses on the rights and responsibilities of higher education's two main components: faculty and students. This course explores the increasingly complicated legal relationships and issues that arise in post-secondary contexts. Colleges and universities provide the setting for many of the most pressing legal concerns we face--from affirmative action to employment entitlements to basic questions about free expression. While some of these issues involve areas of law considered in other courses, this course brings to life the unique impact and importance of these issues in the higher education setting. The legal relationships between institutions and their faculty and staff; institutional oversight and campus governance; academic and expressive freedoms; the legal status of students; race, sex, religion, and discrimination in higher education; the allocation of risk among various
parties on campus —these topics and more will be considered. Readings will come from various sources, including recent news, and current events will help illustrate the principles of law involved. This course will depend primarily on written assignments, class discussion, and presentations; as a writing class, this course satisfies the advanced writing requirement for graduation.

Updated 3/16

**B658 Law & Education: Legal Perspectives on Education (3) – Decker**
This course will prepare students to 1) identify legal issues occurring in public PK-12 schools; 2) appreciate the importance of legal literacy for administrators, educators, policymakers, and others; 3) understand legal principles and apply them to real life scenarios; 4) describe and analyze key principles of school/district policy as well as federal and state law; 5) conduct legal research to stay abreast of evolving law; 6) collaborate with others to solve complex legal issues, and 7) legally advocate for parents, students, schools, and districts. This is a School of Education course (**EDUC-A608**) which will be taught entirely online. Students are responsible for ascertaining applicable rules of relevant jurisdictions for bar exams/admission. Some jurisdictions limit the number of online hours.

This course qualifies as one of the School of Education cross-listed courses that is required for the Minor in Education Policy (see [http://www.law.indiana.edu/degrees/joint/minor-outside.shtml](http://www.law.indiana.edu/degrees/joint/minor-outside.shtml)). Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy and Janet Decker [deckerjr@indiana.edu](mailto:deckerjr@indiana.edu) for further information about the course.

Updated 3/16

**B658 Law & Education: Workshop on Selected Problems in Ed Leadership (3) – Decker**
The purpose of this course is to hone students’ legal research and writing skills while increasing their knowledge about education law and policy. This is a School of Education course (**EDUC-A720**) which is a cross-listed and required course for the Minor in Education Policy (see [http://www.law.indiana.edu/degrees/joint/minor-outside.shtml](http://www.law.indiana.edu/degrees/joint/minor-outside.shtml)). Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy. Only Education Policy Minor students are eligible to enroll in this course. For further information, please contact Janet Decker [deckerjr@indiana.edu](mailto:deckerjr@indiana.edu).

Updated 3/16

**B658 Law & Education: Leadership in Special Education (3) – Decker**
Special education is the most commonly litigated area in public schools today. Students will analyze legal, political, cultural, and leadership issues surrounding these disputes, as well as federal and state legislation and case law. Topics will include: student harassment based on disability; litigation surrounding discipline of students with disabilities; the evolution of the U.S. special education system; special education and school choice; alternative dispute resolution in special education; the Individuals with Disabilities Education Act’s due process procedures; eligibility of students with disabilities; school-family relationships in special education; and other special student populations (e.g., LGBT, gifted and talented, homeless students). This course is a School of Education course (**EDUC-A675**) taught entirely online.

Students are responsible for ascertaining applicable rules of relevant jurisdictions for bar exams/admission. Some jurisdictions limit the number of online hours. This course qualifies as one of the School of Education cross-listed courses required for the Minor in Education Policy (see [http://www.law.indiana.edu/degrees/joint/minor-outside.shtml](http://www.law.indiana.edu/degrees/joint/minor-outside.shtml)). Please contact the Student Affairs office if you plan to pursue the Minor in Education Policy. Because there are limited spots available for law students, instructor permission to enroll is required. No later than one week prior to enrollment, please send an email expressing why you are interested in the course to Janet Decker [deckerjr@indiana.edu](mailto:deckerjr@indiana.edu).
B659 Perspectives in American Legal History ## (3) – Conrad
Rather than any sort of survey or general overview, a sampling of scholarship in American legal history is what this course offers. The sampling will, however, touch on all four centuries of American legal history, and will attend to a wide range of areas of substantive law: property, contracts, torts; and administrative, criminal, family, and corporate law. The writing assignments will require analysis and evaluation of our authors’ strategies of argumentation. More generally, the course will consider how law itself changes, and how law has mattered-- or not-- in social and political change. Many questions addressed should ring familiar, from reading that students have done in the notes and other supplementary materials found in standard casebooks that seek to give historical perspectives on doctrinal change. But in this course, without any need to “cover doctrine,” there is an opportunity to pursue historical perspectives at length, and wherever the students' interests lead. Roundtable discussion is very important in the weekly proceedings and the final grading in this course. Satisfying the advanced writing requirement, this course has no final exam.
Updated 3/16

B662 Copyright (3) – Leaffer
This course provides an introduction to federal copyright law, beginning with a historical overview and leading to current day developments. Matters to be covered include the nature of protected subject matter, the idea-expression dichotomy, duration, the bundle of rights conferred by copyright, joint works, works made for hire, fair use, and remedies for infringement. Special attention will be paid to technological developments affecting copyright, including issues related to computer software and the Internet.
Updated 3/16

B663 Labor Law I ## (3) – Dau-Schmidt
This course explores the basic law on unions and collective bargaining in the United States. Students will learn about the law governing union organizing campaigns, collective bargaining, strikes and lockouts, and enforcement of the collective agreement. The course is taught through simulation in which the students are employees covered by the National Labor Relations Act and must organize and bargain with President Dau-Schmidt in order to receive fair treatment and a decent grade. Students also act as corporate counsel and aid President Dau-Schmidt in resisting union organizing and negotiating with the union. This course may be taken as a writing course to satisfy that requirement for 15 students only or as a simple regular exam course for all remaining students.
Updated 3/16

