B519 State Constitutional Law ## (2) – Fisher
Nowadays, stiff challenges to state laws come not only from federal lawsuits but from claims arising under state constitutions. From abortion regulation to school vouchers and more, much of the interesting doctrinal development in constitutional law is happening at the state level. State Constitutional Law will explore constitutional history, texts, principles and precedents from various states, especially including but not limited to Indiana. For students interested in constitutional law generally or state government specifically, this two-credit-hour course will provide important tools for future practice.
Updated 10/15

B526 Tax Policy Colloquium ## (2) – Lederman
This course offers an opportunity for students to read and react to articles in progress on an array of federal tax topics. There will be six or seven presentations during the semester, made by professors from other schools. For information on the types of topics covered in past years, see the Colloquium website at http://www.law.indiana.edu/instruction/tax-policy/index.shtml.

Students will be expected to read each work-in-progress in advance of the presentation, along with background reading, and write a short reaction paper; to discuss the article draft and background materials in the class session prior to the presentation; to pose questions to the presenter about the article; and to participate in a synthesis discussion in the class session following the presentation. Interested I.U. faculty members and others will also attend the presentation sessions and participate in those discussions.

Introduction to Income Tax is a prerequisite. This course satisfies the writing requirement for graduation. Please send your resume to Professor Lederman for approval prior to registration in November or prior to the end of Drop/Add in January.
Updated 10/15

B528 Advanced Appellate Advocacy ^^ (2) – Janis
Course enrollment is limited to, and mandatory for, students selected for the INTA, AIPLA and National Cultural Heritage Law Moot Court Competitions. Class work encompasses: a) completion of all practical requirements for competition preparation b) participation in all scheduled practice oral arguments and c) compliance with all applicable requirements of the external competition. Please note: due to the timing of the competitions a significant part of the workload will take place in the Fall term before the Spring semester begins. Thus, AIPLA and INTA students will need to register for one credit in the fall term and one credit in the spring term.
Updated 10/15

B532 Federal Circuit Advocacy ^^ (2) – Castanias
The U.S. Court of Appeals for the Federal Circuit is an important but controversial part of the federal judicial system. It was formed by an Act of Congress in 1982 with the predominant goal of "strengthen[ing] the United States patent system in such a way as to
foster technological growth and industrial innovation." In the intervening 33-plus years, with the Federal Circuit becoming the exclusive appellate court for patent cases, the United States has indeed seen significant technological growth, but the court has also been widely criticized as being out of step with the Supreme Court—which has regularly reversed the Federal Circuit’s patent decisions in recent years—with some judges and academic writers even calling for the court’s ouster as the exclusive appellate venue for patent cases. Nonetheless, given its central role in administering the U.S. patent system—it has appellate jurisdiction over virtually every kind of patent-related case that a court or administrative agency could decide—it is critical for any IP practitioner, whether a future litigator or otherwise, to possess a systematic understanding of the Federal Circuit, its history, procedures, doctrines, and dynamics. Through selected readings, vigorous class discussion, and a mock Federal Circuit argument (among other facets of the course), students should complete the class with a far better understanding of this unique court.

Updated 10/15

**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 10/15

**B537 Nonprofit Law 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 who have met the prerequisites listed below.

The Nonprofit Legal Clinic provides students with opportunities to engage in public interest lawyering through business and transactional work for a wide variety of non-profit organizations. Depending on clients' specific needs, students will form new nonprofit entities; counsel clients looking to dissolve their existing entities; draft and negotiate contracts; provide basic tax advice; assist with funding and financing projects; advise on governance, communications, intellectual property, and compliance matters; provide general corporate support to the clinic's clients; and provide other transactional legal assistance as needed. During the course of the semester students will develop fundamental analytical, editorial, counseling, planning and negotiation skills in the context of live projects as well as classroom work that will 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.

Students are selected on the basis of past and/or current coursework, as well as a written statement of interest to be submitted via email to the clinic's director (Jennifer Prusak jsprusak@indiana.edu). The clinic will be "front loaded" on coursework the first six weeks of the semester. The first six weeks of the semester class will meet for an hour and a half twice per week. The remainder of the semester, class will meet only once per week. In addition, all students will have a weekly one-hour individual supervision meeting with Professor Prusak throughout the semester.

Students seeking to enroll in the Clinic must submit an unofficial transcript and a letter of interest to the director of the NPLC. Additionally, students who wish to enroll in the clinic
B539 Lawyering in the Public Interest ^^ (2) – Van Der Cruysse
This course is intended to prepare students for the practice of law in the public interest, i.e. in government and non-profit settings, or, settings otherwise providing legal services to underserved populations. We will explore the following questions: how is “Public Interest Lawyering” defined, what is it that public interest lawyers do, who are the clients of public interest lawyers, what are the legal ethics inherent to practice in the public interest, and do private lawyers have a role in serving the public interest? This is a course that is particularly well-suited for students who are enrolled in one of the clinics, in a public interest externship program (e.g. B547, B698), or have worked in an externship/internship or have had a paid position working with public interest lawyers in the past. We will discuss what the current challenges are in public interest lawyering on a global scale, and how globalization has influences American Public Interest law.

Course texts: Public Interest Lawyering, A Contemporary Perspective, Alan K. Chen, Scott L. Cummings. Other materials will be posted on CANVAS.

Grade will be based on class participation, an analysis of the public interest served in your externship placement or hypothetical, a client counseling role play and written reflection on the role play, and a final case-study of an agency's accountability to its client(s).

Updated 10/15

B540 After Atrocities (3) – al-Istrabadi
Once tyrannical regimes fall, there is often an impetus for holding previous leaderships to account for atrocities they committed while perpetuating themselves in office. One form or another of the models of post-conflict justice has been used throughout the world in the modern era, including, for instance, in Cambodia, Egypt, Nigeria, the Sudan, and throughout Central and South America. Since the watershed moments in the mid-1990s that resulted in the creation of the International Criminal Tribunals for the Former Yugoslavia and for Rwanda in the 1990s, a vast scholarly corpus has developed assessing the efficacy and desirability of various models of such justice mechanisms. Other models have emerged, such as the International Criminal Court, hybrid (international-national) courts, and purely national courts. Some countries have experimented with different models of non-judicial accountability, ranging from the South African model to outright impunity, and some countries began with one model reverted to another (e.g., Chile). The purpose of this course is to allow the student to weigh the relative theoretical merits of each of these systems versus the actual experiences of each as reflected in scholarly critiques. The course will conclude by considering the specific example of the Iraqi Supreme Criminal Tribunal that tried the leadership displaced after the 2003 war, as a case study of a national model but one which sought to vindicate principles of international criminal law. There are no pre-requisites. Graduate students from outside the Law School are welcome.

Updated 10/15

B544 Intellectual Property Transactions (2) – Mattioli and Flaton-Origenes
Through case studies, class exercises, lectures, and in-class discussions, this course provides students with an introduction to the theory and practice of IP transactions. In addition, agreements adapted from practice and copies of publicly available deal papers will be used as the basis for in-class simulations. As the course progresses, the complexity and depth of these exercises expands from discrete topics to fact patterns that take several sessions to work through. Prerequisites: Patent Law or IP Survey.
B545 Criminal Law Externship ^^ (2-4) – 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) to me on a periodic basis regarding their externship experience (2-3 pages, double spaced);
4) Participate in 2 one-on-one meetings with me during the semester (one at the beginning and one at the end);
5) Submit a sample work-product (with employer’s approval); and
6) Complete a final self-evaluation form.

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 David Main. Interested students should submit a resume and schedule an interview with David 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 10/15

B547 Public Interest Externship Program ^^ (1-3) – Van Der Cruyssse
The Public Interest Externship Program encourages students to gain experience in public interest work by permitting students to obtain academic credit for unpaid legal work done in public service venues (non-profits, legal services, local/state/federal government settings) within easy driving distance of Bloomington (Indianapolis and South-Central Indiana).

Students are supervised by a faculty member at the law school as well as an attorney at the externship site. Students spend one full day (or in some instances two half-days) per week for 13 weeks at the externship site, and work under the supervision of an experienced
attorney. Students do legal research and writing, observe and/or participate in client interviews, briefings, depositions, court hearings, etc. Examples of placements are Indiana Legal Services, Student Legal Services, municipal legal counsel’s office, IU Health, IU Foundation, etc.). Students gain insight in the day-to-day practice of the attorneys who supervise them. An integral part to the externship is the academic component, which consists of two class meetings per semester, reflective essays, and a final evaluation of the placement. It is designed to encourage students to think reflectively and critically about the practice of law and the ethical issues it poses.

Students seeking to enroll for this externship course and for an externship site must schedule an appointment with the Director of Externships and Judicial Clerkships (Inge Van der Cruysse, ivanderc@indiana.edu). Students must obtain her permission to register for the class. Students may propose their own externship sites, but those must be approved by Inge Van der Cruysse prior to commitment to the placement.

