# Administrative Law

<table>
<thead>
<tr>
<th>Term</th>
<th>Faculty</th>
<th>Credits</th>
<th>Type</th>
<th>Course #</th>
<th>Subject Areas</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015FA</td>
<td>Sunstein, Cass</td>
<td>3.00</td>
<td>Multisection</td>
<td>2000</td>
<td>Constitutional Law &amp; Civil Rights; Government Structure &amp; Function; Regulatory Law</td>
<td>PND101</td>
</tr>
<tr>
<td>2016SP</td>
<td>Vermeule, Adrian</td>
<td>4.00</td>
<td>Multisection</td>
<td>2000</td>
<td>Government Structure &amp; Function; Regulatory Law</td>
<td>AUS101</td>
</tr>
</tbody>
</table>

**Course Description:**
Prerequisites: None
Exam Type: In-Class
This course will examine the legal controls on government regulation, in areas as diverse as environmental law, national security, communications, foreign affairs, taxation, labor-management relations, and much more. Pervasive questions will involve the constitutional legitimacy of "the regulatory state"; the procedures that are supposed to improve and discipline agency decisions; the right to a hearing; the role of cost-benefit analysis; and the allocation of power between regulators and judges. A distinctive feature of the course will be frequent focus on democratic theory, on regulatory policy, and on how administrative law can actually make society work better or worse.
Administrative Law

Course #: 2000  Term: 2015FA  Faculty: Rowell, Arden  Credits: 3.00
Type: Multisection  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function; Regulatory Law

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 2:30 PM  PND101
Tue 1:00 PM - 2:30 PM  PND101

Course Description: Prerequisites: None. Exam Type: Last Class Take Home. This course will explore the role of administrative agencies in the law. Building on the first-year course of Legislation and Regulation, it will address the Constitutional, theoretical, and practical relationships between agencies and the executive, legislative, and judicial branches. A good portion of the course will be dedicated to examining legal institutions for external review of agency action. But the course will also-and somewhat distinctively-address structures of internal agency decisionmaking, including through discussions of cost-benefit analysis and risk analysis.

Advanced Clinical Practice

Course #: 2001  Term: 2015FS  Faculty: Caramello, Esme; Whiting, Patricia  Credits: 3.00
Type: Elective  Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Thu 3:00 PM - 5:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Harvard Legal Aid Bureau 3L (3 fall clinical credits + 3 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: Evidence; Harvard Legal Aid Bureau 2L. By Permission: Yes. This course is restricted to members of HLAB 3L. Add/Drop Deadline: None. LLM Students: LLM students are not eligible to enroll. Multi-Semester: This is a fall-spring course (1 fall classroom credit + 1 spring classroom credit).

This workshop, which is required for all 3L members of the Harvard Legal Aid Bureau, provides students with the opportunity to engage in further critical self-reflection on their clinical experience, focusing on their roles as advocates, mentors, and law office managers and incorporating readings on issues of poverty law and legal services delivery. The class will be graded credit/fail. Enrollment in this course is restricted to 3L Harvard Legal Aid Bureau members, and will not be in clinical registration. HLAB members in their 3L year in 2015-2016 will automatically be enrolled in this seminar.
**Advanced Corporate Transactions**

**Course #:** 2833  
**Term:** 2016SP  
**Faculty:** Sonenshine, Marshall  
**Credits:** 2.00

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

**Delivery Mode:** Course

**Days and Times:**
Mon 5:00 PM - 7:00 PM

**Location:** PND102

**Course Description:**
Prerequisites: Corporations and Accounting are both required. If you have some familiarity with basic corporate financial statements, you may seek permission of the instructor to enroll. To request permission, email msonenshine@sonenshinepartners.com with a copy to jjohn@sonenshinepartners.com. Exam type: Any-Day Take Home.

Advanced Corporate Transactions assesses the inter-related business, financial, and legal issues associated with complex corporate transactions, including Mergers & Acquisitions, Private Equity and Restructuring transactions. The course takes an interdisciplinary approach to assessing issues and dynamics that drive companies, boards, investors, and legal and financial advisers to companies in the transaction process. The course is intended for students who have completed Corporations and who are comfortable (or can reasonably get comfortable) reading the three basic financial statements of companies. These baseline accounting skills will be reviewed early in the course for context. (Students uncertain about the adequacy of their facility reading companies’ financial statements or wanting to improve those skills before the course begins are invited to confer with Mr Sonenshine before registering.)

The course addresses both how deals are done and how corporate finance and markets for corporate control evolve with the business cycle and with financial markets. The course will use business school cases and cases from the instructors investment banking practice, supplemented by relevant legal cases and materials and academic writings on the evolution of the multi trillion dollar M&A and Private Equity markets, often as alternatives to public market stewardship of companies. The course looks at the dramatic changes in the deal business from the 1980s through the 2008 financial crisis and in the years since the financial crisis. The course covers (A) Fundamentals of M&A, Corporate Finance and Valuation; (B) the Evolution of M&A and Private Equity Markets; (C) Business and Transaction Strategies in Deals; and (D) Current Topics in Corporate Finance and Transaction Markets.

The course is taught by Marshall Sonenshine, HLS 85, an investment banker and Adjunct Professor of Finance and Economics at Columbia University Business School. Mr. Sonenshine is CEO of New York M&A and Restructuring firm Sonenshine Partners, having previously been Partner to Paul Volcker at Wolfensohn & Co and senior Partner in M&A and Head of Media M&A at Deutsche Bank. He began his banking career at Salomon Brothers in New York. For three decades, Mr. Sonenshine has advised on transactions involving major corporations worldwide including Alcoa, AIG, Conrail, Dassault Systemes, Disney, EDS, Hewitt, KKR, Luxottica, New York Times, Proquest, Siemens, Sony, Walgreens, Wellpoint, and numerous others. Mr Sonenshine is a former Editor of the Harvard Law Review and Teaching Fellow in Government at Harvard College and an Instructor in the Introduction to Law course for the LLM Program. He clerked for Hon Lawrence Pierce of the US Court of Appeals for the Second Circuit. Mr. Sonenshine has published widely on corporate financial matters at Columbia University, New York Times, Financial Times, Institutional Investor and other publications and is a frequent global financial commentator for CNBC and Bloomberg Television.
Advanced Criminal Law: From Theory to Practice

Course #: 2796  Term: 2016WI  Faculty: Ferzan, Kimberly  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Legal & Political Theory
Delivery Mode: Course

Days and Times:
- Mon 2:00 PM - 4:15 PM  Location: WCC3018
- Tue 2:00 PM - 4:15 PM  Location: WCC3018
- Wed 2:00 PM - 4:15 PM  Location: WCC3018
- Thu 2:00 PM - 4:15 PM  Location: WCC3018
- Fri 2:00 PM - 4:15 PM  Location: WCC3018

Course Description:
Prerequisite: Criminal Law
Exam type: No exam.
Students will write two papers. First, they will write a prosecution or defense memorandum analyzing the law’s applicability for one of the cases. This memorandum will be approximately 5-7 pages and will be due on the day the case is discussed. Second, they will write one paper as a reformer, articulating the relevant differences between the applicable laws, applying the assigned scholarly article’s insights, and offering legal reforms. These papers will be due at our last class meeting. Grades will be based on these two papers and on class participation.

Using detailed fact patterns of cases that were actually criminally prosecuted, students will garner further sophistication in both the practice and the theory of criminal law. Writing prosecution or defense memoranda, students will be required to apply the facts to the statute applicable at the time of the crime, the current statute, and the Model Penal Code. Students will also be required to look at the law as reformers, asking whether any of the statutes adequately deal with the crime at hand. In addition to examining actual cases, students will read scholarly articles on the theoretical issues raised by the cases. These articles will be used to further critically evaluate the criminal law. For each case, students will come to class able (1) to offer a proposed sentence, (2) to explain and defend their proposed sentence, and (3) to analyze the defendant’s liability under the Model Penal Code and the jurisdiction’s then-existing and current statutes.
Advanced Environmental Law in Theory and Application

Course #: 2417  Term: 2016SP  Faculty: Lazarus, Richard  Credits: 3.00
Type: Elective  Subject Areas: Environmental Law

Days and Times:  Location
Mon 1:00 PM - 2:30 PM  WCC3016
Tue 1:00 PM - 2:30 PM  WCC3016

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

Advanced International Trade

Course #: 2395  Term: 2015FA  Faculty: Wu, Mark  Credits: 2.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law

Days and Times:  Location
Mon 5:00 PM - 7:00 PM  WCC3015

Prerequisite: International Trade Law, International Trade Law and Development, or by permission of the instructor.
Exam Type: No exam.
Students are expected to complete a research paper or two research memos as part of the course.
This seminar will examine trade topics beyond those covered in an introductory trade law class. Each session will involve either an in-depth analysis of a recent dispute or a topic of ongoing trade negotiations. Topics will include industrial policy, environmental goods, investment, intellectual property, and trade remedies. We will also discuss the implications of the ongoing mega-regional and plurilateral trade agreements on the future of the trade regime.
Advanced Negotiation: Multiparty Negotiation, Group Decision Making, and Teams

Course #: 2348  Term: 2015FA  Faculty: Bordone, Robert; Viscomi, Rachel  Credits: 4.00
Type: Elective  Subject Areas: Procedure & Practice
Delivery Mode: Course

Days and Times: Wed 1:00 PM - 5:00 PM
Location: LEW214B

Course Description:
Prerequisites: Negotiation Workshop
Exam Type: No Exam
Class time will include exercises and simulations, lectures, and small group discussion. The workshop will require students to spend significant time outside of class completing reading assignments, preparing for exercises and simulations, writing reflective journals, and completing a final teams project. There is no final examination. In the fields of law, business, and public policy, many disputes and deals involve more than two parties. Building on the skills and concepts introduced in the introductory Negotiation Workshop, this advanced Workshop introduces students to the special challenges and complexities of multiparty negotiation, group decision-making, and working collaboratively in teams. It also focuses on some of the processes that dispute resolution practitioners may utilize when attempting to manage conflict among multiple parties.

The workshop combines theory and practice in an effort to help students deepen their understanding of negotiation and improve their own effectiveness as negotiators and process-managers in a multiparty context.

Topics addressed will include: the differences between multilateral and bilateral negotiations, coalition dynamics and strategy, group decision-making, role dynamics within groups, leadership, the role of emotions in groups, managing constituencies, and negotiation process design.

Cross-registrants are not eligible and should not apply for this course.

Note: On October 28th, students will go to either Lewis 301 or 302 or Hauser 103 or 105, from 1-6pm, depending on the room they’ve been assigned in class. On November 4th, the course will meet in Lewis 214A and Lewis 302 from 1-6:30pm. On Saturday, November 21st, the course will meet from 10am-5pm in Lewis 214A and Lewis 214B. More information on these meetings can be found in the course syllabus or in class.
Advanced Readings in Japanese Business Law

Course #: 2317  
Term: 2016SP  
Faculty: Ramseyer, J. Mark  
Credits: 2.00

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

Delivery Mode: Seminar

Days and Times: Location
Mon 5:00 PM - 7:00 PM WCC3012

Course Description: Prerequisites: Students should have at least two years of language training (or the equivalent), but we will adjust the level of the course to the level of language that students bring. Anyone puzzled about whether he or she has the requisite language ability should contact Professor Ramseyer.

Exam Type: No exam.

In this seminar, students will read a wide variety of law-related materials relating to Japanese business in the original Japanese language. Class discussion will cover both any language questions that arise, and the substance of the material discussed. Native speakers of Japanese are welcome to attend, but may not register for credit.

Materials to be read will be determined during the course.
Advanced Skills Training for Human Rights Advocacy

Course #: 2399  Term: 2015FA  Faculty: Farbstein, Susan; Giannini, Tyler  Credits: 2.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law; Procedure & Practice
Delivery Mode: Seminar

Location

Wed 3:00 PM - 5:00 PM  WCC4061

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Either the fall International Human Rights Clinic - Advanced or the fall Semester in Human Rights Clinic. Students who enroll in either of these clinics will be enrolled in this required course by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: Clinical enrollment for the International Human Rights Clinic - Advanced is not by permission and is included in general clinical registration. Clinical enrollment for the Semester in Human Rights Clinic is by permission only. Applications are due May 1, 2015. Add/Drop Deadline: September 3, 2015. LLM Students: Due to the pre-requisite, LLM students are not eligible to apply. Placement Site: HLS. This seminar offers advanced training on a variety of skills relevant to the work of human rights advocates. It is designed for students who already have at least one semester of experience in the International Human Rights Clinic. Students will work intensively on a skills module of their choice. Past skills modules have focused on media work, fact-finding and interviewing, negotiation and coalition-building, and community-based advocacy. Through these modules, students build experience and leadership skills crucial for a career in human rights, exploring ways to set and advance human rights agendas, mobilize constituencies, work in partnership and collaboration with affected communities, and manage projects. The seminar also examines professional ethics and responsibilities by drawing from scenarios based on human rights practitioners' own experiences in the field. Finally, the seminar considers organizational questions, including the effect of organizational mandates on research and advocacy tactics, different institutional cultures, and how to build human rights organizations. Students will have an opportunity to workshop clinical projects and undertake in-depth participatory evaluation of advocacy and litigation strategies. This seminar is required for students enrolled in the fall International Human Rights Clinic - Advanced or fall Semester in Human Rights. Once a student enrolls in either of these clinics, the Office of Clinical and Pro Bono Programs will enroll them in this required course component.
Advanced Topics in Evidence: The Truth

Course #: 2838  Term: 2016SP  Faculty: Nessen, Charles  Credits: 2.00
Type: Elective  Subject Areas: Legal & Political Theory; Procedure & Practice
Delivery Mode: Seminar

Location

Days and Times: Fri 1:00 PM - 3:00 PM  Location: WCC3019

Course Description: Prerequisites: None.

Exam: Any day take-home.

The epistemology of legal, scientific, and political truth. We will consider proof by witness, proof by expert, proof by statistics and CSI, and the relationship of truth to evidence, time and viewpoint. This is NOT a course on the Federal Rules of Evidence.

Students will write a paper (1500 words) and an exam essay (500 words), both due at the end of the exam period.

Advanced Topics in Insurance Law

Course #: 2704  Term: 2015FA  Faculty: Hay, Bruce  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Seminar

Location

Days and Times: Mon 5:00 PM - 7:00 PM  Location: WCC5048

Course Description: Prerequisites: None.

Exam Type: No exam.

This seminar explores an array of topics on the intersection of law and insurance, with an emphasis on contemporary trends and problems, including: climate change, terrorism, and other emerging risks; organizational risk management strategies; insurance and transactional practice; insurance disputes and civil litigation; reinsurance and other risk-spreading arrangements. Most seminar meetings will feature guests from various parts of the legal and/or insurance world.
Advanced Topics in Trusts Law

Course #: 2836  Term: 2016SP  Faculty: Clarry, Daniel  Credits: 1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Family, Gender & Children's Law; Regulatory Law; Taxation

Delivery Mode: Reading Group

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

Course Description:
Prerequisites: Although there are no pre-requisites for this course, students who have taken Trusts & Estates with Professor Sitkoff in Fall 2015 or a similar course previously may feel more comfortable with the material that will be considered and discussed. Students may also consider taking this course concurrently with Trusts & Estates in Spring 2016.
Exam type: No Exam.
Advanced topics in trusts law often involve the most basic and fundamental questions—for example, which duties do trustees necessarily owe to beneficiaries irrespective of trust drafting? This reading group offers an opportunity for students to undertake a deeper analysis on the fundamentals of trusts law by concentrating on select readings. It will take the mandatory rules regime supplied by s. 105 of the Uniform Trust Code (UTC') as its central topic. To understand the importance of the mandatory rules regime, the group will begin by considering standard definitions of trusts’ in leading American and English commentaries, together with leading theories on the nature of trusts and their place in modern jurisprudence. Each rule in the UTC’s mandatory rules regime will then be analyzed, having regard to its acceptance, exclusion and variation throughout the United States. The UTC’s mandatory rules regime provides a solid footing upon which to venture further afield and to consider the mandatory content of trusts in a comparative perspective, including in England & Wales and select offshore jurisdictions that have, like the United States, adopted a partial codification of trusts law. The UTC’s mandatory rules regime will be juxtaposed with the irreducible core’ approach in trusts law in Commonwealth jurisdictions, together with attempts to reform the general law through statutory reform. We will discuss the proper role of statutory reform in trusts law before returning to the definitional problem posed at the outset: what is a trust’?

Note: This reading group will meet in WCC 5048 on the following dates: 1/28, 2/11; and will meet in Lewis 214B for the remaining dates: 2/25, 3/10, 3/31, 4/14.
Advertising Law

Course #: 2753  Term: 2015FA  Faculty: Tushnet, Rebecca  Credits: 3.00
Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment
Delivery Mode: Course

Days and Times: Location
Mon 10:20 AM - 11:50 AM  HAU104
Tue 10:20 AM - 11:50 AM  HAU104

Course Description:
Prerequisites: None
Exam: Any-Day Take-Home
This course covers legal regulation of advertising in the United States, with some comparison to other countries. Private causes of action by consumers and competitors, state attorneys general, and the Federal Trade Commission all form part of the law of advertising. Topics will include falsity, substantiation, surveys, product placement, "green" marketing claims, disclosures and disclaimers, and First Amendment aspects of advertising regulation.

Agency Design: Law, Politics, Governance

Course #: 2841  Term: 2016SP  Faculty: Renan, Daphna  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Government Structure & Function; Regulatory Law
Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM  WCC3016

Course Description:
Prerequisite: Legislation and Regulation
Exam: No Exam.
From foreign intelligence programs run by the NSA and the FBI, to financial regulation, to health care, agencies are institutions at the core of contemporary governance. Who designs agencies and their interactions? How does the work of designing administrative structures connect to public law goals—that is, to creating energetic, non-arbitrary, and constrained government? What explains changes in agency design over time? And what role do legal doctrines play in shaping institutional power inside the administrative state?
Alternative Sexual Relationships: The Jewish Legal Tradition

Course #: 2848  Term: 2016SP  Faculty: Septimus, Zvi  Credits: 2.00
Type: Elective  Subject Areas: Family, Gender & Children's Law; International, Comparative & Foreign Law
Delivery Mode: Seminar
Days and Times: Wed 5:00 PM - 7:00 PM
Location: HAU101

Course Description: Prerequisites: None.
Exam: No Exam.
A paper will be required.
Marriages contracted with the intention of being permanent are the standard legal arrangement against which rabbinic jurists have legislated alternative sexual relationships for nearly two millennia. This course explores how the Jewish legal tradition treats sexual unions that take place outside of a permanent marriage, both in situations where marriage would be a viable legal option and in those where it would not. Such unions include temporary marriages, concubine relationships, consensual sex between non-married couples, slave-sex, prostitution, homosexuality, autoeroticism, and relationships where one or both of the parties are intersex. We will examine rabbinic legal interpretations of the terse biblical texts that deal with alternative sexual relationships.
(All texts will be read in translation and no previous knowledge of rabbinic literature is necessary.)

American Legal Education

Course #: 2164  Term: 2016SP  Faculty: Coquillette, Daniel  Credits: 2.00
Type: Elective  Subject Areas: Legal History
Delivery Mode: Seminar
Days and Times: Tue 5:00 PM - 7:00 PM
Location: WCC4059

Course Description: Prerequisites: None. Exam type: No Exam. A research paper will be required rather than a final examination. This seminar is designed for students who are genuinely interested in what has happened to them at law school and who would like to examine carefully the nature of their legal education. It is also a practical introduction to the many different careers available in legal education. We will commence with the English and Continental origins of legal scholarship and teaching, examine the development of formal legal education in America from the founding of the Litchfield and Harvard Law Schools to the rise of Legal Realism, and conclude with the pressing controversies facing America's law schools today. Among the topics covered will be the relationship between formal legal education and the practicing bar, the changing composition of the faculty and the student body, the early pedagogical controversies, the different methods and ends of modern legal instruction, and the role played by law schools in fundamental disputes about jurisprudence, political ideology, economics, and social reform.

Note: This seminar will be jointly-listed with BC.
American Legal History 1776-1865

Course #: 2163        Term: 2015FA        Faculty: Gordon-Reed, Annette                Credits: 3.00
Type: Elective    Subject Areas: Legal History
Delivery Mode: Course

Days and Times: Location
Tue 10:30 AM - 12:00 PM GR5110
Wed 10:30 AM - 12:00 PM GR5110

Course Description: Prerequisites: NoneExam Type: One-Day Take-HomeThis course will trace the development of the American legal and political system from 1776 to 1865. We will discuss the formation of state constitutions and the Federal Constitution, slavery and law, the development of American private law, the Revolution of 1800 and the Age of Jefferson, the mechanisms of westward expansion, the Age of Jackson, and the coming of the Civil War. Note: This course is jointly-listed with FAS as History 1405.

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

Course #: 2586        Term: 2016SP        Faculty: Brown-Nagin, Tomiko                Credits: 2.00
Type: Elective    Subject Areas: Legal & Political Theory; Legal History
Delivery Mode: Seminar

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

Course Description: Prerequisites: None.
Exam Type: No exam.
This seminar considers issues in 20th-century movement for social reform from the perspective of legal history and the legal profession. It emphasizes matters of race, class and gender inequality and readings cover the civil rights movement, women's liberation, the labor movement and anti-poverty struggles. Students read legal cases and works of historical and legal scholarship. Laptops not permitted in class.
Note: This course is jointly-listed with FAS as History 2474.
An Introduction to American Law

Course #: 2135  Term: 2015FA  Faculty: Taggart, Christopher  Credits:  2.00

Type: Elective  Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Thu 3:00 PM - 5:00 PM PND101

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

Note: Enrollment is limited to foreign-educated LL.M. students.
Analytical Methods for Lawyers

Course #: 2006  Term: 2016SP  Faculty: Cope, David  Credits: 4.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times:  Location
Tue 3:20 PM - 4:40 PM  WCC2012
Wed 3:20 PM - 4:40 PM  WCC2012
Mon 3:20 PM - 4:40 PM  WCC2012

Course Description:
Prerequisites: None.
Exam type: In class.

Lawyers in almost every area of practice (litigation, corporate, government, public interest) deal routinely with problems that are usefully illuminated by basic business and economic concepts. This course is designed to teach the most important analytical methods to law students, in a manner that will be fully accessible to those with no prior quantitative training or background in the subjects covered. Using text, classroom activities, and written exercises, we will explore how these tools may be used to analyze concrete problems that arise in a wide range of legal practice settings. The course will consist of seven units:
1. Decision Analysis, Games and Information: Lawyers assist their clients in making a wide variety of decisions, ranging from the settlement of lawsuits to the purchase of property. We will explore a standard technique that has been developed to organize thinking about decision-making problems and how to solve these problems. We will also consider strategic interactions between parties and considerations related to imperfect information.
2. Contracting: Lawyers write many contracts concerning such matters as acquisitions of land or corporations, creation of partnerships and nonprofit entities, settlement of lawsuits, financing arrangements, and government procurement. This unit presents practical principles concerning what issues should be addressed in contracts and how they might best be resolved.
3. Accounting: Lawyers who counsel clients in conducting their affairs, or who represent them in litigation, must understand the parties financial circumstances and dealings, which often are represented in financial statements. Basic accounting concepts will be introduced, and the relationship between accounting information and economic reality will be examined.
4. Finance: Legal advice in business transactions, division of assets upon divorce, litigation, and many other matters require knowledge of valuation, assessment of financial risk, and comprehension of the relationships between those who provide financing and those who need it. We will consider basic principles of finance, such as present value, the tradeoff between risk and return, the importance of diversification, and basic methods for valuing financial assets.
5. Microeconomics: Lawyers need to understand their clients and other parties economic situations and opportunities as well as the principles that underlie many of the rules of our legal system. This unit presents basic economic concepts—the operation of competitive markets, imperfect competition, and market failures—that are necessary to this understanding.
6. Law and Economics: Legal rules have important effects on clients interests, which must be appreciated by lawyers who advise them and by judges, regulators, and legislators who formulate legal rules. We will explore these effects using the economic approach to law, with illustrations from torts, contracts, property, law enforcement, and legal procedure.
7. Statistics: Legal matters increasingly involve the use of statistics in business contexts, in the promulgation of government regulations, in the measurement of damages, in attempts to make inferences concerning parties behavior (such as those regarding discrimination in employment), and in determination of causation (in tort, contract, and other disputes). We will address the basic statistical methods, including
regression analysis, as well as issues that commonly arise when statistics are used in the courtroom.
Analytical Methods for Lawyers

Course #: 2006  Term: 2015FA  Faculty: Spier, Kathryn  Credits: 3.00

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

Delivery Mode: Course

Days and Times: Location
Mon 8:40 AM - 10:10 AM  WCC1015
Tue 8:40 AM - 10:10 AM  WCC1015

Course Description: Prerequisites: None. This course is designed to be fully accessible to those with no prior quantitative training or background in the subjects covered. Exam Type: In-Class

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

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

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

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

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

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

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

7. Statistics: Legal matters increasingly involve the use of statistics in business contexts, in the promulgation of government regulations, in the measurement of damages, in attempts to make inferences concerning parties behavior (such as those regarding discrimination in employment), and in determination of causation (in tort, contract, and other disputes). We will address the basic statistical methods, including regression analysis, as well as issues that commonly arise when statistics are used in the courtroom.
Animal Law

Course #: 2355  Term: 2016SP  Faculty: Stilt, Kristen  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Regulatory Law
Delivery Mode: Course
Days and Times: Wed 5:00 PM - 7:00 PM
Location: HAU104

Course Description: Prerequisites: There are no prerequisites, and 1L students are welcome in the class.
Exam Type: One-day take-home exam.
Students will be evaluated on the basis of class participation and the final exam.
This course will introduce students to the broad range of laws that affect non-human animals (including companion animals, farm animals (with a particular focus on factory farms), animals used in the context of entertainment (such as zoos and aquaria), animals used in scientific experimentation, and wild animals. The course will focus mainly on the U.S. but will also include significant attention to the laws of other countries and to international law.
The course will also engage with fundamental questions about animals and the law, such as: Are some animals more deserving of protection than others, and if so, on what basis? What role does culture and belief play in animal law—why are dogs considered pets in the U.S. and food in some parts of the world, for example? Does the status of animals as property pose an insurmountable barrier to increasing protections for animals? What are the advantages and disadvantages of the concepts of “animal rights” and “animal welfare”?

Antitrust Law

Course #: 2007  Term: 2016SP  Faculty: Kaplow, Louis  Credits: 4.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Course
Days and Times: Mon 8:10 AM - 10:10 AM  Tue 8:10 AM - 10:10 AM
Location: LAN225

Course Description: Prerequisites: None.
Exam type: In class.
This course examines the law, economics, practice, and policy of the federal antitrust laws. The main subjects are horizontal agreements (among competitors), mergers, and monopolization. Given the nature of the subject, including legal practice, there will be a heavy economics emphasis, although throughout the analysis will be non-technical and should be accessible to those without prior background.
Appellate Courts and Advocacy Workshop

Course #: 2426  Term: 2016WI  Faculty: Wolfman, Brian  Credits:  2.00
Type: Elective  Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Location

Days and Times:

Mon 9:00 AM - 12:15 PM LEW102
Tue 9:00 AM - 12:15 PM LEW102
Wed 9:00 AM - 12:15 PM LEW102
Thu 9:00 AM - 12:15 PM LEW102
Fri 9:00 AM - 12:15 PM LEW102

Course Description:

Prerequisites: None.
Exam Type: No exam.

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

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

The doctrinal portion of the course and the corresponding small - to medium-sized writing assignments will be covered during the first two weeks of the January Term. The appellate brief will be completed early in the Spring Term. In addition to classroom sessions, during the Spring Term each student will have a one-on-one meeting with the teacher to review a draft appellate brief. Students who are considering enrolling in this course should read the more detailed course description located at http://www.citizen.org/documents/hlsdetaileddescription2015.pdf.

The instructor, Brian Wolfman, is a Professor of the Practice of Law at Stanford Law School and co-director of Stanford’s Supreme Court Litigation clinic. Before joining Stanford in 2014, for five years, Mr. Wolfman was co-Director of Georgetown University Law Center’s Institute of Public Representation, where he directed a student-based clinic that handled a mix of individual civil rights cases and public-interest impact litigation. He is the former Director of Public Citizen Litigation Group, a public-interest law firm in Washington, D.C., where he practiced for nearly 20 years. He has litigated dozens of cases in courts of appeals and in the Supreme Court.