B666 International Securities Regulation (3) – Hicks
This three-credit hour offering is concerned with the effect that law and policy have on global financing by non-governmental, for-profit businesses and on global trading of securities that these business entities create and sell. The course begins with an introduction to financial markets and globalization, U.S. capital markets, international capital markets and theories of securities regulation. After providing students with a sense of the capital markets and the major participants in those markets, the course then explores the impact of U.S. securities law on domestic and foreign companies (including mutual funds), and their shareholders. The course examines the impact of U.S. securities regulation on broker-dealers, investment advisers and other intermediaries in the capital markets. It concludes with a study of statutory and administrative protections for investors, in connection with domestic and foreign transactions that violate registration, disclosure and anti-fraud provisions of U.S. law.
There are no prerequisites. Students are not expected to be familiar with finance, international business transactions, domestic or foreign securities markets or practices, or any aspects of securities law. Lectures and detailed course materials will discuss these and other preliminary topics. Course materials include sample disclosure documents, problems and judicial opinions. The subject matter of this course is not duplicated and, therefore, students who enroll in this course are eligible to enroll in other law school courses involving federal securities law.

Students will be permitted to bring their course materials, class notes and non-commercial outlines into the final examination.

Useful but not essential for the general practice of law.

Updated 3/16

**B668 Constitutional Law II (3) – Conkle**

This course will focus on the First Amendment. We will spend the first 75-80% of the semester examining freedom of speech, including issues that arise from attempts to prohibit or regulate incitement to violence, "fighting words," defamation, racist speech, obscenity, pornography, offensive expression, and commercial speech. We also will discuss special problems that are posed by prior restraints on expression, by the regulation of symbolic acts of communication (such as flag burning), and by limitations on the use of such public areas as parks and streets. The remainder of the course will focus on the religion clauses of the First Amendment. Among other cases, we will consider the Supreme Court's decisions concerning school prayer, the teaching of evolution, public sponsorship of Christmas nativity scenes and Ten Commandments displays, governmental funding programs that include private religious schools, and the application of drug laws to the sacramental use of peyote by Native Americans.

We will be using Kathleen M. Sullivan and Noah Feldman, Constitutional Law, 19th Edition (Foundation Press, 2016), supplemented by the authors' supplement and/or a small packet of additional course materials. The course will include both lecture and discussion. Constitutional Law I (first-year Constitutional Law) is a prerequisite, although there is no direct connection between this course and any particular section of Constitutional Law I, and it does not matter who you had as your professor for that course.

This course covers issues that are important for any lawyer. Indeed, the First Amendment is a required subject at many law schools.

Updated 3/16

**B668 Constitutional Law II ## (3) – Johnsen**

This is a course on the First Amendment in which we will explore issues of both freedom of expression and religion. Enrollment is limited to twenty students. Several writing assignments (approximately four to six of varying lengths, ranging from 1-3 pages to 6-8 pages) will be due throughout the semester (all based on assigned reading, no independent research). In addition to the substantive study of First Amendment issues, this course will offer an opportunity to improve writing skills (especially in the context of one assignment that will involve rewriting a paper) and engage in extensive class discussion of a range of controversial and consequential speech and religion issues. Approximately three quarters of the semester will be devoted to freedom of expression, and may include: free speech theory, subversive speech including during wartime and other external threats such as terrorism, defamation, “fighting words,” offensive expression, pornography, obscenity, hate speech, commercial speech, the regulation of campaign finance, restrictions on violent video games and depictions of animal cruelty, symbolic expression such as flag burning and cross burning, and special issues posed by limitations on the use of public areas such as parks.
and streets and public funds. Approximately the last quarter of the semester focuses on the religion clauses: the Establishment Clause (including school prayer and other religious expression in public schools, the public funding of religious entities, and religious displays on public property) and the Free Exercise Clause (including religious claims for exemptions from nondiscrimination laws and health care laws such as the requirement of contraceptive coverage). The course satisfies the advanced writing requirement for graduation. No exam. Updated 3/16

**B668 Constitutional Law II (3) – S. Williams**
This course will focus on the First Amendment. We will spend the majority of the semester examining freedom of expression. We will begin with an overview of free speech theory and then turn to the issues that arise when government action interferes with various types of speech, including politically subversive speech, libel and defamation, pornography, hate speech, and commercial speech. We will also discuss the problems posed by regulation of symbolic acts of expression (like flag burning), limitations on the use of public areas such as parks and streets, and campaign finance reform. The remainder of the course will focus on the religion clauses of the First Amendment. We will examine cases concerning the meaning of religion and the protection afforded to religious practice, particularly when it violates general laws. We will also explore the interpretation of the establishment clause, in cases involving school prayer and school vouchers, the teaching of evolution, and public sponsorship of Christmas displays. The course will include both lecture and discussion. There will be one final examination which will be a take-home exam.
Updated 3/16

**B670 Sales (3) – Hughes**
This course is effectively an advanced course in contracts. Instead of relying on common law concepts, the law of Sales of tangible things derives from Article 2 of the Uniform Commercial Code adopted by the states other than Louisiana. State adoptions are not necessarily true to the uniform text and we will discuss this as we go along. This class looks at the sales transaction from the first moment of negotiation through to arbitration or litigation. It looks at settlement issues, malpractice issues, and the calculation of damages. Article 2 has remedies beyond those available at common law, and some have huge practical upsides.
For Fall 2015, we will use the most recent edition of the Rusch and Sepniuck textbook published by Thomsen West. I believe that a new edition will be out in time for the Fall. If not, get a copy from someone who took Sales in Fall 2013 or Fall 2014 and that book should be fine.
I love teaching this course. I enjoy hearing how different reasonable minds look at the same facts in the many problems we will work through the semester. Each student will have the opportunity to get feedback on one (1) optional written “answer” to one of the problems in the textbook. There will be one final exam for credit.
Updated 3/16