Note: students may not both be paid and receive academic credit for the same externship hours.
Updated 10/15

**B549 International Intellectual Property (3) – Leaffer**
The law of intellectual property (patent, trademark, and copyright) has increasingly assumed an international dimension. In today's world of intellectual property law, one must understand how the rights of inventors, brand name owners, and creative artists, and software developers are protected in international and comparative law. Mirroring this reality, this course has two basic objectives. One is to equip students with the methodology necessary to engage in international intellectual property practice in both public and private international law. It will consider topics such as territoriality, national treatment, choice of law, multilateral treaties, and regional agreements that frame the substantive rules and practice of intellectual property law in a transnational setting. As a second objective, this course will consider intellectual property from a comparative law dimension. In this regard, it will focus on the basic differences in the approach to patent, trademark, and copyright law in national and regional systems. Within this theme, this course will examine the cultural and economic differences that have led to divisions between developed and developing countries on the protection of intellectual property.
Updated 10/15

**B551 IP Externship ^^ (2-4) – Du Mont**
The Intellectual Property Externship program consists of a series of externship opportunities developed and administered by the law school in connection with the Center for Intellectual Property Research. The number and type of externships will vary from semester to semester. Some may be available during the summer. Intellectual Property externship opportunities will be posted at designated times during the fall and spring semesters. Students will ordinarily apply directly to the externship hosts, who will be responsible for selecting externs. Student externs will then enroll in the Intellectual Property Externship course. Prerequisites will vary, depending upon the externship.

Note: Students may not both be paid and receive academic credit for the same externship hours.
Updated 10/15

**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 10/15

B559 Patent Prosecution **(2)** – Gandy
Patent prosecution involves counseling with clients to understand their inventions, drafting patent applications designed to optimize legal protections for the inventions, and advocating for the grant of respective patents before U.S. and foreign patent offices. In the process of doing so, a weave of federal statutes, regulations, and case law must be taken into account in crafting and prosecuting patent applications that maximize clients' rights. This course will provide a complete overview of the patent process and will emphasize practical skills that are the foundation for effective patent prosecution.

The course begins as most representations begin, focusing upon the initial client contact and matters that must be well handled at the start. Issues and regulations related to subject matter conflicts and party conflicts, and practical techniques for investigating/handling them, will be addressed. This is followed by instruction upon how to work with clients (inventors) to understand and develop their invention disclosures to enable maximal protection.

In logical sequence, the course turns to a series of lectures that provide a review of the statutes, regulations, patent office rules and case law that govern the requirements of an application for patent, combined with practical drafting sessions for the major patent application components: claims defining the scope of the invention; the specification containing a detailed written description sufficient to enable others to make and use the invention; the background section setting up the need for the invention. Several in-class and take-home practical sessions will be given to provide hands on drafting experience designed to simulate real world experiences as a patent attorney.

The prosecution of patent applications typically involves a series of exchanges between the patent attorney and the Patent Office Examiner in which arguments are forwarded with respect to whether the invention (as defined by the claims you have submitted) is sufficiently unique to deserve patent protection. These exchanges explore whether the claims define an invention which meets the statutory requirements of novelty and nonobviousness set forth in Title 35 of the United States Code. It is the Examiner's job to make sure that no "unworthy" inventions proceed to patent. It is your job as an advocate to convince the Examiner that the claimed invention is worthy, and to help the client make key decisions whether the claims need to be amended to more fully distinguish from the prior art. Again, practical drafting sessions will be conducted.
After an application has been successfully prosecuted with a given set of claims, there are still other issues that need to be considered. Should another related application be filed to pursue additional protection through claims that are worded differently? "Continuing" patent application practice affords the opportunity to do this, and the related principles and procedures will be addressed in the course.

Patent prosecution requires an understanding of a series of statutes, regulations and cases, and how they shape effective advocacy in securing patent rights for your clients. This course will lay a foundation of understanding and practical experience that will provide value to those who are considering patent law as a specialization as well as those who simply want to develop a better understanding of the patent process. Patent Law is a prerequisite for this course.

Updated 10/15

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 10/15

B564 PreTrial Litigation ^^ (3) – Rosiello
In today’s litigation world, where only a miniscule percentage of civil cases actually go to trial, litigators devote the vast bulk of their time and effort to pretrial proceedings. This course will address those aspects of civil litigation – from the pleadings through summary judgment and settlement negotiations. We will look in detail at the real-world issues that arise in pretrial litigation, with the goal of understanding best litigation practices to achieve
the most favorable outcome for the client.

The framework of the course will be a close examination of the meaning and use in practice of the relevant Federal Rules of Civil Procedure, along with cases and articles dealing with specific litigation issues. We will also discuss some of the Rules of Professional Conduct that apply to the conduct of litigation.

In addition to the class sessions, the course will have three short writing assignments and two out-of-class clinical exercises with review of the students’ performance by experienced lawyers, which will give students an opportunity to begin developing the practical skills essential to successful litigation.

The course will be graded based on class participation and the out-of-class assignments. There will be no final exam.

The general topics in the course will be: Structure of a Civil Lawsuit; Interviewing the Client; Preliminary Case Evaluation, and Initial Disclosure (writing assignment – prepare outline of initial investigation based on complaint); Pleadings and Motions to Dismiss; Interviewing Witnesses (clinical exercise – conduct a 30-minute witness interview); Written Discovery; Introduction to Electronic Discovery; Depositions (writing assignment – prepare outlines of deposition issues and witness interrogation; clinical exercise – take a 30-minute deposition); Pretrial Proceedings from the Federal Magistrate’s Perspective; Introduction to Expert Witness Issues; Use of Expert Evidence in Pretrial Proceedings; Summary Judgment (writing assignment – draft an opinion on a summary judgment motion, deciding whether there is a genuine dispute of material fact); Managing Pretrial Litigation; Settlement and Mediation: What the Client Wants and Needs; Settlement: Negotiating with the Other Side; Settlement: Preparing the Settlement Documents; Pretrial Proceedings: The View from the Bench.

Evidence is a prerequisite.
Updated 10/15

**B567 Intellectual Property Practicum: Legal Aspects of the Music Industry ^^ (2)**

- Meitus

This course will involve working in a quasi-clinical mode with actual clients and complements Entertainment Law, Copyright Law and other intellectual property offerings. A prerequisite for this course will be Entertainment Law (or permission of the instructor).

Enrollment will be limited to 12 students.

Methods for this course will include readings, legal research, contract drafting, classroom role enactments, client presentations and meeting and discussions. The class will work much in the way a small law firm or legal clinic would work, where the professor will play the role of firm partner or clinic director, and the students will turn in their work product to me. Students will be evaluated on legal writing exercises—either legal memoranda or contracts—and in client presentations and meetings.

Students will be assigned readings from Donald Passman’s “Everything You Need to Know About the Music Business” and from other sources and will work on a variety of actual music representations and issues for several types of clients, including, recording artists, composers, small record labels and music publishers. A significant portion of the course may also involve non-music cases, such as trademark registrations, domain name issues, etc., depending on the availability of actual cases during the semester.

Updated 10/15
**B568 Gender & the Law #2 (2) – Matthews**

A critical examination of the historical and modern treatment of gender under the law, this course will provide an introduction to the concrete legal contexts in which issues of gender have been articulated and challenged and a discussion of the extent to which these issues have been resolved. This course aims to provide students with an understanding of the strategies used to undermine and recreate women's legal status in the United States. The goal of the course is to think broadly and critically regarding the interaction of law, society, and gender while exploring the potential and the limitations of law and litigation as tools for social change. Although this course will use a number of different feminist legal theories as a framework for discussion and analysis, this course is not a survey of feminist jurisprudence. Topics may include education, the legal profession, the public/private divide, issues in the workplace and in the family, and the role of power and difference.

Students will be evaluated on participation in class discussion, short reflective assignments, memos, analytical papers, and oral presentations in class. As such, this course satisfies the advanced writing requirement for graduation.

Updated 10/15

**B569 Nonprofit Organizations #2 (3) – Purcell**

Over one million tax-exempt and nonprofit organizations, supported by over $300 billion in annual gifts, provide essential services ranging from large urban hospitals, major universities, national social service agencies and grant-making private foundations to "grassroots" homeless shelters, food pantries and health clinics. Attorneys fulfill an important role as counsel to tax exempt organizations and to the donors who support these charitable missions. This course examines the legal issues of nonprofit and tax exempt organizations. Specific topics will include:

- Formation, operation, and governance of nonprofit organizations
- Tax-exempt status for public benefit and mutual benefit organizations
- Creation of private foundations, donor advised funds and supporting organizations
- Duties and liabilities of officers and directors
- Lobbying and political campaigning
- Inurement, private benefit and intermediate sanctions
- Commercial activity and unrelated business income tax
- Charitable giving
- Oversight by state attorney general and Internal Revenue Service
- Special issues for membership organizations
- Mergers, joint ventures, dissolution and antitrust

Grades will be based on a group project and short essay assignments. The required texts will be:


Updated 10/15

**B570 American Constitutional Law for Foreign Lawyers (2) – Gjerdingen**

Constitutional law dominates American life, from foreign policy and regulation of business to the daily duties of police officers on the beat. This course will survey contemporary and historical standards under the United States Constitution for federalism, separation of powers, and individual rights for lawyers trained outside the United States. A special emphasis will be placed on the pre-Civil War, Civil War- to-1937, and modern periods of
Constitutional law and American legal thought, as well as contemporaneous events in American history. No prerequisites.
Updated 10/15

**B572 Intellectual Property Clinic ^^ (3-4) – Hedges**
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.
Updated 10/15

**B574 National & Homeland Security Law (3) – Delaney**
This course examines U.S. and international law comprising the evolving field of national security. Major topics include common defense, the use of armed force, intelligence, terrorism, homeland security, classified national security information, privacy and civil liberties. The course traces the historical development of the field through significant national and global events including the Cold War, contingency operations, U.S. covert action, humanitarian intervention, and 21st century terrorist attacks. It also provides an introduction to many of the government organizations and processes addressing national security issues. The course is designed particularly to benefit students seeking positions (legal or non-legal) in federal or state government, government-related commercial fields, or international forums.
Updated 10/15

**B582 Mergers & Acquisitions (2) – Greene**
Duration: 7-weeks (offered only in the first 7-weeks of the spring semester...note this course is NOT on Law School schedule, classes start on Tuesday, January 12)

This course is a survey of "M&A". The classes follow the life cycle of a deal: from strategy to deal search to valuation to due diligence to structuring to negotiating to post-merger integration.