Note: The credit breakdown for this course is as follows: three total credits with two classroom credits awarded during the winter term and one writing credit awarded during the spring term. This course is open only to upper-level JD students.
Applied Survey Analysis

Course #: 2827  
Term: 2015FA  
Faculty: Avedian, Arevik  
Credits: 2.00

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

Delivery Mode: Course

Days and Times:
Tue 5:00 PM - 7:00 PM

Location: WCC3009

Course Description:
Prerequisites: None.
Exam type: None.
Students are required to complete a 15-20 page paper.
This course is geared towards students who are implementing or designing their own survey as part of their thesis or other research projects. The goal of the course is to cover survey implementation from a to z, some core aspects of which are sample selection, questionnaire design and survey implementation, statistical analysis, interpreting and reporting results. Some topics covered include descriptive statistics, hypothesis testing, types of variables, reducing bias in survey design, etc. The course is hands-on and applied in nature, during which students learn how to design surveys in Qualtrics and use STATA for data and graphical analysis. By the end of the course, students are expected to produce a research paper that is based on a testable hypothesis (preferably in an area of each student’s interest), survey results and interpretation.
Applied Theory Workshop on Problem of Heightened Civil Pleading Requirements

Course #: 2331  Term: 2016WI  Faculty: Rosenberg, David  Credits: 2.00
Type: Elective  Subject Areas: Legal & Political Theory

Course Description:
Prerequisites: None. Exam Type: No exam.
My aim in this course is to collaborate with a group of talented and motivated students in developing a clear understanding of and practical solutions to problematic features of the legal system (inclusive of policies, rules, and practices instituted by non-governmental as well as governmental law-makers and -enforcers). More particularly, upon empirical and analytic inquiry into the nature and causes of particular legal problems and comparative evaluation of potential approaches to dealing with them, we will design and advance the means for reforming the law that best achieves significant measurable improvement in the welfare of individuals and society as a whole. The problem I have chosen for investigation concerns the heightened civil pleading requirements under FRCP Rule 8 mandated by the Supreme Court, see e.g., Ashcroft v. Iqbal, 129 S. Ct. 1937 (2009) and Bell Atlantic Corp v. Twombly, 550 U.S. 544 (2007). This is a three-credit course, two allocated to classroom meetings in the Winter Term and one for research and written work in the Spring Term. During the Winter Term we will review the relevant federal rules and related advisory committee notes, cases interpreting and applying the heightened pleading requirements, academic and practice commentary, empirical studies and rule-reform proposals. The objective of the Spring Term is to draft a monograph, article, case-study, white paper or other report setting forth the investigative results, central findings, and a ready-to-use law reform proposal. The draft will be sufficiently documented and edited to qualify for posting on the Social Science Research Network, submission for publication in a general or specialized law review or other journal, and/or distribution to law- and policy-makers.
Armed Conflict and World Heritage

Course #: 2824  
Term: 2016SP  
Faculty: Docherty, Bonnie  
Credits: 1.00

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

Delivery Mode: Reading Group

Days and Times:  
Tue 5:00 PM - 7:00 PM  
Location: WCC5046

Course Description:
Prerequisites: None.
Exam type: No exam.
While armed conflict inflicts much publicized suffering on individuals and their families, the scourge of war reaches has a broader reach. It also affects cultural and natural heritage, which international law defines as having outstanding universal value. Combatants intentionally destroy historical or religious sites or fail to take precautions to protect them. Victors seize art as a spoil of war, while looters sell archaeological artifacts to fund their cause. Conflict-related contamination causes lasting harm to human health and the environment. Combat operations spoil habitats, guerillas poach endangered species, and unexploded ordnance impinges on ecosystems long after hostilities have ceased.

This reading group will examine the threats to world heritage in past and current conflicts as well as the challenges of protection. Students will consider such questions as: When does something rise to the level of world heritage? What are the moral and legal arguments for protecting culture and nature during armed conflict? Is destruction of cultural property or the environment justified to save soldiers or civilians or to advance military objectives? Should the same standards of protection be applied to both types of heritage? Students will also study the legal instruments governments have adopted to address these issues and look for ways to strengthen the current framework.

Note: This reading group will meet on the following days: 1/26, 2/9, 2/16, 3/8, 3/22, 4/5.
Art of Social Change

Course #: 2011  Term: 2015FA  Faculty: Bartholet, Elizabeth; Bratt, Cheryl  Credits: 2.00
Type: Elective  Subject Areas: Criminal Law & Procedure; Family, Gender & Children's Law

Delivery Mode: Course

Days and Times: Location
Thu 5:00 PM - 7:00 PM WCC2012

Course Description: Prerequisites: NoneExam Type: No ExamThis course deals with strategies for changing law and policy, focusing on the areas of child welfare (abuse and neglect, foster care, adoption), education, and juvenile justice. We will bring into the classroom as visiting lecturers leaders from the worlds of policy, practice, and academia -- people who have themselves operated as successful change agents and who represent different disciplines, career paths, and strategies for change. We will explore some of the most significant reform initiatives in our targeted areas, and debate with the speakers and each other how best to advance childrens interests. Receptions will follow the class meetings, enabling students to talk informally with the visiting speakers, as well as with the HLS Faculty and those from the Boston-area child advocacy community who form a regular part of our audience. Click here for a schedule of the speakers and topics for last years course.
Course requirements consist of brief questions/reactions related to the readings and class presentations, turned in weekly.
This course is part of the Child Advocacy Program (CAP), whose other courses are: Child, Family, and State (alternating years), Family Law (alternating years), the Child Advocacy Clinic, and the Future of the Family seminar. Enrollment in all CAP courses is encouraged but not required.
Cross-registrants are welcome.
Bankruptcy

Course #: 2013  Term: 2015FA  Faculty: Roe, Mark  Credits: 4.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Course

Days and Times:  Location
Mon 10:20 AM - 11:40 AM  WCC2012
Tue 10:20 AM - 11:40 AM  WCC2012
Wed 10:20 AM - 11:40 AM  WCC2012

Course Description: Prerequisites: Students must have either taken, or concurrently be taking, Corporations at HLS. Students with prior exposure to business issues can enroll, but must first obtain faculty permission. Exam Type: In-Class This basic bankruptcy course covers the major facets of bankruptcy that influence business financing transactions. Much of the deal-making in a financing transaction is negotiated in anticipation of a possible reorganization in Chapter 11 or of a private reorganization in its shadow. For many lawyers, contact with bankruptcy law is anticipatory and not in front of the bankruptcy judge. When feasible, students will read not just bankruptcy court opinions and the Bankruptcy Code, but materials that financing lawyers use day-to-day: a bond indenture, a prospectus, a complaint in a loan dispute, and SEC submissions. Students will ordinarily participate in a simulated Chapter 11 reorganization.
## Bankruptcy

**Course #:** 2013  
**Term:** 2016WI  
**Faculty:** Triantis, George  
**Credits:** 3.00

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

**Delivery Mode:** Course

<table>
<thead>
<tr>
<th>Days and Times</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon 9:00 AM - 12:15 PM</td>
<td>PND101</td>
</tr>
<tr>
<td>Tue 9:00 AM - 12:15 PM</td>
<td>PND101</td>
</tr>
<tr>
<td>Wed 9:00 AM - 12:15 PM</td>
<td>PND101</td>
</tr>
<tr>
<td>Thu 9:00 AM - 12:15 PM</td>
<td>PND101</td>
</tr>
<tr>
<td>Fri 9:00 AM - 12:15 PM</td>
<td>PND101</td>
</tr>
</tbody>
</table>

**Course Description:** Prerequisites: None.
Exam type: In class.
This course concerns the law and finance of corporate bankruptcy with an emphasis on reorganization. The course reviews the fundamentals of debt contracting, including the role of events of default, debt priority and security interests. The course examines various aspects of the bankruptcy process: including the automatic stay, the avoidance of prebankruptcy transactions (e.g. fraudulent conveyances and preferences), the treatment of executory contracts, the debtor's governance structure during bankruptcy, the financing of operations and investments in bankruptcy, sales of assets or acquisition of the company during bankruptcy, and the process of negotiating, voting, and ultimately confirming a plan of reorganization. Evaluation by written examination.
Becoming a Law Professor

Course #: 2416  Term: 2016SP  Faculty: Tobin, Susannah  Credits: 1.00
Type: Elective  Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Reading Group

Days and Times:  Location
Mon 10:30 AM - 11:30 AM  HAU103

Course Description: Prerequisites: Admission is by application via email to Susannah Barton Tobin at stobin@law.harvard.edu by October 15, 2015. Please include a paragraph expressing your interest in the reading group and a CV and transcript.
Exam Type: No exam.
As is the norm with reading groups, there will be no examination or paper requirement, and the class will be graded credit/fail.
This reading group will focus on the generative scholarly process that is at the center of the life of the law professor. Each week, a member of the faculty will present a working draft of her or his scholarship, and that piece will be discussed by the group. Discussions will focus in part on the genesis of the research project being presented, in order to demonstrate how articles develop from the first spark of an idea to final publication. Students will also explore substantive issues raised in the pieces, the better to become familiar with the latest work being done across a variety of subject areas. Students will also develop their own research and scholarly agendas as the semester progresses.

Behavioral Economics, Law and Public Policy

Course #: 2589  Term: 2016SP  Faculty: Sunstein, Cass  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times:  Location
Wed 3:00 PM - 5:00 PM  WCC3007

Course Description: Prerequisite: Instructor permission is required. Please send a statement of interest and your resume to Ashley Nahlen (anahlen@law.harvard.edu).
Exam Type: No exam.
This seminar will explore a series of issues at the intersection of behavioral economics and public policy. Potential questions will involve climate change; energy efficiency; health care; and basic rights. There will be some discussion of paternalism and the implications of neuroscience as well.
Boards of Directors and Corporate Governance

Course #: 2613  Term: 2015FA  Faculty: Lorsch, Jay; Paine, Lynn  Credits: 2.00

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

Location

Days and Times:

Wed 1:15 PM - 2:45 PM
Mon 1:15 PM - 2:45 PM
Tue 1:15 PM - 2:45 PM

Course Description:

Note: This course is open to 3Ls and LLMs only. It meets Mondays, Tuesdays, and some Wednesdays on the HBS campus.
Prerequisites: Corporations
Exam: No Exam
This course is taught by Harvard Business School Professor Jay Lorsch and Harvard Business School Professor Lynn Paine. Lynn Paine, John G. McLean Professor and Senior Associate Dean at HBS, focuses on the leadership and governance of companies that seek to combine high ethical standards with outstanding financial results. She co-founded the required MBA course Leadership and Corporate Accountability, and formerly chaired the General Management unit. She has served as member of, or advisor to, numerous boards and panels. She holds a doctorate in moral philosophy from Oxford University and a law degree from Harvard Law School. Jay Lorsch, Louis Kirstein Professor of Human Relations at HBS, has been doing research and teaching about corporate boards for twenty-five years. He also has served on many public and private company boards. He is the author/editor of three books and numerous articles about corporate boards.
Overview
This upper-level course uses case studies to examine the central role of the board of directors in the governance of business corporations, and the relationships between the board and other key actors in corporate governance. Students who take this course will be required to meet at HBS, and to work together in teams with HBS students on a joint project. Grades will be based on participation and the team-based paper project. This course is aimed at those wanting a more in-depth look at corporate law in practice.
Why This Course?
Most HLS graduates will directly advise corporate boards, and many will also serve on them. Boards are the ultimate authority in all companies, public and private, around the world. Many HBS and HLS graduates will manage or advise private equity, hedge or other funds invested in corporations, or advise large shareholders of corporations, and many will engage in professional services related to corporate transactions that require board and/or shareholder approval. For these reasons, understanding what boards are supposed to do, how they function, what issues they have to confront - both legal and practical - are essential knowledge for HLS graduates. The course is designed to include equal numbers of both HBS second-year and Harvard Law School third-year students. This is to enable students from HLS and HBS to learn together about boards and corporate governance and also to understand each other’s professional perspectives.
To even the most experienced leaders, corporate governance is complicated and dynamic. The responsibility and functioning of corporate boards are often unclear and misunderstood. The relationships among boards, shareholders, and senior executives, especially the CEOs, are varied and complex, and sometimes fraught with conflict. One goal of this course is to lift this foggy uncertainty and provide you a clear understanding of corporate governance: what boards do and why many are effective, while others fail, leading to problems for their company, its executives, and shareholders, as well as the board itself. A clear understanding of how boards function, is a prerequisite for being effective not only as a director, but as a senior executive and as a shareholder. Such understanding will also be helpful in a career as a consultant, investor, or corporate lawyer by providing you with tools that will allow you to be an effective advisor to top management and corporate boards.
Course Objectives
Thus the primary course goal is to teach you what it means to be a director. You will gain
an understanding of the legal, financial, strategic and behavioral issues with which directors must contend. When you enter a boardroom in the future, you will do so with a framework for understanding the complex dynamics among directors, executives, and their shareholders. You will also have an understanding of key elements of the work boards must do including, strategic reviews, selecting, evaluating and compensating CEOs and other senior executives, director selection, and dealing with various corporate crises. You will also gain an appreciation of the costs and rewards of board service. A related goal is to acquaint you with the broader corporate governance systems in the U.S. and other major countries. The phrase corporate governance system refers to the institutional system of stock markets, government regulatory agencies, professional firms, as well as boards, which are expected to oversee corporate activities. From this perspective, the course will also provide an understanding of why there have been so many corporate and financial failures and scandals in recent years. We also shall discuss the changes in boardroom processes being made in the hope of preventing such problems in the future.

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

Learning and Evaluation
The basic learning for the course takes place through preparation for and participation in class discussion. Class participation - not just frequency, but also quality and your contribution to moving the discussion forward - will count for 50% of the grade. Written projects will account for the other 50% of the grade. Written projects will account for the other 50% of the grade.

Note: Course Materials will be distributed through the MBA Course Distribution office (located in Spangler 027). All enrolled students, including auditors, will be charged a $200 Materials Fee via the term bill. The $200 materials fee covers access to all Board of Directors course materials, both printed and electronic. Students interested in cross-registering for this course should petition through HBS.
Books in the Digital Age: A Case Study

Course #: 2855  Term: 2016SP  Faculty: Rubin, Thomas  Credits:  2.00

Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Seminar

Days and Times:  Location
Thu 3:00 PM - 5:00 PM  WCC5048

Course Description: Pre/Co-requisite: Copyright, Copyright and Trademark Litigation, or Intellectual Property Law.
Exam: No exam.
The Google Books litigation, which has been pending for over a decade, is a microcosm of the opportunities and challenges that have faced content creators, distributors, and consumers in the digital age: new technologies to reproduce and distribute works, evolving concepts of fair use, changing consumer norms, massive disruptions to economic interests, increased access to information, fears about piracy, and threats to competition. This course will study the evolution of copyright by closely examining the many phases of that litigation - from the complaints to the proposed (and rejected) settlement to class certification to fair use - as well as the simultaneous ebook issues facing Apple and Amazon. We will also look at analogous developments impacting the movie, music and newspaper industries, and examine how litigation strategy intersects with business strategy, policy strategy, and public relations strategy, all of which are critical to the art of digital lawyering. The seminar will include guests involved in the litigation.
Business Strategy for Lawyers

Course #: 2015  Term: 2016SP  Faculty: Spier, Kathryn  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Mon 8:40 AM - 10:10 AM  WCCB010
Tue 8:40 AM - 10:10 AM  WCCB010

Course Description: Prerequisites: Students should have some exposure to microeconomics or a related discipline (e.g., Analytical Methods, Law & Economics, an undergraduate class in economics, finance, etc.). Familiarity with algebra is assumed. Students who are unsure should contact the professor.
Exam type: In class.
Requirements include several analytical assignments, frequent in-class evaluations, and a final exam.
This course presents the fundamentals of business strategy to a legal audience. The class sessions include both traditional lectures and business-school case discussions. The lecture topics and analytical frameworks are drawn from MBA curriculums at leading business schools. The cases are selected for both their business strategy content and their legal interest.

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

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

Course #: 2090  Term: 2016SP  Faculty: Dharan, Bala  Credits: 3.00

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

Delivery Mode: Course

Days and Times:  Location
Thu 10:00 AM - 11:30 AM  WCC2004
Fri 10:00 AM - 11:30 AM  WCC2004

Course Description: Prerequisite: Introduction to Accounting or equivalent prior coursework. Analytical Methods for Lawyers will also satisfy the prerequisite. For other courses, please email Prof. Dharan with details to request approval.

Exam type: In class.

This 3-unit spring course is designed to help students develop business valuation and related financial analysis skills. The following topics will be covered: how a firm’s business strategy and its operating and financial characteristics affect its valuation; review of basic corporate financial reports and disclosures that serve as inputs to valuation analysis; analysis of financial ratios to measure financial risks and returns; analysis of financial disclosures to identify red flags of potential distress or earnings manipulation; valuation issues with taxes, intangibles and financial investments; developing cash flow forecasts; and integrating the above tools and techniques to determine the valuation of a firm’s equity. Students will learn common valuation methods such as discounted cash flow analysis and earnings based valuation, and also learn to use other approaches used in the valuation industry such the use of valuation multiples and comparable transactions analysis. Examples from court cases involving valuation disputes will be used to illustrate practical valuation problems. The course will be relevant for students in the Law and Business program of study, and to others who wish to prepare for careers in capital markets, corporate transactions, commercial litigation, mergers and acquisitions, and other related areas.
Capital Markets Regulation

Course #: 2018  Term: 2016SP  Faculty: Scott, Hal; Glauber, Robert  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Course

Days and Times: Location
Wed 5:00 PM - 7:00 PM  AUS101

Course Description: Prerequisites: None.
The course assumes a basic understanding of finance and financial markets, but requires no prior professional or academic work in this field.
Exam type: Last-class take-home.
Required written work will be a final take-home examination.
Examination of the structure, competitiveness and social utility of U.S. capital markets as the basis for considering the range of proposals for financial regulatory reform growing out of the recent world-wide financial crisis. Specific topics will likely include: mechanisms for controlling risk in financial institutions, particularly capital and liquidity requirements; the unique problem of systemic risk; dealing with illiquid and insolvent institutions, including resolution authority; optimal regulatory structure; reform of securitization; regulation of derivatives trading; consumer protection; the future of Fannie Mae and Freddie Mac; the role and regulation of credit rating agencies; regulating executive compensation, particularly as it effects systemic risk. Classes will be primarily based on interactive discussion, but will also include lectures and regular guest speakers.
Note: The first class will be on Wednesday, February 3rd from 5:00 to 7:00pm. This course is jointly-listed with HKS as BGP-264.
Capital Punishment Clinic

Course #: 8005  Term: 2016WS  Faculty: Steiker, Carol  Credits: 5.00
Type: Clinic  Subject Areas: Constitutional Law & Civil Rights; Criminal Law & Procedure; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Capital Punishment in America (3 fall classroom credits). Some seats are reserved for clinical students. Once a student enrolls in this clinic, the Office of Clinical and Pro Bono Programs will enroll them in the required course. If a student drops this clinic, they will also lose their seat in the required class component. Additional Co-/Pre-Requisites: Criminal Law. Students must enroll in this class independently (there is no clinic preference or priority). Failure to meet the pre/co-requisite by the clinic’s add/drop deadline will result in the student being dropped from this clinic. By Permission: No. Add/Drop Deadline: Please note that this clinic has a drop deadline of September 3, 2015. LLM Students: LLM students may apply to this clinic by submitting an application. Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 2-3 spring clinical credits). Placement Site: Various externship placements.

The Capital Punishment Clinic offers opportunities for students to represent clients with capital sentences through placements at capital punishment resource centers, organizations, law firms, and governmental agencies throughout the country. Clinical work is full-time and on-site during the winter term, and continues on a part-time and remote basis in the spring term. This clinic is graded Credit/Fail. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic and its possible placements (clinical@law.harvard.edu or 617-495-5202).
Capital Punishment in America

Course #: 2020  
Term: 2015FA  
Faculty: Steiker, Carol  
Credits: 3.00

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

Delivery Mode: Course

Days and Times: 
Mon 10:20 AM - 11:50 AM  
Tue 10:20 AM - 11:50 AM

Location: AUS111

Course Description: Prerequisites: Criminal Law or faculty permission is required. Exam Type: In-Class

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

Some seats are reserved for students enrolled in the Capital Punishment Clinic. Students who enroll in the Capital Punishment clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the Capital Punishment clinic, they will also lose their reserved seat in this course. Please see the clinics description for more information. There is an early drop deadline for students enrolled in this course through the Capital Punishment clinic of September 3, 2015.
Child Advocacy Clinic

Course #: 8001  Term: 2016SP  Faculty: Bratt, Cheryl  Credits: 4.00
Type: Clinic  Subject Areas: Family, Gender & Children’s Law; Procedure & Practice
Delivery Mode: Clinic

Course Description:
Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Child Advocacy Clinical Seminar (2 spring classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None.

By Permission: No.
Add/Drop Deadline: Please note this clinic has an early drop deadline of December 7, 2015.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements. Click here for a master list of placement sites since CAPs inception.

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

Enrollment Options: The Child Advocacy Clinic offers two different clinical fieldwork options: a spring-only clinic and a winter-spring clinic. This offering is for the spring Child Advocacy Clinic. Spring clinical students work part-time (15-20 hours/week for 3-4 clinical credits) at local organizations in the Greater Boston area. Enrollment in the spring clinic is capped at 14 students.

Fieldwork Component: Students are placed in a wide array of fieldwork settings, ranging from organizations providing individual advocacy, to those promoting systemic change through impact litigation and legislative reform, to grassroots organizing initiatives, to social enterprises. Some students will work for reform from within the system and others from outside. Based on their particular placements, students may: engage in courtroom advocacy; participate in school and home visits; assist with interviews of child victims; analyze social science and psychological research; leverage the media and write op-ed articles; prepare for city council or legislative hearings; provide trainings to youth, parents, teachers, attorneys, and police officers; develop legislative reform proposals; participate in mediations; and provide strategic advice to start-ups. For instance:

In the child welfare area, students may represent individual children who are abused and neglected, serve alongside District Attorneys prosecuting caretakers accused of child maltreatment, or work with juvenile court judges adjudicating care and protection and other child welfare cases.
In the education area, students may engage in efforts to advance educational outcomes for low-income students; participate in a campaign to provide children access to high-quality early education; or work with the state agency charged with overseeing schools on issues such as charter schools, assessment and accountability, student rights, and school discipline.
In the juvenile justice area, students may support legislative changes to improve conditions of confinement for juveniles, promote policies to reform the justice system for youth of color, develop programs to improve police-youth interactions, or work alongside juvenile defenders in delinquency and youthful offender cases.

Note that many placements cut across substantive areas and engage students in a host of advocacy strategies and skills.

Matching Process: Once enrolled in the Clinic, CAP will provide students with a list of fieldwork placement organizations and their potential projects. Students will give CAP information about their background and interests and rank their placement preferences. CAP will then match students with a placement based on their preferences, the organizations’ needs, and CAP’s mission to provide students with a broad spectrum
of experiences. Visit the Child Advocacy Program (CAP) website for a list of organizations where clinic students have been placed in prior years.
Child Advocacy Clinic

Course #: 8001  Term: 2016WS  Faculty: Bratt, Cheryl  Credits: 6.00
Type: Clinic  Subject Areas: Family, Gender & Children’s Law; Procedure & Practice
Delivery Mode: Clinic

Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Child Advocacy Clinical Seminar (2 spring classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: Please note this clinic has an early drop deadline of November 2, 2015.
LLM Students: LLM students are not eligible to apply.
Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 3-4 spring clinical credits).
Placement Site: Various externship placements. Click here for a master list of placement sites since CAPs inception.

The CAP Clinic is designed to educate students about a range of social change strategies and to encourage critical thinking about the pros and cons of different approaches. The CAP Clinic includes both a classroom seminar and clinical fieldwork component. A variety of substantive areas impacting the lives of children are addressed with a focus on child welfare (abuse and neglect, foster care, and adoption), education, and juvenile justice. The Clinic is relevant for students not only with a particular interest in childrens issues but also for those more generally interested in social change.
Enrollment Options: The Child Advocacy Clinic offers two different clinical fieldwork options: a spring-only clinic and a winter-spring clinic. This offering is for the winter-spring Child Advocacy Clinic. Students engage in full-time work in the winter and part-time work (15-20 hours/week for 3-4 clinical credits) in the spring. Enrollment is capped at 8 students.
Fieldwork Component: The winter-spring Clinic places students with model organizations around the country and occasionally around the world. Students work full-time in a distant placement for the winter term and then return to Cambridge in the spring, working part-time and remotely for the same organization. Occasionally, the Clinic may offer a local placement for a winter-spring student, although such placements are typically reserved for spring-only students.

Students work in a wide array of fieldwork settings, ranging from organizations that promote systemic change through impact litigation, to those working on legislative reform, to grassroots organizing initiatives, to social enterprises. Some students will work for reform from within the system and others from outside. Typically, students placed remotely through the winter-spring option will not engage in individual legal representation. Based on their particular placements, students may: draft memoranda and briefs for litigation; develop legislative reform proposals; analyze social science and psychological research; leverage the media; engage in written work for a variety of types of publications (legal journals, popular press, guides for practitioners, content for websites); provide strategic advice to start-ups; or create, conduct, and analyze interviews. For instance:

In the child welfare area, students may work with a leading boutique impact litigation firm challenging states’ treatment of youth in foster care; with a new social venture to engage the media to promote the interests of foster care youth; with a model problem solving court for drug addicted parents.
In the education area, students may work alongside lawyers and community organizers to advocate for new school financing laws, engage in efforts to ensure incarcerated youth receive high-quality schooling, or advise schools and communities on dismantling the school-to-prison pipeline.
In the juvenile justice area, students may develop trainings on best practices for staff at juvenile incarceration facilities, or fight for improved conditions of confinement for juveniles.

Note that many placements cut across substantive areas and engage students in a host of advocacy strategies and skills.
Matching Process: Once enrolled in the Clinic, CAP will provide students with a list of fieldwork placement
organizations and their potential projects. Students will give CAP information about their background and interests and rank their placement preferences. CAP will then match students with a placement based on their preferences, the organizations’ needs, and CAP’s mission to provide students with a broad spectrum of experiences. Visit the Child Advocacy Program (CAP) website for a list of organizations where clinic students have been placed in prior years.
Child Advocacy Clinical Seminar

Course #: 2021  
Term: 2016SP  
Faculty: Bratt, Cheryl  
Credits: 2.00  
Type: Elective  
Subject Areas: Family, Gender & Children’s Law; Procedure & Practice  
Delivery Mode: Seminar  
Days and Times: Thu 5:00 PM - 7:00 PM  
Location: WCC3013  

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Child Advocacy Clinic, either during the winter-spring (2 winter clinical credits + 3-4 spring clinical credits) or spring (3-4 spring clinical credits). Students who enroll in either of the two clinic offerings (winter-spring or spring) will be enrolled in this required course by the Office of Clinical and Pro Bono Programs.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
LLM Students: LLM students are not eligible to enroll in the winter-spring clinic. LLM students may apply to the spring clinic by submitting an application.  

The CAP Clinic is designed to educate students about a range of social change strategies and to encourage critical thinking about the pros and cons of different approaches. It addresses a variety of substantive areas impacting the lives of children, with a focus on child welfare (abuse and neglect, foster care, and adoption), education, and juvenile justice. The Clinic is relevant not only for students with a particular interest in children’s issues, but also for those more generally interested in social change. All clinic students participate in both the classroom seminar and a clinical fieldwork component. The clinic offers two fieldwork options: (1) winter-spring and (2) spring.  
During the spring seminar, students bring into the classroom their varied experiences, presenting on both specific projects and cases in which they are engaged, and also their placement organization’s larger vision for improving conditions for children and families. Students reflect on each other’s varied experiences, consider which strategies in the field are working and why, and evaluate the benefits and limitations of different approaches.  

Regular classroom attendance and active participation in discussion is required. Grading will be based on a combination of each student’s clinical fieldwork, seminar presentation and related packet, contributions to class discussion throughout the term, and one or more short reflection papers.  

Once enrolled in the Clinic, CAP will provide students with a list of fieldwork placement sites and their potential projects. Students will give CAP information about their background and interests and rank their placement preferences. CAP will then match students with a placement based on their preferences, the organizations’ needs, and CAP’s mission to provide students with a broad spectrum of experiences. Visit the Child Advocacy Program (CAP) website for more about the Clinic, including answers to frequently asked questions.
Child, Family and State

Course #: 2023  Term: 2016SP  Faculty: Halley, Janet  Credits: 4.00
Type: Elective  Subject Areas: Family, Gender & Children's Law
Delivery Mode: Course

Days and Times:  Location
Mon 1:00 PM - 3:00 PM  WCC3036
Tue 1:00 PM - 3:00 PM  WCC3036

Course Description: Note: On Monday, March 21st, this course will be held in WCC 4056.

Prerequisites: None.
Exam type: Last-class take-home. Paper option.
There will also be panels and in-class workshops. Grading will be based on written work, class participation, panels and workshops.
This course will examine legal issues that arise when parents or other guardians and the state disagree about decisions involving the care, conduct, and well-being of children. It will also consider the dynamics that arise when the child becomes old enough to take responsibility over a decision in which the state and the parents take an interest; and when a guardian ad litem or other representative speaks for/as the child.
Issues may include: the state’s interest in fetal protection; parent/state disagreements about childrearing, including state-mandated schooling, and debates over giving children independent representation in the resulting conflicts; child support, child support enforcement and welfare policy on the support of poor children; the state’s role in cases of abuse and neglect, including foster care, family reunification, and termination of parental rights; state-imposed limits on adolescent minors’ liberty; limitations on child labor; and children in the criminal justice system. We will conclude with a study of the challenges faced and posed by homeless youth.
Childhood, Adolescence, Youth, and International Human Rights

Course #: 2533  Term: 2015FA  Faculty: Bhabha, Jacqueline  Credits: 2.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: Location
Mon 11:45 AM - 1:00 PM
Wed 11:45 AM - 1:00 PM

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

Note: This course is jointly-listed with HKS as IGA-305. This course will meet at HKS in room L382. The first class meeting is on September 2nd. The course will also meet for one Friday, on September 4th.
China and Hong Kong under the "One Country, Two Systems" Principle

Course #: 2702  
Term: 2015FA  
Faculty: Lau, Ming Wai  
Credits: 1.00

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

Delivery Mode: Reading Group

Days and Times:  
Thu 5:00 PM - 7:00 PM  
Wed 5:00 PM - 7:00 PM

Location: LEW302

Course Description: Prerequisites: None.  
Exam Type: No exam.