**B675 Public Natural Resources Law ## (3) – Fischman**
This course will examine the tension between public control of and private interests in natural resources. The course will begin with a historical overview of the development of the patterns of resource ownership, policies toward resource development, and relevant legal doctrines. Building on this historical foundation, we will discuss: federalism in resource regulation; proprietary management models; separation of powers; judicial review; and public participation. We will study these issues in the context of the laws and policies governing mineral, energy, timber, recreation, wildlife, and preservation resources. Most of these issues involve the federal public lands in the American West and the policies that
guide their management. We will address the fundamentals of this field as well as current controversies including state/local claims to control federal lands (e.g. the armed standoff at Malheur National Wildlife Refuge), renewable energy permitting, access to resources, and privatization.

Most class sessions will be discussion-oriented. Professor Fischman welcomes graduate students representing a wide variety of fields to bring a multi-disciplinary perspective to public natural resource law and policy reform. This course may satisfy either of the law school’s upper-level writing requirements. During the first week of the semester, students will opt for either a single major research (seminar) paper or a series of short writing assignments due throughout the term.

Most required reading will be from the case book Federal Public Land and Resources Law, by Coggins, Wilkinson, Leshy & Fischman (7th ed. 2014). The table of contents reflects the materials we will consider in this course. An outline of the contents appears here: http://www.law.indiana.edu/publicland/
There are no prerequisites required for this course.
Updated 3/16

B688 Community Legal Clinic ^^ (3) – Singleton
No description available

B691 Family and Children Mediation Clinic ^^ (4) – Applegate
This clinic is being offered for four (4) credit hours in 2016-2017 because there are 40+ hours of class meeting time (not counting fieldwork). Each semester the clinic is generally available to up to eight (8) students. Through this program, 2L and 3L students who have taken the prerequisite and companion course (B563–Domestic Relations Mediation, which is offered in August 2016 before the start of the fall semester) serve as registered domestic relations mediators in Indiana, mediating family law cases that are primarily referred to the clinic from local courts. Only students who have successfully completed B563 may be in the clinic. Students need advance approval from Professor Applegate to enroll in the clinic.

Interested students should contact Professor Applegate by e-mail (aga@indiana.edu) explaining their interest in the clinic (and related course, B563), and attaching a current resume. Students may only enroll in the clinic after receiving advance approval from Professor Applegate to enroll. Given the limited number of spaces, any interested student should contact Professor Applegate in advance of 3L registration for the fall 2016 semester; at that time, decisions about enrollment in the clinic for the fall 2016 and spring 2017 semesters will be made. Students who will participate in the clinic during the spring 2017 semester will enroll in the fall for the clinic.

Mediation Clinic: Students in the clinic will co-mediate cases referred primarily by judges in local and nearby counties. Students will mediate custody, parenting time, child support, asset and debt division, and other disputes between parents in family law cases. During the semester, the students will mediate in teams of two. Class training in the clinic will focus on interdisciplinary training, the development of the students' mediation skills, exploration of advanced mediation topics, including drafting mediation agreements, mediating more complex financial matters, best practices in the face of domestic violence concerns, keeping the focus on children’s best interests in mediation, and the effect of certain ethical issues and concerns on mediation practice. Students will keep a reflective journal of their mediation experiences, and will share their experiences with Professor Applegate and the other students in case rounds during class. Mediations will be conducted mostly at the law school. The clinic will be taught and supervised by Professor Applegate. In addition,
students who have successfully completed the clinic in a prior semester may also assist in mentoring and supervising clinic students.

Please note that the clinic and its students participate in interdisciplinary training and research with faculty and students from the IU Department of Psychological and Brain Sciences (Psychology Department).

**Grading/Exam Policy:** Final grades in the clinic will be based on a combination of factors, including students’ mediation skills (and improvement of their skills), professionalism, preparation for mediations, the quality of reflective journals and other documentation, knowledge and application of Indiana law and ethics, and class attendance and participation. There is no final exam in the clinic.

**Scheduling Requirements:** Only students who have successfully completed B563 may participate. Clinic students must be available on Mondays from 8:45 a.m. to 12:30 p.m. during the semester, and on Wednesdays from 8:45 to 12:30 p.m. for the first 2-3 weeks of the semester (class hours are, however, shortened later in the semester). During the semester, students will also generally be scheduled each week to attend (1) an intake session for one case (approximately 2-3 hours) or a mediation (negotiation) session in another case (approximately 4-5 hours) on a regularly scheduled morning (Tuesday, Wednesday, Thursday, or Friday), and (2) a regularly scheduled supervision meeting (typically the afternoon before intake or mediation). In addition to these times, students will need to prepare in advance of intakes and mediations, and follow up with necessary documentation and paperwork after sessions. **Given the class schedule, it is not possible for students enrolled in the clinic to take other courses during the semester that meet Monday or Wednesday before 1:15 p.m. Additionally, students must commit to intakes and/or mediations one morning each week and on that day, the students should not enroll in a class before 2:20 p.m.**

**Prerequisites:** The prerequisite to the clinic is the successful completion of B563—Domestic Relations Mediation, offered in August 2016 before the start of the fall semester.