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<td>Strategy, Deal Search/Origination</td>
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<td>Due Diligence</td>
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<td>Structuring: Financing, Earn-outs, Tax and Accounting</td>
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Course Mission and Goals
The academic mission of this course is to survey the drivers of success in mergers and acquisitions (M&A) and to develop your skills in the design and evaluation of these transactions. The course should enable you to:

- Master the language and processes of M&A. Basic knowledge about the field of M&A is the foundation for effective work in a wide range of fields including investment banking, transaction services (e.g. due diligence, purchase price allocation, accounting-related deal structuring), corporate development, consulting and legal transactional work that are directly involved in the M&A arena.
- Identify M&A issues worth attention. This course highlights elements in the structure and process of every M&A transaction that deserve professional scrutiny.
- Analyze an M&A transaction rigorously. Valuation analysis is a core skill in M&A and is supplemented by analyses of strategy, dilution, financing, risk management and legal issues.
- Participate constructively in the negotiation of a deal. In the real world, the most vexing problems are the ones that don’t lend themselves to “right” and “wrong” answers because the outcome is not something that you control. The “success” of an M&A transaction is affected not just by the actions of the buyer, or even the buyer and the seller, but on the actions of other prospective buyers, regulators, customers, unions, lenders, and advisors. Recognizing these competing forces is key in any negotiation.

This course is cross-listed with the Kelley School of Business (and the majority of the students are from the Kelley graduate programs). It should be particularly useful for students seeking careers in corporate transactional work, whether as a corporate lawyer, tax lawyer or investment banker. Some background/knowledge of corporate finance/accounting is strongly recommended. A key element of the course is a week-long team-based negotiation of an acquisition (including price, structure and conditions).

Please note: This class meets according to Business regulations and calendar.

Updated 10/15

B588 Strategies in Critical Reading & Writing: The Letter and Literature of Family Law ## (3) – Conrad
This course emphasizes skills and techniques of analysis and evaluation, both in reading and in writing. This semester the substantive focus will again be Family Law. Our readings will be drawn largely, but not entirely, from the scholarly literature. The course satisfies the "Advanced Writing Requirement." Any student might well choose to take the course as something of a general introduction to Family Law; but the course offers such an introduction that is neither as doctrinally comprehensive nor as pedagogically conventional as that offered in the other sections of the introductory Family Law course at our School.

Updated 10/15

B595 Advanced Environmental Law & Practice ^^## (3) – Barnes
This is an advanced course that builds on knowledge acquired in Introduction to Environmental Law and develops practice skills in the contexts in which environmental lawyers commonly utilize their knowledge and skills. These include: compliance/counseling; enforcement; litigation; and policymaking. Students undertake a number of exercises that entail legal research and analysis, drafting of memos and complaints, negotiation,
interviewing, and oral presentations. This class satisfies the advanced writing requirement. Prerequisite: Introduction to Environmental Law.
Updated 10/15

**B601 Criminal Procedure: Investigation (3) – Bell**
This is a constitutional law course concentrating primarily on the Fourth Amendment, with some examination of the Fifth and Sixth Amendments. We will read many of the latest pronouncements by the Supreme Court in Criminal Procedure, which is one of the most rapidly expanding areas of Supreme Court discourse. In doing so, the course probes the constitutional constraints that regulate the conduct of state and federal law enforcement officers conducting criminal investigations. In addition to clarifying the law in this complex area, this course places particular emphasis on realistically examining how lower courts, the police and others in law enforcement actually use the criminal procedure rules. Areas to be covered include (but are not limited to): searches and seizures of persons and property, stop and frisk, arrest, profiling, the exclusionary rule, roadblocks, confessions, wiretapping, and police interrogations.
Updated 10/15

**B604 Criminal Procedure: LLM Writing (4) – Goodwin**
No description available

**B606 Constitutional Litigation (3) – Sanders**
Suits aimed at vindicating constitutional rights through money damages -- for example, litigation against the police, prisons, schools, or government agencies -- are sometimes called "constitutional torts" or "Section 1983 actions" (named for the federal statute that creates the cause of action). These actions account for a substantial chunk of the docket of almost all federal courts. This course will examine the law that has been developed by the Supreme Court and other federal courts to govern such cases.

We will deal with such questions as: What actually qualifies as a constitutional injury? Who is the proper defendant, the government employee or the government itself? When are government actors immune from suit, and why? Under what circumstances may ostensibly private entities be sued under the Constitution? And (dear to the heart of almost every lawyer) when may attorney's fees be recovered? This material has been the subject of intense political and judicial controversy over the last few decades because it determines what constitutional guarantees actually mean in practice.

The course will focus mostly on case law and legal doctrine, but we will also discuss some larger philosophical issues as well as practical matters: What role should considerations of federalism play in deciding when government actors can be sued? How do judicial attitudes help define and shape constitutional rights? How are constitutional lawsuits planned and litigated well before they ultimately reach the Supreme Court?

This course should be of interest to students who are planning to do plaintiffs' civil rights work, who plan to work for the government at any level, who hope to clerk, or who are generally interested in constitutional law. The professor has briefed and argued several constitutional cases in the U.S. Supreme Court and federal circuit courts. We will also have guest appearances by judges and a constitutional litigator.
Updated 10/15

**B614 The Legal Profession for LLMs (2) – Pruden**
This class explores regulation of lawyers in the United States, the effectiveness of such regulations, and explores the conflicting goals of both the regulations and the broader societal goals of the legal profession and justice system.

The goal of the class is to introduce the tools to create understanding of the regulatory process of the profession and to develop a sense of ethical knowledge and values for both theoretical and practical application.

The course will introduce you to the regulations governing lawyers both ethically and procedurally, to understand how the laws of lawyering in the United States in both the federal and state systems and the relationship of governing organizations and the courts.

The course will introduce you to the various forms of the practice of law, including, but not limited to private practice in small and large settings, government practice, corporate or single client settings, private enterprise and public service.

The course will introduce you to strategies for successful practice (ethical and effective) and demonstrate conducts that results in negative or anti-successful practice.

The course will primarily consist of lectures, class discuss and occasional guest speakers on specific topics.

Final grading will be based upon a test, short paper and class participation:
Test: 50%
Short Paper: 35%
Class Participation: 15%
Required Course Material: ABA Model Rules of Professional Conduct (Available online);
Updated 10/15

**B615 Land Use Controls (3) – Stake**
This course examines issues of equity and efficiency that arise when public and private actors regulate land use and development. The principal topics covered include the common law of nuisance, servitudes, zoning, and the "takings" clause. The course should be useful to lawyers engaged in real estate practice or local government law, perhaps helpful on the bar exam, and interesting to anyone who cares about the ramifications of democratic decision making.

The course applies principles from such areas as property, constitutional law, administrative law, and law and economics. There are, however, no prerequisites for the course other than the first-year curriculum at IU Maurer School of Law.

Students are expected to participate frequently on a voluntary basis. Students should note that laptops may not be used during class except by students who have pledged to use them only for the purpose of taking notes in a word processing program. The exam will certainly include multiple-choice questions.
Updated 10/15

**B620 Negotiations ^^ (2) – Ardery**
Class purpose/goal: *LEARN TO NEGOTIATE BETTER AND ENJOY IT MORE*
The class is designed to offer students an opportunity to increase their self-awareness and awareness of others and 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 in professional and personal settings. We will be using Negotiation, Processes for Problem Solving by Menkel-Meadow, Schneider and Love.

A wide range of excerpts from texts other than the main book will be used including but not limited to portions of the following books: Willfull Blindness; Thinking, Fast and Slow; Blink; The Gift; The Science of Influence; Rapt; Give and Take; Moral Tribes; A Framework for Understanding Poverty (financial and other)

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 are given priority for this class

Updated 10/15

**B620 Negotiations ^^ (2) – Hoeksema**

Class Purpose/Goal: LEARN TO NEGOTIATE BETTER AND TO ENJOY IT MORE

The class is designed to offer students an opportunity to increase their self-awareness and awareness of others and to learn and practice concrete negotiation skills. Students will be negotiating in class nearly every week. Students will learn to transfer theoretical understanding of negotiation skills from the classroom to address conflict and engage in negotiation in a professional, ethical and effective ways in professional and personal settings.

We will be using Negotiation: Processes for Problem Solving by Menkel-Meadow, Schneider and Love. Excerpts from texts other than the main book will also be used.

We will discuss specific negotiations in which members of the class may have engaged in during the course of their daily lives as well as examine current events and evaluate the effectiveness of negotiating skills of public figures.

Grades determined as follows:
60% attendance and class participation;
15% final paper;
25% final negotiation.

Note: 3Ls are given priority for this class
Updated 10/15

**B623 Negotiable Instruments (3) – Hughes**

This is a course about risk allocations in payments transactions. Pure and simple: some risks are fully allocated by state or federal statute, some by contracts, and some by system rules. Understanding which risks are allocated already helps people draft contracts and manage transactions.
This course covers state and federal laws on making payments, and the increasing numbers of special contracts and system rules that are taking over for newer payment methods. The essential rules governing commercial paper (checks, drafts, and promissory notes) and bank deposits and collections are contained in Articles 3 and 4 of the Uniform Commercial Code ("UCC"). Federal law covers expedited funds availability and electronic fund transfers (debit and prepaid cards).