This Reading Group will study what the "One Country, Two Systems" principle means eighteen years after Hong Kongs handover back to Mainland China and in the post-Occupy era. After gaining an understanding of this unique constitutional principle, students will explore the various accomplishments and challenges that Mainland China and Hong Kong have experienced in the legal, economic, political, and cultural realms. Reading materials will include constitutional documents, statutes and cases, academic and business articles, and various media publications.  
Note: This reading group will meet over a three-week period on the following dates: 9/16, 9/17, 9/23, 9/24, 9/30, 10/1/2015. Drop Deadline: September 17, 2015 by 11:59pm EST
China and the World

**Course #**: 2650  
**Term**: 2015FA  
**Faculty**: Alford, William  
**Credits**: 1.00

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

**Delivery Mode**: Reading Group

**Days and Times**: Thu 7:00 PM - 9:00 PM

**Location**: WCC3036

**Course Description**: Prerequisite: Admission to the course is by permission of the instructor, with the goal being to achieve a balance of students from different backgrounds. Please email your CV and a two-paragraph statement of interest to Professor Alford alford@law.harvard.edu and copy his assistant, Emma Johnson, johnson@law.harvard.edu by July 31 at the latest and preferably sooner. If you are accepted into the class, we will notify you and the Registrar’s Office. The Registrar’s Office will then let you know when you are able to add the class in Helios. Until then, you won’t see the class as something you are able to add. Please email Emma Johnson with any questions about this process (johnson@law.harvard.edu).

**Exam Type**: No exam.

**Note**: This course will meet from 8-10pm in September and October, and 7-9pm in November.

This Reading Group will examine the role that China has been playing in a world order in flux. Models of development, trade, and rights are among the areas likely to be addressed. We will consider, inter alia, China’s engagement of existing global norms, ways in which China may (or may not) now or in the foreseeable future be shaping such norms, and their impact on China. The intention is to hold some of our likely 6 2-hour sessions of the Reading Group jointly with a comparable class at Renmin University of China, via electronic means; hence, our evening meeting times. (8-10 pm in September and October, 7-9 pm in November due to the Daylight Saving Time change). Each session will cover a specific topic. In past years topics have included legal education, the legal profession, disability, corporate social responsibility, corporate governance, the FCPA, US-China-Africa relations and issues, and a final small-group joint exercise or presentation done with the Renmin students.

**Note**: The reading group will likely meet twice a month in September, October and November.
Cities and Immigration

Course #: 2755  
Term: 2015FA  
Faculty: Su, Rick  
Credits: 2.00  
Type: Elective  
Subject Areas: Government Structure & Function; Human Rights; International, Comparative & Foreign Law  
Delivery Mode: Seminar  
Days and Times: Mon 5:00 PM - 7:00 PM  
Location: WCC3034  
Course Description: Prerequisites: None.  
Exam Type: No exam.  
Immigration is at the heart of the American city, just as cities are central to our nations response to immigration. This seminar explores the legal relationship between the two. We will examine how many features of the city in American law arose in response to immigration—from zoning regulations to the political structure of urban governance. In addition, we will look at how concerns about immigrant settlement in cities shaped our nations immigration regulations, including the recent push to integrate cities into federal enforcement efforts. This seminar will be of interest to students of immigration and local government law.

Citizenship in American Constitutional Thought

Course #: 2819  
Term: 2016SP  
Faculty: Rana, Aziz  
Credits: 1.00  
Type: Elective  
Subject Areas: Constitutional Law & Civil Rights  
Delivery Mode: Reading Group  
Days and Times: Wed 5:00 PM - 7:00 PM  
Location: WCC5051  
Course Description: Prerequisites: None.  
Exam Type: No exam.  
What has it meant in the past and what does it mean today to be an American? What are the benefits and responsibilities entailed by membership in the polity, and to what extent have these benefits presupposed formal American nationality? This reading group will use the law of citizenship to explore the historical and philosophical linkages in the U.S. between full inclusion and judgments about property ownership, race, gender, and immigration. In the process, we will also assess how accounts of political participation, economic independence, and American power have shifted over time. These topics will be addressed by a close reading of landmark cases as well as seminal works in the political history and theory of U.S. citizenship.  
Note: This reading group will meet on the following dates: 2/3, 2/17, 2/24, 3/9, 3/23, 4/13.  
Drop Deadline: February 4, 2016 by 11:59pm EST.
City Use of Technology

Course #: 2813  Term: 2015FA  Faculty: Crawford, Susan  Credits: 3.00
Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment
Delivery Mode: Course

Days and Times:  Location
Mon 1:00 PM - 2:30 PM  HAU102
Tue 1:00 PM - 2:30 PM  HAU102

Course Description: Prerequisites: None
Exam Type: No Exam

This is a course surveying the efforts of city officials around the world to work with technology and community partners to solve challenging civic problems. The course emphasizes creativity and collaboration with the goal of providing students with the tools they will need to grapple with real-life urban and civic challenges post-graduation. Students will work on, examine, and report on ongoing civic projects.

Civil Liberties and the Second Reconstruction: Problems of suppression, violence, and covert disruption

Course #: 2698  Term: 2016WI  Faculty: Kennedy, Randall  Credits: 3.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Legal History
Delivery Mode: Course

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

Course Description: Prerequisites: None.
Exam Type: No Exam

This course will examine the ways in which the legal system responded to (1) efforts by segregationist states to eradicate or stymie the National Association for the Advancement of Colored People (NAACP), (2) efforts by white supremacists to intimidate civil rights activists, and (3) efforts by the federal government, principally the Federal Bureau of Investigation (FBI), to spy upon and disrupt dissidents who were deemed to be "dangerous."
Civil Procedure 1

Course #: 1000  Term: 2015FA  Faculty: Sachs, Stephen  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times:                Location
Mon 3:20 PM - 4:40 PM          WCC1023
Tue 3:20 PM - 4:40 PM          WCC1023
Wed 3:20 PM - 4:40 PM          WCC1023

Course Description: Exam type: In Class. This course examines the procedures that federal courts follow in civil actions. Topics include subject-matter and personal jurisdiction, venue, pleading, proper parties, joinder, class actions, discovery, trial and judgment, remedies, post-trial procedures, preclusion, and sources of substantive law.

Civil Procedure 2

Course #: 1000  Term: 2015FA  Faculty: Greiner, D. James  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times:                Location
Thu 9:50 AM - 11:50 AM          AUS101
Fri 9:50 AM - 11:50 AM          AUS101

Course Description: Exam type: One-day take-home. This course covers what should, should not, and does happen when someone files (or considers filing) a civil lawsuit.
## Civil Procedure 3

<table>
<thead>
<tr>
<th>Course #:</th>
<th>1000</th>
<th>Term:</th>
<th>2015FA</th>
<th>Faculty:</th>
<th>Rubenstein, William</th>
<th>Credits:</th>
<th>4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>1lcourse</td>
<td>Subject Areas:</td>
<td>Not Applicable</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode:</td>
<td>Course</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td></td>
<td>Location</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon 1:20 PM - 2:40 PM</td>
<td></td>
<td>WCC1015</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tue 1:20 PM - 2:40 PM</td>
<td></td>
<td>WCC1015</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wed 3:20 PM - 4:40 PM</td>
<td></td>
<td>WCC1015</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

## Civil Procedure 4

<table>
<thead>
<tr>
<th>Course #:</th>
<th>1000</th>
<th>Term:</th>
<th>2015FA</th>
<th>Faculty:</th>
<th>Hubbard, William</th>
<th>Credits:</th>
<th>4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>1lcourse</td>
<td>Subject Areas:</td>
<td>Not Applicable</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode:</td>
<td>Course</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td></td>
<td>Location</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon 3:20 PM - 4:40 PM</td>
<td></td>
<td>WCC1019</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tue 3:20 PM - 4:40 PM</td>
<td></td>
<td>WCC1019</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wed 3:20 PM - 4:40 PM</td>
<td></td>
<td>WCC1019</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Course Description:
Exam type: One-day take-home. What happens in a lawsuit, and how can you make one go away? Who can sue whom, for what, and where? What do judges and juries have the power to decide? This course examines the theory and practice of civil litigation, and the law governing the process by which substantive rights and duties are enforced in federal and state courts.
Civil Procedure 5

Course #: 1000  Term: 2015FA  Faculty: Rubenstein, William  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

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

Course Description: Exam type: In Class. This is a course about the processes that courts follow in deciding disputes in noncriminal cases. It deals with the way in which conflicts are framed for courts, the stages through which litigation pass, the division of power among the various decision-makers in the legal system and between the state and federal courts, the territorial limitations on the exercise of judicial power, the principles that define the consequences of a decision once a court has finished with a case, and the special opportunities and problems of litigation involving multiple disputants. Throughout the course, considerable attention will be devoted to the goals, values, costs, and tensions underlying our adversarial system of adjudication.

Civil Procedure 6

Course #: 1000  Term: 2015FA  Faculty: Lahav, Alexandra  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM  WCC2009
Fri 9:50 AM - 11:50 AM  WCC2009

Course Description: Exam type: In Class. This course examines the theory and practice of civil litigation, and the rules and statutes that govern the process by which substantive rights and duties are enforced in federal and state courts. Special attention is paid to the goals, values, costs, and tensions underlying an evolving adversarial system of adjudication. Topics include the proper reach of judicial authority, personal and subject matter jurisdiction, pleading, motions practice, joinder of parties and claims, pretrial discovery, the relationship of procedure to substantive law, trial by jury, post-trial procedure, Erie, and claim and issue preclusion.
### Civil Procedure 7

<table>
<thead>
<tr>
<th>Course #: 1000</th>
<th>Term: 2015FA</th>
<th>Faculty: Cohen, I. Glenn</th>
<th>Credits: 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Days and Times</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon 10:20 AM - 11:40 AM</td>
<td>WCC1023</td>
</tr>
<tr>
<td>Tue 10:20 AM - 11:40 AM</td>
<td>WCC1023</td>
</tr>
<tr>
<td>Wed 10:20 AM - 11:40 AM</td>
<td>WCC1023</td>
</tr>
</tbody>
</table>

**Course Description:** Exam type: One-day Takehome

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

### Civil Rights Litigation

<table>
<thead>
<tr>
<th>Course #: 2651</th>
<th>Term: 2016SP</th>
<th>Faculty: Michelman, Scott</th>
<th>Credits: 3.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Constitutional Law &amp; Civil Rights</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Days and Times</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thu 3:15 PM - 6:30 PM</td>
<td>HAU104</td>
</tr>
</tbody>
</table>

**Course Description:** Prerequisites: None.

Exam type: One Day Take-Home.

In developing rules for constitutional and statutory civil rights litigation, the Supreme Court is continually balancing the need to enforce the Constitution and civil rights laws with countervailing interests such as state sovereignty and the goal of preventing litigation from exerting a chilling effect on government officials in the performance of their duties. With that balancing act as backdrop, this course will trace the evolution of the legal tools available to civil rights plaintiffs and the legal obstacles they must overcome to obtain relief, including immunities, justiciability, and limitations on the enforceability of statutory rights. We will analyze the applicable legal principles both in terms of their theoretical and policy underpinnings and their practical effects, in order to provide students considering careers involving civil rights litigation with a solid doctrinal foundation and to consider more broadly how procedural rules can dictate substantive outcomes and how gaps develop between rights and remedies.
Commercial Law: Secured Transactions

Course #: 2026  
Term: 2015FA  
Faculty: Kaufman, Andrew  
Credits: 3.00  
Type: Elective  
Subject Areas: Business Organization, Commercial Law, and Finance

Days and Times:  
Mon 10:30 AM - 12:00 PM  
Tue 10:30 AM - 12:00 PM  
Location: PND100

Course Description:  
Prerequisites: None  
Exam Type: In-Class  
Grades will be based principally on the final exam, but perhaps also, to some extent, on class participation or assigned classroom exercises. Secured credit -- in the form of bank lending, mortgages, and asset securitizations -- has fueled the American economy. The details and the consequences of secured credit have been a major preoccupation of everyone dealing with the current economic crisis. This course deals primarily with understanding what secured credit is all about -- the various aspects of the use of credit and collateral in sale and loan transactions, ranging from routine consumer purchases to complex business transactions. This is a course about commercial lawyering. It is a problem-based exploration of commercial deal-making that considers statutory interpretation and policy in meeting the needs, and reconciling the interests, of the various parties to secured transactions -- consumers, manufacturers, dealers, lenders, insurers, and the government. The focus is on developing legal strategies appropriate to specific situations.  

Communications and Internet Law and Policy

Course #: 2306  
Term: 2016SP  
Faculty: Benkler, Yochai  
Credits: 3.00  
Type: Elective  
Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Regulatory Law

Days and Times:  
Mon 1:00 PM - 2:30 PM  
Tue 1:00 PM - 2:30 PM  
Location: WCC3019

Course Description:  
Prerequisites: None.  
Exam Type: Any-day take-home exam.  
The course will provide an introduction and overview to questions of communications and Internet law and policy. The intensive semester will combine several lectures and in-class discussions to provide background and overview of major issues, with intensive, workshop-style group work on policy briefs and in-class presentations. The topics of the policy briefs are selected so that by following their own, and other students presentations, students will receive an overview of the major topics currently at stake in communications and Internet law and policy, and will also develop an in-depth familiarity with a subset of the issues through intensive high-intensity research, discussion, and presentation.
Communications, Law, and Social Change

Course #: 2844  Term: 2016WI  Faculty: Jenkins, Alan  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Disciplinary Perspectives & Law; Family, Gender & Children's Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Course

Days and Times:  Location
Mon 2:00 PM - 4:15 PM  WCC2004
Tue 2:00 PM - 4:15 PM  WCC2004
Wed 2:00 PM - 4:15 PM  WCC2004
Thu 2:00 PM - 4:15 PM  WCC2004
Fri 2:00 PM - 4:15 PM  WCC2004

Course Description:  Prerequisites: None.
Exam Type: Last class take home.
The goal of this course is to introduce students to the role that written, oral, and visual communications play in the development of American law and policy, with a focus on social issues and movements. Using as case studies movements for racial and gender equity, LGBT equality, economic opportunity, and environmental protection, we will explore how change agents on both sides have used strategic framing and messaging, communications campaigns, and arts and culture to influence-and in some instances transform-relevant law and policy. We will also examine how these and related principles apply to U.S. Supreme Court advocacy. And we will study the ethical rules and parameters that regulate attorneys' communications regarding pending litigation and broader legal issues.
Class participation and successful completion of weekly written and oral assignments will count for a significant portion of students' final grade.
Assigned material will include social science literature and mass media works, as well as cases, transcripts, and legislative texts.
Community Enterprise Project of the Transactional Law Clinics

Course #: 8048  Term: 2015FA  Faculty: Kool, Amanda; Price, Brian  Credits:  4.00
Type: Clinic  Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice
Delivery Mode: Clinic  Location

Days and Times:  

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Transactional Law Clinical Workshop (2 fall classroom credits). Once a student is accepted into this clinic, they will be enrolled in the required class component by the Office of Clinical and Pro Bono Programs.
Additional Co-/Pre-Requisites: None.
By Permission: Yes. Please see below for more details about the application process.
Add/Drop Deadline: Please note that students enrolled in CEP have an early drop deadline of August 7, 2015.
LLM Students: LLM students interested in the fall semester of CEP may apply after the August 7 drop deadline subject to space availability - please contact Amanda Kool if you are a LLM student interested in applying.
Placement Site: HLS.
The Community Enterprise Project is a by-application division of the Transactional Law Clinics in which students engage in both direct client representation and community economic development. In addition to representing clients located near the Legal Services Center at Harvard Law School on transactional matters, CEP students work in small groups to connect with community organizations, identify organizational and community legal needs, and develop comprehensive strategies to address those needs while gaining valuable, real-world transactional law experience in a community setting.

To apply to CEP, please submit a statement of interest (no more than 200 words) and resume. In your cover email, please indicate whether you have a preference for taking CEP during the Fall semester, Spring semester, or either.

Please note that CEP students must commit to spending at least half of their clinical hours on Wednesdays and/or Thursdays at the Legal Services Center of Harvard Law School in Jamaica Plain.

CEP applications should be addressed to Brian Price and Amanda Kool and submitted via e-mail to akool@law.harvard.edu and clinical@law.harvard.edu. Interested students are encouraged to apply as soon as possible, and applications will be accepted on a rolling basis. For any questions about CEP, contact Amanda directly.

If accepted, students will register for 3 or 4 clinical credits through the Transactional Law Clinics and 2 course credits for the associated clinical seminar. Continuing TLC students may take CEP for 2, 3, or 4 clinical credits and do not need to register in the associated clinical seminar.
Community Enterprise Project of the Transactional Law Clinics

Course #: 8048  Term: 2016SP  Faculty: Kool, Amanda; Price, Brian  Credits: 4.00
Type: Clinic  Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Transactional Law Clinical Workshop (2 spring classroom credits). Once a student is accepted into this clinic, they will be enrolled in the required class component by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: Yes. Please see below for more details about the application process. Add/Drop Deadline: Please note that students enrolled in CEP have an early drop deadline of December 4, 2015. LLM Students: LLM students may apply to CEP by submitting an application. Placement Site: HLS.

The Community Enterprise Project is a by-application division of the Transactional Law Clinics in which students engage in both direct client representation and community economic development. In addition to representing clients located near the Legal Services Center at Harvard Law School on transactional matters, CEP students work in small groups to connect with community organizations, identify organizational and community legal needs, and develop comprehensive strategies to address those needs while gaining valuable, real-world transactional law experience in a community setting.

To apply to CEP, please submit a statement of interest (no more than 200 words) and resume.

Please note that CEP students must commit to spending at least half of their clinical hours on Wednesdays and/or Thursdays at the Legal Services Center of Harvard Law School in Jamaica Plain.

CEP applications should be addressed to Brian Price and Amanda Kool and submitted via e-mail to akool@law.harvard.edu and clinical@law.harvard.edu. Interested students are encouraged to apply as soon as possible, and applications will be accepted on a rolling basis. For any questions about CEP, contact Amanda directly.

If accepted, students will register for 3 or 4 clinical credits through the Transactional Law Clinics and 2 course credits for the associated clinical seminar. Continuing TLC students may take CEP for 2, 3, or 4 clinical credits and do not need to register in the associated clinical seminar.
Comparative Constitutional Law

Course #: 2028  Term: 2016SP  Faculty: Lessig, Lawrence  Credits: 4.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; International, Comparative & Foreign Law
Delivery Mode: Course

Days and Times:  Location
Mon 3:20 PM - 4:40 PM  HAU104
Tue 3:20 PM - 4:40 PM  HAU104
Wed 3:20 PM - 4:40 PM  HAU104

Course Description: Prerequisites: None. Exam Type: In-Class Exam.
This course will cover a series of topics arising in the comparative study of constitutional structure and law, with a focus on a comparison between mature and emerging regimes. The first category includes France, Germany, and the United States; the second includes Georgia, Hungary, South Africa, and Russia. It will take up questions of constitutional purpose, function, design, and doctrine, as well as the evolution of constitutional culture.

Comparative Corporate Governance

Course #: 2029  Term: 2015FS  Faculty: Roe, Mark  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law
Delivery Mode: Seminar

Days and Times:  Location
Wed 1:00 PM - 3:00 PM  HAU101

Course Description: Prerequisite: Enrollment is by permission of the instructor. Please send a note indicating your interest to mroe@law.harvard.edu. Exam type: No exam. In this seminar we will investigate topics in corporate governance, often from a comparative perspective, using concepts from general corporate theory and often with a legal policy perspective. The topics that we will examine are likely to include private equity, hedge fund activism, foundations for large firms, the reasons for differing corporate structures around the world, and the differing goals of corporate governance and corporate law. The seminar is given in association with the LLM corporate governance concentration, although enrollment is not necessarily limited to those students. The seminar will meet 12 times throughout the academic year.
Comparative Law: Foundations of Western Legal Thought

Course #: 2031  Term: 2016SP  Faculty: Glendon, Mary Ann  Credits: 3.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law; Legal History
Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 2:30 PM LEW214B
Tue 1:00 PM - 2:30 PM LEW214B

Course Description:

Prerequisites: None.
Exam type: No exam.
Course requirements include weekly memos, two papers and an oral presentation.

This course explores the ways in which civil law (Romano-Germanic) and common law (Anglo-American) systems were influenced at crucial stages of their development by different branches of political and philosophical thought. The emphasis will be on the civil law systems. Multilithed materials and several books to be announced. Enrollment limited to twenty-two students.
Comparative Law: Why Law? Lessons from China

Course #: 1012  Term: 2016SP  Faculty: Alford, William  Credits: 4.00
Type: lintl  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM WCC2012
Fri 9:50 AM - 11:50 AM WCC2012

Course Description: Prerequisites: None. Exam type: One-day take-home. This course uses the example of China as a springboard for asking fundamental questions about the nature of law, and the ways in which it may (or may not) differ in different societies. Historically, China is said to have developed one of the world's great civilizations while according law a far less prominent role than in virtually any other. This course will test that assertion by commencing with an examination of classic Chinese thinking about the role of law in a well-ordered society and a consideration of the nature of legal institutions, formal and informal, in pre-20th century China—all in a richly comparative setting. It will then examine the history of Sino-Western interaction through law, intriguing and important both in itself and for the broader inquiry into which it opens concerning the transmission of ideas of law cross culturally. The remainder (and bulk) of the course will use the effort in the Peoples Republic of China to build a legal system—perhaps the most extensive such effort in world history—to ask what it means to build a legal order. Simply stated, what is central and why, what is universal and what culturally specific and why, and so forth? It is intended to be inviting to individuals both with and without prior study of China.

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

Course #: 2805   Term: 2015FS   Faculty: Frug, Gerald   Credits: 2.00
Type: Elective   Subject Areas: Government Structure & Function; International, Comparative & Foreign Law
Delivery Mode: Seminar
Days and Times: Wed 3:00 PM - 5:00 PM

Course Description: Prerequisites: To be admitted to the seminar, permission of the instructor is required. To obtain permission, those interested should send an email to frug@law.harvard.edu describing their interest and background in the subject matter. Acceptance into the seminar will be on a rolling basis, so early applications are encouraged.
Exam Type: No exam.
Twelve metropolitan areas in the world now have over 15,000,000 inhabitants: Tokyo, Seoul, Shanghai, Delhi, Mexico City, Beijing, São Paulo, Mumbai, Jakarta, New York, Osaka, and Cairo. Or maybe its sixteen: add Manila, Karachi, Guangzhou, and Los Angeles. It depends on what list you are relying on. (There are other lists too.) Whatever the exact number, the cities located in these metropolitan areas - like other major cities around the world - have substantial problems. Although some of these problems are widely shared, every city has its own unique governmental structure that enables, or undermines, its ability to confront them. This governmental structure is established either by a national government or a sub-national government (in the United States, by state governments). This seminar is designed to compare the legal structures of cities such as these, in an effort to think about the possibilities and constraints facing current efforts to decentralize power in different places around the world.
The seminar will be organized in two sections. In the fall, we will meet for several weeks and engage in a general discussion of the promise and difficulties of empowering city governments. Thereafter, students will be expected to research the local government structure for a city located somewhere outside the United States and to write a paper on their chosen city. (The city need not be one of those mentioned above; that list is simply illustrative.) Beginning in mid-Spring, the seminar will reconvene and will be organized around the presentation of these papers. By engaging in the discussions of these papers, students will be able to experience and analyze the differences between their city and the others being presented.
Local Government Law or another course on urban problems taken elsewhere in the university would be a helpful background to this seminar but neither is a prerequisite. Being able to read and/or speak a language other than English would be helpful as well, but it too is not a prerequisite.
Harvard Law School Course Catalog
2015-2016 Academic Year
December 21, 2017 2:07 AM

Comparative Online Privacy

Course #: 2615  Term: 2016SP  Faculty: Gasser, Urs  Credits: 2.00

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

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM  WCC3034

Course Description:
Prerequisites: None.
Exam Type: No exam.
Online privacy has become a major issue for Internet users, technology companies, online business, researchers, and policy-makers around the world, as more and more personal information is collected, aggregated, shared, and used across a wide variety of contexts. Policy-makers on both sides of the Atlantic -- and globally -- have been responsive to concerns expressed by users, consumer organizations, activists, and academics, and have proposed an important series of new laws, regulations, and other privacy-enhancing instruments at the international and national level. At the same time, the approaches aimed at regulating the respective information practices on the Internet -- targeting social net-working sites, online advertising, data aggregators, and the like -- as well as the details of the proposed privacy norms are highly controversial.

In this interactive seminar, we will identify, map, analyze, and discuss latest developments in privacy law related to the Internet from a comparative perspective and put them into a broader context. Specifically, in the first part of the seminar we will introduce competing theories and models of online privacy and map current policy proposals as well as regulatory action onto such a matrix. In addition to discussing theoretical frameworks and analyzing current developments in online privacy, we will also take a closer look into qualitative and quantitative studies regarding privacy attitudes and practices online, and ask how such findings from research have shaped or should shape both the theoretical frameworks as well as the actual application of law. In the second part, the seminar examines in greater detail potential solutions to the concerns and harms that are presented in the first section. In our analysis, we will survey and critique both legal and non-legal solutions. We will hope to answer questions like: which institutions are the most capable of enforcing user privacy? And how can we design our technologies so that privacy values are embedded into the construction of our technological tools. In asking these questions, we will create a valuable matrix and taxonomy for recommending solutions to potential privacy harms. Finally, in the third section, we will look at specific cases that reflect current trends in privacy law. For instance, we will apply our studies earlier in the seminar towards Europe's 'Right to be Forgotten' as well as other instances of recent tensions between privacy and other values (autonomy, transparency, etc).
Complex Litigation and Mass Tort

Course #: 2032  Term: 2015FA  Faculty: Rosenberg, David  Credits: 3.00
Type: Elective  Subject Areas: Procedure & Practice; Regulatory Law

Delivery Mode: Course

Days and Times: Location
Mon 8:40 AM - 10:10 AM WCC4059
Tue 8:40 AM - 10:10 AM WCC4059

Course Description: Prerequisites: NoneExam Type: No ExamThis course will investigate the problems of law and policy associated with mass tort litigation. In recent years the courts have been confronted with the task of adjudicating, or overseeing the settlement of, a series of mass-exposure cases pitting thousands or even millions of toxic-exposure victims against dozens of defendant firms. These cases present legal institutions with a profound dilemma, the importance of which is indicated by the fact that the Supreme Court has rendered two major decisions in recent years on the viability of mass tort class actions.

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

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

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

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

Note: The credit breakdown for this course is as follows: 3 classroom credits in the fall and 1 writing credit in the spring.
Complex Litigation: Legal Doctrines, Real World Practice

Course #: 2366  Term: 2015FA  Faculty: Clary, Richard  Credits: 2.00
Type: Elective  Subject Areas: Procedure & Practice
Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM GRS110

Course Description: Prerequisite: Civil Procedure or faculty permission is required.

Exam Type: Any-Day Take-HomeThis course will study legal doctrines, litigation strategies and current "best practices" relating to complex civil litigation. Topics will include forum selection strategies (state versus federal court); removal from and remand to state court; transfer, coordination and consolidation of federal actions; multi-district litigation, including choice of law issues in transferred cases; federal class actions (including CAFA, class certification, class standing; and class settlements); management of parallel federal/state proceedings (including the All Writs Act and the Anti-Injunction Act); and practical issues relating to managing multi-case litigation, such as coordination orders and bellwether trials. Many of the examples to be discussed will come from recent and pending securities cases, such as Enron and the residential mortgage-backed securities (RMBS) cases, but knowledge of substantive securities law is not required.
**Conceptions of Legal Entities**

<table>
<thead>
<tr>
<th>Course #: 2807</th>
<th>Term: 2016SP</th>
<th>Faculty: Kraakman, Reinier</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Business Organization, Commercial Law, and Finance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times: Mon 5:00 PM - 7:00 PM</td>
<td>Location: WCC3009</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:**

Prerequisites: There are no prerequisites for this course although an acquaintance with corporate law is helpful.

Exam Type: Last-class take-home exam. Grading will be based on the examination and class participation.

This course explores disparate conceptions of legally-recognized entities in private law, with an emphasis on for-profit legal entities such as corporations, partnerships, LLCs, and their analogues in civil law jurisdictions. Readings range from law-and-economics constructions of legal entities to traditional jurisprudential views, including the treatment of corporations as persons in the U.S. constitutional caselaw. The readings also contrast legal entities in common law and civil law jurisprudence. The motivating question throughout is: why should the law accord legal personality to for-profit firms? Some advanced legal systems such as Roman law made very little use of fictional legal entities in the for-profit sector. What part of recognizing legal entities in more recent history is about reducing the costs of raising capital for large enterprises? What part of it is about imposing responsibilities on collective actors that would emerge whether or not the law recognized their independent legal existence? As a positive matter, when does the law go beyond recognition to impute interests and actions to legal entities that it does not impute to their stakeholders? What matters in classifying legal entities, functional characteristics or authorizing statutes? Is a publicly-traded LLC that mimics the governance structure of corporation in its founding agreement really a corporation? Finally how can legal entities be liable for tortuous or criminal conduct when the evidence cannot support liability for any of their employees, members, or other decisionmakers? More generally, why is the whole of a legal entity ever more than, or different from, the sum of its parts?
Conflict of Laws

Course #: 2033  Term: 2016SP  Faculty: Sachs, Stephen  Credits: 3.00
Type: Elective  Subject Areas: Government Structure & Function; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Course

Location

Days and Times
Thu 10:00 AM - 11:30 AM  HAU102
Fri 10:00 AM - 11:30 AM  HAU102

Course Description: Prerequisite: For LLM students only, you must have completed one of the following courses in the fall term: Civil Procedure, Property, Contracts, or Torts.
Exam type: One-day take-home.
Special legal problems arise when transactions involve more than one jurisdiction at a time. These problems regularly appear in major transactions or complex litigation, but they often fly under the radar. This course discusses how American law tries to solve these problems and assesses its various degrees of success or failure.