**Additional requirement:** All students who enroll in the mediation clinical program must consent to a criminal background check and sex offender registry check required by the Indiana University Policy for Programs Involving Children. More information about the policy and use of information obtained through these checks is at: [http://policies.iu.edu/policies/categories/administration-operations/public-safety-institutional-assurance/PS-01.shtml](http://policies.iu.edu/policies/categories/administration-operations/public-safety-institutional-assurance/PS-01.shtml)

**Contact Information:** Students may contact Professor Applegate by e-mail (aga@indiana.edu) with any questions.
Updated 3/16

**B698 Judicial Field Placements **[^2] **– Van Der Cruysse**
No description available

**B708 Information Privacy Law I (3) – Tomain**
Privacy law and policy is one of the most important and rapidly expanding (and changing) fields in the world today. Increasingly most aspects of daily life involve the (often unwitting) collection, communication, and use of personal data. As personal data are generated and collected more widely, and are far more revealing, governments are challenged to determine the proper limits and regulatory structures to enforce those limits, while businesses and other data users must determine how to comply with those emerging rules,
often in the context of new technologies and unclear norms. The field of information privacy has grown so large that we are now covering it in two courses. Information Privacy I (this course) will address the academic and constitutional background to privacy, the intersection of privacy and free speech, and the protection of privacy in law enforcement and national security. Information Privacy II (not this course) will focus on privacy issues in commercial and international contexts.

Updated 3/16

**B709 Transactional Drafting ## ^^ (3) – Need**

In this course, students start with the “nuts and bolts” of contract drafting and proceed through the process of incorporating deal terms into contract provisions. Students will study both stylistic and legal conventions and their relationship to one another in a range of contract types. Through the lectures, in-class exercises, and drafting homework assignments, students will learn how to identify risks and draft clear contract provisions that minimize ambiguity and control those risks. The course is designed for students who are interested in corporate or commercial law, but it is useful to any student who will be drafting and negotiating contracts in his or her legal career.

Note: 3Ls have priority for this course.

Updated 3/16

**B713 Administrative Law (2) – Craig**

This course treats those aspects of the administrative process that are common to almost all administrative agencies. Primary consideration is given to the constitutional justification for the administrative agency and the agency's relationship to the legislature, the executive, and, in significant detail, the courts. Administrative discretion to formulate policy and the manner in which policies are made is stressed. Specific topics include the constitutional basis of administrative procedure, the scope of judicial review, the difference between rulemaking and adjudication, the limits of procedural due process, as well as the construction of the Administrative Procedure Act. The course emphasizes federal administrative law, but most of the concepts apply to state law as well. This is a second or third year course. There are no prerequisites other than completion of the required first year courses. This course will meet for only six weeks, with the final exam scheduled for the evening of October 5. (Professor Paul Craig is a renowned British teacher and scholar of administrative law. He has been teaching here for nearly twenty years.)

Updated 3/16

**B720 Advanced Trial Practice ^^^ (3) –**

No description available

**B722 Trial Advocacy ^^^ (3) – Kellams, Diekhoff**

Trial Advocacy is one of the core courses in the litigation curriculum. It covers the techniques, tactics and performance aspects of the trial; including opening statements, direct and cross-examination, exhibits, and closing arguments. There is also discussion of courtroom demeanor, relationships with judges and court officials, and ethical guidelines for courtroom practice. Students learn by doing, with every student performing in smaller practical sections most weeks. In lieu of a final exam, students conduct a full trial. Trial Advocacy is the second course in the trial practice sequence. Evidence is taken first, and is a prerequisite to Trial Advocacy. Trial Advocacy is taken second, and is a prerequisite to Advanced Trial Practice and Trial Competition. Trial Advocacy is also useful as preparation for clinical courses that involve litigation, such as Community Legal Clinic. Trial advocacy is taught by experienced trial lawyers and judges.

Please note that in addition to the sections managed by each of the respective instructors, the students from all sections meet on Tuesdays at 7:45 for a forty-five minute lecture.
B723  Evidence (3) – Tanford
The law of evidence regulates the proof of facts at trial. The Evidence course focuses on the Federal Rules of Evidence (which have been adopted in most states), how they are typically interpreted, and how lawyers use them when making and responding to objections. Evidence is a core course and is a subject tested on all bar exams. It is the introductory course to litigation, usually taken in the second year, and is a prerequisite for Trial Advocacy and the advanced trial practice courses. Evidence is not recommended for accelerated 1-Ls or first-semester international students because it assumes that students understand the basics of criminal law, torts and civil procedure.
Course materials, including the syllabus, will be distributed in electronic form via a course website, so a computer and the ability to work over the Internet are required.
Prof. Tanford offers two options for students taking Evidence. First, there is a traditional classroom option, intended primarily for those who are serious about trial practice. It includes extensive drills and exercises and requires frequent class participation. Second, there is a non-classroom electronic option in which students may take the entire Evidence course electronically over the Internet. The electronic section is aimed primarily at students who commute, are taking Evidence as a bar exam course, or need scheduling flexibility (the e-classes are self-scheduled). The electronic option is also recommended for those LL.M. students who are more comfortable with written English than spoken English. Both sections follow the same syllabus, cover the same problems and assignments, and approach evidence as a question of advocacy (what arguments to make) rather than admissibility (whether an item of evidence is in some abstract sense "admissible"). The electronic classes are not easier. In terms of substance, work-load, and the amount of time it takes to prepare for and take the classes, there is no significant difference between the live version and the electronic version.

B725 Bankruptcy (3) – Foohey
This course examines the nature of the legal relationship between debtors and creditors under the Bankruptcy Code as well as under nonbankruptcy law. It is intended to be a survey course that provides a general basis for advising consumer and business clients considering filing for bankruptcy or wanting to avoid detrimental impacts of others’ bankruptcy filings. It also will provide knowledge to support subsequent detailed study of business reorganization, bankruptcy procedure, and international bankruptcy. Subjects covered include debt collection procedures under state law, the purposes of bankruptcy, liquidation under Chapter 7 of the Bankruptcy Code, individual debt adjustment under Chapter 13 of the Bankruptcy Code, business reorganization under Chapter 11 of the Bankruptcy Code, international coordination under Chapter 15 of the Bankruptcy Code, recovery of fraudulent transfers and preferential transfers, and the jurisdiction of the bankruptcy courts.