The course also covers other retail payments (credit cards, e-payments through companies such as Paypal and Coinbase, and bank-based electronic funds transfers, including debit and ACH) and wholesale payments (wire transfers and letters of credit) that play increasingly prominent roles in domestic and international trade transactions, but not in great detail. We will concentrate on how the UCC and related federal statutes and regulations apply to common transactions and will evaluate problems likely to arise in practice, such as lost, stolen, and forged "instruments", stop payment orders, and wrongful dishonor of checks. We also will discuss technological changes and the stresses they place on payment systems. Error resolution rules for non-UCC payments differ substantially from those covered by the UCC. We will discuss the differences in how error-resolution works in both arenas. This course also covers suretyship and the law of guarantees that plays a huge role in insurance and commercial real estate development practices, and that assists in garden-variety commercial litigation as well.

Laws pertaining to commercial paper and the relationships among banks and their depositors affect nearly all businesses and consumers every day. There are strong practical as well as theoretical parts of this material. Students should leave this course able to recognize and research more complex problems as they arise. This course also introduces students to one of the toughest sets of bar materials to learn on one’s own. I use a text by Linda Rusch and Stephen Sepniuck that emphasizes problems, rather than gleaning principles from judicial opinions. This approach requires students to read statutory materials and apply the statute to variant fact-patterns. Students then consider what stresses on these rules - technology and shift structure of domestic and international financial institutions and other payment systems service-providers - mean for the future of regulation of these payment mechanisms. I welcome class discussion.

This class will have a traditional in-class examination. I normally allow more than three hours for students to take it. LLM candidates will get additional time to complete this examination in accordance with the School’s graduate student examination policy. I love all my courses, but this frankly is my personal favorite.

Updated 10/15

B639 Advanced Legal Research (3) – Trumbo, Buckley, Ahlbrand
Advanced Legal Research will offer students an opportunity to gain in-depth working knowledge of legal research methods and resources. The course will emphasize use and comparison of a broad range of legal research tools, including traditional print sources and a host of electronic materials. The course will review the complete range of federal and state primary sources, legislative history, administrative materials, all major secondary resources and practice aids, as well as specialized topical resources. Upon completion of this course students should be able to evaluate research options and make choices that best suit the widest possible variety of modern legal research situations.

Each class period will focus on a specific type of resource or research process (e.g. cases and the organization of the courts, administrative codes, legislative history) and will include lectures, demonstration of relevant electronic resources, and classroom discussion. Each
class or group of classes will be followed by a brief research exercise to both measure and enhance the student’s expertise with the materials presented in the classroom. This bibliographic approach to the legal research process will lay the groundwork for the course’s capstone project, a detailed legal research memorandum in an area selected by the instructors. The memorandum’s process approach will provide students with an opportunity to review all the studied resources within the context of a discreet substantive question.

Each student’s course grade will be based on (1) research homework assignments given at the end of each subject or module, (2) a research memorandum on a topic of the instructors’ choice, and (3) class participation/attendance.

Updated 10/15

**B645 Wills & Trusts (3) – Gjerdingen**
This course covers transfer of property at death. This includes probate transfers, such as wills and intestate succession, as well as nonprobate transfers such as gifts, trusts, POD accounts, and other will substitutes.
Topics include:
- Intestate succession.
- Execution of formal and holographic wills, as well as revocation and revival of wills.
- Interpretation and construction of wills, and will contests.
- Will substitutes, such as multi-party accounts, POD provisions, and gifts causa mortis.
- Creation, modification, and termination of public and charitable trusts, and other specialized trusts; trust construction and interpretation.
- Powers of appointment.
- Restrictions on gifts, including the Rule against Perpetuities.
- Fiduciary administration, including investing for trustees (and lawyers) under the Prudent Investor Rule as guided by Modern Portfolio Theory.
- A brief introduction to estate planning and estate taxation, including the importance of retirement accounts in estates.

This is an introductory survey course. Students with a serious interest in practicing estate planning are encouraged to take additional courses in Gift & Estate Tax (B651) and Estate Planning (B740).
Updated 10/15

**B650 Introduction to Income Tax (3) – 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; 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 10/15

**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 10/15

B653 Corporations (3) – Fletcher
This course provides a survey of the legal rules and concepts governing the modern corporation in the United States. A principal focus is on the large, publicly traded corporation that dominates much of the U.S. business environment — in particular, its control and the potentially conflicting interests that the form must mediate. 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. Topics to be covered include business formation, limited liability, fiduciary obligations, shareholder voting, derivative suits, corporate control transactions, and the purpose of the firm. At core, this is a survey course, so many of the topics we will discuss have specialized courses offering a more detailed treatment. There are no prerequisites for this course, and the presentation is designed to be accessible to students lacking a business background.

Updated 10/15

B656 Corporate Finance (3) – Broughman
This course explores a fundamental question for business organizations: how does a firm raise money to finance its operations? Topics include the time value of money, valuation of bonds and stocks, portfolio theory, market efficiency, and theories of capital structure. Particular attention will be given to understanding a firm’s choice of capital structure (i.e. the mix of common stock, preferred stock, debt, options, and other convertible instruments) and the legal rights these financial instruments create. We will spend a significant portion of the class working through the contractual provisions and other legal rights associated with (i) a debt financing contract, and (ii) an equity investment through preferred stock.

Prerequisite: Corporations (B653) or permission of the instructor. No prior background in finance is required. Nonetheless, having at least some familiarity with accounting or business transactions generally and a willingness to work through numerical problems will be helpful.

Note: This class will not be offered in the 2016-2017 school year.
Updated 10/15

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
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 for further information about the course.

Please note: This class meets according to School of Education regulations and calendar. Updated 10/15

**B658 Law & Education: Workshop on Selected Problems in Ed Leadership (3) – Decker or Eckes**

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.

Please note: This class meets according to School of Education regulations and calendar. Updated 10/15

**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 the over-representation of students of color in special education. This course is a School of Education course (EDUC-A675) taught in a hybrid format (in addition to weekly online modules, students will meet in Bloomington for 4-5 Saturday afternoons). 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.

Please note: This class meets according to School of Education regulations and calendar. Updated 10/15

**B661 Law & Biomedical Advance (3) – Cripps**

This course will examine the ways in which law is being affected by latest advances in biomedicine. The sequencing of the human genome has brought us sophisticated genetic testing, screening and the possibility of human genetic modification. These are relatively new arrivals in doctors’ and pharmaceutical companies’ array of offerings. The cloning of genes, and indeed whole organisms, raises new questions for lawyers, whether they specialize in property, tort, criminal law, insurance, or intellectual property. Fascinating
constitutional questions must now also be addressed, as is illustrated by litigation instigated by the Association for Molecular Pathology, the ACLU and others against a company holding patents on human genes. The new synthetic biology, which involves the creation of organisms in laboratories, will also be considered, as will novel legal questions that it raises. Embryo selection and other related technologies also spark legal and ethical issues that will merit our attention. No prior knowledge of either biotechnology or intellectual property law is necessary for this class, which will be conducted in an open discussion format.

Updated 10/15

**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 10/15

**B665 International Law (3) – Fidler**

This course provides students with a foundation in public international law—the body of complex rules states, international organizations, and non-state actors have crafted over centuries to facilitate collective action on common problems. International law is central to politics, economics, and the legal profession in this global age, but its importance is rivaled by controversies about its functioning and effectiveness. The course begins by studying the fundamentals of international law, including its anarchical political context, the sources of international legal rules, and its central operating principles. With this basic understanding in place, the course then explores how international law works in specific contexts, including international economic activity, human rights, and armed conflict. The course has no prerequisites for enrollment.

Updated 10/15

**B671 Appellate Practice & Procedure ##^^ (3) – Orenstein, S.**

This course is designed to acquaint the student with the ins and outs of criminal appellate advocacy. He or she will learn how to read the file transmitted by trial counsel, communicate with the client, read the transcripts of the trial with an eye to identifying relevant issues, write a persuasive brief, and prepare for and engage in oral argument before the appellate court.

Prerequisites: Evidence and Criminal Procedure

Updated 10/15

**B672 Secured Transactions (3) – Foohey**

This course focuses on one of the most important devices in facilitating consumer and commercial credit: security interests in personal property. The course emphasizes Article 9 of the Uniform Commercial Code, but also covers other topics in secured financing such as security interests in intellectual property. The term "property" for the purpose of the course includes tangible and intangible items such as motor vehicles, goods in store inventories, rights in copyrights, trademarks and patents, agricultural products and commodities, contract rights, payment intangibles, accounts receivable, and equipment.

This course uses a problems-based approach to secured transactions. 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 of class time will be spent working through a series of problems.

Secured Transactions is a versatile course: some knowledge of secured credit is helpful in understanding the pitfalls of the transactions your future clients will be entering into, and through the course’s examination of Article 9, you will learn how to interpret statutes. This course will have an in-class examination consisting of one or two longer essay questions and one of two short-answer questions. There is no prerequisite for this course.

Updated 10/15

B678 Law & Sports (3) – Brown
This course will address a number of significant issues that arise in Sports Law. While we will discuss a few issues involving high school athletics, most of our discussions will focus on intercollegiate and professional sports. For high school athletics we will discuss the regulating of Interscholastic High School Athletics and various constitutional issues such as freedom of speech, religion and fourth amendment concerns. For intercollegiate athletics we will discuss regulating Intercollegiate Athletics, including the history of the NCAA, the relationship of the student athlete and the University, eligibility of student athletes and enforcement of NCAA rules. We will also cover the impact of Title IX on gender discrimination in both high school and intercollegiate athletics.