The course considers modern doctrine in historical perspective. It focuses primarily on American law rather than private international law more generally, but it also discusses the interaction of American and foreign laws and legal proceedings.

Topics include interstate and international choice of law (in cases involving contracts, torts, property, corporate law, family law, procedure, and other matters), judicial jurisdiction, the recognition of foreign judgments, the relationship between state and federal conflicts doctrines, and relevant constitutional constraints.
Conflict of Laws

Course #: 2033  Term: 2015FA  Faculty: Singer, Joseph  Credits: 4.00
Type: Elective  Subject Areas: Government Structure & Function; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Mon 8:10 AM - 10:10 AM  WCCB010
Tue 8:10 AM - 10:10 AM  WCCB010

Course Description: Prerequisites: None
Exam Type: No Exam
Students will be required to write short, two-page memoranda on a substantial number of problem cases and to write a 10-page proposed opinion on one of the moot court cases that will be due at the end of the semester. The grade will be based on these papers and the moot court oral presentations. This course examines how courts choose which law should be applied to transactions, relationships, or occurrences having contacts with more than one state in the United States, or with the United States and a foreign nation. The course will also touch on adjudicatory jurisdiction, recognition of foreign judgments, and tribal sovereignty of American Indian nations. We will address the various approaches adopted by states and/or advocated by scholars, focusing on cases involving torts, contracts, property, family law, procedure, and tribal sovereignty. Roughly one-half of the class days will be devoted to a series of moot court exercises. Students will present oral arguments and act as judges, both asking questions and meeting in conference to decide the cases.
Note: Enrollment is limited to upper level students; 1Ls are not eligible to take this course. Anyone on the waitlist who wants to take the course must attend the first class. This course is not open to LL.M. students; the Spring semester Conflict of Laws course is available to LL.M. students.
Note: This course will satisfy half of Option 2 of the written work requirement.

Constitutional Law: First Amendment

Course #: 2035  Term: 2015FA  Faculty: Tushnet, Mark  Credits: 4.00
Type: Multi-section  Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times: Location
Mon 10:20 AM - 11:40 AM  HAU102
Tue 10:20 AM - 11:40 AM  HAU102
Wed 10:20 AM - 11:40 AM  HAU102

Course Description: Prerequisites: None
Exam Type: One-Day Take-Home
Focuses primarily on the free speech clause of the First Amendment, with special attention to whether current doctrine should be modified in light of new communication technologies, and with some attention to the religion clauses.
Constitutional Law: First Amendment

Course #: 2035  Term: 2016SP  Faculty: Field, Martha  Credits: 4.00

Type: Multisection  Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:
- Mon 10:20 AM - 11:40 AM  WCCB010
- Tue 10:20 AM - 11:40 AM  WCCB010
- Wed 10:20 AM - 11:40 AM  WCCB010

Course Description:
Prerequisites: None.
Exam type: In class.
This course is one of two basic courses in Constitutional Law. We will study the Freedom of Speech in many different contexts; Freedom of Association; Free Exercise of Religion; and the Establishment of Religion.

Constitutional Law: First Amendment

Course #: 2035  Term: 2015FA  Faculty: Parker, Richard  Credits: 4.00

Type: Multisection  Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:
- Wed 1:00 PM - 3:00 PM  WCC1015
- Thu 1:00 PM - 3:00 PM  WCC1015

Course Description:
Prerequisites: None
Exam Type: Any-day take-home exam.
The course is one of the two basic courses in the field. It focuses on the First Amendment and addresses the Freedom of Speech, the Free Exercise of Religion and the Establishment Clause. This section of the course will approach the law as an ongoing practice of argument. It will deal with decisions and doctrine, but also with what lies beneath the surface--assumptions, images and emotions that structure and animate argument. It will analyze the internal conflicts and the ebb and flow of constitutional argument over time, concentrating on the last fifty years.
In class, there will be no cold calling on students and no panels. Instead, students will be encouraged to respond to questions put to the class as a whole and exhorted to challenge and criticize the instructor in a sort of "reverse Socratic" dialogue.
Constitutional Law: First Amendment

Course #: 2035  Term: 2016SP  Faculty: Feldman, Noah  Credits: 4.00
Type: Multisection  Subject Areas: Constitutional Law & Civil Rights
Delivery Mode: Course

Days and Times:  Location
Thu 1:00 PM - 3:00 PM  LAN272
Fri 1:00 PM - 3:00 PM  LAN272

Course Description:
Prerequisites: None.
Students who have previously taken Religion and the First Amendment may not take this course.
Exam type: Any-day take-home.
This course is one of the two basic courses in the field: it focuses on the First Amendment and deals with the Freedom of Speech, the Free Exercise of Religion, and the Establishment Clause. The course will be taught largely through lectures, with some discussion and time for Q&A exchanges in each class. Students should be aware before enrolling in the course that the use of laptops, iPhones, Blackberries, and other similar devices will not be permitted during class.
Constitutional Law: First Amendment

Course #: 2035  Term: 2016SP  Faculty: Horwitz, Paul  Credits: 4.00
Type: Multisection  Subject Areas: Constitutional Law & Civil Rights
Delivery Mode: Course

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

Course Description:
Prerequisites: None.
Exam type: Any-day take-home.
This is one of the two basic courses in the field. Our focus will be on the freedoms of speech and press, the free exercise of religion and the Establishment Clause, and freedom of association. While many such courses focus heavily on speech and offer minimal coverage of the Religion Clauses, this course aims to provide rich coverage of those materials. The material in this course is voluminous and varied, but certain themes will run through it: 1) the central role of equality in First Amendment law; 2) the increasing rulification of First Amendment law through doctrine, and whether the quest for judicially manageable, generally applicable doctrinal rules in First Amendment law sacrifices something of the core meaning and importance of these rights; and 3) the role of important First Amendment institutions, such as the press or religious groups, in public discourse and their potential status as legal sovereigns of a sort within the First Amendment.

Please note that laptop use will be limited in the classroom, although not wholly prohibited. I will, however, compensate by distributing extensive lecture notes and other materials.

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

Course #: 2036  Term: 2016SP  Faculty: Rana, Aziz  Credits: 4.00
Type: Multisection  Subject Areas: Constitutional Law & Civil Rights
Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 3:00 PM  AUS101
Tue 1:00 PM - 3:00 PM  AUS101

Course Description:
Prerequisites: None.
Exam type: One-day take-home.
This course provides an introduction to the structure of the U.S. Constitution and the rights and liberties it defines. Topics include federalism, separation of powers, and equal protection and due process of law under the Fourteenth Amendment of the U.S. Constitution. Extensive coverage is devoted to individual rights under the Fourteenth Amendment. In the process, the course will explore the basic techniques of constitutional interpretation as well as debates concerning judicial review and the constitutional role of the three branches. The overall approach to the material will be chronological and will emphasize how notions of citizenship, freedom, and federal authority have shifted over time.
Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Course #: 2036  Term: 2016SP  Faculty: Feldman, Noah  Credits: 4.00

Type: Multisection  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM LAN272
Fri 9:50 AM - 11:50 AM LAN272

Course Description:
Prerequisites: None.
Exam type: Any-day take-home.
This course provides an introduction to the structure of the U.S. Constitution and the rights and liberties it defines. Topics include judicial review, federalism, separation of powers, and equal protection and due process of law under the Fourteenth Amendment of the U.S. Constitution. Extensive coverage is devoted to individual rights under the Fourteenth Amendment.

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

Course #: 2036  Term: 2015FA  Faculty: Minow, Martha  Credits: 4.00

Type: Multisection  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM WCC2012
Fri 9:50 AM - 11:50 AM WCC2012

Course Description:
Prerequisites: None
Exam Type: Any-Day Take-Home
This course is one of the two basic courses in the field; it focuses on the separation of powers and federalism and on the Fourteenth Amendments Equal Protection and Due Process Clauses. Students will participate in practice arguments and deliberations as well as class discussions and lectures.
Note: Auditors will not be permitted in this course.
Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Course #: 2036  Term: 2015FA  Faculty: Brown-Nagin, Tomiko  Credits:  4.00
Type: Multisection  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function
Delivery Mode:  Course

Location

Days and Times:  Location
Mon 10:20 AM - 11:40 AM  WCC2009
Tue 10:20 AM - 11:40 AM  WCC2009
Wed 10:20 AM - 11:40 AM  WCC2009

Course Description:  Prerequisites: NoneExam Type: In ClassThis course provides an introduction to the structure of the U.S. Constitution and the rights and liberties it defines. Topics include judicial review, federalism, separation of powers, and equal protection and due process of law under the Fourteenth Amendment of the U.S. Constitution. Extensive coverage is devoted to individual rights under the Fourteenth Amendment. Laptops not permitted in class.

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

Course #: 2036  Term: 2015FA  Faculty: Fried, Charles  Credits:  4.00
Type: Multisection  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function
Delivery Mode:  Course

Location

Days and Times:  Location
Mon 1:00 PM - 3:00 PM  WCC2009
Tue 1:00 PM - 3:00 PM  WCC2009

Course Description:  Prerequisites: For LLM students only, instructor permission is required to enroll in this course.Exam Type: In-ClassThe course considers the structural provisions of the Constitution, but also the individual rights and liberties implicated by the due process and equal protection clauses of the Fourteenth Amendment. First Amendment liberties and constitutional criminal procedure are addressed in other courses. Sullivan and Feldman (Eighteenth edition) and its 2015 Supplement, and some supplementary materials.
Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Course #: 2036  Term: 2016SP  Faculty: Klarman, Michael  Credits:  4.00
Type: Multisection  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:  Location
Wed 1:20 PM - 2:40 PM  AUS100
Thu 1:20 PM - 2:40 PM  AUS100
Fri 1:20 PM - 2:40 PM  AUS100

Course Description: Prerequisites: None.
Exam type: Any-day take-home.
This course is one of the two basic courses in the field. It focuses on the structure of the United States government, including the doctrines of separation of powers and federalism. The course also involves an in-depth study of the Fourteenth Amendments Equal Protection and Due Process Clauses. There are two things about this course that you should know in advance--which might distinguish it from other courses on the same topic. First, I teach mostly by lecture; though student participation is encouraged, this is not a conventional Socratic class. Second, while I do cover the conventional constitutional law doctrine, this class also emphasizes historical context, different normative theories of constitutional interpretation, and political science-type questions such as the consequences of the Courts rulings. Those with an interest mainly in conventional legal doctrine might be well advised to look elsewhere.
Constitutional Silences: Mapping Negative Legal Space

Course #: 2675  Term: 2015FA  Faculty: Tribe, Laurence  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights
Delivery Mode: Seminar

Days and Times: Wed 5:00 PM - 7:00 PM  Location: WCC5052

Course Description: Prerequisite: Admission to the seminar is by application only. Only students who are prepared to make a firm commitment to enroll in the seminar in the event they are admitted should apply. Application materials should include a one-page CV, a list of courses completed as of Spring 2015, a separate list of other courses you currently anticipate taking in Fall 2015 (an informal transcript may be submitted but is not required), and a statement of interest no longer than a single page. In lieu of past and current courses, LLM students may send a list of courses they have preferred, and/or a list of applicable courses taken at other institutions.

Seminar applications are due electronically no later than 5 PM on Monday 8/31. Applicants should submit their materials as attachments, both to me, tribe@law.harvard.edu, and to my faculty assistant, Kathy McGillicuddy, kmcgill@law.harvard.edu. Those who are admitted will be notified by Thursday 9/3. Any student who would like to see the tentative syllabus for the seminar in deciding whether to apply should feel free to ask me or Kathy for a PDF version.

Exam: No Exam.

In light of the historic character of the Supreme Court’s latest Term (OT14), we’ll organize this Fall’s Constitutional Silences seminar around discussion of a small number of recent SCOTUS decisions: those involving marriage equality, religious exemptions from generally applicable laws, the Affordable Care Act, speech on license plates, hate speech, the death penalty, redistricting, presidential power over foreign affairs, affirmative action, unconstitutional conditions, and campaign finance.

The seminar’s overriding theme, to be threaded through the dozen 2-hour seminar sessions, will be a search (using as raw materials these SCOTUS decisions and excerpts from a few articles and blogposts) for the many meanings of constitutional, judicial (and, occasionally, congressional) silence.

In the twelve seminar sessions, we’ll work on developing an understanding of both:

- the key places to look for significant omissions, gaps, and silences: in both private and governmental speech and behavior; in constitutional and congressional texts; in legal arguments made to courts; in judicial opinions; in historical developments and in accounts of those developments; and in present reconstructions of the past; and

- the broad range of things such silences might signify, including assent or affirmative invitation (absence of no meaning yes), rejection or exclusion (absence of yes meaning no), deliberate compromise or equivocation, deferral of decision (consciously leaving matters undecided), deliberate decisions to invite future legal dialogue and development, failure to anticipate future developments, inattention to possibilities, and intentional erasure.

In the course of our investigation of the types and meanings of silence, we’ll weave in such familiar themes as constitutional avoidance; ambiguity, delegation, and deference to agency judgment; judicial minimalism, incrementalism, and restraint; incompletely theorized agreement; deference to majority will; the several versions of originalism and living constitutionalism; popular constitutionalism; the canon and
In addition to attending and participating in every seminar meeting*, each student will be responsible for writing two very short (6-page max) responses to specific questions about the materials that I’ll pose at the start of the course and some extremely short (1/2-page) comments on the responses written by the other participants. *Recognizing that there is an overlap in meeting times between the first meeting of this seminar and Justice Kagans reading group, if students are admitted to both classes I will reschedule as necessary to avoid a conflict. Students should feel free to apply to this course without any fear that, if selected, such a conflict will preclude participation.

Note: The first class meeting will be held on Wednesday, September 16. Drop Deadline: Thursday, September 17 by 11:59pm

---

**Consumer Bankruptcy**

<table>
<thead>
<tr>
<th>Course #: 2699</th>
<th>Term: 2016SP</th>
<th>Faculty: Bertling, Roger</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Family, Gender &amp; Children's Law; Procedure &amp; Practice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Seminar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times: Wed 5:00 PM - 7:00 PM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: LEW102</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:**

Prerequisites: None.

Exam type: No Exam. This course will have a final written paper in lieu of an examination.

This course explores the basic principles of consumer Chapter 7 liquidation and 13 personal reorganization bankruptcies and is designed for those who wish to understand consumer bankruptcy from a practitioner’s viewpoint. We will also devote some attention to non-bankruptcy collection law. Course topics will include an overview of the bankruptcy process, eligibility for bankruptcy, the automatic stay, the bankruptcy estate, exemptions, creditor claims and priorities, with a specific emphasis on mortgage claims, student loans, executory contracts and leases and discharge of debts, all with an emphasis on individual consumer bankruptcies.

This course is limited to 20 students.
### Consumer Contracts

<table>
<thead>
<tr>
<th>Course #: 2598</th>
<th>Term: 2015FA</th>
<th>Faculty: Bar-Gill, Oren; Marotta-Wurgler, Florencia</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Disciplinary Perspectives &amp; Law; Regulatory Law</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Seminar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon 5:00 PM - 7:00 PM</td>
<td>WCC3013</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:**

Prerequisites: None.

Exam Type: No exam.

Consumer contracts are receiving increasingly intense scrutiny by legislators, regulators and courts. Can we rely on assent to ensure fair terms? Or must we seek alternatives to assent? What should be done about arbitration clauses, unilateral change clauses, liability disclaimers, lax privacy policies and other problematic terms in consumer contracts? Should regulators respond with mandates and bans or should they pursue less paternalistic approaches? Can contract law doctrine protect consumers? The seminar will explore these and related questions.
Contemporary Developing Countries: Entrepreneurial Solutions to Intractable Problems

Course #: 2543  
Term: 2015FA  
Faculty: Khanna, Tarun  
Credits: 3.00

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

Delivery Mode: Course

Days and Times:  
Mon 3:30 PM - 5:00 PM  
Wed 3:30 PM - 5:00 PM

Course Description: Prerequisites: None.  
Exam type: No Exam.  
This course will provide a framework (and multiple lenses) through which to think about the salient economic and social problems of the five billion people of the developing world, and to work in a team setting toward identifying entrepreneurial solutions to such problems. Case study discussions will cover challenges and solutions in fields as diverse as health, education, technology, urban planning, and arts and the humanities. The modules themselves will be team-taught by faculty from engineering, the arts, urban design, healthcare and business. The course will embrace a bias toward action by enabling students to understand the potential of individual agency in addressing these problems. All students will participate in the development of a business plan or grant proposal to tackle their chosen problem in a specific developing country/region, emphasizing the importance of contextualizing the entrepreneurial intervention. The student-team will ideally be comprised of students with diverse backgrounds from across the University.

Note: The course will meet on the FAS campus in Sever Hall room 113. It is jointly listed with FAS as Societies of the World 47; with GSE as A819; with HBS as 1266; with HKS as PED-338; and with HSPH as GHP568-01.
Contemporary Issues in Oil and Gas Law: Fracking, Takings, Pipelines, and Regulation

Course #: 2717  Term: 2015FA  Faculty: Konschnik, Kate  Credits: 1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Environmental Law
Delivery Mode: Reading Group

Days and Times: Location
Thu 5:00 PM - 7:00 PM WCC3034

Course Description:
Prerequisites: None.
Exam Type: No exam.

This Reading Group will explore hot legal issues in oil and gas law relating to public health, environmental quality, fair compensation for public natural resources, and eminent domain for public utilities. The goal of the Reading Group is to provide an overview of energy law and to demonstrate how this rich subject interacts with many other areas of law. We will also apply problem-solving skills in our discussions of often contentious topics, and think about how to represent clients in these settings or craft creative policy solutions and management strategies.

We will meet for six two-hour sessions. After a brief introduction to oil and gas activity in the United States, the group will tackle four legal topics &ndash; chemical disclosure, royalty transparency on public lands, methane emissions from the natural gas sector, and pipeline siting &ndash; in an informal, interactive setting. Students will be responsible for the readings, to ensure robust class discussions.

Note: The reading group will meet on the following dates: 9/24, 10/8, 10/22, 10/29, 11/5, 11/12.
Drop Deadline: September 25th, 2015 by 11:59pm EST

Contracts

Course #: 2501  Term: 2016SP  Faculty: Taggart, Christopher  Credits: 3.00
Type: Elective  Subject Areas: Procedure & Practice
Delivery Mode: Course

Days and Times: Location
Thu 10:00 AM - 11:30 AM WCC5052
Fri 10:00 AM - 11:30 AM WCC5052

Course Description:
Prerequisites: None.
Exam Type: Any-day take-home exam.
Contract law is the study of legally enforceable promises, normally exchanged as part of a bargain. Contracts are the main means by which transactions are made and legal obligations are voluntarily incurred. Doctrinal topics to be discussed may include: when a contractual promise exists and which are too indefinite; offer and acceptance; consideration; whether and when contracts should be voided for reasons such as duress or nondisclosure; contractual interpretation; parol evidence; statutes of frauds; and "quasi-contracts"
Note: Enrollment is limited to non-J.D. students and is offered primarily for foreign-educated LL.M. students.
Contracts 1

Course #: 1001  
Term: 2016SP  
Faculty: Fried, Charles  
Credits: 4.00  
Type: 1lcourse  
Subject Areas: Not Applicable  
Delivery Mode: Course  
Days and Times:  
Mon 1:00 PM - 3:10 PM  
Tue 1:00 PM - 3:10 PM  
Location: WCC1010  

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

Contracts 2

Course #: 1001  
Term: 2015FA  
Faculty: Okediji, Ruth  
Credits: 4.00  
Type: 1lcourse  
Subject Areas: Not Applicable  
Delivery Mode: Course  
Days and Times:  
Mon 8:10 AM - 10:10 AM  
Tue 8:10 AM - 10:10 AM  
Location: WCC1019  

Course Description: Exam type: In Class. This course will provide a comprehensive study of the law that governs enforceable promises between individuals. The course will begin with a study of the sources of contract law and the concept of mutual assent as a basis for contractual obligations. Topics include consideration and other contract formalities, interpretation of contracts and the parole evidence rule, implied terms, avoiding enforcement of contractual obligations, justifications for non-performance and remedies. The course will also address contract formation, interpretation and enforcement under Article 2 of the Uniform Commercial Code.
Contracts 3
Course #: 1001  Term: 2015FA  Faculty: Kennedy, Randall  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times: Location
Thu 9:50 AM - 11:50 AM  WCC1019
Fri 9:50 AM - 11:50 AM  WCC1019
Course Description: Exam type: In Class. This course is an introduction to the study of contracts and their regulation.

Contracts 4
Course #: 1001  Term: 2015FA  Faculty: Bar-Gill, Oren  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times: Location
Thu 9:50 AM - 11:50 AM  WCC2004
Fri 9:50 AM - 11:50 AM  WCC2004
Course Description: Exam type: In Class. The body of law concerned with private agreements, including contract formation, interpretation, conditions, excuse of performance, and remedies for breach, is the focus of this course. Attention is given to the Uniform Commercial Code and other relevant statutes as well as to principles of common law and equity.
Contracts 5

Course #: 1001  Term: 2015FA  Faculty: Richman, Barak  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times:  Location
Mon 3:20 PM - 4:40 PM  WCC1010
Tue 3:20 PM - 4:40 PM  WCC1010
Wed 3:20 PM - 4:40 PM  WCC1010

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

Contracts 6

Course #: 1001  Term: 2015FA  Faculty: Frug, Gerald  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times:  Location
Mon 10:20 AM - 11:40 AM  WCC1019
Tue 10:20 AM - 11:40 AM  WCC1019
Wed 10:20 AM - 11:40 AM  WCC1019

Course Description: Exam type: One day take-home. This is a course about a fundamental way in which legal relations are organized: through agreement. It is also a course about what happens when people change their minds about what they agreed to and what happens when they never really agreed but the law treats them as if they did. We will cover the basic doctrines of contract law: what it takes for a contract to be enforceable (a manifestation of intent to create an obligation, consideration, sufficient definiteness), excuses that get people out of contracts (misrepresentation, mistake, duress, impossibility, waiver, material breach, repudiation), how we decide what counts as an obligation and a breach of obligation (interpretation, parol evidence, good faith, implied terms, gap-filling), and what the potential remedies are if there has been a breach (specific performance, expectation damages, reliance, restitution.) There is some treatment of the specific issues that arise under the statutory regime that governs commercial contracts (the Uniform Commercial Code.) We will also consider the public policy issues that arise with these doctrines.
**Contracts 7**

Course #: 1001  
Term: 2015FA  
Faculty: Marotta-Wurgler, Florencia  
Credits: 4.00  
Type: 1lcourse  
Subject Areas: Not Applicable  
Delivery Mode: Course  

Days and Times:  
Wed 1:00 PM - 3:00 PM  
Thu 1:00 PM - 3:00 PM  

Location: WCC1019  

Course Description:
Exam type: In Class. This course focuses on the body of law concerned with private agreements, including contract formation, capacity to contract, interpretation, excuse of performance, and remedies for breach. Special focus will be given to principles of common law and equity, as well as Article 2 of the Uniform Commercial Code.

---

**Controlling Shareholders**

Course #: 2830  
Term: 2015FA  
Faculty: Bebchuk, Lucian; Hamdani, Assaf  
Credits: 1.00  
Type: Elective  
Subject Areas: Business Organization, Commercial Law, and Finance; International, Comparative 
& Foreign Law; Regulatory Law  
Delivery Mode: Course  

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

Location: WCCB015  

Course Description:
Prerequisites: Having taken (or taking concurrently) the Corporations course at HLS, or having taken a course dealing with corporate law issues at another law school.

Exam Type: No exam.

Students will be asked to submit, before sessions, a brief memo on the assigned readings; grades will be based on these memos (primarily) and on participation in class discussion.

This course will meet for 6 two-hour sessions during September and October and will end by the end of October. Sessions will focus on selected issues and policy debates concerning the laws governing companies that have a controlling shareholder. While corporate law courses at HLS often focus on companies with dispersed shareholders, a significant fraction of public companies in the United States, and even more so around the world, have a controlling shareholder. Issues that may be considered include the difference between the governance problems of public companies with and without a controlling shareholder, sales of control blocks, corporate freezeouts, executive pay, self-dealing transactions, director independence and minority representation, dual-class companies and corporate pyramids.

The course aims at giving students a good sense of the issues that companies with controlling shareholders raise for courts, lawmakers, and researchers, and the ways in which policy arguments about such issues can be developed. Readings will mainly be law review articles and discussion papers.
Copyright

Course #: 2042  Term: 2016SP  Faculty: Fisher, William  Credits: 4.00

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

Delivery Mode: Course

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

Course Description:
Prerequisites: None.
Exam type: Two parts - in class portion & last-class take-home portion.
This course will explore copyright law and policy. Approximately two thirds of the class time and readings will be devoted to the American copyright system; the remainder will be devoted to the major relevant multilateral treaties and to the laws pertaining to copyright and "neighboring rights" in other countries. Substantial attention will be paid to the efforts by philosophers and economists to justify, reform, or abolish the copyright system. Additional information concerning the unusual structure of the course is available at http://copyx.org/courses/harvard-law-school/.

Copyright and Trademark Litigation

Course #: 2043  Term: 2015FA  Faculty: Cendali, Dale  Credits: 2.00

Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 3:00 PM PND100

Course Description:
Prerequisites: No prior courses in IP are necessary as the course will provide any necessary foundation. Exam Type: In-Class The class will analyze the strategic, practical and policy issues involved with copyright and trademark litigation from the beginning of a case where emergency injunctive relief might be sought, to its potential end at the U.S. Supreme Court. Substantive areas of copyright and trademark law will include fair use, nominative fair use, the likelihood of confusion, use of consumer surveys, dilution, the role of the First Amendment, the theory behind injunctive relief, the nature of irreparable injury, and trademarks as a form of property right. The course will discuss how to persuasively present evidence and try a case. The course will also address the special nature of Supreme Court litigation and techniques for an effective oral argument. Each student will participate in one very brief oral argument during the semester. Real-life cases the instructor has litigated will be used to illustrate points.
Corporate and Capital Markets Law and Policy

Course #: 2362  Term: 2015FA  Faculty: Bebchuk, Lucian; Hirst, Scott  Credits: 3.00

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

Delivery Mode: Course

Days and Times: Location
Mon 5:00 PM - 7:00 PM  HAU104
Tue 5:00 PM - 7:00 PM  HAU104

Course Description:
Prerequisites: Having taken (or taking concurrently) the Corporations course at HLS, or having taken a course dealing with corporate law issues at another law school.

Exam Type: No Exam
In lieu of an examination, students will be asked to submit, before sessions, a brief memo on the assigned readings; grades will be based on these memos (primarily) and on participation in class discussion.

This course will consider a range of policy issues in the law governing corporations, securities, capital markets, and financial institutions. Issues to be considered include the allocation of power between managers and shareholders, takeover contests, shareholder activism, executive compensation, cross-country differences in corporate and securities laws, corporate social responsibility, securities regulation, and financial regulation. A substantial number of sessions will feature outside speakers; such speakers will include prominent practitioners presenting on current policy and practice issues and prominent academics presenting on current research. To illustrate, recent speakers in this course have included prominent hedge fund activists, the former CEO of a major corporation, a prominent M&A litigator, and professors from Harvard, Columbia and Virginia.

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

The course will not meet on all Mondays and Tuesdays during the semester; rather, it will meet for 18 2-hour sessions which will take place on Mondays and Tuesdays.
Corporate Finance

Course #: 2244  Term: 2016SP  Faculty: Gold, Andrew  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Course

Days and Times:
Thu 10:00 AM - 11:30 AM  Location: WCC2009
Fri 10:00 AM - 11:30 AM  Location: WCC2009

Course Description:
Prerequisites: Some background in corporate law and/or finance is helpful but not required.
Exam Type: In-class exam.
This course addresses the fundamentals of financial economics as encountered in selected areas of corporate, bankruptcy, and securities law.