This course uses a problems-based approach to bankruptcy. You are expected to attend every class (including the first class) prepared to discuss the assigned materials and problems. At the beginning of class, we briefly will discuss the theory and substance of the law. Most or all of the class sessions will be spent working through a series of problems, which you are expected to prepare prior to class.

The course grade is based on an eight-hour take-home examination consisting of two or three longer essay questions, with slight adjustments for class participation.

There are no prerequisites for this course.
B729 Antitrust (3) – Knebel
The "antitrust laws" are statutes enacted with the goal of promoting free and unrestrained competition among businesses in order to assure the lowest prices and highest quality to consumers. Although the basic goals of the antitrust laws are reasonably clear, their application to specific situations is often much less so because the statutes themselves are short and written in cryptic language that has required a great amount of interpretation by courts. That interpretation has been affected by political and economic considerations that have changed over time. Every attorney with business clients needs to know about the antitrust laws to help those clients avoid the often draconian penalties for violating them. Attorneys representing consumers need to know how to use the antitrust laws on behalf of those consumers. Consequently, the course will seek to develop an understanding not only of the specific rules applicable to business activities but also to understanding the legal and economic principles that underlie those rules so that practitioners, even if they do not concentrate their practices in this area, are able to identify possible antitrust issues. This course will also look at the application of the antitrust laws to specific business activities, including horizontal and vertical price fixing, mergers and joint ventures, monopolies and predatory practices, price discrimination, tying arrangements, restrictions on customers and anti-competitive litigation.

Updated 3/16

B734 Advocacy (Moot Court) ^^ (1) – Lahn
This course is the for-credit component of students’ participation on either (a) the Sherman Minton Advocacy Executive or Competition Board or (b) one of the Law School’s external (interscholastic) moot court competition teams, such as the ABA NAAC, Williams, or Pace teams, other than IP moot court teams. (Pass/Fail)

Updated 3/16

B734 Advocacy: LawMeet ^^ (1) – Need
No description available

B736 Strategic Business & Tax Planning (2) – Greene
Nearly every major business decision is shaped by tax law. This course explores how and why taxation, particularly federal income taxes, affects everyday business decisions. The course will take a broad perspective on a variety of business planning topics from entity formation; to business investment and financing decisions; to tax arbitrage; to multiparty business and tax planning; to the taxation of international activities; and finally to the tax treatment of corporate mergers and acquisitions. The course will be taught in two different sections at the Kelley School of Business. Each student is required to enroll in only one of the two sections. The class will consist of law and graduate business students, and it will meet according to the Kelley school’s calendar. Thus, it will be an intense 7-week course, meeting twice a week from late October through mid-December. In order to receive the full law school (2.0) credits for this course, law students will be required to meet with Professor Greene as a class on several occasions before the formal start of the course in October. These early class meetings will be used to familiarize law students with the fundamental business concepts used in the course. This course is recommended for those law students interested in transactional planning, as well as those who would like to have a well-rounded understanding of business law. B650: Introduction to Federal Income Tax is the only prerequisite for this course. Those students who have sufficient professional business or tax experience may be able to waive this requirement with the permission of the instructor.

Duration: 7-weeks (offered only in the second 7-weeks of the fall semester)
The goal of this course is to enable students to understand how taxes (primarily income taxes) can (and should) affect business decision-making. For students considering a career “in tax”, this course should be beneficial because it takes the perspective of the business decision-maker, not the tax professional, so it may provide you with a broader point of view than is typical in a “tax” course. But the course is designed primarily for the “non-tax” person, someone who needs to understand how to incorporate tax matters into his/her decision-making model.

Students completing this course will be able to

1. Distinguish economic income from financial statement income from taxable income
2. Recognize the impact that “implicit taxes” have on the value of assets.
3. Recognize tax issues that have an impact on business outcomes (and therefore should have an impact on business decisions) including, but not limited to:
   a. Organizational structure (e.g. corporation vs. partnership)
   b. Financing the business (e.g. debt vs. equity)
   c. Mergers and acquisitions
   d. International operations
   e. Compensating employees
   f. Investment decisions
4. Understand the difference between marginal tax rates and effective tax rates and know how/when to use both concepts
5. Incorporate tax issues into financial analysis (e.g. IRR, ROI, NPV), including but not limited to:
   a. Tax rate changes
   b. Tax rate differentials for different categories of income (e.g. capital gains vs. ordinary income)
   c. Deferral of revenue and expense
   d. Credits vs. deductions
   e. Net operating losses

This course is cross-listed with the Kelley School of Business (and the majority of the students are from the Kelley graduate programs). Having some background in the rules governing taxation (such as having taken B650 or having prior work experience) is strongly recommended. Having familiarity with financial concepts (such as present values) is also strongly suggested. Having some background in accounting (such as having taken B652) is helpful. This course is appropriate for any student pursuing a career as a “transactional” lawyer.

Updated 3/16

B743 Patent Law (3) – Janis
This class surveys United States patent law, with an emphasis on the decisions of the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office (USPTO), and the U.S. Supreme Court. The structure follows the basic steps of a patent infringement suit, addressing claim construction, validity, infringement, defenses and remedies. In general, we will draw on cases involving straightforward and sometimes even humble technological developments that illustrate fundamental patent law principles. We will learn how patent law arguments are developed and rebutted before the courts and the USPTO; how the institutions of the patent system operate and how they might be improved; and how changes to the patent law regime, including those enacted as part of the America Invents Act, affect a wide range of innovators, from start-ups to universities to multi-national tech companies. The exam is an open-book take-home exam.
B748 Comparative Law: Comparative Legal Systems (2) – Krishnan

Our goal for this course is to place United States’ legal system in a comparative context. We shall approach this issue by focusing on the judicial processes and legal professions of certain countries in Europe, Latin America, Africa, and Asia. We will also comparatively examine the intersection between legal institutions, legal actors, and notions of rights within the countries we study. We will then return to evaluate the overall merits of how the United States fits into this analysis.