We will cover a number of issues relevant to the operation of professional sports. These issues will include labor law issues such as the development of free agency, drug testing, the role of the sports agent, and the role of the players’ associations. We will also cover the evolution of sports as a business and a profession and the internal league governance and commissioner authority. We also address health, safety and risk management issues for all levels of sports including Tort and Criminal Liability for Athletics-related injuries to both participants and spectators.

As an additional aspect, this class will also offer the opportunity for a few students who are interested in writing an independent research paper on an aspect of the rise of Indianapolis as one of the premier sports capitals of the United States. Up through the mid-1960s, other than being the home of the Greatest Spectacle in Racing – the Indianapolis 500 – there was very little in the way of professional or amateur sports in Indianapolis. However, since that time Indianapolis has become a sports mecca. In 1967, the Indiana Pacers entered the American Basketball Association and the NBA in 1976. Indianapolis is also the home of the Colts, who moved there from Baltimore in 1984. Other professional sports clubs have made Indianapolis home including WNBA’s Indiana Fever, the Triple A Indianapolis Indians (minor league farm team of the Pittsburgh Pirates), the United States Hockey League’s Indiana Ice, and former Indianapolis Racers of the World Hockey Association (who signed Wayne Gretsky in 1978 at the age of 17). In addition, Indianapolis is the home of several collegiate sports organizations, which includes the NCAA, seven national governing bodies that range from the Black Coaches Association to U.S. Synchronized Swimming. Seventeen sports-related organizations – from the American College of Sports Medicine to the National Youth Sports Corporation – have their headquarters there as well. Indianapolis has also hosted several very high-profile sporting events, including the following: Pan American Games in 1987; NCAA Men’s Final Four in 1980, 1991, 1997, 2000, 2006, and 2010; NCAA Women’s Final Four in 2005 and 2010; Men’s and Women’s Big Ten Basketball Tournaments from 2008 through 2012; Big Ten’s Football Championship since its inauguration in 2011; and the NFL’s Superbowl XLVI in 2012. Students who are interested in doing a supervised paper for an additional 1 or 2 hours, depending on the length and subject, can choose to address
certain topics agreed upon with Professor Brown including the following: the 1987 Pan
American games; the history of professional basketball in Indianapolis; the history
of professional football in Indianapolis; the history of motor racing in Indianapolis; the
history of NCAA, its organizations, and events in Indianapolis; or the history of professional hockey
in Indianapolis.
Updated 10/15

B680 Employment Discrimination (3) – Widiss
This course focuses on the federal civil rights statutes that prohibit employment
discrimination based on race, color, sex, religion, national origin, age, and disability. The
course considers litigation strategy and the sources, theories, and goals of anti-
discrimination law. Specific subjects covered include employers’ responsibilities (or lack
thereof) to accommodate or address pregnancy and family responsibilities, religious
practices, disabilities, and workplace harassment. The applicability of current law to alleged
discrimination on the basis of sexual orientation or gender identity is also addressed.
Students are required to engage in a simulated client intake and complete several pass/fail
assignments that provide practice applying the legal concepts discussed. Grades will be
based primarily on performance on an in-class open book final exam, but performance on
the assignments and in-class discussion may also be taken into consideration.
Updated 10/15

B681 Partnership Tax (2) – Halloran
This course focuses Subchapter K of the Internal Revenue Code. Topics covered include the
tax treatment of contributions made in conjunction with the formation of partnerships and
LLCs, the taxation of partnership and LLC business operations, the tax treatment of
partnership and LLC distributions, and the taxation of transfers of ownership interests in
partnerships and LLCs. The course is structured for the practitioner who will advise their
clients upon the formation, operation, and/or disposition of a partnership or LLC, or an
interest therein. Introduction to Income Taxation is a prerequisite.
Updated 10/15

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

B691 Family & Children Mediation Clinic ^^ (3) – Applegate
This clinic, generally available to up to eight (8) students who have taken the prerequisite
and companion course (B563–Domestic Relations Mediation), is being offered for four (4)
credit hours in the Spring 2016 semester. The clinic is open to pre-approved 2L and 3L
students who successfully completed B563 in the Fall 2015 semester.

Mediation Clinic: Students in the clinic will mediate cases at one of three sites: on-site at
the mediation clinic, or at one of two other sites outside the clinic. Students will mediate
custody, parenting time, child support, asset and debt division, and other disputes between
parents in family law cases typically referred for mediation by a court. During the semester,
the students will typically comediate with another clinic student, a more experienced
student mediator, or an outside mediator.

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 about their mediation experiences, and will share their experiences with Professor Applegate and the other students in case rounds during class.

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 possibly on Wednesdays from 8:45 to 12:30 p.m. for the first 2-3 weeks of the semester (note that class hours are likely to shortened). During the semester, students mediating at the clinic 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 2015 before the start of the fall semester.

**Additional requirement:** All students who enroll in the mediation clinical program and mediate at the clinic 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 10/15

**B698 Judicial Field Placements ^^ (2) – Lahn**

Judicial field placements (also known as externships) offer second- and third-year students an unparalleled opportunity to study at first hand judicial decision-making; federal and state jurisdiction; civil and criminal procedure; and the court system as a whole, as well as to polish skills in legal research, writing, observation, and analysis. During the fall or spring semester, students spend one full day (or two half-days) per week, for 11-12 weeks, in the chambers of a federal or state judge, for a total of one hundred (100) hours of field work over the course of the semester. Their work is directed by the judge and/or law clerks, and reviewed by the professor. Students share some of the duties of the judge’s law clerks,
including the responsibility for active case files. Students often also observe trials, arguments, pre-trial conferences, and sentencing hearings. This field work will begin the second or third week of the semester; before their first day at the court, students will meet with the instructor at a mutually convenient time, for up to a total of four (4) hours, to prepare for the externship by reviewing judicial ethics; opinion-writing; and structural issues. As the semester goes on, students will also submit a series of short reflective essays on their externship experience. Students seeking externships with a judge or judge magistrate in the U.S. District Court for the Southern District of Indiana, or a justice of the Indiana Supreme Court, must apply through Prof. Inge Van der Cruysse, Director of Externships and Clerkship Placements.

Students who are interested in one of the Southern District or Indiana Supreme Court externships must apply to Prof. Van der Cruysse by submitting a resume, college and law school transcript, and writing sample by September 15 (for a Spring semester externship), February 15 (for a summer externship), and April 15 (for a Fall semester externship), at ivanderc@indiana.edu, identifying the day(s) of the week that you would be available to work in chambers. The availability of judicial externships is limited, and ultimately will depend on judges’ selections. Judges’ preferences vary based on a wide number of factors, including students’ class year, courses taken, academic strengths, and areas of special interest.

Students interested in externships with state intermediate appellate or trial judges, or judges outside Indiana, should also submit their materials to Prof. Van der Cruysse as early as possible in the preceding semester. Students may pursue those state, intermediate appellate, and out-of-state judicial externships on their own, but Prof. Van der Cruysse is happy to suggest potential placements based on our students’ past experience and to support your search.

Updated 10/15

B708 Information Privacy Law I (2) – Tomain
Information Privacy Law I is a survey course that addresses 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. At the conclusion of this course, students will emerge with both practical knowledge that will assist them in the practice of law, as well as an understanding of the theoretical frameworks underlying privacy law that will be helpful in navigating this rapidly evolving area of law.

For the Spring 2016 semester, Information Privacy Law I will be a two-credit mid-semester course taught by Joseph A. Tomain. The course will meet at 3:25-5:25pm on Tuesdays and Wednesdays from February 23rd – April 13th. (The course will not meet during Spring Break.) Students will be evaluated based on a take-home essay exam, as well as class participation. If you would like more information about the course, please contact Joseph Tomain at jtomain2001@gmail.com.
Updated 1/16

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 draft clear contract provisions that minimize ambiguity. 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 are given priority for this class  
Updated 10/15

**B709 Transactional Drafting ## ^^ (2) – Becker**
This course takes a structured approach to drafting contracts, beginning with the basic building blocks of commercial agreements and finishing with an asset purchase agreement to purchase a small business. Along the way, students will learn various stylistic conventions used by business lawyers, how to translate the terms of a business deal into a written agreement, and how to add value to a client’s business deal. They will be exposed to several types of contracts, including purchase contracts, employment agreements, escrow agreements and license agreements. In-class exercises and drafting homework will give students practice drafting clear contract terms that describe a client’s business deal with minimal ambiguity. Students should make sure they can allocate time outside of class to complete the drafting and editing homework. Grading is based on two or three graded drafting projects and on class preparation and participation. The final graded exercise (in lieu of a final exam) will consist of a business purchase agreement to be edited at home using techniques learned during the semester. The course is designed for students who are interested in a business transactions practice, but it is useful for any student who plans to negotiate and draft contracts in his or her legal career.  
Note: 3Ls are given priority for this class  
Updated 10/15

**B709 Transactional Drafting: Tax ## ^^ (2) – Riffle**
Prerequisite class work: Introduction to Income Tax or comparable undergraduate work.

The focus of most business lawyers is documenting the purchase, sale or other combination of two or more businesses. Different transaction structures have evolved to address the unique circumstances of each transaction and to balance the varying interests of the parties, often with the view of minimizing the tax costs and maximizing the tax benefits associated with the deal.

In the opening section of this two hour course, students will be introduced to basic (and some not so basic) transactional structures and elections, and will explore the basics of tax free and taxable acquisitions. A key element of this section will be the identification of the tax drivers dictating acquisition structures, including potential amortization of purchased intangibles by the buyer, character of income and gain, pass-through status (or lack thereof) of the target, and use or preservation of the target's tax attributes. The writing focus of this first unit will be the preparation of sample interoffice memos to supervising attorneys, laying out options and recommendations for how best to structure a transaction from the viewpoint of the hypothetical client.