Corporate Governance and Finance of the Public Firm

Course #: 2045  Term: 2016SP  Faculty: Roe, Mark  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law; Regulatory Law
Delivery Mode: Course

Days and Times:
Wed 8:30 AM - 9:30 AM  Location: HAU102
Thu 8:30 AM - 9:30 AM  Location: HAU102
Fri 8:30 AM - 9:30 AM  Location: HAU102

Course Description:
Prerequisite: Corporations, which may be taken concurrently with the course, or equivalent exposure to corporate law (contact the instructor for permission to waive the requisite).
Exam type: In class.
In this course we will consider current conceptual thinking about corporate governance, finance, and ownership, divided among these topics: the business structure of the firm and its relation to investors, institutional investors' role in the public corporation, the foundations for venture capital markets, the role of lawyers and other gatekeepers in the Enron scandal and the Sarbanes-Oxley Act, major differences in large firms around the world, new thinking on jurisdictional competition in producing corporate law in the United States, and shareholder primacy and its critics.
Corporate Reorganization

Course #: 2047  Term: 2016SP  Faculty: Bienenstock, Martin  Credits: 1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Course

Days and Times: Location
Mon 5:00 PM - 7:00 PM WCCB015

Course Description: Prerequisites: None.
Exam type: No exam.
Grades are determined by 10-page papers on approved topics. Some students may earn two credits by writing more extensive papers.
Corporate Reorganization identifies the dominant causes of business failure or distress, and analyzes how (a) corporate governance enhanced by the best business research of the last 20 years can mitigate or avoid failure and (b) chapter 11 resolves failure/distress. We do this by reference to governance and business research papers, jurisprudence, and articles about failures in the auto, steel, financial, and manufacturing industries, and industries subject to mass tort liability. In formulating resolutions of distressed situations, we apply chapter 11 resolutions as a baseline against which other resolutions are compared. The course is designed to show that optimal restructuring is a multidisciplinary undertaking, even within its legal framework where emphasis is put on governance jurisprudence, bankruptcy jurisprudence, statutory interpretation, the constitutional limits of the bankruptcy power, the bankruptcy courts jurisdiction, and the use of litigation.

Note: This is a one-credit course that meets for 7 two-hour sessions for the first seven weeks of the term.
Corporations

Course #: 2048  Term: 2016SP  Faculty: Clark, Robert  Credits: 4.00
Type: Multisection  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Course

Location

Days and Times:

Mon 10:20 AM - 11:55 AM  LAN272
Tue 10:20 AM - 11:55 AM  LAN272
Wed 10:20 AM - 11:55 AM  LAN272

Course Description: Prerequisites: None.
Exam type: In class.
This course surveys the role of legal controls on business organizations with emphasis on the control of managers in publicly held corporations. Aspects of the law of agency, partnership, and closely held corporations are reviewed to highlight continuities and discontinuities with the publicly held corporation. Topics include basic fiduciary law, shareholder voting, derivative suits, executive compensation, reorganizations, and control transactions. The emphasis throughout is on the functional analysis of legal rules as one set of constraints on corporate actors among others.

Corporations

Course #: 2048  Term: 2015FA  Faculty: Ramseyer, J. Mark  Credits: 4.00
Type: Multisection  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Course

Location

Days and Times:

Mon 10:20 AM - 11:40 AM  LAN272
Tue 10:20 AM - 11:40 AM  LAN272
Wed 10:20 AM - 11:40 AM  LAN272

Course Description: Prerequisites: None
Exam Type: In-Class
This course surveys the role of legal controls on business organizations. Aspects of the law of agency, partnership, and closely held corporations are reviewed to highlight continuities and discontinuities with the publicly held corporation. Topics include basic fiduciary law, shareholder voting, derivative suits, reorganizations, and control transactions. The emphasis throughout is on the functional analysis of legal rules as one set of constraints on corporate factors among others.
Corporations

Course #: 2048  Term: 2015FA  Faculty: Kraakman, Reinier  Credits: 4.00
Type: Multisection  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:40 PM  WCC2012
Tue 3:20 PM - 4:40 PM  WCC2012
Wed 3:20 PM - 4:40 PM  WCC2012

Course Description:
Prerequisites: None. Exam Type: In-Class
This course surveys the role of legal structure and legal controls on business enterprises with an emphasis on the legal duties of the managers, directors, and controlling shareholders of U.S. public corporations. Aspects of the law of agency and non-corporate business entities are reviewed to highlight their continuities and breaks with the law of business corporations. Topics include fiduciary law, shareholder voting, executive compensation, derivative suits, control transactions, mergers and acquisitions, and insider trading. The emphasis throughout is on corporate law as both an enabling device—empowering actors by providing a flexible durable legal form—and corporate law as a regulatory device, constraining corporate insiders from opportunism and the mismanagement of corporate assets.

Corporations

Course #: 2048  Term: 2016SP  Faculty: Spamann, Holger  Credits: 4.00
Type: Multisection  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:40 PM  LAN272
Tue 3:20 PM - 4:40 PM  LAN272
Wed 3:20 PM - 4:40 PM  LAN272

Course Description:
Prerequisites: None. Exam type: In class.
In addition to the final exam, there will be several pass/fail quizzes throughout the semester.
This course surveys the legal rules governing corporations with an emphasis on the protection of shareholders against management and controlling shareholders. Topics include asset partitioning, fiduciary duties, derivative suits, executive compensation, shareholder voting, M&A, insider trading, fraudulent conveyance, and choice of law. One quarter of the course will be based on problems drawn from transactional settings. The course emphasizes financial and strategic considerations throughout. Materials: https://h2o.law.harvard.edu/playlists/1923 and transactional problems distributed in class.
### Corporations

<table>
<thead>
<tr>
<th>Course #</th>
<th>Term</th>
<th>Faculty</th>
<th>Credits</th>
<th>Subject Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>2048</td>
<td>2016SP</td>
<td>Bubb, Ryan</td>
<td>4.00</td>
<td>Business Organization, Commercial Law, and Finance; Regulatory Law</td>
</tr>
</tbody>
</table>

**Term:** 2016SP  
**Faculty:** Bubb, Ryan  
**Credits:** 4.00  
**Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

**Delivery Mode:** Course

**Days and Times:**  
- Mon 8:10 AM - 10:10 AM  
- Tue 8:10 AM - 10:10 AM  
- AU5101  

**Course Description:**  
Prerequisites: None.  
Exam type: In class.  
This course is an introduction to the law of organizations with a focus on business corporations. We will examine how organizational law mitigates the conflicts among owners, managers, and creditors and facilitates enterprise. Topics covered will include the law of agency, fiduciary duties, voting rights, and mergers and acquisitions.

---

### Corporations

<table>
<thead>
<tr>
<th>Course #</th>
<th>Term</th>
<th>Faculty</th>
<th>Credits</th>
<th>Subject Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>2048</td>
<td>2015FA</td>
<td>Gold, Andrew</td>
<td>4.00</td>
<td>Business Organization, Commercial Law, and Finance; Regulatory Law</td>
</tr>
</tbody>
</table>

**Term:** 2015FA  
**Faculty:** Gold, Andrew  
**Credits:** 4.00  
**Subject Areas:** Business Organization, Commercial Law, and Finance; Regulatory Law

**Delivery Mode:** Course

**Days and Times:**  
- Wed 1:20 PM - 2:40 PM  
- Thu 1:20 PM - 2:40 PM  
- Fri 1:20 PM - 2:40 PM  
- LAN225  

**Course Description:**  
Prerequisites: None  
Exam Type: In-Class  
This course surveys the role of legal controls on business organizations. Aspects of the law of agency, partnership, and closely held corporations are reviewed to highlight continuities and discontinuities with the publicly held corporation. Topics include basic fiduciary law, shareholder voting, derivative suits, reorganizations, and control transactions. The emphasis throughout is on the functional analysis of legal rules as one set of constraints on corporate factors among others.
Corrective Justice

Course #: 2810  Term: 2016SP  Faculty: Gold, Andrew  Credits: 1.00
Type: Elective  Subject Areas: Criminal Law & Procedure
Delivery Mode: Reading Group

Days and Times: Location
Wed 5:00 PM - 7:00 PM  WCC4061

Course Description: Prerequisites: None.
Exam Type: No exam.
Corrective justice is a fundamental type of justice, concerned with the reversal of wrongs or the undoing of transactions. Corrective justice also offers powerful insights into tort law, contract law, and unjust enrichment, among other fields. Yet, theorists provide very different accounts of its content and justification. For example, prominent accounts draw on moral duties, expressive meanings, and economic efficiency to justify corrective justice. In addition, the relation between corrective justice and other types of justice is controversial. Among other concerns, distributive justice aims may be in tension with corrective justice. Given these concerns, corrective justice has become an increasingly interesting and important topic in legal theory. Readings will consist primarily of articles and book excerpts that provide philosophical analyses of corrective justice and related topics.

Note: This reading group will meet on the following dates: 1/27, 2/10, 2/24, 3/9, 3/23, 4/6.
Counseling and Legal Strategy in the Digital Age

Course #: 2653  
Term: 2015FA  
Faculty: Bavitz, Christopher; Ritvo, Dalia  
Credits: 2.00

Type: Elective  
Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Seminar

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

Location: WCC3016

Course Description:  
Prerequisites: None.  
Exam Type: No exam.  
This course explores the complex challenges that entrepreneurs, businesses, and other organizations face when trying to address legal issues relating to technology. The seminars approach is both practical and multidisciplinary, and it encourages students to explore the roles of a wide range of stakeholders (including lawyers, policy advocates and policymakers, businesspersons, and technologists) in developing legal and business strategies. The course draws on a rich set of case studies based on recent legal controversies (including pre-litigation correspondence, pleadings, briefs, and other litigation materials). Students also review, analyze, and critique transactional documents and other legal materials (including contracts and website terms of use and privacy policies), with an eye toward assessing legal and PR risks and protecting clients interests. Using all of these materials, the course condenses and weaves together experiences that lawyers and clients encounter day-to-day with core doctrinal and theoretical principles of relevant areas of law (including IP, speech, privacy, and the like). The class focuses particularly closely on critical and strategic thinking and analysis, complex legal and practical problem solving and decision-making, and clear and persuasive writing and drafting. At various points throughout the semester, the instructors will bring in outside specialists to enhance students understanding of the interplay between substantive and practical issues.

Cross-Registration: Cross-registrants are strongly encouraged to apply. We would like to have a diverse mix of backgrounds in our seminar this fall and have reserved seats for graduate students from other schools.

Note: Students who previously enrolled in the Practical Lawyering in Cyberspace seminar may not register for this course.
Criminal Justice Fellows Seminar

Course #: 2801  
Term: 2015FS  
Faculty: Steiker, Carol; Whiting, Alex  
Credits: 4.00

Type: Elective  
Subject Areas: Criminal Law & Procedure

Delivery Mode: Seminar

Days and Times:  
Wed 3:00 PM - 5:00 PM

Location

Course Description:  
Note: The credit breakdown for this course is as follows: 2 classroom credits in the fall and 2 classroom credits in the spring. Prerequisites: The seminar is by permission of the instructors. To apply, students should submit a brief statement of their interest and relevant background (courses, internships, and work experience) in criminal justice policy issues to mworth@law.harvard.edu. The deadline for application is Friday, August 14th.

Exam Type: No exam.

This full-year seminar will be the keystone of the new Criminal Justice Program of Study, Research, and Advocacy. Students in the seminar will be designated "Criminal Justice Student Fellows" and will work on policy projects promoting criminal justice reform under the supervision of the faculty Co-Directors (Professors Steiker & Whiting), in conjunction with partner organizations outside the law school. The seminar will host visiting lecturers from partner organizations and elsewhere to provide necessary background and guidance on the seminars policy projects. Student fellows will be invited to all of the public events sponsored by the Criminal Justice Program and may be involved in choosing topics and planning such events. Although there is no final exam or final paper, students will be expected to do substantial writing over the course of the seminar and to present their policy projects both to the seminar and to the broader law school community.
Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002  Term: 2016WS  Faculty: Sullivan, Ronald; Umunna, Dehlia  Credits: 5.00
Type: Clinic  Subject Areas: Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Open to 3Ls only
Required Class Component: Criminal Justice Institute: Defense Theory and Practice (3 fall classroom credits + 1 winter classroom credit). Once a student enrolls in this clinic, the Office of Clinical and Pro Bono Programs will enroll them in the required course.
Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. Failure to meet the pre/co-requisites by the clinic’s add/drop deadline will result in the student being dropped from this clinic and class.
By Permission: No.
Add/Drop Deadline: Please note this clinic has an early drop deadline of August 31, 2015.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Multi-Semester: This is a winter-spring clinic (1 winter clinical credit + 4 spring clinical credits).
Placement Site: HLS.

Mandatory Meeting: All students must attend mandatory orientation sessions on Wednesday, September 30, Thursday, October 1 AND Friday, October 2, 2015. Additionally, each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 28) or Tuesday (Sept. 29).

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

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

Classroom reading and discussion will draw upon and complement the students experiences as defense counsel.

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

The clinic and class will start the week after Fall TAW, September 28 - October 2, 2015. During this first week, all students must attend a number of mandatory orientation sessions. Each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 28) or Tuesday (Sept. 29) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 30) and Thursday (Oct. 1) from 2:00 PM - 5:00 PM as well as on Friday (Oct. 2) from 9:00 AM - 12:00 PM. Starting this first week and throughout the Fall, class will meet on Wednesdays and Thursdays from 5:00 PM - 7:00 PM. During the Winter, class will meet on Wednesdays and Thursdays from 10:00 AM - 12:00 PM.

Arraignments for those enrolled in the fall-winter clinic will be held during the month of October. Those enrolled in the winter-spring clinic will be attending arraignments during the month of January. All students must have at least one morning available for court, Monday through Thursday. Juvenile cases are heard only on Mondays, Tuesdays, and Wednesdays.

Students enrolled in the fall-winter clinic will be taking the course exam at the end of January. Those enrolled in the winter-spring clinic will be taking the exam at the conclusion of their clinic experience in the spring.
Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002  Term: 2015FW  Faculty: Umunna, Dehlia  Credits: 4.00
Type: Clinic  Subject Areas: Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Open to 3Ls only.

Required Class Component: Criminal Justice Institute: Defense Theory and Practice (3 fall classroom credits + 1 winter classroom credit). Once a student enrolls in this clinic, the Office of Clinical and Pro Bono Programs will enroll them in the required course.

Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. Failure to meet the pre/co-requisites by the clinic’s add/drop deadline will result in the student being dropped from this clinic and class.

By Permission: No.

Add/Drop Deadline: Please note this clinic has an early drop deadline of August 31, 2015.

LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

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

Placement Site: HLS.


Mandatory Meeting: All students must attend mandatory orientation sessions on Wednesday, September 30, Thursday, October 1 AND Friday, October 2, 2015. Additionally, each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 28) or Tuesday (Sept. 29).

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

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

Classroom reading and discussion will draw upon and complement the students experiences as defense counsel.

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

The clinic and class will start the week after Fall TAW, September 28 - October 2, 2015. During this first week, all students must attend a number of mandatory orientation sessions. Each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 28) or Tuesday (Sept. 29) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 30) and Thursday (Oct. 1) from 2:00 PM - 5:00 PM as well as on Friday (Oct. 2) from 9:00 AM - 12:00 PM. Starting this first week and throughout the Fall, class will meet on Wednesdays and Thursdays from 5:00 PM - 7:00 PM. During the Winter, class will meet on Wednesdays and Thursdays from 10:00 AM - 12:00 PM.

Arraignments for those enrolled in the fall-winter clinic will be held during the month of October. Those enrolled in the winter-spring clinic will be attending arraignments during the month of January. All students must have at least one morning available for court, Monday through Thursday. Juvenile cases are heard only on Mondays, Tuesdays, and Wednesdays.

Students enrolled in the fall-winter clinic will be taking the course exam at the end of January. Those enrolled in the winter-spring clinic will be taking the exam at the conclusion of their clinic experience in the spring.
Criminal Justice Institute: Defense Theory and Practice

Course #: 2261  Term: 2015FW  Faculty: Umunna, Dehlia  Credits: 4.00

Type: Elective  Subject Areas: Criminal Law & Procedure; Procedure & Practice

Delivery Mode: Course

Days and Times:  Location
Wed 5:00 PM - 7:00 PM  GR5110
Thu 5:00 PM - 7:00 PM  GR5110
Wed 12:00 PM - 2:00 PM  LAN272
Thu 12:00 PM - 2:00 PM  LAN272

Course Description: Open to 3Ls only
Required Clinic Component: Criminal Justice Institute: Criminal Defense Clinic, either fall-winter (3 fall clinical credits + 1 winter clinical credit) or winter-spring (1 winter clinical credit + 4 spring clinical credits). Students must enroll in one of the two clinic offerings (fall-winter or winter-spring) before they are permitted to enroll in this required course.
Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. Failure to meet the pre/co-requisites by the clinic’s add/drop deadline will result in the student being dropped from this clinic and class.
By Permission: No.
Add/Drop Deadline: Please note this clinic has an early drop deadline of August 31, 2015.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Multi-Semester: This is a fall-winter course (3 fall classroom credits + 1 winter classroom credit).
Placement Site: HLS.

Mandatory Meeting: All students must attend mandatory orientation sessions on Wednesday, September 30, Thursday, October 1 AND Friday, October 2, 2015. Additionally, each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 28) or Tuesday (Sept. 29).

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

Students can expect to represent clients on criminal and juvenile delinquency cases in the local courts. In the course of representing clients, students may be required to visit correctional institutions, which necessitate a background check. They may also provide representation to minors in school disciplinary hearings or represent adult clients in appellate or other post-conviction legal proceedings. Students will be responsible for providing complete legal representation to their clients during the course of the term and are expected to work a minimum of twenty hours per week at the Criminal Justice Institute under the supervision of a clinical instructor at the Institute. Students will receive one-to-one supervision, individual critique of their courtroom work, and participate in regular group sessions with their supervisor. Classroom reading and discussion will draw upon and complement the students' experiences as defense
The teaching method will include exercises and discussions on the Code of Professional Responsibility and the Model Rules of Professional Responsibility. Students will become familiar with the Fourth, Fifth, Sixth, and Fourteenth Amendment rights of both adults and juveniles accused of delinquency, as well as the law of evidence and sentencing. There will be a review of essential lawyering skills in criminal practice.

The clinic and class will start the week after Fall TAW, September 28 - October 2, 2015. During this first week, all students must attend a number of mandatory orientation sessions. Each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 28) or Tuesday (Sept. 29) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 30) and Thursday (Oct. 1) from 2:00 PM - 5:00 PM as well as on Friday (Oct. 2) from 9:00 AM - 12:00 PM. Starting this first week and throughout the Fall, class will meet on Wednesdays and Thursdays from 5:00 PM - 7:00 PM. During the Winter, class will meet on Wednesdays and Thursdays from 12:00 PM - 2:00 PM.

Arraignments for those enrolled in the fall-winter clinic will be held during the month of October. Those enrolled in the winter-spring clinic will be attending arraignments during the month of January. All students must have at least one morning available for court, Monday through Thursday. Juvenile cases are heard only on Mondays, Tuesdays, and Wednesdays.

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

This course satisfies the professional responsibility requirement.
Criminal Law 1

Course #: 1002  Term: 2015FA  Faculty: Crespo, Andrew  Credits: 4.00
Type: 1course  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times:  Location
Thu 1:00 PM - 3:00 PM  WCC1010
Fri 1:00 PM - 3:00 PM  WCC1010

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

Criminal Law 2

Course #: 1002  Term: 2015FA  Faculty: King, Nancy  Credits: 4.00
Type: 1course  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times:  Location
Wed 1:20 PM - 2:40 PM  WCC2012
Thu 1:20 PM - 2:40 PM  WCC2012
Fri 1:20 PM - 2:40 PM  WCC2012

Course Description: Exam type: In Class. This course considers the basic principles of substantive criminal law, including the rationales for punishment, the voluntary act requirement, causation, culpable mental states, and the relevance of intoxication and mistake. We will examine the law of homicide -- from negligent homicide to felony murder and capital punishment -- and alternative formulations of several other offenses, such as drug and weapons possession, conspiracy, and sexual assault. The class also covers common defenses to criminal liability, including duress, necessity, insanity, and self-defense, and the theory that shapes those defenses. Criminal liability for attempt is addressed, as is liability for crimes committed by accomplices and coconspirators. Throughout the course, students will encounter various issues of criminal procedure and criminal justice policy.
Criminal Law 3

Course #: 1002  Term: 2015FA  Faculty: Lanni, Adriaan  Credits: 4.00

Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Wed 1:00 PM - 3:00 PM  WCC1023
Thu 1:00 PM - 3:00 PM  WCC1023

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

Criminal Law 4

Course #: 1002  Term: 2016SP  Faculty: Suk Gersen, Jeannie  Credits: 4.00

Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 3:00 PM  WCC1023
Tue 1:00 PM - 3:00 PM  WCC1023

Course Description: Exam type: One-day take-home. This course considers the basic themes of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationales of punishment. General doctrinal principles of the criminal law and illustrative crimes are studied, including homicide, rape, attempt, complicity, and conspiracy. The course also considers constitutional principles of criminal justice. Laptops cannot be used in class. Class participation is required.
Criminal Law 5
Course #: 1002  
Term: 2016SP  
Faculty: Yang, Crystal  
Credits:  4.00  
Type: 1lcourse  
Subject Areas: Not Applicable  
Delivery Mode: Course  
Days and Times:  
Mon 10:20 AM - 11:40 AM  
Tue 10:20 AM - 11:40 AM  
Wed 10:20 AM - 11:40 AM  
Location: WCC1023  
Course Description:  
Exam: In Class. This course considers the basic themes of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationales for punishment. General doctrinal principles of the criminal law and illustrative crimes are studied, including attempts, conspiracy, and the law of accomplice liability, defenses such as self-defense and insanity, and aspects of the law of homicide and rape. The course also considers some important issues in the administration of the criminal justice system, with special emphasis on the phenomenon of discretion. The rationales for allowing discretion, the proper scope of discretion, and the practical effects of discretion are examined in the context of particular institutional actors, with focus on prosecutorial charging discretion, the practice of plea bargaining, and current debates about sentencing discretion.

Criminal Law 6
Course #: 1002  
Term: 2015FA  
Faculty: Tadros, Victor  
Credits:  4.00  
Type: 1lcourse  
Subject Areas: Not Applicable  
Delivery Mode: Course  
Days and Times:  
Mon 8:10 AM - 10:10 AM  
Tue 8:10 AM - 10:10 AM  
Location: WCC1010  
Course Description:  
Exam type: In Class. This course is concerned with central issues of substantive criminal law, including the purpose and proper scope of the criminal law. General principles of criminal liability, as well as some illustrative crimes, are discussed. These include causation, criminal omissions, attempts, possession offenses, defenses, and the law of homicide and rape. There will also be discussion of some issues in criminal procedure, including plea-bargaining and sentencing. The course investigates both legal doctrine, and the philosophical questions that illuminate the law.
Criminal Law 7

Course #: 1002  Term: 2016SP  Faculty: Whiting, Alex  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Location
Mon 10:20 AM - 11:40 AM WCC2009
Tue 10:20 AM - 11:40 AM WCC2009
Wed 10:20 AM - 11:40 AM WCC2009

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

Criminal Procedure: Adjudication

Course #: 2049  Term: 2016SP  Faculty: Kavanaugh, Lisa  Credits: 3.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Criminal Law & Procedure
Delivery Mode: Course

Days and Times: Location
Thu 10:00 AM - 11:30 AM PND102
Fri 10:00 AM - 11:30 AM PND102

Course Description: Prerequisites: None.
Exam type: In class.
The subject of this course is the criminal process "from bail to jail." We will address some of the main constitutional and policy issues that arise about the structure of this process, including the right to counsel, the influence of prosecutorial discretion, the institution of plea bargaining, the role of the jury, and the choice of sentencing procedures. We will also address some important issues about the outcomes produced by this process, including the problem of wrongful convictions (innocence) and disparate racial and class impacts.
Criminal Procedure: Investigations

Course #: 2050  Term: 2016SP  Faculty: Crespo, Andrew  Credits: 4.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Criminal Law & Procedure
Delivery Mode: Course

Days and Times:  Location
Wed 1:00 PM - 3:00 PM  AUS111
Thu 1:00 PM - 3:00 PM  AUS111

Course Description: Prerequisites: None.
Exam type: One-day take-home.
This course examines the relationship between the people and the police, with primary focus on the principal doctrines of the Fourth, Fifth, and Sixth Amendments. Topics will include search and seizure, stop and frisk, probable cause, arrest, warrants, electronic surveillance, custodial interrogation, and the right to counsel. In addition to doctrinal examination, the course will also explore from a policy perspective the challenges associated with modern day policing, particularly as it exists and is carried out in Americas cities.

Criminal Procedure: Investigations

Course #: 2050  Term: 2015FA  Faculty: Renan, Daphna  Credits: 4.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Criminal Law & Procedure
Delivery Mode: Course

Days and Times:  Location
Wed 1:00 PM - 3:00 PM  WCCB010
Thu 1:00 PM - 3:00 PM  WCCB010

Course Description: Prerequisites: None.
Exam type: One day take-home.
This course explores the law and institutions that govern criminal investigations. It will cover key constitutional, statutory, and administrative rule-based authorities, with primary focus on the Fourth, Fifth, and Sixth Amendments. Topics will include search and seizure, probable cause, warrants, electronic surveillance, interrogations, and the right to counsel. In a time of wide-ranging law enforcement capabilities-from online surveillance and big data, to DNA collection, to stop-and-frisk programs-we will explore how constitutional rights interact with other methods of governance to police policing.
Crimmigration Clinic

Course #: 8043  Term: 2016SP  Faculty: Torrey, Philip  Credits: 2.00

Type: Clinic  Subject Areas: Constitutional Law & Civil Rights; Criminal Law & Procedure; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Crimmigration: The Intersection of Criminal Law and Immigration Law (2 fall classroom credits). Additional Co-/Pre-Requisites: None. By Permission: Yes - applications are due December 11, 2015. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS.

In the Crimmigration Clinic students will work on cutting-edge issues regarding the intersection of criminal law and immigration law. For example, students may work on amicus briefs or policy memoranda concerning the rising use of immigration detention, due process concerns in crime-based removal proceedings or constitutional issues arising from state enforcement of federal immigration laws. Clinical students will also work with the Harvard Criminal Justice Institute to provide advice to their case teams and noncitizen clients about the immigration consequences of potential criminal convictions. Clinical work will largely be performed at HLS, under the supervision of Lecturer on Law and Clinical Instructor Phil Torrey. On litigation and policy matters, the Clinic will collaborate with non-profit organizations, such as the American Civil Liberties Union, the National Immigration Project of the National Lawyers Guild, and the Immigrant Defense Project, all of which specialize in crimmigration-related litigation and policy initiatives.

Enrollment in the Crimmigration Clinic is by application only (applications are due to Phil Torrey - ptorrey@law.harvard.edu - by December 11, 2015). The fall course, Crimmigration: The Intersection of Criminal Law and Immigration Law is a prerequisite for enrollment in the Crimmigration Clinic. Students enrolled in the pre-requisite fall course will receive more information about the application process. The Office of Clinical and Pro Bono Programs will enroll students in the clinic once they have been accepted.
Crimmigration: The Intersection of Criminal Law and Immigration Law

Course #: 2597  Term: 2015FA  Faculty: Torrey, Philip  Credits: 2.00
Type: Elective  Subject Areas: Criminal Law & Procedure; Human Rights; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times: Thu 5:00 PM - 7:00 PM
Location: WCC3012

Course Description: Prerequisites: None.
Exam Type: No exam.
As record numbers of noncitizens are being deported from the United States because of criminal convictions, it is increasingly important for immigration attorneys and criminal defense attorneys to understand the immigration consequences of criminal convictions. Indeed, the United States Supreme Court recently held that criminal defense attorneys are obligated to advise their noncitizen clients about the immigration consequences of criminal convictions. The goal of this course is to introduce students to the myriad of issues concerning the intersection of immigration law and criminal law and give students the skills to recognize and analyze immigration consequences of criminal convictions. The course will cover both legal doctrine and policy issues concerning immigration detention and enforcement, border security, and immigration reform.
This course is a prerequisite for the Crimmigration Clinic (by application) offered in the Spring 2016 semester. Students who enroll in this class during fall 2015 will be eligible to apply for the spring Crimmigration clinic (applications to the clinic are due to Phil Torry - ptorrey@law.harvard.edu - by December 11, 2015).

Critical Race Theory

Course #: 2279  Term: 2015FA  Faculty: Mack, Kenneth  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: Wed 3:00 PM - 5:00 PM
Location: HAU101

Course Description: Prerequisites: None.
Exam Type: No exam.
This course will consider one of the newest intellectual currents within American Legal Theory -- Critical Race Theory. Emerging during the 1980s, critical race scholars made many controversial claims about law and legal education -- among them that race and racial inequality suffused American law and society, that structural racial subordination remained endemic, and that both liberal and critical legal theories marginalized the voices of racial minorities. Course readings will be taken from both classic works of Critical Race Theory and newer interventions in the field, as well as scholarship criticizing or otherwise engaging with Critical Race Theory from outside or at the margins of the field.
Critical Race Theory: Issues of Race, Gender & Class

Course #: 2865  Term: 2016SP  Faculty: Guinier, Lani  Credits: 1.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Reading Group

Days and Times: Location
Mon 1:00 PM - 3:00 PM HAU101

Course Description: Prerequisites: Enrollment is by-permission. Students should submit a statement of interest of no more than one page to Miriam Sopin-Vilme at msopinvilme@law.harvard.edu and Chanda Smart at csmart@law.harvard.edu.
Exam Type: None.
Note: Professors Gerald Torres, Susan Sturm and Dayna Cunningham will co-teach this reading group. In the mid-1980s a scholarly movement developed in the legal academy challenging both the substance and style of traditional legal scholarship related to race: Critical Race Theory. This movement questioned the structure and assumptions of traditional civil rights litigation including the focus on individual rights as well as definitions of meritocracy and color-blind approaches to solving legal problems. Critical race scholars employed new methodologies for legal scholarship, including storytelling, combining legal and literary analysis, and post-modernism and post-structuralism.