There will be books available in the bookstore.

Grading:
1/3 of your final grade will be participation in – and preparedness for – class
1/3 of the final grade will be a 2,000-3,000 thought-piece due the day of the final exam
(The paper will be based on a review of a book, article, series of articles, or foreign case recently decided. Your selection must be cleared first by the instructor.)
1/3 of the final grade will be a two hour, in-class essay exam

Updated 3/16

B748 Comparative Law: Constitutionalism in Africa (2) – Hessebon

This course is a full semester course intended to introduce students to contemporary constitutional issues in Africa. The course will familiarize students with a host of issues revolving around the making and implementation of constitutions in sub-Saharan Africa. The course material focuses primarily on Anglophone Sub-Saharan African countries. Although there will be some discussion of the historical development of constitutions in the post-colonial period in general, most of the course will be devoted to the period since the end of the Cold War and the reintroduction of multi-party elections in the continent. The course is designed to be to be accessible, relevant and useful even for those who have limited background in the study of constitutional law. This course is meant to identify and facilitate an in-depth discussion of constitutional issues that are pertinent to understanding the challenges of constitutionalism and democratization in most African countries. Students will be evaluated on the basis of a final examination (which will count for 85% of their total grade) and class participation (which will count for 15% of their final grade).

Updated 3/16

B755 European Union Law (2) – Craig

This course will begin with a short historical overview of the European Union. The course will then consider the institutions and legislative process of the EU, the scope of EU competence, direct effect, supremacy, fundamental rights, preliminary rulings and free movement of workers. The exam will be at the end of this six week course, scheduled for the evening of October 3. (Professor Paul Craig is a renowned British teacher and scholar of EU law. He has been teaching here for nearly twenty years.)

Updated 3/16

B771 Mediation ^^ (2) – O’Connor

This course explores mediation as a method of dispute resolution and lays a foundation for the development of advocacy skills in the mediation environment. Class sessions will explore the text materials and theories discussed therein about mediation, as well as negotiation strategies in the mediation context. In addition the class will participate in mediation role playing exercises. This course will cover relevant authority and rules governing mediation and will include discussions on legal ethics in the mediation setting. As stated, role playing in various areas of practice (i.e. divorce, personal injury, business dispute) will be used to reinforce mediation skills that have been discussed in class. These role playing sessions will be assigned to groups, will be conducted on days that the class
would otherwise meet for a general class session, and may be held off site in a local law office setting.

Written work will consist of four assignments: a Confidential Mediation Statement; a brief short answer paper about a reading; a research paper about mediation, confidentiality and enforcement of agreements; and preparation of a detailed mediation agreement. These written assignments will count for 60% of the course grade, with the remaining 40% of the course grade based on participation in class discussions and role playing exercises. There will be no end of the semester course examination.

This course will be limited to 20 participants. Satisfactory completion of this course will enable the new lawyer to understand the role of mediation in the justice system and prepare the lawyer to represent a client in a mediation session.

Note: 3Ls have priority for this course.

Updated 3/16

**B771 Mediation ^^ (2) – Stafford**

This course explores civil mediation as a method of dispute resolution and lays a foundation for the development of advocacy skills in the mediation environment. Class sessions will explore real world mediation in many practice areas from the perspective of the client, the advocacy attorney, and the mediator. We'll work on negotiation strategies in the mediation context. This course will cover relevant authority and rules governing mediation and will include frequent discussions on legal ethics in the mediation setting.

Written work will consist of four assignments: a reflection on a book on negotiation, a Confidential Mediation Statement; a research paper; and preparation of a detailed mediation agreement. These written assignments will count for 60% of the course grade, with the remaining 40% of the course grade based on participation in class discussions and role playing exercises. There will be no end of the semester course examination. Frequent role playing will be used to explore and reinforce mediation skills that have been discussed in class.

This course will be limited to 20 participants. Satisfactory completion of this course will enable the new lawyer to understand the role of mediation in the justice system and prepare the lawyer to represent a client in a mediation session.

Note: 3Ls have priority for this course.

Updated 3/16

**B782 Introduction to Environmental Law (3) – Barnes**

This course introduces students to the regulatory regime developed in the United States to address environmental problems. Although the course will touch on common law approaches, the primary focus will be on key concepts and issues in the design, implementation and enforcement of the major environmental statutes. The majority of class time will be devoted to the Clean Air Act and the Clean Water Act; the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Recovery Act ("Superfund"), and the Safe Drinking Water Act. The National Environmental Policy Act will receive more limited coverage.

This is a hands-on course and the course materials include edited Federal Register preambles, copies of permits and actual court filings along with edited cases and selected statutory and regulatory provisions. These materials allow students to see the process by environmental law is made and enforced--and to become familiar with the materials they would work with if their subsequent practice involves environmental law.

As part of their preparation for some classes, students will be expected to work through problems that involve application of course materials to actual or hypothetical situations. These exercises will serve as the basis for class discussion.
This core course is a prerequisite for advanced environmental law offerings such as the Advanced Environmental Law and Practice course.
Updated 3/16

**L703 Seminar in Commercial Law: Consumer Credit ** (3) – Foohey
Consumer credit in America is in a state of flux. With the creation of the Consumer Financial Protection Bureau in 2010, consumers gained a federal agency devoted to assessing and regulating issues with consumer credit that plague individuals and families. State and federal legislatures likewise have taken significant policy actions aimed at consumer credit. As if in sync with the law’s dynamic state, the business of consumer credit itself is changing.