The second unit will focus on acquisition agreements and their various components (statement of the transaction, representations and warranties of the parties, covenants concerning conduct prior to closing, conditions to closing, survival of representations and warranties, indemnities, and post-closing conduct) from the unique perspective of the tax lawyer assigned to the deal. We will review the purpose and meaning of common tax representations, covenants and indemnities, and compare the adverse interests of the buyer and the seller in each. The writing component of the second unit will require each student to prepare a "sellers' draft" of the tax representations, covenants and indemnities in a standard stock purchase agreement. Thereafter, a sellers' side draft will be provided to the students, who will be asked to prepare buyer's tax counsel's comments to the sellers' draft
received. Evaluations will be based on both the initial sellers' draft prepared by each student, as well as the buyer-side comments each student makes.

The third and final unit will address tax-based drafting issues associated with the preparation of partnership agreements and limited liability company operating agreements. The unit will include an overview of the purpose and meaning of the standard "tax boilerplate" and an introduction to drafting income and loss allocation that satisfy the "substantial economic effect" requirements of the Internal Revenue Code. Students will carry out a writing assignment in which they will prepare gain and loss allocation provisions intended to reflect a hypothetical economic arrangement.

The non-writing components of the course will include both lectures and Socratic analysis of hypothetical deals. Out of class readings will include both sample acquisition agreements and LLC operating agreements, together with brief descriptions of the uses and mechanics of common acquisition structures either drawn from the literature or prepared by the instructor.

The pace of the course will be dictated by the speed with which the key tax drivers (noted above in the description of the first section of the class) are mastered by the students. (The instructor admits his error in this regard during his first try at this class in the fall of 2014, and promises to move at a more measured pace this time around.) Because the instructor maintains a home just a few blocks south of Baier Hall, the instructor is able to offer weekly office hours at the law school (exact times and dates to be determined) for students who may require additional help in mastering the subjects.

Professor Riffle is a partner in the Indianapolis office of Barnes & Thornburg LLP, where he heads the firm’s national transactional tax practice. Immediately prior to joining Barnes & Thornburg, he received his J.D. degree from the Indiana University Maurer School of Law in 1983. He has served on the Maurer School of Law Alumni Board and is a frequent participant in tax symposia and colloquia at the Maurer School of Law. He completed his undergraduate education at Indiana University-Bloomington in 1980, majoring in economics. Updated 10/15

**B713 Administrative Law (3) – Aman**

This comprehensive course will cover most of the major constitutional and statutory issues in federal administrative law today, including various procedural due process questions, the constitutionality of delegating legislative power to administrative agencies, private actors and international organizations, the constitutional requirements for appointing and removing Officers of the United States, and the interpretation and application of the Federal Administrative Procedure Act. Primary consideration will be given to how agencies make policy and adjudicate disputes and how federal courts review those decisions. The course will also examine what is emerging as new sources of administrative law today, public/private partnerships, outsourcing and various procedural approaches to privatization. Though this course emphasizes federal administrative law, most of these concepts and the issues they involve apply to state law as well.

In addition, this course will provide opportunities for students to analyze the basic doctrines of administrative law by learning how to solve certain practical problems that require certain skills, such as the ability to draft a petition to intervene in an administrative proceeding, a petition for judicial review after an agency renders its final decision and a Freedom of Information Act request.
This is a second or third year course. There are no prerequisites.
Updated 10/15

**B714 Deliberative Leadership ## (2) – Henderson**
A disproportionate number of law graduates become leaders, yet law school seldom provides formal training. Deliberative Leadership is unique seminar that focuses on leadership – the importance of leaders to the success of our public and private institutions; the attributes of leaders worth following; and focused class discussion and personal reflection on when, how, and why certain people ascend to positions of leadership. Effective leadership is an accumulation of skills, behaviors, and attributes that are acquired through observation and practice. To get students onto this track, ten of the thirteen seminar classes will be planned, organized, and run by student teams. Half of the classes will include Maurer alumni and other law graduates who will share their insights and experience on topics of related to professional development and leadership. Assessment is based class participation, team performance, a research paper, and a short call-to-action speech. Class size is limited to 20 students.
Updated 10/15

**B719 Employment Law (3) – Dau-Schmidt**
No description available

**B720 Advanced Trial Practice ^^ (3) – Cook**
Advanced Trial Practice is a limited enrollment course for third-year students who are especially interested in litigation. It provides students with an opportunity to refine their basic trial skills, as well as an opportunity to practice jury selection, presentation and cross-examination of expert witnesses, and impeachment. The development and improvement of advocacy skills and techniques are the focus of this class. Written assignments are designed to complement specific advocacy skills and to assist the student in identifying and addressing litigation issues. The class utilizes a criminal case problem that presents a guilt-innocence question and challenges students to consider issues including witness and juror bias, cross-racial identification and the presentation of non-traditional experts. The final exam is a mock trial.

Evidence and Trial Advocacy are prerequisites. Students enrolled in the class are encouraged to participate in trial advocacy competition.
Updated 10/15

**B722 Trial Advocacy ^^ (3) – Kellams, Diekhoff, Brown, Levco, Pyle**
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, experts, and closing arguments. Students learn by doing, with every student performing every week. 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 on Tuesday, the students from all sections will meet on Tuesdays at 7:35 for a one hour lecture.
Updated 10/15
B723 Evidence (3) – Eaglin
Evidence law regulates the proof of facts at trial and reflects the construction of courtroom “truth.” In this course, we will examine the Federal Rules of Evidence and explore some aspects of their practical application. The course will cover: relevance, character, experts, impeachment, hearsay, documents and best evidence. We will look at the rules and cases to analyze how evidence law may perpetuate and influence the cultural values, legal rules, and social norms that our society uses to assess credibility. This course will include a final exam. Updated 10/15

B727 Securities Regulation (3) – Nagy
This course provides an overview of the federal securities laws and focuses primarily on the Securities Act of 1933. Topics include the definition of a security; underwriting and the registration process; exempted securities and exempted transactions; secondary distributions; and private rights of action for Securities Act violations. Prerequisite or Co-requisite: Corporations (B653). This course can be taken in the second or third year. Updated 10/15

B729 Antitrust: Comparative Competition Law (3) – C. Nagy
Antitrust/Competition law is probably the most globalized field of law, certainly because it uses the same world-language: economics. However, under the surface of superficial unity, competition laws diverge very significantly in terms of legal thinking, analytical structure and allocation of burden of proof. The course examines the core concepts and principles of antitrust/competition law from a comparative perspective (EU competition law and US antitrust law). It aims at providing the students with a broad overview on the economic, legal and policy problems of contemporary competition law and policy and at equipping them with the conceptual tools that are necessary for analyzing competition matters. The course gives a comprehensive overview on EU and US antitrust/competition law and policy. It takes an economic and public policy approach, elucidating the key-concepts of the two leading regimes of the globe. After a short overview on the basic notions, it covers the traditional fields of competition law (agreements restricting competition, abuse of dominant position/monopolization, concentrations/merger control), as well as public and private enforcement; the course also gives an introduction into the competition rules applicable to states (market liberalization, public services and state aid law). The course has no prerequisites, and no knowledge of economics is required. The final grade will be based on class-participation (30%) and final examination (70%). Updated 10/15

B733 Federal Jurisdiction (3) – Scott
This course is about the power of federal courts. It examines how that power is shaped and limited by the Constitution, by Congress, and by the courts themselves. In a variety of settings, we will consider the manner in which these sources of law apportion authority between state and federal courts and among coordinate branches of the federal government. Among the topics to be considered are the "case" and "controversy" requirements of Article III, state immunity from federal suit under the Eleventh Amendment, the authority of Congress under Article III to regulate the original jurisdiction of lower federal courts and the appellate jurisdiction of the Supreme Court, the authority of federal courts to exercise either less or more subject matter jurisdiction than Congress has enacted, and the responsibility of federal courts to supervise state criminal judgments under habeas corpus. Updated 10/15

B734 Advocacy: Board ^ (1) – Lahn
This 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.
Updated 10/15

**B734 Advocacy: Pace Moot Court Competition ^^ (1) – Fischman**  
This course is the for-credit component of students’ participation on the Pace Environmental Moot Court Team. Enrollment is by permission of the instructor only; before enrolling under this course number, please confirm your participation on the Pace Moot Court Team with Professor Fischman by e-mail (rfischma@indiana.edu).  
Updated 10/15

**B734 Advocacy: Jessup Moot Court Team ^^^ (1) – TBA**  
No description available

**B734 Advocacy: Family Law Moot Court Competition ^^^ (1) – Widiss**  
This course is the for-credit component of students’ participation on the Domenick L. Gabrielli National Family Law Moot Court Competition. Enrollment is by permission of the instructor only; before enrolling under this course number, please confirm your participation on the Family Law Moot Court Team with Professor Widiss by e-mail (dwidiss@indiana.edu).  
Updated 10/15

**B734 Advocacy: International Patent Drafting Competition ^^^ (1) – Hedges**  
This course is the for-credit component of students’ participation in the International Patent Drafting Competition Team. Enrollment is by permission of the instructor only; before enrolling under this course number, please confirm your participation on the International Patent Drafting Competition Team with Professor Hedges by e-mail (njhedges@indiana.edu).  
Updated 10/15