Insights from post-colonialism as well as the self-conscious use of qualitative analysis and first person accounts of racialized law and legal institutions helped distinguish this new school. Critical race theorists view racism as a reflection of historical and contemporary racialized policies that are embedded in legal, political, and cultural institutions. Race is the working out of this lived experience and that experience is part of the constitution of a racialized identity. CRT brings this insight to bear in analyzing law and legal institutions. CRT has had a troubled role in the academy because it not only cuts across many disciplines, but because it has combined scholarly inquiry with advocacy. Some of the members of this reading group may choose to explore its genesis and its continuing critical relevance. Critical race theory can then be useful in telling us about how to understand current social movements and the role that lawyers may play.
Note: The first class meeting will be Monday, January 25th. The rest of the meeting dates are 2/8, 2/22, 3/7, 3/21, 4/4.
Critical Theory in Legal Scholarship

Course #: 2052  Term: 2015FA  Faculty: Halley, Janet  Credits: 2.00
Type: Elective  Subject Areas: Legal & Political Theory

Delivery Mode: Seminar

Days and Times: Location
Mon 5:00 PM - 7:00 PM WCC3012

Course Description:
Prerequisites: None.
Exam Type: No exam.
The goal of this seminar will be to help students imagine writing projects of their own which put critical theory from the humanities and from legal studies "to work" in understanding some concrete dimension of the law. Readings will be a selected range of "classics" in literary, social and legal theory, paired with remarkable examples of legal-academic writing strongly engaged with them. Our discussions will aim for mastery of the former and a nuanced understanding of the interventions and methods exemplified by the latter. The target audience of this Seminar is students with ambitions to write legal scholarship - whether LLMs writing scholarly papers or 2Ls and 3Ls in the early, middle or late stages of framing an academic project. LLM’s are encouraged to enroll. SJDs are welcome to audit. Class participation will be expected and will be considered in grading. Students may write 6 short response papers or submit substantial writing within their own scholarly endeavors.

Current Issues in Corporate Governance

Course #: 2053  Term: 2015FA  Faculty: Fried, Jesse  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Seminar

Days and Times: Location
Wed 5:00 PM - 7:00 PM WCC4059

Course Description:
Prerequisite: Corporations or permission of the instructor to waive the prerequisite.
Exam Type: No exam.
This seminar focuses on current topics in the corporate governance of the widely-held U.S. firms. Most of the sessions will feature leading attorneys and other distinguished practitioners discussing their work.
Custom and Legal Authority: The Other and the Enemy in Jewish Law

Course #: 2437  
Term: 2015FA  
Faculty: Feldman, Noah  
Credits: 1.00

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

Delivery Mode: Reading Group

Days and Times: Thu 7:00 PM - 9:00 PM

Location: WCC3016

Course Description: Prerequisite: This reading group will be by permission of the instructor, who strongly prefers that students have a background in advanced study of Jewish legal material. To apply please send a short statement of interest including background in Jewish legal studies to nfeldman@law.harvard.edu with a copy to swhalen@law.harvard.edu.

Exam Type: No exam.

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

Note: The reading group will meet on the following dates: 10/8, 10/15, 10/22, 10/29, 11/12 and 11/19.
Drop Deadline: Octoeber 9th, 2015 by 11:59 pm EST
Cyberlaw Clinic

Course #: 8004  Term: 2015FA  Faculty: Bavitz, Christopher; Ritvo, Dalia  Credits:  4.00
Type: Clinic  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment;
                     Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement.
Required Class Component: Cyberlaw Clinical Seminar (2 fall classroom credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: HLS (Berkman Center).
The Cyberlaw Clinic, based at Harvard’s Berkman Center for Internet and Society, engages Harvard Law School students in a wide range of real-world client counseling, licensing and transactional, litigation, advocacy, and policy projects and cases, covering a broad spectrum of issues relating to technology and the Internet. The Clinic's work includes offering legal guidance in the areas of communications infrastructure; consumer protection, privacy, and compliance; cybercrime and youth online safety; general Internet business law; intellectual property (including copyright, trademark, and patent); litigation and amicus advocacy; online speech, media law, and the First Amendment; and technology and access to justice. Clinic clients include entrepreneurs; mission-oriented non-profits and other startups; public media companies; government institutions; and advocacy organizations working on issues relating to privacy, IP, online speech, and civil liberties. Students in the Clinic have the opportunity to develop substantive legal knowledge and hone their practice skills by managing projects, engaging directly with clients, and receiving feedback and mentorship from instructors who are experienced practitioners in the field. Detailed information about all aspects of the Clinics practice, including descriptions of representative clients and projects and copies of Clinic filings and publications, is available at the Clinics website, http://cyberlawclinic.berkman.harvard.edu.
Cyberlaw Clinic

Course #: 8004  Term: 2016SP  Faculty: Bavitz, Christopher; Ritvo, Dalia  Credits: 4.00
Type: Clinic  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Course Description:

Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. 
Required Class Component: Cyberlaw Clinical Seminar (2 spring classroom credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None.
By Permission: No.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: HLS (Berkman Center).
The Cyberlaw Clinic, based at Harvard's Berkman Center for Internet and Society, engages Harvard Law School students in a wide range of real-world client counseling, licensing and transactional, litigation, advocacy, and policy projects and cases, covering a broad spectrum of issues relating to technology and the Internet. The Clinic's work includes offering legal guidance in the areas of communications infrastructure; consumer protection, privacy, and compliance; cybercrime and youth online safety; general Internet business law; intellectual property (including copyright, trademark, and patent); litigation and amicus advocacy; online speech, media law, and the First Amendment; and technology and access to justice. Clinic clients include entrepreneurs; mission-oriented non-profits and other startups; public media companies; government institutions; and advocacy organizations working on issues relating to privacy, IP, online speech, and civil liberties. Students in the Clinic have the opportunity to develop substantive legal knowledge and hone their practice skills by managing projects, engaging directly with clients, and receiving feedback and mentorship from instructors who are experienced practitioners in the field. Detailed information about all aspects of the Clinics practice, including descriptions of representative clients and projects and copies of Clinic filings and publications, is available at the Clinics website, http://cyberlawclinic.berkman.harvard.edu.
### Cyberlaw Clinic Seminar

**Course #**: 2674  
**Term**: 2015FA  
**Faculty**: Bavitz, Christopher; Ritvo, Dalia  
**Credits**: 2.00

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

**Location**  
**Days and Times**: Wed 3:00 PM - 5:00 PM

**Course Description**: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Cyberlaw Clinic (2-4 fall clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None.

By Permission: No.  

LLM Students: LLM students may apply to the clinic by submitting an application. This seminar is required for all students enrolled in the Cyberlaw Clinic. The course incorporates instruction about substantive legal issues at the heart of the Clinics practice, case studies and exercises designed to enhance students practice skills, and consideration of questions of ethics and professional responsibility that arise in the Clinics practice. Through regular case rounds presentations and discussions, students have the opportunity to share information with and solicit feedback from Clinic colleagues about their work. Please see the clinic’s course description for more information.

---

### Cyberlaw Clinic Seminar

**Course #**: 2674  
**Term**: 2016SP  
**Faculty**: Bavitz, Christopher; Ritvo, Dalia  
**Credits**: 2.00

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

**Location**  
**Days and Times**: Wed 3:00 PM - 5:00 PM

**Course Description**: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Cyberlaw Clinic (2-4 spring clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None.

By Permission: No.  

LLM Students: LLM students may apply to the clinic by submitting an application. This seminar is required for all students enrolled in the Cyberlaw Clinic. The course incorporates instruction about substantive legal issues at the heart of the Clinics practice, case studies and exercises designed to enhance students practice skills, and consideration of questions of ethics and professional responsibility that arise in the Clinics practice. Through regular case rounds presentations and discussions, students have the opportunity to share information with and solicit feedback from Clinic colleagues about their work. Please see the clinic’s course description for more information.
Deals

**Course #**: 2445  
**Term**: 2016SP  
**Faculty**: Subramanian, Guhan  
**Credits**: 4.00

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

**Delivery Mode**: Course

**Days and Times**:  
Mon 1:00 PM - 3:00 PM  
Tue 1:00 PM - 3:00 PM

**Location**: WCC2012  
WCC2012

**Course Description**: Prerequisite: For JD students, you must have completed Corporations prior to enrolling in this course, and you must have completed or be concurrently enrolled in the Negotiation Workshop. For JD students unable to take Negotiation, contact Katie Fortunato (kfortunato@law.harvard.edu) to inquire about waiving that prerequisite.

Exam Type: No exam.

Evaluation will be on the basis of class participation and deal presentation.

This advanced negotiation course examines complex corporate deals. Many of the class sessions will be structured around recent or ongoing deals, selected for the complex issues of law and business that they raise. Student teams will research and analyze these transactions in order to present their most important aspects and lessons to the class. For many of these presentations (as well as some more traditional case studies and exercises), the lawyers, bankers, and/or business principals who participated in the transaction under discussion will attend class, listen to the team’s assessment, provide their perspectives, and suggest broader negotiation insights.

Topics developed throughout the course include: how negotiators create and claim value through the setup, design, and tactical implementation of agreements; complexities that can arise through agency, asymmetric information, moral hazard, and adverse selection; structural, psychological, and interpersonal barriers that can hinder agreement; and the particular challenges inherent in the roles of advisors as negotiators. The course will also explore the differences between deal-making and dispute resolution; single-issue and multiple-issue negotiations; and between two parties and multiple parties.
Delivery of Legal Services Clinic
Course #: 8037  Term: 2015FA  Faculty: Charn, Jeanne  Credits: 4.00
Type: Clinic  Subject Areas: Procedure & Practice
Delivery Mode: Clinic
Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Legal Profession - The New Market for Personal Legal Services: Ethical and Professional Challenges (3 fall classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Additional Co-/PreRequisites: None.
By Permission: No.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.
This clinic offers students the opportunity to work with externship organizations dedicated to expanding access to the civil justice system in the United States, such as legal services organization or other non-profit/advocacy organization. Placements are coordinated through the Office of Clinical and Pro Bono Programs. Placements: Students who enroll in this clinic will be contacted by the Office of Clinical and Pro Bono Programs to begin the placement process of matching students with externship organizations. Many of the placement organizations require or strongly encourage students to have a least one full day available for clinical work, or to commit to working in blocks of at least 5-hours at a time. Students should consider these time commitments when planning their overall HLS schedule. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic and the possible placements (clinical@law.harvard.edu or 617-495-5202).
Delivery of Legal Services Clinic

Course #: 8037  Term: 2016SP  Faculty: Charn, Jeanne  Credits: 4.00
Type: Clinic  Subject Areas: Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Legal Profession - The New Market for Personal Legal Services: Ethical and Professional Challenges (3 spring classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Additional Co-/PreRequisites: None. By Permission: No.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.
This clinic offers students the opportunity to work with externship organizations dedicated to expanding access to the civil justice system in the United States, such as legal services organization or other non-profit/advocacy organization. Placements are coordinated through the Office of Clinical and Pro Bono Programs. Placements: Students who enroll in this clinic will be contacted by the Office of Clinical and Pro Bono Programs to begin the placement process of matching students with externship organizations. Many of the placement organizations require or strongly encourage students to have a least one full day available for clinical work, or to commit to working in blocks of at least 5-hours at a time. Students should consider these time commitments when planning their overall HLS schedule. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic and the possible placements (clinical@law.harvard.edu or 617-495-5202).
Democracy, the Incomplete Experiment

Course #: 2485  Term: 2016SP  Faculty: Robinson, Stephanie  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function
Delivery Mode: Seminar

Days and Times:  Location
Tue 5:00 PM - 7:00 PM  WCC3012

Course Description: Prerequisites: None.
Exam: No Exam.
This course interrogates the ways in which democracy, as practiced in the United States, continues to form. In doing so, it explores provocative themes and questions of citizenship, self-governance, accountability and inclusion in American democracy while grappling with issues of race, class and gender. It moves beyond limited representations of democratization as the quest for universal suffrage and fair elections to a more fluid, real-time construct of competing interests, negotiated outcomes, stressed and malleable institutions, and tumultuous changes. It further clarifies the democratic process as one subject to ongoing interpretation, challenge and renewal.

Democracy: What Does It Mean and Do We Really Support It?

Course #: 2791  Term: 2015FA  Faculty: Levinson, Sanford  Credits: 1.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function
Delivery Mode: Reading Group

Days and Times:  Location
Tue 5:00 PM - 7:00 PM  WCC5050

Course Description: Prerequisites: None.
Exam Type: No exam.
In the 20th and 21st centuries especially, democracy has been presented as a baseline for normative analysis. Law schools are obsessed with the "counter majoritarian difficulty"; we are commemorating, even if not necessarily celebrating, the centenary of a catastrophic war fought "to make the world safe for democracy"; American presidents from Woodrow Wilson to Barack Obama have adopted as a rhetorical aspect of American foreign policy what I have come to call "the democracy project." I titled one of my own books "Our Undemocratic Constitution," as if that were a self-evident critique.

But "democracy" is more often evoked than subjected to genuine analysis. This reading group will devote itself to just such analysis, both normative and empirical. The readings will be taken from a "handbook" of excellent materials edited by Robert Dahl and Ian Shapiro. Each student will be expected to prepare one critical response to a given week's assignment in the course of the semester. I welcome the enrollment and participation of LLMs.
Note: This reading group will meet on the following dates: 9/15, 9/29, 10/6, 10/20, 10/27, 11/10.
Drop Deadline: September 16th, 2015 by 11:59pm EST
Diagnosing - and Making - Constitutional Argument

Course #: 2492  Term: 2015FA  Faculty: Parker, Richard  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights
Delivery Mode: Seminar

Days and Times:  Location
Wed 5:00 PM - 7:00 PM  WCC3012

Course Description: Prerequisites: Having already taken or concurrently taking Constitutional Law: First Amendment or Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment or permission of the instructor to waive the requisites.
Exam Type: No exam.
This will be a hands-on, research seminar. Working online with Supreme Court opinions, students will elaborate and critique my theory of the practice of constitutional argument. It is not necessary to have taken one of my classes. I will describe the theory. What is desirable is that you be motivated to engage in a close and comparative reading of moves and motifs in a range of opinions -- leading to a systematic mapping and assessment of them. The aim, of course, is to learn how to make the most effective argument at any time on any side of any constitutional issue.

Note: This course is only open to upper-level JD students.

Cross-registrants are not eligible to enroll in this seminar.
Digital Privacy

Course #: 2684  Term: 2016SP  Faculty: Fertik, Michael  Credits: 1.00
Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:  Location
Wed 5:00 PM - 7:00 PM  WCC5050
Mon 5:00 PM - 7:00 PM  WCC5050
Tue 5:00 PM - 7:00 PM  WCC5050

Course Description:

Prerequisites: None.
Exam type: No Exam.

The law and reality of digital privacy are undergoing seismic shift. This course will examine the sources of that shift, predict where it will take us in the coming decade, and consider how we might hasten or avoid the better and worse parts of the future.

The course will leverage the "middle distance horizon" -- 2025 -- as a prism through which to examine the most radical and difficult of today's privacy questions, chiefly as they present in the fields of law and technology. We will seek to identify the privacy-related trends that appear "inevitable" as of now and the ones that may more readily be shaped or thwarted through acts of law or the market. We will aim to classify the principal objectives of privacy as well as levers that may exist to advance or forestall their interests. The levers we shall consider will include new statute or regulation, public and private enforcement of existing law, and technical or commercial innovation.

To inform our discussion, we will explore key drivers of privacy outcomes. We will examine the role of disruptive technologies, such as Google Glass, drones, Snapchat, super cookies, wearables, and the Internet of Things. We will analyze the economics of digital privacy and the Big Data "advertising" economy of Silicon Valley. We will consider the systemic impact of both legacy and cutting edge choices of technical architecture, including provenance-stamping of data, the Internet authentication layer, and the Three Laws of Digital Privacy. We will also examine highly levered "soft variables" such as the habits and incentives of the corporate Chief Privacy Officer, who often finds herself balancing between the distinguishable postures of "Compliance" and "Privacy." We will finally consider how classical forms of law can keep up with rapid changes in technology, whether through updating of statute and regulation or application of existing tools by increasingly savvy regulators.

The course will pay special attention to the emerging nexus between Big Brother -- the traditional focus of both privacy advocacy specifically and American rights-based study generally -- and the increasingly omniscient panopticon of Little Brother, the class of private companies that are building rich profiles of our lives. We will weigh the considerable advantages of public and private Big Data -- and the intermingling of the same -- against the erosion of privacy they possibly necessitate. As ongoing revelations of massively scaled government surveillance indicate and will surely continue to indicate by the start of this class in Spring 2015, private companies possess data without which even liberal regimes do not think they can operate.

Materials will include fundamental and immediately contemporary texts relevant to digital privacy. In addition, we can anticipate visits to our class by senior figures in the privacy landscape, including, for example, senior privacy regulators, senior corporate officers responsible for Big Data and privacy, startup founders and/or investors, and leading global journalists on the privacy beat. No technical knowledge is
assumed.

For the sake of focus, our course will be limited to examination of personal privacy, not corporate interests in privacy. We will likewise focus on digital privacy chiefly outside the scope of healthcare (e.g. HIPAA), though the impact of Internet privacy on health provision will be considered. We will focus on the US and EU privacy landscape, though occasional enforcement action or statutory exemplars from other jurisdictions will be considered.

Note: The reading group will meet on the following dates:: 3/28, 3/29, 3/30, 4/4, 4/5, and 4/6.
Drop Deadline: March 29, 2016 by 11:59pm EST

Digital Storytelling and the Law

Course #: 2752  Term: 2015FA  Faculty: Cohen, Rebecca Richman  Credits: 2.00
Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment
Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 8:00 PM WCC3013

Course Description:

Prerequisites: None.
Exam Type: No exam.

The law is awash in stories. Stories from within and beyond the walls of the courtroom shape our experience of justice; they challenge or affirm our social norms; they help us make sense of the world and its complexities. Yet the way we construct and comprehend these narratives is in flux, constantly evolving in response to a variety of factors, one of which will serve as a focus of this course. Together, we will explore different approaches to understanding how digital technologies, particularly with respect to documentary film and video, have shifted the way we apprehend the laws stories. Visual media commands a unique power to evoke empathy and to make powerful claims about truth. But such power can also distort and mislead. Grounded in these understandings, we will embark on a project of "media literacy" and explore questions around rhetoric, audience, authorship, truth, and objectivity as we consider how digital media may be used as a conduit to communicate the laws stories.
Disability Law

Course #: 2058  Term: 2015FA  Faculty: Field, Martha  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Seminar

Days and Times: Thu 5:00 PM - 7:00 PM  Location WCC3036

Course Description: Prerequisites: None, but not open to students who have taken another disability law course.
Exam Type: No exam.
The seminar will start with some study of the law as reflected in the Americans with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA). After learning some of the complicated rules and decisions that govern disability today, we will turn to a reading of secondary sources and discuss themes such as the pros and cons of mainstreaming; the pros and cons of scientific efforts to eliminate disability by preventing persons with disabilities from being born; the social vs the medical model of disability; and disability pride.

Disability, Human Rights, and Development

Course #: 2712  Term: 2016SP  Faculty: Stein, Michael Ashley  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

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

Course Description: Note: This course will meet in the Morgan Courtroom.
Prerequisites: None.
Exam Type: Any-day take-home exam or paper.
This course will examine the current and future status of disability rights as a focus for both human rights theory and for thinking about what constitutes development and development assistance. After reviewing the historical status of disabled persons both practically and within the international human rights system, we will examine the United Nations Convention on the Rights of Persons with Disabilities, the first human rights treaty of the twenty-first century. The CRPD has, on its face, dramatically raised the standards for how disability rights are conceived, developed, and implemented around the globe while also pushing human rights jurisprudence in new directions. Yet many questions remain open regarding how to make it operational around the world. We will consider what effect the CRPD has had on law reform and development (including developmental aid and humanitarian assistance), as well as what barriers and systemic concerns remain to be addressed. Throughout, we will look at a few specific disabilities (such as Deafness) as a way of identifying themes that cross boundaries, cultures, and approaches to realizing disability rights.
Dispute Systems Design

Course #: 2059  Term: 2016SP  Faculty: Viscomi, Rachel  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; International, Comparative & Foreign Law; Procedure & Practice
Delivery Mode: Course
Location

Days and Times:  Location
Tue 5:00 PM - 7:00 PM  WCC3018

Course Description: Prerequisite: Negotiation Workshop. For LLM students permission is required. Please email your resume and a statement of interest to rviscomi@law.harvard.edu.

Exam type: No Exam.

Lawyers are often called upon to help design systems for managing and/or resolving conflicts that support or supplant existing legal structures. Implicitly or explicitly, every institution and organization has a system for managing disputes. In some cases, the system may be formal, with administrative hearings, courts, tribunals, and complex appeal and review processes. In other cases, organizations may have few if any formal means for managing conflict. In these instances, conflicts may either be handled through informal negotiation and mediation or by ignoring it altogether. As individuals, institutions, organizations, and nations become more aware of the ever-rising cost of conflict (in economic, relational, and human terms), many are seeking to design and implement systems to manage disputes with greater effectiveness and efficiency. Though lawyers have traditionally been viewed primarily as advocates who resolve already-ripened disputes through litigation and negotiation, a growing interest in more efficient and tailored approaches to conflict management has highlighted the special opportunity for lawyers to serve as creative "dispute process architects." This seminar will introduce students to the theory and promise of dispute systems design with an aim to train students to play this new and more creative professional role.

After an overview of various dispute resolution processes and a thorough introduction to the basics of dispute systems design, the course will offer for analysis several domestic and international case studies of dispute systems design in practice. These may include an examination of cross-border e-commerce, university harassment policies, transitional justice programs and truth commissions in the aftermath of atrocities, and institutional integrated conflict management systems in U.S. organizations.

15 seats are reserved for students enrolled in the spring Negotiation and Mediation Clinic. Students must be enrolled in the clinic before they can claim one of these reserved seats. A student’s enrollment in a reserved clinical seat is dependent on the student’s enrollment in the spring Negotiation and Mediation Clinic. Please see the clinic’s description for more information or contact the Office of Clinical and Pro Bono Programs.
Drug Product Liability Litigation

Course #: 2293  Term: 2015FA  Faculty: Grossi, Peter  Credits: 2.00
Type: Elective  Subject Areas: Health Law

Course Description: Prerequisites: None  Exam Type: Any-Day Take-Home  Course Requirements: Class participation (10%); short mid-term "bench memorandum" in mid-October (40%); final exam (open book) in mid-November (50%).

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

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

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

Note: The course will meet on the following dates: September 8, 9, 15, 16, 29, 30 and October 6, 7, 14, 20, 27, and 28.
Economic Analysis of Law

Course #: 2062  Term: 2015FA  Faculty: Shavell, Steven  Credits: 3.00
Type: Elective  Subject Areas: Government Structure & Function; Legal & Political Theory; Regulatory Law
Delivery Mode: Course

Days and Times:  Location
Mon 8:40 AM - 10:10 AM  PND100
Tue 8:40 AM - 10:10 AM  PND100

Course Description: Prerequisites: None  Exam Type: In-Class
What effects does law have? Do individuals drive more cautiously, clear ice from sidewalks more diligently, and commit fewer crimes because of the threat of legal sanctions? Do corporations pollute less, market safer products, and obey contracts to avoid suit? And given the effects of legal rules, which are socially best? Such questions about the influence and desirability of laws have been investigated by legal scholars and economists in a rigorous and systematic manner since the 1970s. Their approach, labeled "economic," is widely considered to be intellectually important and to have revolutionized thinking about the law. This course will provide an in-depth analysis and synthesis of the economic approach to the analysis of the major building blocks of our legal system - tort law, property law, contract law, criminal law, and the legal process. The course will also address welfare economic versus moral conceptions of the social good. The course is aimed at a general audience of students. No economic background is needed to take it.
Education Advocacy and Systemic Change: Children at Risk

Course #: 2063  Term: 2015FA  Faculty: Gregory, Michael; Cole, Susan  Credits: 2.00
Type: Elective  Subject Areas: Family, Gender & Children's Law; Procedure & Practice; Regulatory Law
Delivery Mode: Seminar

Days and Times: Thu 5:00 PM - 7:00 PM  Location: WCC5050

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Education Law Clinic (3-4 fall clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None.
By Permission: No.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

Students must attend a mandatory orientation session on Friday, September 11.

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

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

There is no final examination for this course; students will prepare a "rounds" memo and presentation in which they lead a discussion with their colleagues based on their case. All students in this class are required to enroll in the Education Law Clinic and will be expected to attend a mandatory 1-4PM orientation session on Friday, September 11. Please refer to the Office of Clinical and Pro Bono Programs (http://www.law.harvard.edu/academics/clinical) for clinical registration dates and early add/drop deadlines.
Education Law and Policy

Course #: 2064  Term: 2016SP  Faculty: Gregory, Michael  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Family, Gender & Children's Law; Government Structure & Function
Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:50 PM WCC3016
Tue 3:20 PM - 4:50 PM WCC3016

Course Description:
Prerequisites: None.
Students enrolling in this course are strongly encouraged to enroll in either the fall or spring section of the Education Law Clinic (and should do so separately through the clinical registration process).
Exam type: No exam.
A major part of the grade for this course will be a small-group project that will be assigned at the beginning of the semester. Additionally, any student who so desires may elect to take a 1-credit writing option in conjunction with the course.
This course will survey several contemporary legal and policy issues in American elementary and secondary education; these may include school finance litigation; school discipline and the rise of "Zero Tolerance" policies; bullying prevention and intervention; the reauthorization of No Child Left Behind and the Obama administrations waiver program and Race to the Top initiative; educator evaluation systems; special education and bilingual education; the (re)segregation of historically disadvantaged groups; and the school choice movement; among others. In the context of these current education reform problems, we will consider the role that legal doctrine (e.g., the First Amendment, the Due Process Clause, compulsory education laws, federal civil rights laws, state constitutions, etc.) plays in shaping the structure and process of public education. We will also read and discuss non-legal texts of various kinds by educators, journalists, sociologists and others. Several recurring themes and questions will guide our analysis, including: How should the law allocate authority for deciding how children should be educated and what they should learn? What constitutes equal educational opportunity and what measures should we use to determine whether or not it exists? Similarly, how should we measure student achievement and remedy gaps that exist between the achievement levels of various subgroups? How does education policy get made and what role can and should law and lawyers play in designing solutions to problems in education policy? We will consider how courts, legislatures and other stakeholders have answered these questions and how their answers have been shaped by competing ideological narratives about the necessary and appropriate role of public education in a democracy.

Note: Course meetings will be held for the first 8 weeks of the semester, ending on March 22nd.
Education Law Clinic

Course #: 8006  
Term: 2015FA  
Faculty: Gregory, Michael; Cole, Susan  
Credits: 4.00

Type: Clinic  
Subject Areas: Family, Gender & Children’s Law; Procedure & Practice; Regulatory Law

Delivery Mode: Clinic  
Days and Times:

Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Education Advocacy and Systemic Change: Children at Risk (2 fall classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.


LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

Placement Site: HLS.

Students must attend a mandatory orientation session on Friday, September 11.

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

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

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

Course #: 8006  
Term: 2016SP  
Faculty: Gregory, Michael; Cole, Susan  
Credits: 4.00

Type: Clinic  
Subject Areas: Procedure & Practice

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Legislative Lawyering in Education (2 spring classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None.
By Permission: No.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Placement Site: HLS.
Students must attend a mandatory orientation session before the beginning of spring classes (date TBD).

The Education Law Clinic is part of the Trauma and Learning Policy Initiative (TLPI), a collaboration between HLS and Massachusetts Advocates for Children (MAC), the mission of which is to ensure that all children traumatized by exposure to violence and other adverse childhood experiences succeed in school. Students in this clinic will participate directly in TLPI’s ongoing multi-strategic advocacy campaign. Students will learn by doing state-level legislative and administrative lawyering work that furthers the mission of TLPI. Specific activities will vary depending on the semester, but they can include: drafting legislation; meeting with members of the legislature, the education bureaucracy, and their staff; drafting and distributing media advisories, op-eds and press releases; communicating with and rallying constituents to put pressure on their lawmakers; organizing an agenda for and participating in a coalition meeting; using branding and media as strategies for effectively conveying a message; and using empirical research as part of an advocacy strategy. Students will have the opportunity to develop their writing skills by working on a variety of documents that are important in the law- and policy-making process; again, this will vary by semester but can include statutes, regulatory comments and language, briefing materials, talking points, correspondence, and communications to the media. Students will gain an understanding of roles that are critical to executing effectively a legislative and/or administrative campaign: strategist, policy researcher, legislative lawyer, lobby manager, outreach strategist, and communications director.
Empirical Criminal Law

Course #: 2802  Term: 2015FA  Faculty: Yang, Crystal  Credits:  2.00
Type: Elective  Subject Areas: Criminal Law & Procedure
Delivery Mode: Seminar

Days and Times:  Location
Tue 5:00 PM - 7:00 PM  WCC5044

Course Description:  Prerequisites: None.
Exam Type: No exam.
In the past four decades, the United States has experienced a huge expansion of its prison population, making mass incarceration one of the nations most important social justice issues. Social scientists have responded to this phenomenon with research attempting to understand the causes and consequences of our expansive criminal justice system. This course will present the economic models of crime and criminal justice as well as the empirical evidence related to these subjects. We will cover topics spanning the entire breadth of the criminal justice process, including the determinants of crime, policing, prosecution, trial, sentencing, the effects of punishment, and post-incarceration outcomes.