This course primarily uses consumer bankruptcy filing data as a lens to study the role consumer credit in the United States economy and society. The course will focus on critical issues regarding consumer debt and consumer law through inquiries into key aspects of the consumer bankruptcy system, including who files bankruptcy, what causes bankruptcy, the consequences of bankruptcy, and the operation of the bankruptcy system. These inquiries will allow for discussion of a range of consumer debt: mortgages, medical debt, student loans, credit cards, automobile loans, payday and title loans, and fees associated with bank accounts and prepaid debit cards. Readings will come from law and non-law sources, including the work of a variety of social scientists. The course will discuss issues relevant to the legal system and the study of law generally, including the use of data to measure legal problems, the role of lawyer and non-lawyer actors, and the nature of modern policymaking.

Besides weekly readings and one short (5 page) writing assignment, the primary assignment for the course will be a final paper of 20-30 pages in length. The paper will take the form of a proposal for further study of an aspect of the consumer credit or bankruptcy system, addressed to a fictitious grant-giving agency, that (1) identifies and describes a problem regarding consumer credit or bankruptcy that is causing a harm, and (2) proposes how that problem should be studied, including a list of key questions that need to be investigated to determine how to address the harm. Students will present their final papers during the last two weeks of the seminar.

Students will gain only a basic familiarity with the Bankruptcy Code and the practice of bankruptcy law. There are no prerequisites.
Updated 3/16

**L710 Seminar in Law & Society: Work, Family & the Law ** (3) – Widiss
No description available

**L712 Seminar in International Law: Drone Law ** (3) – Fidler
The development and exploitation of unmanned aerial vehicles, or drones, is generating a host of policy and legal issues. This seminar focuses on efforts within the United States and internationally to address legal challenges the advent and proliferation of drone technologies pose for governments, militaries, corporations, and citizens. The seminar will explore, for example, how drones affect privacy, how governments are regulating use of drones, how commercial adoption of drones implicates different areas of the law, and how military use of drones relates to domestic and international law. Students will be required to complete a research project, which can take the form of a traditional research paper or a more policy-oriented research brief. The research project can focus on domestic law in the United States or another country, international law, or a combination of the two levels of law. This seminar satisfies the Maurer School of Law’s research requirement.
Updated 3/16
L714 Seminar in Judicial Conduct ** (3) – Geyh
This seminar explores the law governing judicial conduct and the social science research that explains judicial decision-making behavior. The first part of the seminar concerns how courts and judges are regulated. Several sessions will be devoted to judicial ethics, including such topics as: avoiding the appearance of impropriety; judicial disqualification; judicial campaign conduct; ex parte communications; and personal conduct. Additional sessions will be devoted to judicial oversight, including: judicial administration (featuring systems of judicial discipline); impeachment and other removal processes; and legislative oversight of the courts. The second part of the seminar will be devoted to social science research on judicial decision-making behavior, including views from political science, psychology, and history. The concluding session of the seminar will then explore the implications of recent social science learning for future regulation of the courts.
Updated 3/16

L728 Seminar in Globalization ** (3) – Aman
No description available

L730 Seminar in Intellectual Property ** (3) – Leaffer
This Seminar has two goals. The first is provide students the opportunity to write a substantial paper relating to their interest in IP. The second goal is expose students to current developments in IP and cutting edge legal scholarship. In this regard, our class sessions will feature invited intellectual property law scholars who will deliver works-in-progress to the class for discussion and review. In past years, we have offered an IP Colloquium (involving invited speakers) and a separate IP Seminar. This year we're providing a unique opportunity for students to engage in a seminar that also blends in elements of the IP Colloquium.
Updated 3/16

L736 Constitutional Law Seminar: Congress, the President & the Courts ** (3) - Johnsen
This seminar examines the authorities of the three branches of the national government, with an emphasis on presidential powers. Specific topics may include: What are the relative powers of the President and Congress in the areas of foreign affairs, military action and national security? For example, when must Congress authorize war before the President authorizes the use of military force? When is judicial oversight of such matters appropriate? For example, should courts refuse to hear Americans’ claims of unlawful torture or surveillance by the government, under state secrets, political question, standing or other doctrines that reflect separation of powers principles? May the President refuse to enforce (or defend) laws he believes are unconstitutional (such as laws that proscribe torture and require court orders for government surveillance, and the Defense of Marriage Act)? Or suspend enforcement of laws, such as immigration laws, inconsistent with his policy preferences? What are appropriate forms of congressional oversight of the Executive, including limitations on the appointment and removal of executive branch officers, the refusal to raise the debt ceiling or authorize expenditures resulting in the shutdown of government, and the Independent Counsel Act? When may the President refuse to comply with requests for information from Congress or the courts? Requirements include a research paper (which satisfies the advanced research requirement). No exam.
Updated 3/16

L748 Law & Psychology of Crime, Culpability & Punishment ** (3) – Hoffmann
This three (3) credit research seminar is co-taught by Professor Joe Hoffmann from the Law School and Professor Jim Sherman from the Psychology Department. We will study the
social and cognitive psychology that underlies the doctrines of the criminal law. We will begin each week of the seminar by reading one or more real criminal-law cases that raise one or more difficult moral/legal issues. We will then assign relevant readings from the psychology literature, as well as from the legal literature, in an effort to achieve greater insight into the behavior and perceptions of the legal decision-makers in the cases. Our primary interest will be in the behavior and perceptions of those who have traditionally shaped the doctrines of the criminal law, i.e., lawyers, judges, legislators, and jurors. To put it another way, we will seek to understand the reasons why the substantive doctrines of the criminal law have developed in the way that they have developed. At the end of each seminar meeting, we will return to the cases, and we will discuss the potential legal and social implications of what we have learned. The final grade for the seminar will be based primarily on an interdisciplinary research paper drawing from legal and psychological sources. In addition, each week students will be assigned to serve as "experts" and "commenters" on the readings, and 19.5% of the final grade will be based on class performance in these roles.