**B734 Advocacy: External Mock Trial Team ^^^ (1) – Orenstein**  
Students must enroll under this course number in order to receive credit for their work on a team that participates in an interscholastic (“external”) mock trial competition, such as the BLSA Thurgood Marshall Competition, The ABA-Labor Law Section Competition, THE AAJ Competition and the ABA Criminal Law Section Competition  
Participation is often limited to those who have competed or tried out. To receive permission to enroll, please contact Professor Orenstein a note setting out (a) the name of the competition that you will to enter with a statement of intent. This is a pass/fail course.  
Updated 10/15

**B738 Cybersecurity (3) – Fidler**  
This course examines policy and legal challenges connected to improving cybersecurity nationally and internationally. Threats to cybersecurity arise from criminal networks, terrorist groups, and states (espionage and armed conflict), and the U.S. government believes that dangers to cybersecurity are increasing and constitute one of the most serious problems for U.S. national security in the coming years. For each category of cybersecurity threats, the course will analyze the policy and legal challenges facing countries and the international community. The course will also explore policy and legal issues that arise with efforts to improve defenses against cyberattacks. National and international law will be examined. In addition, the course will put policy and legal challenges to improving cybersecurity within the larger context of governance of cyberspace and the Internet in a
rapidly changing world. The course has no pre-requisites, and no technical knowledge about computers and the Internet is required. Grades in this course will be based on a final examination. Updated 10/15

**B739 Federal Criminal Law & White Collar Crime (3) – Morrison**
This course examines federal criminal prosecutions such as those pursued against the Ponzi “schemers,” inside stock traders, organized crime figures and corrupt politicians. With primary focus on specific federal criminal statutes such as RICO, bank fraud, mail and wire fraud, bribery, Hobbs Act and money laundering, this course also looks at how the federal sentencing guidelines impact these convicted “white collar” defendants. Finally, the course reviews corporate criminal liability versus individual criminal liability for corporate officers and employees. This course could be invaluable for anyone contemplating a federal clerkship where much of the time is spent on federal criminal matters or future employment as a government attorney. The instructor is a former federal prosecutor with the United States Attorney’s Office in Indianapolis. There are no prerequisites beyond the first year Criminal Law course. There will be an open book exam at the regularly scheduled time for all students in the class. Updated 10/15

**B740 Estate Planning (2) – Retzner**
This course will explore the various estate planning options available to individuals to enable them to achieve their objectives with respect to the transition of wealth, including closely-held business holdings and charitable giving. The course will also provide an introduction to Federal Gift and Estate taxation as well as Generation Skipping Transfer Tax. The course will also delve into estate and trust litigation, as well as a limited introduction to the field of Elder Law. The emphasis will be on practical, real-life situations and positive steps available to the lawyer to deal with various situations involving estate and business succession planning. Suggested prerequisites or co-requisites for the course include Income Tax and Wills and Trusts. Each student will be expected to have a working knowledge of Wills and Trusts prior to taking the course, but by no means any expertise. Although this is a skills class, there is an exam on the last day of class. Updated 10/15

**B745 Conflict of Laws (3) – Buxbaum**
Transactions or conduct may have contacts with more than one state: for instance, the parties may live in two different places, or action may be taken in one state that has effects in another. (Similarly, transactions or conduct may have contacts with more than one country.) This reality generates a number of legal questions that are relevant both to transaction planning and to dispute resolution—for instance, what are the limits of a state (or a country’s) power to regulate? If two states have that power, and both seek to apply their law (which may differ in substance) to the same dispute, how should we choose between them? Can the parties to a transaction avoid potential problems by simply choosing the applicable law themselves, and, if so, are there any limits to that form of party autonomy? Given the realities of interstate and international commerce, these issues are of obvious relevance to lawyers in many different fields of law practice. They also raise fascinating and complex questions about the limits of sovereignty and the policy considerations underlying the exercise of sovereign authority.

The field known as “conflict of laws” comprises three major sub-areas: (1) jurisdiction, (2) choice of law, and (3) enforcement of foreign judgments. We will cover all of those topics, although the primary focus of the course will be on the choice-of-law process. Over the
years, many different approaches have been developed to guide that process. We will examine those approaches and consider how they work in application. The course also considers issues such as the role of the United States Constitution in limiting choice-of-law abuses, particularly courts' unwarranted choice and application of their own law.

There are no prerequisites for this course, and it is equally useful for 2Ls and 3Ls. Note: This class will not be offered in the 2016-2017 school year.

Updated 10/15

**B749 Real Estate Finance (2) – O’Bryan**
No description available

**B751 Survey of Intellectual Property (3) – Du Mont**
This course provides a broad overview of intellectual property law, one of the fastest growing areas of the law and one that has become relevant to virtually all areas of modern legal practice. The course is designed for students who do not necessarily intend to specialize in intellectual property, and does not require any background in technology. The course considers patent, trademark, copyright law and related bodies of state law, such as trade secret and the right of publicity. Patents protect technological information (inventive products and processes); copyrights cover expressive information (art, literature, music, computer software); trademarks encompass symbolic information (brand names, and other identifying symbols). Students who complete the course may wish to enroll in other upper-level intellectual property courses that we offer here, although this course is not a prerequisite for those courses.

Updated 10/15

**B756 Race, Society & the Law (3) – Brown**
No description available

**B759 International Trade (3) – C. Nagy**
The growing importance of international trade in the global economy has made international trade law one of the most important topics in international relations and international law. This course focuses on the international legal framework for international economic relations. It also addresses the new generation of free trade agreements (TTIP, TPP, CETA). The course will cover political and economic arguments for and against free trade, the history of the GATT system and the creation of the WTO, and the core topics of the WTO’s complex set of rules on international trade in goods, services and intellectual property. These topics will include WTO dispute settlement, tariffs, quantitative restrictions, principles of non-discrimination (most-favored-nation treatment and national treatment), exceptions to WTO rules, agreements on sanitary and phytosanitary measures and technical barriers to trade, anti-dumping law and counter-veiling duties. In the domain of investment protection, the course covers, in particular, the concept of expropriation, including creeping expropriation, the fair and equitable treatment standard and dispute settlement. The course is based on the Socratic Method and relies on the active contribution of the participants. It presents the material through cases and case-analysis. The course has no pre-requisites, and no knowledge of economics is required. The final grade will be based on class-participation (30%) and final examination (70%).

Updated 10/15

**B760 Constitutional History Colloquium: Our "Original" Culture Wars ## (3) – Conrad**
This course samples historical perspectives on some of the key themes in our current so-called "Culture Wars," in particular, the contested meanings of eleven selected key words in our national public discourse that are variously taken to signify fundamental American public "values." Thus, the course is organized to address, in turn: republicanism, liberalism, democracy, liberty, equality, rights, private property, religion, Christianity, family, and citizenship. And, while there will be discussion in class of how the meaning of each of these words is debated today -- for example, in our daily newspapers and in recent judicial opinions -- nevertheless, the emphasis of the course will routinely be on the contested meanings of these words at the time of the late eighteenth-century American "Founding."

Updated 10/15

B768 Water Law (3) – Fischman
Water Law explores the ways in which the United States addresses conflicts over water use. This course examines the legal control of water resources, focusing on water's special status as partially public and partially private property. Topics include riparian water rights (eastern U.S. water law), prior appropriation water rights (western U.S. water law), the historical evolution of water rights, federal water rights, the public trust doctrine, recreational uses, and groundwater use. With the exception of riparianism, most of the water law issues arise from disputes in the western United States; however, water scarcity is increasingly an issue in the east. Though the class will discuss the intersection of water quality and quantity concerns, Water Law focuses on access and allocation policy. Students principally interested in water pollution should take a course in environmental law instead of water law.

Most class sessions will be discussion-oriented. Law students will have the opportunity to work with SPEA graduate students on law-policy problems.

Most required reading will be from the case book, Legal Control of Water Resources (5th ed. 2013), by Thompson, Leshy, and Abrams. Grades will be based principally on a take-home final exam.
Updated 10/15

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 are given priority for this class
Updated 10/15

**B771 Mediation ^ (2) – Stafford**

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 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 Confidential Mediation Statement; a research paper; and preparation of two detailed mediation agreements. 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 are given priority for this class
Updated 10/15

**B786 Crim Pro: Capstone (3) – Bell**

This course is intended to provide a supplement to students who have already taken (or are currently enrolled in) at least one criminal procedure course and have an interest in exploring how the criminal justice system works in practice. Each week, the course will take a separate issue or actor in the criminal justice system and examine cases, reports, and research that explore the ways in which the law works in real life. In doing so, students will be provided with additional examination of legal issues which time does not allow to be addressed in a traditional doctrinal class. The course will also have a practical aspect. In a variety of areas, students will be given actual cases and asked to briefly role-play being a prosecutor or defense attorney. The goal of the course is to provide not only substantive knowledge of how individuals charged with carrying out the criminal law actually do it, but also present a larger view of how the system (which includes not just lawyers and judges but also police officers, court personnel and juries) as a whole, operates.
Updated 10/15

**B788 Labor Arbitration ^ (2) – Kelley**

The course will focus on labor arbitration as a method of settling disputes that arise under a collective bargaining agreement. The first few weeks will cover the law that created and governs labor arbitration in the private sector. We will also discuss employment arbitration. Employment arbitration focuses on contractual and statutory claims brought by individual employees. Lectures will also include discussion of practical legal skills and surviving in the legal world, after graduation. The rest of the course is advocacy training for arbitration. Each student will participate in arbitration advocacy exercises, including the trial of an arbitration case. The grade is based principally on performance in the skills component. There are no prerequisites. Enrollment is limited.
Updated 10/15
**B789 Feminist Jurisprudence (3) – S. Williams**
This class will explore a variety of feminist approaches to law. We will begin with a review of the development of several schools of feminist legal theory, including liberal feminism, cultural or relational feminism, dominance feminism, postmodernist feminism, and the intersection of feminist theory with critical race theory and lesbian theory. We will examine the perspectives offered by these approaches on central issues in the philosophy of law, including the meaning of equality, the possibility of objectivity or neutrality, and the role of power. We will then apply these feminist theories to a range of legal issues, such as rape, sexual harassment and other employment discrimination, child custody, spousal abuse, the regulation of reproduction, and work/family conflict. The class will include both lecture and discussion. There will be one final examination which will be a take-home exam. Updated 10/15

**B792 Internet Law: Political and Legal Dimensions of Information Technology (3) – Medina**
This graduate seminar will introduce graduate students to the political and legal aspects of information technology as seen in multiple disciplines. The course will cover readings from areas such as policy, law, anthropology, and history, and will address topics such as regulating the Internet; the politics of information infrastructure; intellectual property and access to knowledge; data collection and data-driven governance; and information technology for development. Students will read the work of and interact with leading scholars who will be coming to campus as part of Rob Kling Center for Social Informatics Spring Colloquium Series (RKCSI). Students will also complete weekly reading assignments, a midterm book review, and a 20-page final paper on a topic of their choosing.