Empirical Methods in Corporate, Securities and Capital Markets Law

Course #: 2811  Term: 2016SP  Faculty: Ferrell, Allen; Cohen, Alma  Credits:  2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Seminar

Days and Times:  Location
Fri 1:00 PM - 3:00 PM  WCC3036

Course Description:  Prerequisites: Open to students who have had some basic exposure to empirical methods and to other students with the permission of the instructors. Because of the different issues covered, the course will be open to students who took the course Empirical Law and Economics in the Fall of 2014.
Exam Type: No exam.
Students will be asked to submit, before sessions, a brief memo on the assigned readings as well as to make some presentations in class. Grades will be based on these memos and presentations as well as on class discussion.
Empirical methods have been playing an increasingly central role in the analysis of issues in corporate, securities and capital markets law. The aim of this course will be to give students a sense of the empirical methods that have been applied to the study of such issues, some key issues to which such methods have been applied, and how to evaluate and criticize such empirical studies. Among the subjects we may cover are antitakeover defenses and statutes, regulatory competition in corporate law, the effects of shareholder activism, insider opportunism and corporate structures around the world. Some sessions will feature speakers who do current empirical research. Readings will be mainly from articles in law reviews and economics or finance journals. Some priori exposure to, or familiarity with, empirical methods (for example, from an undergraduate course on empirical methods) will be helpful.
Employment Discrimination
Course #: 2068  Term: 2016SP  Faculty: Bartholet, Elizabeth  Credits:  3.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Employment & Labor Law; Regulatory Law
Delivery Mode: Course
Days and Times: Location
Mon 1:30 PM - 3:00 PM HAU102
Tue 1:30 PM - 3:00 PM HAU102

Course Description: Prerequisites: None.
Exam type: One-day take-home. Grades will be based on one-day take-home exam, with consideration given to class performance if class size is less than fifty.
This course addresses developments in civil rights law in the important context of the workplace. We will look at the growing body of law designed to protect against discrimination based on race, gender, age, religion, national origin and disability. We will examine the ongoing debate in the Supreme Court, Congress, and the nation as to the appropriate meaning of the anti-discrimination norm, a debate that involves questions as to intent as compared to impact theories, individual as compared to group theories, affirmative action, and mandatory arbitration. At issue in this debate is the future of much of the law governing discrimination developed in the 1960s - 70s.
We will consider work/family conflict, sexual harassment, reasonable accommodation doctrine, and other issues of current controversy and significance. Throughout, we will assess and compare discrimination theories developed in different areas and eras.
Laptops cannot be used in class.
Employment Law

Course #: 2069  Term: 2015FA  Faculty: Sachs, Benjamin  Credits: 4.00
Type: Elective  Subject Areas: Employment & Labor Law; Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM LAN272
Fri 9:50 AM - 11:50 AM LAN272

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

Course #: 8012   Term: 2015FA   Faculty: Churchill, Steve   Credits: 4.00

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

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Employment Law Workshop: Advocacy Skills (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: Various externship placements. The Employment Law Clinic focuses on rights in the workplace, with a particular emphasis on state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. Work may also address issues such as unemployment benefits, wage and hour claims, severance negotiations, union issues, workplace safety, and more. Students in this clinic will have placements at externships, either with non-profit/advocacy groups (such as the Lawyers Committee for Civil Rights Under Law; Gay and Lesbian Advocates and Defenders; Justice at Work; or Greater Boston Legal Services) or government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; or the U.S. Equal Employment Opportunity Commission). Placements: Students who enroll in this clinic will be contacted by the Office of Clinical and Pro Bono Programs to begin the placement process of matching students with externship organizations. Many of the placement organizations require or strongly encourage students to have a least one full day available for clinical work, or to commit to working in blocks of at least 5-hours at a time. Students should consider these time commitments when planning their overall HLS schedule. Placements are coordinated by the Office of Clinical and Pro Bono Programs.
Employment Law Clinic

Course #: 8012  
Term: 2016WS  
Faculty: Churchill, Steve  
Credits: 6.00

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

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Employment Law Workshop: Strategies for Social Change (2 spring classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: December 4, 2015. LLM Students: LLM students may apply to this clinic by submitting an application. Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 2-4 spring clinical credits). Placement Site: Various externship placements.

The Employment Law Clinic focuses on rights in the workplace, with a particular emphasis on state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. Work may also address issues such as unemployment benefits, wage and hour claims, severance negotiations, union issues, workplace safety, and more. Students in this clinic will have placements at externships, either with non-profit/advocacy groups (such as the Lawyers Committee for Civil Rights Under Law; Gay and Lesbian Advocates and Defenders; Justice at Work; or Greater Boston Legal Services) or government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; or the U.S. Equal Employment Opportunity Commission). For students who register for the winter-spring clinic option, clinical placements may include out-of-state organization, which in past years have included the national office of the Lawyers Committee for Civil Rights (Washington D.C.), South Brooklyn Legal Services (Brooklyn, NY), the Legal Aid Society, Employment Law Center (San Francisco, CA), the NAACP Legal Defense Fund (New York, NY), and others.

Placements: Students who enroll in this clinic will be contacted by the Office of Clinical and Pro Bono Programs to begin the placement process of matching students with externship organizations. Many of the placement organizations require or strongly encourage students to have a least one full day available for clinical work, or to commit to working in blocks of at least 5-hours at a time. Students should consider these time commitments when planning their overall HLS schedule.

Placements are coordinated by the Office of Clinical and Pro Bono Programs.
Employment Law Clinic

Course #: 8012  Term: 2016SP  Faculty: Churchill, Steve  Credits: 4.00

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

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Employment Law Workshop: Strategies for Social Change (2 spring classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: Various externship placements.

The Employment Law Clinic focuses on rights in the workplace, with a particular emphasis on state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. Work may also address issues such as unemployment benefits, wage and hour claims, severance negotiations, union issues, workplace safety, and more. Students in this clinic will have placements at externships, either with non-profit/advocacy groups (such as the Lawyers Committee for Civil Rights Under Law; Gay and Lesbian Advocates and Defenders; Justice at Work; or Greater Boston Legal Services) or government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; or the U.S. Equal Employment Opportunity Commission). Placements: Students who enroll in this clinic will be contacted by the Office of Clinical and Pro Bono Programs to begin the placement process of matching students with externship organizations. Many of the placement organizations require or strongly encourage students to have a least one full day available for clinical work, or to commit to working in blocks of at least 5-hours at a time. Students should consider these time commitments when planning their overall HLS schedule. Placements are coordinated by the Office of Clinical and Pro Bono Programs.
Employment Law Workshop: Advocacy Skills

Course #: 2070  Term: 2015FA  Faculty: Churchill, Steve  Credits: 2.00
Type: Elective  Subject Areas: Employment & Labor Law; Procedure & Practice; Regulatory Law
Delivery Mode: Seminar

Days and Times: Location
Tue 7:00 PM - 9:00 PM WCC5044

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Employment Law Clinic (2-4 fall clinical credits). This clinic and course are bundled; enrollment in the clinic will automatically enroll you in this course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: LLM students may apply to the clinic by submitting and application.
This course will develop lawyering skills in the context of employment law. After a brief overview of relevant doctrine and procedure, the course will address - through readings, lectures, and exercises - skills related to legal writing, oral advocacy, discovery, depositions, negotiations, counseling, and ethics. The course will follow the progress of a typical civil rights lawsuit involving a terminated employee. For example, one class session will require students to engage in a mock deposition of an opposing witness in a hypothetical sex discrimination case, and the next class will require students to engage in a negotiation in the same case.
A more general goal of the course is to develop the ability (1) to identify what skills make a lawyer effective, and (2) to implement strategies for independently identifying and improving those critical skills. Because this goal is advanced by exposure to actual lawyering, all students will have a clinical placement with the Employment Law Clinic. The workshop will require completion of an individual or group project that will connect clinical placements with course topics.
Employment Law Workshop: Strategies for Social Change

Course #: 2071  
Term: 2016SP  
Faculty: Churchill, Steve  
Credits: 2.00  
Type: Elective  
Subject Areas: Employment & Labor Law; Procedure & Practice  
Delivery Mode: Seminar  

Location: WCC3015  
Days and Times: Tue 7:00 PM - 9:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Employment Law Clinic, either during winter-spring (2 winter clinical credits + 2-4 spring clinical credits) or spring (2-4 spring clinical credits). Students who enroll in either of these two clinic offerings (winter-spring or spring) will be enrolled in this required course by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: December 4, 2015 for winter-spring clinical students. January 15, 2016 for spring clinical students. LLM Students: LLM students may apply to either clinic option by submitting an application.

This course will examine how lawyers can use different strategies to effect social change, with a special emphasis on advancing the right to be free from workplace discrimination based on protected characteristics such as race and sex. After surveying the relevant law and reviewing empirical information about the nature of civil rights violations, we will evaluate possible strategies for social change, including government action, individual and class action litigation, self regulation, alternative dispute resolution, organizing, and social entrepreneuring. All students will have a clinical placement through the Employment Law Clinic. All clinical placements will include exposure to some aspect of employment rights and will play an important role in bringing diverse perspectives to the workshop. The workshop will require completion of an individual or group project. Projects may include some combination of empirical research, legal analysis, program evaluation, or other approaches to examining and improving the effectiveness of existing workplace protections.

Energy Law and Policy

Course #: 2025  
Term: 2015FA  
Faculty: Klass, Alexandra  
Credits: 2.00  
Type: Elective  
Subject Areas: Environmental Law  
Delivery Mode: Course  

Location: HAU104  
Days and Times: Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None

Exam Type: In-Class

This course provides an introduction to U.S. energy law and policy. The first portion of the course introduces the nation's primary sources of energy: coal, oil, biofuels, natural gas, hydropower, nuclear, wind, and solar energy. In doing so, it explores the physical, market, and legal structures within which these energy sources are extracted, transported, and converted into energy. The second portion of the course turns to the two major sectors of our energy economy: electricity and transportation. The third portion of the course explores case studies of hot topics in energy law and policy that highlight the complex transitions taking place in the energy system. These topics may include smart grid development, nuclear energy, and risks and benefits associated with hydraulic fracturing and deepwater drilling.
Engaging All Students in the Class: Applying Best Teaching Principles and Techniques to Today's Law Students

Course #: 2857  
Term: 2016SP  
Faculty: Sparrow, Sophie  
Credits: 1.00

Type: Elective  
Subject Areas: Not Applicable

Delivery Mode: Reading Group

Days and Times:  
Wed 5:00 PM - 7:00 PM  
WCC5047

Course Description:  
Prerequisites: None.  
Exam: No exam.  
During this reading group, students interested in classroom teaching will learn about ways to engage students in and out of class, to involve students in a range of experiential and simulated learning exercises, and to help students gain knowledge, skills, and values. Students will have opportunities to explore critiques of legal education and consider the recommendations of Best Practices for Legal Education and Carnegie's Educating Lawyers. Students will also learn about techniques to engage future students in self-assessment and reflection and to conduct multiple sustainable formative and summative assessments, including collaborative assessments. By the end of the semester, students will leave with concrete ideas and materials to bring to their future classrooms.  
Note: This reading group will meet on the following dates: 2/3, 2/17, 3/1, 3/23, 4/6, and 4/20.

Drop Deadline: February 4, 2016 by 11:59pm EST

English Legal History

Course #: 2370  
Term: 2016SP  
Faculty: Kamali, Elizabeth Papp  
Credits: 3.00

Type: Elective  
Subject Areas: International, Comparative & Foreign Law; Legal History

Delivery Mode: Course

Days and Times:  
Thu 10:00 AM - 11:30 AM  
HAU104  
Fri 10:00 AM - 11:30 AM  
HAU104

Course Description:  
Prerequisites: None.  
Exam type: Any Day Take-Home.  
An introduction to the legal and constitutional history of England from the Anglo Saxons to the end of the Tudor period, essentially 600 - 1600, including the development of private (e.g., contract, torts, property) and public law (e.g., criminal and constitutional law). No previous background in English legal history is assumed. Grading will be based upon a short paper, a take-home exam, and class participation.  
Note: This course is jointly-listed with FAS as Medieval Studies 117. It meets at HLS.
**Entertainment and Media Law**

**Course #:** 2072  
**Term:** 2016WI  
**Faculty:** Basin, Kenneth  
**Credits:** 2.00  
**Type:** Elective  
**Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment  
**Delivery Mode:** Course  

**Days and Times:**
- Mon 2:00 PM - 4:15 PM  
- Tue 2:00 PM - 4:15 PM  
- Wed 2:00 PM - 4:15 PM  
- Thu 2:00 PM - 4:15 PM  
- Fri 2:00 PM - 4:15 PM

**Location:** WCC1015

**Course Description:**
Prerequisites: Students must complete one of the following courses in order to enroll: Copyright, Copyright and Trademark Litigation, Trademark and Unfair Competition, Intellectual Property Law, or Intellectual Property Law: Advanced. If you do not meet the prerequisite, you will need to seek permission from the faculty member (sbrotman@brotman.com) to enroll.

Exam Type: No exam.

Students will participate in several problem-solving exercises in entertainment and media law, with written work for grading evaluation.

This course reflects an integrated approach to entertainment and media, particularly on legal doctrines and industry norms that are unique to this field. The course will focus on new challenges faced by the entertainment and media industries in response to the recent (and ongoing) paradigm shifts to digital production and distribution, with an emphasis on the role of lawyers in shaping current and future practice and policy. We will cover deal making norms in the motion picture, television, music, and digital entertainment and media industries; the challenges of reconciling contemporary technologies and business practices with long-standing legal doctrine; and the role of Congress and various federal agencies and departments (such as the FCC, FTC and the US Department of Justice) in establishing and enforcing entertainment and media policies and regulations.
Environmental Law

Course #: 2074  Term: 2015FA  Faculty: Freeman, Jody  Credits: 4.00
Type: Elective  Subject Areas: Environmental Law; Regulatory Law

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 3:00 PM  WCC1019
Tue 1:00 PM - 3:00 PM  WCC1019

Course Description: Prerequisites: None  Exam Type: One-Day Take-Home
This introductory course will focus on the variety of legal mechanisms we use to address environmental harms such as air and water pollution, global climate change, and habitat destruction. We will focus on the key federal environmental statutes, including the National Environmental Policy Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act, and the leading cases in which these statutes have been interpreted by courts. The statutes will be studied in some detail so that students emerge with a basic understanding of their major regulatory provisions. Thematically, the statutes serve as illustrations of different regulatory approaches to environmental problems, from command and control standards to market-based instruments. In addition, we will discuss important matters of policy, including the Obama administration's efforts to address climate change through the use of Executive Power. The course will also cover developments in Commerce Clause, Takings and Standing jurisprudence which significantly affect federal environmental law; the role of cost-benefit analysis in environmental regulation. Finally, we will discuss the political economy of environmental regulation, specifically the role played by interest groups (both industry and environmental organizations) in producing, implementing and enforcing environmental law.
Students need not be self-identified "environmentalists" to be interested in this course. Nearly every area of law is now affected by environmental regulation, including corporate law, real estate and bankruptcy. The legal issues presented by environmental problems offer ample opportunities for students to develop important and transferable legal skills, including statutory interpretation, constitutional analysis and application of administrative law doctrines.
Laptops will not be permitted in class. Regular attendance and participation in class discussion is expected.
Environmental Law and Policy Clinic

**Course #:** 8008  
**Term:** 2015FA  
**Faculty:** Jacobs, Wendy  
**Credits:** 4.00  
**Type:** Clinic  
**Subject Areas:** Environmental Law; Procedure & Practice  
**Delivery Mode:** Clinic

**Course Description:** Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. 

Required Class Component: This clinic requires that students have taken or are currently taking at least one of the courses listed below. Failure to meet the pre-/co-requisite course requirement will result in the student being dropped from the clinic. 

Additional Co-/Pre-Requisites: Environmental Law (fall 2015); Supreme Court and the Environment (fall 2015); Energy Law and Policy (fall 2015); International Environmental Law (winter 2016); Advanced Environmental Law in Theory and Application (spring 2016); Natural Resources Law (spring 2016). The following course is not offered for the 2015-2016 year, but qualify as pre-requisite courses: Environmental Practice Skills, Methods, and Controversies: Siting and Permitting of a Wind Farm as a Case Study.

By Permission: No.


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

Placement Site: Most clinical placements are at HLS, while some are at various externship locations (government agencies and nonprofits).

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

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

Course #: 8008  Term: 2016WI  Faculty: Jacobs, Wendy  Credits: 2.00
Type: Clinic  Subject Areas: Environmental Law; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: This clinic requires that students have taken or are currently taking at least one of the courses listed below. Failure to meet the pre-/co-requisite course requirement will result in the student being dropped from the clinic.

Additional Co-/Pre-Requisites: Environmental Law (fall 2015); Supreme Court and the Environment (fall 2015); Energy Law and Policy (fall 2015); International Environmental Law (winter 2016); Advanced Environmental Law in Theory and Application (spring 2016); Natural Resources Law (spring 2016). The following course is not offered for the 2015-2016 year, but qualify as pre-requisite courses: Environmental Practice Skills, Methods, and Controversies: Siting and Permitting of a Wind Farm as a Case Study.

By Permission: Yes. Applications are due by October 30, 2015.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Most clinical placements are at HLS, while some are at various externship locations (government agencies and nonprofits).
The Emmett Environmental Law and Policy Clinic (ELPC) offers students an opportunity to do hands-on, meaningful, real-life, and real-time environmental regulatory, policy and advocacy work. Clinic offerings include local, national, and international projects covering the spectrum of environmental issues, under the leadership of Director and Clinical Professor Wendy Jacobs. Clinic students work on policy projects and white papers, regulatory and statutory drafting and comments, manuals and guidance to help non-lawyers identify and protect their rights, litigation and advocacy work, including developing case strategies, research and drafting briefs (filed in state and federal courts, including the U.S. Supreme Court), preparing witnesses and their testimony, meeting with clients and attending and presenting at administrative and court hearings. Our clients include state and municipal governments, non-governmental organizations, advocacy and community groups, and research and policy institutions. The subject matter varies each semester, but is likely to include climate change mitigation and adaptation, offshore drilling and water protection, sustainable agriculture/aquaculture, ethics in the study of human exposure to environmental contaminants, and development of legal frameworks for emerging technologies such as carbon capture and sequestration, extraction of natural gas by hydraulic fracturing, and green infrastructure for management of stormwater.
Please note: Some ELPC students work off-campus with government agencies and nonprofit organizations, while others work on campus at the Clinic on cutting-edge projects and case work. Students are carefully matched to their projects/placements by the Clinic Director.
Applications should include a resume, transcript, and one-page statement of interest. Applications should be sent directly to Jacqueline Calahong (jcalahong@law.harvard.edu) by October 30, 2015.
Environmental Law and Policy Clinic

Course #: 8008  
Term: 2016SP  
Faculty: Goho, Shaun  
Credits: 4.00

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

Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: As part of this clinic, each student is required to participate actively in a variety of classroom instruction activities designed to focus on substantive and procedural law, ethical issues, practice skills and the clinical experience generally. The activities will be scheduled throughout the semester and include weekly team meetings, bi-weekly case rounds and tutorials, two written clinic reflection exercises, and approximately 4 discrete on-call assignments. Each of these activities is described in the Clinic Manual. Time spent on these activities counts towards a student’s clinical credits.

Additional Co-/Pre-Requisites: This clinic requires that students have taken or are currently taking at least one of the courses listed below: Environmental Law (fall 2015); Supreme Court and the Environment (fall 2015); Energy Law and Policy (fall 2015); International Environmental Law (winter 2016); Advanced Environmental Law in Theory and Application (spring 2016); Natural Resources Law (spring 2016). The following course is not offered for the 2015-2016 year, but qualify as pre-requisite courses: Environmental Practice Skills, Methods, and Controversies: Siting and Permitting of a Wind Farm as a Case Study.

By Permission: No.


LLM Students: LLM students are encouraged to apply to this clinic.

Placement Site: Most clinical work is done on campus; some placements are available at externship locations (government agencies and nonprofits). Students are carefully matched to their projects/placements by the Clinic Director. This clinic is available for 3 or 4 clinical credits. Students wishing to take the clinic for 2 clinical credits must speak to the Clinic Director to receive an exception.

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

Course #: 2592  
Term: 2016SP  
Faculty: Bloostein, Marc  
Credits: 2.00  
Type: Elective  
Subject Areas: Family, Gender & Children’s Law; Regulatory Law; Taxation

Delivery Mode: Seminar  
Days and Times: Tue 5:00 PM - 7:00 PM  
Location: WCC4063

Course Description:  
Prerequisite: Trusts and Estates, which may be taken concurrently with this course as well.
Exam Type: No exam.
This course will examine basic and sophisticated estate planning techniques. It will take a practical perspective, studying how the estate planner navigates the federal transfer tax and property law rules with sensitivity to a clients personal circumstances and concerns in order to achieve the clients objectives. Grading will be based upon practice exercises and class participation.

Ethics, Economics and the Law

Course #: 2076  
Term: 2015FA  
Faculty: Sandel, Michael  
Credits: 2.00  
Type: Elective  
Subject Areas: Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar  
Days and Times: Mon 5:00 PM - 7:00 PM  
Location: WCC4059

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

Note: This course is jointly-listed with GSAS.
Evidence

Course #: 2079  Term: 2016SP  Faculty: Rubin, Peter  Credits: 2.00
Type: Multisection  Subject Areas: Procedure & Practice
Delivery Mode: Course

Days and Times:  Location
Wed 5:00 PM - 7:00 PM  WCC1010

Course Description: Prerequisites: None.
Exam: In Class.
In this course we will study the basic rules and principles of American evidence law, focusing primarily on federal law (the Federal Rules of Evidence and cases interpreting them). Topics covered will include: relevance, the hearsay rule and its exceptions, character and propensity evidence, examination and impeachment of witnesses, authentication and best evidence rules, privilege, unfair prejudice, and some of the constitutional questions that arise in connection with evidence.

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

Course #: 2079  Term: 2015FA  Faculty: Murray, Peter  Credits: 2.00
Type: Multisection  Subject Areas: Procedure & Practice
Delivery Mode: Course

Days and Times: Location
Wed 1:00 PM - 3:00 PM  LAN272

Course Description: Prerequisites: None  Exam Type: Last-Class Take-Home
The law of evidence regulates the presentation of factual information in the Anglo-American jury trial process and legitimates the outcomes of that process. In a wider sense, the concept of evidence embraces the process of proof of facts in any legal proceeding.

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

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

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

Course #: 2079  Term: 2016SP  Faculty: Brewer, Scott  Credits: 3.00
Type: Multisection  Subject Areas: Procedure & Practice

Term: 2016SP  Faculty: Brewer, Scott  Credits: 3.00
Type: Multisection  Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:20 AM WCC3018
Fri 9:50 AM - 11:20 AM WCC3018

Course Description: Prerequisites: None.
Exam type: In class.
This course focuses on developing analytical methods that can assist a lawyer who is litigating under rules of evidence (or assist any other analyst who is considering doctrinal evidence problems). The course focuses on federal law (the Federal Rules of Evidence and cases interpreting them) but also covers selected state rules and cases. Topics covered include: presumptions and standards of proof and persuasion, judicial notice, relevance, privileges, authentication and best evidence rules, hearsay, lay, expert, and scientific expert evidence, examination and impeachment of witnesses, habit, character and propensity evidence, and some of the constitutional questions that arise in connection with evidence. Course work consists of regular class attendance and participation and an in-class final exam.
Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can be used as the basis for certification to practice in conjunction with some of the School’s clinical offerings.

Evidence

Course #: 2079  Term: 2015FA  Faculty: Feinberg, Kenneth  Credits: 4.00
Type: Multisection  Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Thu 5:00 PM - 7:00 PM PND100
Fri 9:50 AM - 11:50 AM PND100

Course Description: Prerequisites: None Exam Type: In-Class
This four credit course will focus on the rules of evidence designed to assure accurate courtroom recreation of external events. The course will place special emphasis on the current federal rules of evidence e.g. relevance, character and credibility, hearsay, expert testimony and related rules governing admissibility of evidence. The course will use specific problems/fact patterns to highlight evidentiary alternatives and how courts and lawyers make strategic use of rules of evidence.
Evidence

Course #: 2079  Term: 2015FA  Faculty: Schulman, Emily  Credits: 4.00
Type: Multisection  Subject Areas: Procedure & Practice

Course Description: Prerequisites: None
Exam Type: In-Class
This course will examine the rules of evidence, focusing primarily on the Federal Rules of Evidence, with additional consideration given to select state rules and cases. Topics covered will include: relevance, hearsay and exceptions, exclusion, confrontation, direct and cross examination, character evidence, impeachment, rehabilitation, lay opinion, expert evidence, privileges and more. We will consider how the rules function in practice, the rationales underlying them, and how they might be improved.

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

Evidence

Course #: 2079  Term: 2015FA  Faculty: Whiting, Alex  Credits: 3.00
Type: Multisection  Subject Areas: Procedure & Practice

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

Course #: 2769  Term: 2015FA  Faculty: Brewer, Scott  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Legal & Political Theory; Procedure & Practice

Delivery Mode: Seminar

Location

Tue 5:00 PM - 7:00 PM  WCC3019

Course Description:
Prerequisites: None.
Exam type: No exam.
Evidence, and our inferences with evidence, are ubiquitous in everyday life. Both are also fundamental and essential in four domains: evidence litigation, philosophy, science, and religion. In this seminar we explore three main questions: (i) What is the nature of evidence and reasoning with evidence in these four domains? (ii) What are the criteria of good evidence or inadequate evidence in these four domains, and closely related to that question -- what are the criteria for good (or inadequate) evidentiary arguments in these domains? (iii) In what ways, and to what extent are the criteria for good (or inadequate) evidence and evidentiary arguments the same in these domains, and to what extent they are different? The course presupposes no background in philosophy. The basic course in evidence, taken either before this class or simultaneously, may be helpful but is not required. Course work consists of a paper and regular class attendance and participation.

Expertise and Rulership in Law and Science

Course #: 2082  Term: 2016SP  Faculty: Kennedy, David; Jasanoff, Sheila  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Seminar

Location

Tue 5:00 PM - 7:00 PM  WCC3009

Course Description:
Prerequisite: The seminar is by permission of the instructors. Those interested in enrolling should address a short statement to one of the two instructors describing their interest.
Exam Type: No exam.
Requirements: Students will be expected to prepare and participate in weekly discussions and write a final essay.
How is expertise produced, disseminated, controlled and challenged? How do experts combine knowledge, common-sense, analytics, argument, lifestyle, character? How does expertise write itself into power--or submission? Through what moves does expertise become rulership? What is the work of disciplinary formations and the professions in reproducing practices of knowledge-making and professional judgment? How ought one to go about mapping the political implications of expertise, and how interpret the stakes in choosing an expert vernacular? We will read and discuss literature from social theory, from law, and from science and technology studies which bears on these questions, alongside case studies of "expertise" in action in a variety of professional, scientific and lay settings.
Note: This course is jointly-listed with HKS as IGA-518. Cross registration by students from other University departments strongly encouraged.
Fair Compensation after Tragedy and Financial Upheaval

Course #: 2742  
Term: 2016SP  
Faculty: Feinberg, Kenneth  
Credits: 1.00

Type: Elective  
Subject Areas: Procedure & Practice

Delivery Mode: Reading Group

Days and Times:  
Thu 3:00 PM - 5:00 PM

Location: WCC3016

Course Description:  
Prerequisites: None.
Exam Type: No exam.
The Reading Group will focus on unique public policy compensation alternatives to the conventional tort system. Special emphasis will be placed on a review of the September 11 Victim Compensation Fund; The BP Gulf of Mexico Oil Spill Fund; and the current GM Ignition Switch Compensation Fund. The Reading Group will also focus on other compensation alternatives e.g., The Boston Marathon Bombing Fund, The Virginia Tech Hokie Spirit Memorial Fund and the Aurora Colorado Dark Knight Shootings. The Reading Group will be directed by Kenneth R. Feinberg, the Administrator of all of these compensation programs.

The Reading Group will focus on Administrator Feinberg’s discussion of these various compensation programs found in, Who Gets What: Fair Compensation After Tragedy and Financial Upheaval. (Public Affairs Press, 2012).

Note: The reading group will meet on the following dates: 1/28, 2/4, 3/3, 3/10, 3/31, 4/7.
Fair Trial

Course #: 2312  
Term: 2016SP  
Faculty: Nesson, Charles  
Credits: 3.00

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

Delivery Mode: Course

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

Location: WCC2009

Course Description:
Prerequisites: None.
Exam: Any-day take home.

This course is taught with Fern Nesson. We will study the concepts fundamental to American jury trial: In all criminal prosecutions, the accused shall enjoy the right to public trial by an impartial jury, to be informed of the accusation and be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense. No person shall be compelled in any criminal case to be a witness against himself.

We begin and end with the concept of justice -- both substantive and procedural. We ground our discussions in the law and literature of the 5th and 6th Amendments. We design classes to model jury discussion.

Students will write a paper (1500 words) and an exam essay (500 words), both due at the end of the exam period.