Updated 3/16

L766 Seminar in Children & the Law ** (3) – Levesque
This course examines the law’s response to the developmental understanding of childhood, with particular focus on distinguishing the rights of youth from those of adults. Much of our efforts center on understanding the myths and realities of legal doctrine governing childhood, particularly the transition to adulthood. To do so, students explore how the legal system responds to youth’s needs in a variety of social contexts and institutions (e.g., families, media, intimate relationships, schools, and religious institutions) and sociolegal systems (juvenile, child welfare, medical, mental health, and criminal justice systems). Supreme Court cases serve as our main texts, although students do consult empirical research and substantive areas of law in their writing projects. Students’ grades are based on class participation relating to assigned readings as well as oral and written presentations describing the results of independent research projects.

Updated 3/16

L770 Seminar in Comparative Law: Islamic Law - Source, Interpretation, and Authority ** (3) – Waters
Interest in Islam has increased considerably in recent years – and with it, interest in its legal system, which historically has occupied a central role in Islamic experience. This course is an introduction to Islamic law, focusing expressly on its sources, interpretation, and claims about authority. Familiarity with these sources is important even to contemporary debates that, arguably even more than in other religious traditions, rely upon or resist those sources.

The course offers students the opportunity to encounter a legal system founded on radically different principles and developed in a different historical context than modern civil or common law systems. The course affords perspectives on the nature and operation of legal institutions and on law’s purposes and possibilities, while giving students a basic foundation in a system highly relevant to many current debates about politics in a globalizing society.

In the first half, the course examines conceptual and methodological frameworks of Islamic law and their institutional settings. Then, through student presentations, it takes up particular topics of current interest (such as Islamic finance, the Caliphate, or the treatment of women, chosen by the students in consultation with the professor) to see what outcomes these frameworks achieve in contemporary contexts. Throughout the course considers the interaction of Islamic law with secular perspectives, to see how each responds to difference, dialogue and faith in social ordering. Students will be expected to produce a significant research paper and actively participate in seminar discussions.
**L776 *S in Criminal Law: Federal Sentencing** *(3) – Eaglin*
This seminar will examine the evolution of U.S. sentencing law over the last fifty years. The Sentencing Reform Act of 1984 will be a focal point as we explore its impact on sentencing law and policy in the United States, with a specific focus on the federal justice system. We will also examine the purposes of sentencing, the role of different criminal justice actors in the sentencing process, the mechanics of various sentencing guideline structures, procedural and constitutional requirements at sentencing, the death penalty, and the outcomes of our sentencing policies. This seminar provides students the opportunity to consider issues of justice, fairness, politics and efficiency in the U.S. criminal justice system through a comprehensive review of federal sentencing law. Students will be expected to write a research paper on a topic of his or her choice that relates to federal sentencing policy.

Updated 3/16

**L797 Seminar in Jurisprudence** *(3) – Conrad*
This Seminar will be modeled on my spring-semester Seminar “Lawyering in the Modern American State” in that this newer Seminar will also greatly emphasize basic skills training in the drafting and revision of formal expository prose. The principal course textbook will be: Raymond Wacks, UNDERSTANDING JURISPRUDENCE, 4th edition. But the course will also continue my custom of making much use of manuals and the like for self-help in the improvement of writing skills. Every student will be required to give an in-class presentation on one of the chapters of the Wacks textbook. And every student will be required to submit—at the midpoint of the semester—a first draft of a thematic essay on another one the chapters in the textbook. This essay assignment will call for some research beyond the textbook, but research far less extensive than the research typically required at our School for a law journal Note or for a typical Seminar writing project.

Updated 3/16

**L799 Seminar in Constitutional Processes** *(3) – S. Williams*
This course will examine issues related to the process of constitutional drafting. As opposed to the traditional focus of constitutional law courses – which is on the substance of the document -- this class will focus on the processes through which constitutions are written and revised. We will look at the players in constitutional drafting, including political elites, government institutions (like the legislature), warring parties in states in conflict, the public, the international community, and outside experts. We will examine the issues raised by constitutions drafted as part of a peace agreement and the question of whether certain conditions must be met in the conflict in order to allow constitutional drafting to take place. We will look at the process of public participation in constitutional drafting and the issues raised in the design of that process in countries facing challenges such as illiteracy or gender inequality. Using case studies from some recent and historical drafting experiences – in South Africa, Uganda, and Iceland, among others -- we will ask what lessons drafters might learn about the design of processes. And we will also look at the processes through which constitutions are amended, including the question whether it is possible for a constitutional amendment to be unconstitutional. Students grades will be based on class participation and a long research paper on a topic of their choice.

Updated 3/16

**L799 Seminar in Conl Law: The Courts, the Democratic Process, and the People** *(3) – Sanders*
The proper relationship between courts and the political branches of government is a question nearly as old as the Constitution itself. In this seminar, we will read and discuss
both classic and contemporary legal scholarship (as well as some political science) addressing such questions as: When, if ever, should courts be counter-majoritarian? Under what circumstances should courts avoid deciding controversial questions and await the “democratic process”? What if legislatures do a poor job at translating the preferences of their constituents into law? What has been the relationship between the Supreme Court’s decisions and public opinion? Should laws made through “direct democracy” be entitled to more, or less, judicial deference than laws made through ordinary legislation?

Updated 3/16