Please note: This class meets according to School of Informatics regulations and calendar. Updated 10/15

**L636 Seminar in Transnational Law ** (3) – Aman**
In the late 20th and 21st centuries, all domestic legal fields, as well as the fields of international law have been reshaped to some degree by developments in the transnational legal sector. In this seminar, we examine the effects of transnationalism on traditional areas of domestic law (such as contract, property and corporate law) as well as on public and private international law. Some of these effects are found wholly within domestic institutions; other examples involve various gray zones blurring the traditional boundaries of international and domestic law; still others involve law making outside and in the shadow of the state – such as best practice standards in the areas of financial regulation, banking, and corporate governance; we also take into account human rights in state and non-state frameworks. The core conceptual contention of transnational law as a field of study is that many of the legislative, adjudicatory and judicial structures pertaining to global capitalism and other aspects of globalization escape the traditional binary categories of public/private, international/domestic and state /market. In practical terms, then, transnational law expands the arenas for addressing legal problems, and enriches our analytical skills for doing so.

The materials in this course will consist of a new early draft of a casebook by Professors Aman and Carol Greenhouse. These materials will focus on the transnational dimensions of a number of important domestic and international law cases, emphasizing the various interrelationships between and among international and domestic law as well as private ordering. We shall focus in particular on the Supreme Court of the United States and the
lower federal courts. The materials will also present key case studies, including BP and the Gulf of Mexico, Apple in China and Global Climate Change.

Final grades will be based on class participation—25%—and a final research paper—75%. Attendance is mandatory and papers will be due on the last day of class of the spring semester.
Updated 10/15

**L637 Seminar in Introduction to Biotechnological Innovation ** (3) – Cripps
This seminar will focus on the ways in which biotechnological developments are affecting traditional notions of property, intellectual property and information. In addition to patent law, other forms of protection, such as copyright, will be examined in relation to biotechnology and compared with the way in which they operate, for example, with regard to the internet and digital technology. There will also be an examination of whether genetically engineered organisms, clones and other biotechnological products should, if at all, be granted intellectual property protection either within the existing frameworks of intellectual property law or under a new regime designed specifically for that purpose. As is inevitable in any discussion of intellectual property law, international perspectives will be included.

No prior knowledge of either biotechnology or intellectual property law is necessary for this class which will be conducted in an open discussion format.
Updated 10/15

**L684 Seminar in Constitutional Design: Rights, Gender, and States of Emergency ** (3) – S. Williams
This seminar will consider several topics in constitutional design. Readings will consist of scholarship and commentary, as well as cases and constitutions from a range of countries. This year, the course will focus on the following areas of law:

I. Rights -- the structure of individual rights, including positive rights and horizontal application of rights; a comparative look at some core fundamental rights, such as freedom of speech and religion; types of equality rights and the constitutional provisions that implement them.

II. Gender – constitutional mechanisms for assuring political representation for women; gender “mainstreaming”; conflicts between religious or cultural rights and gender equality; the incorporation of international law into constitutions and its use to promote gender equality.

III. States of Emergency – the conditions under which the constitution authorizes actions or powers that would otherwise be unconstitutional; the concerns raised by such provisions and the limitations that can be used to cabin them.

Each student will write one long research paper on a topic of his or her choice related to the subjects of the course. There are no prerequisites for this course and students who have taken the other course on Constitutional Design are welcome to take this class, as there is little overlap in coverage.
Updated 3/15

**L690 Seminar in Corporate Law: Financial Regulation ** (3) – Fletcher
This seminar focuses on the regulation of bank and non-bank financial institutions and the regulatory framework in which they operate. It examines the evolution of financial regulation, the structure of financial institutions, and the nature of financial services, particularly in the U.S. Topics may include historical federal legislative and regulatory developments in the financial services industry, regulation of hedge funds and private equity
funds, consumer protection, insurance regulation, the 2008 financial crisis, bank failures, and comparative financial regulation. This course will be taught in a seminar format and students will be required to write an original research paper. There is no final examination for this course.

Prerequisite: Corporations or permission of the instructor.
Updated 10/15

L713 Seminar in Law & Economics ** (3) – Dau-Schmidt
No description available

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 10/15

L724 Law & Society in Contemporary China ** (3) – Michelson
Despite a burgeoning scholarly literature chronicling the reconstruction, expansion, and proliferation of laws, courts, and lawyers in China since 1979, scholars disagree about the significance and implications of these developments. Does the Chinese legal system offer meaningful redress to people with grievances, or should it be understood as ornamental "window dressing"? Does it do more to limit or to strengthen the power of the government and the Chinese Communist Party (CCP)? Does it do more to help people challenge or to prevent people from challenging the government and the CCP? In this interdisciplinary seminar we will not only explore and debate these questions, but will also (re)consider conventional scholarly notions about authoritarianism and popular political participation, single-party rule and judicial governance, democracy and political legitimacy, and legal professionals and their fights for legal and political freedoms. In the process we will scrutinize recent developments in China, including allegations of a “turn from law” and a crackdown on lawyers. Our inquiry will be heavily empirical and evidence-based. When we attempt to reconcile, adjudicate, or explain scholarly disagreements, we will scrutinize available data on the issue at hand. Our approach will be not only empirical, but also comparative. Throughout the semester we will endeavor to situate China in comparative global perspective.
Updated 10/15

L750 Seminar in Law & Development ** (3) – Ochoa
What factors contribute to a country’s financial stability? What is the role of law and legal institutions in securing the economic well-being of a country’s people? This course will investigate these questions and many others as it explores the historical and contemporary contributions of law, legal institutions, and private actors to economic development. In so doing, we will map the roles of i) domestic and international law, ii) international organizations and domestic institutions, and iii) business entities, NGOs and philanthropic organizations. We will focus on international development and will draw on materials from
around the world that illuminate challenges and successes in development. Materials will be drawn from literatures in law as well as other disciplines and will often include policy papers and nonacademic reports. The goal of the course is to improve our understanding of the connection between law, development and the attainment of human dignity. There are no prerequisites for this course, though some exposure to corporate law, international law or human rights will be beneficial. This course satisfies the upper level writing requirements.

Updated 10/15

L766 *S in Children & the Law: Reproduction & Childhood ** (3) – Madeira
This course will address a broad spectrum of issues that define the legal, social, and political dimensions of a child’s life from conception to the age of majority. After exploring the constitutional foundations of procreation, privacy and parenthood, the first third of the course will focus on the legal implications of assisted reproductive technologies (ART) such as IVF, including the legal identity of frozen embryos, parental rights in ART cases, and surrogacy. The remainder of the course continue to consider the interrelationship of state, society, family, and child past conception, considering topics such as abortion, medical decision-making, child abuse and neglect, foster care, adoption, and juvenile justice. Because this is a seminar course, students will complete a 30-page research paper.
Updated 10/15

L782 Seminar in Lawyering in the Modern American Administrative State ** (3) – Conrad
In this course we'll emphasize skills building, specifically, skills in revising one's own formal expository prose. One of the two course textbooks is a manual especially devoted to helping lawyers improve their writing. The other course textbook is a collection of essays on a variety of topics in the area of modern American administrative law. We'll read and discuss all these essays, but with an eye more to analyzing argumentation than to mastering the details of doctrine or policy. Therefore, background knowledge of administrative law is hardly a prerequisite for the course. Important and distinctive: each student, in short order, is to be assigned (by me) one of the essays in the collection as a focus for developing an individual research and writing Project, with the complete first draft of each student's Project paper due on the Friday before Spring Break. We'll thus be making time for working, collaboratively and individually, on the revision process throughout the balance of the semester.
Updated 10/15

L799 Seminar in Con Law: Sexuality, Reproduction & the Law ** (3) – Johnsen
This course will explore the various ways in which state and federal governments have used or abused power to regulate sexuality and reproduction in the United States. We will study the proper role of government and, in particular, constitutional protections with regard to sexual activity, sexual orientation, gender identity, gender roles, and pregnancy. We will touch upon some of the theories that inform contesting views (such as natural law, social movements, and economic theories). Specific topics will include: legal restrictions on sexual activities (e.g., same-sex, sodomy, “sex toys”, S&M, prostitution, incest), LGBTQIA discriminations and protections, and the regulation of contraception, abortion, and pregnant women. Requirements include active preparation and class participation (including weekly short “thought” papers) and an independent research paper on a topic of the student’s choosing (satisfies the advanced research requirement). No exam.
Updated 10/15