Family Law

Course #: 2084  
Term: 2016SP  
Faculty: Suk Gersen, Jeannie  
Credits: 4.00

Type: Elective  
Subject Areas: Constitutional Law & Civil Rights; Family, Gender & Children's Law; Regulatory Law

Delivery Mode: Course

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

Location: WCC2009

Course Description:
Prerequisites: None.
Exam type: Any-day take-home.

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

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

**Course #:** 2084  
**Term:** 2015FA  
**Faculty:** Bartholet, Elizabeth  
**Credits:** 3.00  

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

**Delivery Mode:** Course  

**Days and Times:**  
- Mon 1:30 PM - 3:00 PM  
- Tue 1:30 PM - 3:00 PM  

**Location:**  
- WCCB015  

**Course Description:** Prerequisites: None  
Exam Type: One-Day Take-Home  
Consideration will be given to class performance during grading if class size is less than fifty. How society structures family says much about its values. This course will examine major legal and constitutional trends shaping family, and the values they reflect. We will look at how law shapes the meaning of parenthood and childhood, and how it weighs child as compared to adult rights. We will look at the changing nature of family, including non-traditional family forms (e.g. same-sex unions, single parent households, cohabitation, foster families), and consider what legal regime is appropriate, given our visions of what family does and should mean. We will examine issues surrounding procreation, marriage, divorce, child maltreatment and related state intervention, adoption, and assisted reproductive technology.  
This course is part of the Child Advocacy Program (CAP), whose other courses are: Child, Family &amp; State (alternate years); The Art of Social Change: Child Welfare, Education, &amp; Juvenile Justice; the Child Advocacy Clinic; and the Future of the Family Seminar. Enrollment in all the CAP courses is encouraged but not required.  
Laptops cannot be used in class.  
Text is Areen. Family Law: Cases and materials (Foundation Press 2012).  
Cross-registrants are welcome.
Federal Budget Policy

Course #: 2566  Term: 2016WS  Faculty: Jackson, Howell  Credits: 3.00
Type: Elective  Subject Areas: Government Structure & Function

Delivery Mode: Course

Days and Times:  Location
Mon 5:00 PM - 7:00 PM  WCC3018
Mon 9:30 AM - 11:45 AM  WCCB010
Tue 9:30 AM - 11:45 AM
Wed 9:30 AM - 11:45 AM
Thu 9:30 AM - 11:45 AM  WCCB010
Fri 9:30 AM - 11:45 AM  WCCB010

Course Description:
Note: This is the 3-credit winter/spring offering of Federal Budget Policy. During the winter term the course will be held Monday-Friday from 9:30am-11:45am. During the spring term, the course will meet on six Mondays, dates TBD, from 5-7pm. A 2-credit winter-only version is also offered. Prerequisites: None. Exam Type: No exam.
Students enrolled in the course will be expected to submit a series of reaction papers to daily assignments over the course of the winter term.
The goal of this course is to introduce students to the law and practice of budgeting in the United States. At the beginning of the semester, students will be introduced to the basic structure of the federal budget process, including the Presidents Budget and congressional budgeting procedures that ordinarily follow. We will explore the roles of all three branches of federal government in setting budget policy in the United States, exploring government shut-downs, debt ceiling crises, and ongoing debates over budget reforms and fiscal challenges. We will then examine the budgeting of entitlements and infrastructure spending, plus state budgeting practices as well as federal-state relations in budget policy.
Students interested in writing a research paper on budget policy can sign up for an additional credit in the Spring term. For these students, the course will continue for six two-hour sessions. In addition to covering selected addition topics, these sessions will include several meetings at which students will present and receive comments on drafts of their research papers. Research paper topics will be arranged with permission of the instructor and can address a wide range of issues related to budget policy, focusing on issues of current interest, including proposals for reforming budget policy. Examples of student papers from past years are available at http://www.law.harvard.edu/faculty/hjackson/budget.php. Students interested in writing more extensive papers on related topics for additional credit are welcome to do so. Readings will be from Fiscal Challenges: An Interdisciplinary Approach to Budget Policy (2007) (Howell Jackson, et al., eds.) and additional distributed materials.

Note: This course is jointly-listed with HKS as MLD-421M.
Federal Budget Policy

Course #: 2566   Term: 2016WI   Faculty: Jackson, Howell   Credits: 2.00
Type: Elective   Subject Areas: Government Structure & Function
Delivery Mode: Course

Days and Times:
- Mon 9:30 AM - 11:45 AM
- Tue 9:30 AM - 11:45 AM
- Wed 9:30 AM - 11:45 AM
- Thu 9:30 AM - 11:45 AM
- Fri 9:30 AM - 11:45 AM

Location:
- WCCB010

Course Description:
Note: This is the 2-credit winter offering of Federal Budget Policy. A 3-credit winter/spring version is also offered.
Prerequisites: None.
Exam Type: No exam.
Students enrolled in the course will be expected to submit a series of reaction papers to daily assignments over the course of the winter term.
The goal of this course is to introduce students to the law and practice of budgeting in the United States. At the beginning of the semester, students will be introduced to the basic structure of the federal budget process, including the Presidents Budget and congressional budgeting procedures that ordinarily follow. We will explore the roles of all three branches of federal government in setting budget policy in the United States, exploring government shut-downs, debt ceiling crises, and ongoing debates over budget reforms and fiscal challenges. We will then examine the budgeting of entitlements and infrastructure spending, plus state budgeting practices as well as federal-state relations in budget policy.
Students interested in writing a research paper on budget policy can sign up for an additional credit in the Spring term. For these students, the course will continue for six two-hour sessions. In addition to covering selected addition topics, these sessions will include several meetings at which students will present and receive comments on drafts of their research papers. Research paper topics will be arranged with permission of the instructor and can address a wide range of issues related to budget policy, focusing on issues of current interest, including proposals for reforming budget policy. Examples of student papers from past years are available at http://www.law.harvard.edu/faculty/hjackson/budget.php. Students interested in writing more extensive papers on related topics for additional credit are welcome to do so.
Readings will be from Fiscal Challenges: An Interdisciplinary Approach to Budget Policy (2007) (Howell Jackson, et al., eds.) and additional distributed materials.
Note: This course is jointly-listed with HKS as MLD-420M.
Federal Courts and the Federal System

Course #: 2086  Term: 2015FA  Faculty: Field, Martha  Credits: 5.00

Type: Multisection  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times: Location
Mon 10:20 AM - 12:00 PM WCCB015
Tue 10:20 AM - 12:00 PM WCCB015
Wed 10:20 AM - 12:00 PM WCCB015

Course Description: Prerequisites: For JD students, this course is open to those who have taken, or are concurrently taking, one of the two basic courses in Constitutional Law - Constitutional Law: First Amendment or Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment. For LLM students, instructor permission is required to enroll in this course. Exam Type: In-Class

This course involves a study of the role of the federal courts in the operation of the federal system. Topics include: choice of law in the federal courts and the development of federal common law; the power of Congress to regulate jurisdiction; Supreme Court review of state court judgments; federal habeas corpus; and the federal question jurisdiction, including limitations on its exercise. Special attention will be given to various technical doctrines that frequently limit federal jurisdiction in constitutional litigation against states: the abstention and sovereign immunity doctrines, and limitations on federal injunctions against state proceedings. Other topics concerning the Civil Rights Act, 42 U.S.C. 1983, will also be considered.

Federal Courts and the Federal System

Course #: 2086  Term: 2016SP  Faculty: Fallon, Richard  Credits: 5.00

Type: Multisection  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Course

Days and Times:
- Mon 10:20 AM - 12:00 PM
- Tue 10:20 AM - 12:00 PM
- Wed 10:20 AM - 12:00 PM

Location: AUS101

Course Description: Pre-requisite: For JD students, this course is open to those who have completed Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment. For LLM students, instructor permission is required to enroll in this course.

Exam type: In class.

This course offers a study of the role of the federal courts in the operation of the federal system. It is an advanced course in public law, judicial administration, and constitutional and civil rights litigation and will assume a knowledge of substantive constitutional law. Topics include the case or controversy requirement; the power of Congress to regulate the jurisdiction of the Supreme Court and the lower federal courts; federal question jurisdiction; doctrines of sovereign and official immunity; federal common law; Supreme Court review of state court judgments; abstention; and federal habeas corpus.

Federal Courts and the Federal System

Course #: 2086  Term: 2016SP  Faculty: Jackson, Vicki  Credits: 4.00
Type: Multisection  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function

Course Description: Prerequisite: For JD students, this course is open to those who have taken, or are concurrently taking, Constitutional Law: Separation of Powers, Federalism, and the Fourteenth Amendment, as it requires some knowledge of substantive constitutional law. For LLM students, instructor permission is required to enroll in this course. Exam type: One-day takehome.
This course studies the role of the federal courts in the federal system. Topics include the power of Congress to regulate the jurisdiction of the Supreme Court and the lower federal courts; federal question jurisdiction; Supreme Court review of state court judgments; federal common law; sovereign and official immunity doctrines; abstention and related limitations on federal courts jurisdiction; and federal habeas corpus.
The casebook is Richard H. Fallon, Jr., et al. Hart & Wechslers The Federal Courts and the Federal System, the most recent available edition, together with the Supplement (if any) most recent to the book.

Federal Indian Law

Course #: 2002  Term: 2015FA  Faculty: Riley, Angela  Credits: 3.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function; Regulatory Law

Course Description: Prerequisites: None  Exam Type: In-Class  This course provides an overview of federal Indian law, including the nature and history of the tribalfederal legal and political relationship; basic legal definitions within federal Indian law (such as what is Indian country); equal protection issues posed by federal Indian legislation; canons of construction unique to Indian law; tribal sovereignty and its protection; basic questions of federal and state authority within Indian country; and tribal, federal, and state jurisdiction in Indian country according to default rules as well as special statutory regimes.
Federal Litigation: Civil

Course #: 2089  Term: 2016SP  Faculty: Rosenberg, David  Credits: 4.00
Type: Elective  Subject Areas: Government Structure & Function; Procedure & Practice
Delivery Mode: Course

Days and Times:  Location
Mon 1:00 PM - 3:00 PM  GR5110
Tue 1:00 PM - 3:00 PM  GR5110

Course Description: Prerequisites: None.
Exam type: No exam.
Students will work on pretrial stages of a hypothetical case in a federal district court. Included will be interviewing, pleading, discovery, negotiations, class action certification, and preliminary relief. The work will include the drafting of pleadings, briefs, and opinions as well as oral arguments and judging of various motions.
This course is available to all interested students.

Federal Tax Clinic

Course #: 8045  Term: 2015FA  Faculty: Fogg, Keith  Credits: 4.00
Type: Clinic  Subject Areas: Procedure & Practice; Regulatory Law; Taxation
Delivery Mode: Clinic

Days and Times:  Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement.
Required Class Component: Federal Tax Clinical Seminar (2 fall classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: Due to Massachusetts court practice rules, LLM students are not eligible to apply. Placement Site: WilmerHale Legal Services Center (Jamaica Plain). Students in the Federal Tax Clinic represent low-income taxpayers in controversies with the IRS, both before the IRS and in federal court. Students will work individually and in teams to represent taxpayers involving examinations, administrative appeals, collection matters and cases before the United States Tax Court and Federal District Courts. Students will represent taxpayers with the goal of maximizing financial wellbeing and protecting taxpayer rights, including securing refunds and credits to which taxpayers are entitled, providing relief from joint and several liability for innocent spouses, and reducing tax liabilities through successful negotiated resolutions or compromises of liabilities based upon taxpayer financial hardship. The Clinic provides a singular opportunity to have extensive client contact, to conduct fact investigation and legal research, and to develop, present, and argue cases on behalf of vulnerable taxpayers who would otherwise not have access to justice. Because the Clinic teaches lawyering skills applicable across numerous practice areas, students are encouraged to enroll whether they have an existing interest in tax law and practice or simply seek an immersive law practice experience through which they can learn valuable skills and provide pro bono representation to those in need.
Federal Tax Clinic

Course #: 8045  Term: 2016SP  Faculty: Fogg, Keith  Credits: 4.00

Type: Clinic  Subject Areas: Procedure & Practice; Regulatory Law; Taxation

Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Federal Tax Clinical Seminar (2 spring classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: Due to Massachusetts court practice rules, LLM students are not eligible to apply. Placement Site: WilmerHale Legal Services Center (Jamaica Plain). Students in the Federal Tax Clinic represent low-income taxpayers in controversies with the IRS, both before the IRS and in federal court. Students will work individually and in teams to represent taxpayers involving examinations, administrative appeals, collection matters and cases before the United States Tax Court and Federal District Courts. Students will represent taxpayers with the goal of maximizing financial wellbeing and protecting taxpayer rights, including securing refunds and credits to which taxpayers are entitled, providing relief from joint and several liability for innocent spouses, and reducing tax liabilities through successful negotiated resolutions or compromises of liabilities based upon taxpayer financial hardship. The Clinic provides a singular opportunity to have extensive client contact, to conduct fact investigation and legal research, and to develop, present, and argue cases on behalf of vulnerable taxpayers who would otherwise not have access to justice. Because the Clinic teaches lawyering skills applicable across numerous practice areas, students are encouraged to enroll whether they have an existing interest in tax law and practice or simply seek an immersive law practice experience through which they can learn valuable skills and provide pro bono representation to those in need.
Federal Tax Clinical Seminar

Course #: 2822       Term: 2015FA       Faculty: Fogg, Keith       Credits: 2.00
Type: Elective       Subject Areas: Procedure & Practice; Regulatory Law; Taxation
Delivery Mode: Seminar

Days and Times: Location
Mon 5:00 PM-7:00 PM WCC5051

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Federal Tax Clinic (2-4 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: LLM students are not eligible to apply. Through the Federal Tax Clinical Seminar, students learn the substantive law, procedural context, advocacy skills, and ethical rules necessary for the effective representation of low-income taxpayers before the IRS and in federal court. The seminar will cover an array of topics, including tax practice and procedure at the agency level and in federal court, administrative law, client interviewing, fact investigation, offers in compromise, negotiation, refund litigation, audit reconsideration, innocent spouse defenses, Earned Income Tax Credit (EITC), and evidentiary hearings. The seminar will also consider, through the lens of students’ clinical experiences, systemic questions about tax policy, anti-poverty policy, and access to justice for low-income taxpayers. Because the Clinic teaches lawyering skills applicable across numerous practice areas, students are encouraged to enroll whether they have an existing interest in tax law and practice or simply seek an immersive law practice experience through which they can learn valuable skills and provide pro bono representation to those in need.
Federal Tax Clinical Seminar

Course #: 2822  
Term: 2016SP  
Faculty: Fogg, Keith  
Credits: 2.00

Type: Elective  
Subject Areas: Procedure & Practice; Regulatory Law; Taxation

Delivery Mode: Seminar

Days and Times: 
Mon 5:00 PM - 7:00 PM  
Location: WCC5051

Course Description: 
Students who enroll in this course may count the credits towards the JD experiential learning requirement. 
Required Clinic Component: Federal Tax Clinic (2-4 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. 
Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students are not eligible to apply. 
Through the Federal Tax Clinical Seminar, students learn the substantive law, procedural context, advocacy skills, and ethical rules necessary for the effective representation of low-income taxpayers before the IRS and in federal court. The seminar will cover an array of topics, including tax practice and procedure at the agency level and in federal court, administrative law, client interviewing, fact investigation, offers in compromise, negotiation, refund litigation, audit reconsideration, innocent spouse defenses, Earned Income Tax Credit (EITC), and evidentiary hearings. The seminar will also consider, through the lens of students’ clinical experiences, systemic questions about tax policy, anti-poverty policy, and access to justice for low-income taxpayers. Because the Clinic teaches lawyering skills applicable across numerous practice areas, students are encouraged to enroll whether they have an existing interest in tax law and practice or simply seek an immersive law practice experience through which they can learn valuable skills and provide pro bono representation to those in need.

Feminist Legal Theory

Course #: 2301  
Term: 2015FA  
Faculty: Halley, Janet  
Credits: 2.00

Type: Elective  
Subject Areas: Family, Gender & Children’s Law; International, Comparative & Foreign Law; Legal & Political Theory

Delivery Mode: Course

Days and Times: 
Wed 5:00 PM - 7:00 PM  
Location: HAU102

Course Description: 
Prerequisites: None. Exam Type: Last Class Take Home 
This course will survey the most important sources of feminist thinking in and around law and law reform, with attention to the ways in which differing feminist ideas have and have not become operationalized as law that actually governs. We will pay attention to the rise and fall of feminist ideas; to competitor theoretical frames and ongoing contests among different feminist worldviews for influence on law; to nonwestern sources of feminist legal thought; and to modes of transmitting feminist ideas from one national, regional, and/or international system to another. A constant theme will be the collaborations among and conflicts between feminist social movements and social movements for emancipation of groups other than women: racial minorities, sexual minorities, immigrants, the poor. No prior knowledge of feminism will be presupposed. LLMs are welcomed to enroll. Examination is by last-day take-home exam; there will also be a paper option.
### Fidelity in Interpretation

<table>
<thead>
<tr>
<th>Course #: 2815</th>
<th>Term: 2016SP</th>
<th>Faculty: Lessig, Lawrence</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Constitutional Law &amp; Civil Rights</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Delivery Mode:** Seminar

**Days and Times:** Mon 5:00 PM - 7:00 PM

**Location:** WCC3016

**Course Description:**
Prerequisites: None.
Exam Type: No exam.
This seminar will develop a theory of interpretation for the Constitution of the United States tied to a particular conception of interpretive fidelity. The aim is Dworkinian -- to develop the theory that best explains and justifies our constitutional tradition.

---

### Financial and Legal Needs of Low and Moderate Income Households

<table>
<thead>
<tr>
<th>Course #: 2176</th>
<th>Term: 2016SP</th>
<th>Faculty: Charn, Jeanne</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Family, Gender &amp; Children's Law; Procedure &amp; Practice</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Delivery Mode:** Seminar

**Days and Times:** Mon 5:00 PM - 7:00 PM

**Location:** WCC3013

**Course Description:**
Prerequisites: None.
Exam Type: No exam.
The seminar will examine the opportunities and perils in consumer financial services available to low and moderate income households. We will begin with a survey of (i) sources of unsecured credit (e.g. credit cards, pay-day lenders, check-cashing services); (ii) homeownership as an asset building strategy; (iii) saving rates and policies that encourage saving. With a basic understanding of the financial services landscape, we will explore strategies for providing legal advice and assistance that may enable people to effectively access credit and to build and protect assets. We will focus on assistance for households in crises (such as foreclosure) but we will also consider transactional and preventive services to help people avoid crises. We will explore the role of the solo and small firm bar that serves people of moderate means and on market innovations designed to expand access -- for example, pre-paid and legal insurance programs, unbundled legal services, and self-help. We will pay particular attention to technology driven modes of service delivery. We will also look at legal aid in the UK, Europe and Canada where the needs of moderate income people are a main focus of legal aid policy.

In consultation with the course instructor, students will develop a research project that explores in greater depth any topic covered in class meetings. Students may work in pairs or groups and the course research project may satisfy all or part of the J.D. writing requirement.

Students are welcome to contact the course instructor via e-mail (charn@law.harvard.edu) with questions about the course.
First Year Legal Research and Writing 1A

Course #: 1006  Term: 2015FA  Faculty: Wansley, Matthew  Credits: 2.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times: Thu 3:15 PM - 5:15 PM  Location: AUS101

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 1A

Course #: 1006  Term: 2016SP  Faculty: Wansley, Matthew  Credits: 2.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times: Tue 5:00 PM - 7:00 PM  Location: WCC2004

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
# First Year Legal Research and Writing 1B

<table>
<thead>
<tr>
<th>Course #: 1006</th>
<th>Term: 2016SP</th>
<th>Faculty: Deacon, Daniel</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td>Days and Times: Tue 5:00 PM - 7:00 PM</td>
<td>WCC1010</td>
<td></td>
</tr>
<tr>
<td>Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

# First Year Legal Research and Writing 1B

<table>
<thead>
<tr>
<th>Course #: 1006</th>
<th>Term: 2015FA</th>
<th>Faculty: Deacon, Daniel</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td>Days and Times: Thu 3:15 PM - 5:15 PM</td>
<td>AUS111</td>
<td></td>
</tr>
<tr>
<td>Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### First Year Legal Research and Writing 2A

<table>
<thead>
<tr>
<th>Course #: 1006</th>
<th>Term: 2015FA</th>
<th>Faculty: Lin, Da</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times: Thu 3:15 PM - 5:15 PM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: WCC1010</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:** The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows—promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching—as well as by research librarians and upper-class teaching assistants.

---

### First Year Legal Research and Writing 2A

<table>
<thead>
<tr>
<th>Course #: 1006</th>
<th>Term: 2016SP</th>
<th>Faculty: Lin, Da</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times: Mon 5:00 PM - 7:00 PM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: WCC2012</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:** The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows—promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching—as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 2B

Course #: 1006  
Term: 2016SP  
Faculty: Litman, Leah  
Credits: 2.00

Type: 1course  
Subject Areas: Not Applicable

Delivery Mode: Course

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

Location: WCC1010

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 2B

Course #: 1006  
Term: 2015FA  
Faculty: Litman, Leah  
Credits: 2.00

Type: 1course  
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: 
Thu 3:15 PM - 5:15 PM

Location: WCC1015

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 3A

Course #: 1006  Term: 2015FA  Faculty: Farbman, Daniel  Credits: 2.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Thu 3:15 PM - 5:15 PM
Location: WCC1019

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 3A

Course #: 1006  Term: 2016SP  Faculty: Farbman, Daniel  Credits: 2.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Mon 5:00 PM - 7:00 PM
Location: WCC1015

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 3B

Course #: 1006  
Term: 2016SP  
Faculty: Goldberg, Erica  
Credits: 2.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

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

Location: WCC1019

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 3B

Course #: 1006  
Term: 2015FA  
Faculty: Goldberg, Erica  
Credits: 2.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:  
Thu 3:15 PM - 5:15 PM

Location: WCC1023

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 4A

Course #: 1006  
Term: 2015FA  
Faculty: Levin, Benjamin  
Credits: 2.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:  
Thu 3:15 PM - 5:15 PM

Location: WCC2004

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 4A

Course #: 1006  
Term: 2016SP  
Faculty: Levin, Benjamin  
Credits: 2.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

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

Location: WCC1023

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 4B

Course #: 1006 Term: 2016SP Faculty: Epps, Daniel Credits: 2.00
Type: 1lcourse Subject Areas: Not Applicable
Delivery Mode: Course

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 4B

Course #: 1006 Term: 2015FA Faculty: Epps, Daniel Credits: 2.00
Type: 1lcourse Subject Areas: Not Applicable
Delivery Mode: Course

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 5A

Course #: 1006  Term: 2015FA  Faculty: Richardson, Brian  Credits: 2.00

Type: 1course  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Thu 3:15 PM - 5:15 PM LAN225

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 5A

Course #: 1006  Term: 2016SP  Faculty: Richardson, Brian  Credits: 2.00

Type: 1course  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Tue 5:00 PM - 7:00 PM WCC1015

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 5B

Course #: 1006  Term: 2016SP  Faculty: Gardner, Maggie  Credits: 2.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Location
Tue 5:00 PM - 7:00 PM WCC1019

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 5B

Course #: 1006  Term: 2015FA  Faculty: Gardner, Maggie  Credits: 2.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Location
Thu 3:15 PM - 5:15 PM WCCB010

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 6A

Course #: 1006  Term: 2015FA  Faculty: Bates, Jason  Credits: 2.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times: Thu 3:15 PM - 5:15 PM
Location: WCCB015

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 6A

Course #: 1006  Term: 2016SP  Faculty: Bates, Jason  Credits: 2.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times: Tue 5:00 PM - 7:00 PM
Location: WCC1023

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows—promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching—as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 7A

Course #: 1006   Term: 2015FA   Faculty: Tobin, Susannah   Credits: 2.00
Type: 1lcourse   Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Location
Thu 3:15 PM - 5:15 PM LAN272

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 7A

Course #: 1006   Term: 2016SP   Faculty: Tobin, Susannah   Credits: 2.00
Type: 1lcourse   Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Location
Tue 5:00 PM - 7:00 PM WCC2012

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
First Year Legal Research and Writing 7B

Course #: 1006  
Term: 2016SP  
Faculty: Ortman, William  
Credits: 2.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Tue 5:00 PM - 7:00 PM PND100

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 7B

Course #: 1006  
Term: 2015FA  
Faculty: Ortman, William  
Credits: 2.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Thu 3:15 PM - 5:15 PM PND102

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.
Food and Drug Law

Course #: 2091  Term: 2016WI  Faculty: Hutt, Peter Barton  Credits: 3.00
Type: Elective  Subject Areas: Government Structure & Function; Health Law; Regulatory Law
Delivery Mode: Course

Days and Times: Location
Mon 9:00 AM - 12:15 PM GRS110
Tue 9:00 AM - 12:15 PM GRS110
Wed 9:00 AM - 12:15 PM GRS110
Thu 9:00 AM - 12:15 PM GRS110
Fri 9:00 AM - 12:15 PM GRS110

Course Description: Prerequisites: None.
Exam Type: No exam.
This course explores the full range of federal regulation of products subject to the jurisdiction of the Food and Drug Administration (FDA). These products include food, human prescription and nonprescription drugs, animal feed and drugs, biologics and blood products, medical devices, and cosmetics, which together comprise approximately 25% of the gross national product. The course examines the public policy choices underlying the substantive law, FDA enforcement power, and agency practice and procedure. The course covers such contemporary issues as protecting against unsafe or mislabeled food, controlling carcinogens, expediting approval of AIDS and cancer drugs, assuring the safety of prescription drugs before and after marketing, importing drugs from abroad, switching drugs from prescription to nonprescription status, balancing the benefits and risks of breast implants, the compassionate use of experimental products, regulating complex new medical device technology, control of such biotechnology techniques as gene therapy, requiring adequate consumer and professional labeling for FDA-regulated products, and the relationship among international, federal, and state regulatory requirements. A prior course in Administrative Law is desirable but not a prerequisite.
Enrollment in this course is limited to fifty-two students. The required course paper may be combined with the Option 1 Written Work Requirement. This applies to students who take the course as a 2L or a 3L. Students who know that they wish to choose this option should e-mail the instructor at phutt@cov.com.
# Food Law

**Course #:** 2544  
**Term:** 2016SP  
**Faculty:** Gersen, Jacob  
**Credits:** 2.00

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

**Delivery Mode:** Seminar

**Days and Times:**  
Wed 3:00 PM - 5:00 PM

**Location:** WCC3012

**Course Description:**  
Prerequisites: None.  
Exam Type: No exam.

This seminar will explore the legal regulation of food. We will study the state, local, federal, and common law regulation of food, with an emphasis on both the historical evolution of legal regimes that govern production, labeling, and sale; and frontier policy issues like banned foods, obesity, dietary supplements, organics, bioterrorism, and genetic modification. Although our focus will be mainly domestic law, we will occasionally consider trade and international regulation as well. Students may write either a series of short papers or one long paper on a topic of their choosing. This course will not satisfy the prerequisite for enrollment in the Food Law and Policy Clinic.
Food Law and Policy

Course #: 2359  Term: 2016SP  Faculty: Broad Leib, Emily  Credits: 2.00
Type: Elective  Subject Areas: Health Law; Regulatory Law

Delivery Mode: Seminar

Days and Times: Thu 3:00 PM - 5:00 PM  Location: WCC3013

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement if they also enroll in the associated clinic.
Prerequisites: Enrollment in the seminar is limited to 20 students and it is open to LLM students by permission.
Exam Type: No exam.
This seminar will present an overview of topics in food law and policy, and will examine how these laws shape what we eat. In recent years, increasing attention has been paid to a range of issues impacting the food system from farm to fork to landfill. In the past few years, major news stories have covered the federal farm bill, state GMO labeling laws, food safety outbreaks in China, and the misleading and unregulated terrain of expiration dates.

In order to better understand these issues and some of their root causes, we will examine food policy via the diverse lenses of farmers, consumers, and corporations, as well as using diverse disciplinary perspectives. We will concentrate on food law in the United States, but will also discuss the global food system, and will include comparative international perspectives in areas such as farming support, the right to food, and food system planning.

We begin the course by looking at federal agricultural policy and farm subsidies, and analyze the environmental, health, and safety implications of our agricultural system. We then discuss current debates regarding genetically modified foods and the legal issues surrounding various eco-labels such as organic, sustainable, local, and fair trade. The course also examines the role the government plays in determining what foods are consumed in the United States, through its Dietary Guidelines and food assistance programs. Finally, we will evaluate a range of existing and potential policy interventions at the federal, state, and local level.

The reading materials will be provided in a course reader and on the course website, and include various book chapters, cases, regulations, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The seminar is intended to spark debate between different sides of these often controversial issues.

The seminar is open to any student interested in food and agricultural policy and its implications on health and the environment, and no background or prerequisites are required. Rather than an examination, students will be required to submit reading responses via the online course blog; prepare for and participate in in-class role play debates; and write one short policy brief. The policy brief will be geared to the appropriate government level and agency (state or federal government, depending on who controls the issue) and will explain a food-related problem and recommend a policy change intended to improve the health, nutrition, or environmental outcomes. Grades will be determined on the basis of these written submissions, in-class role plays, and class participation.

Some seats are reserved for students in the spring Food Law and Policy clinic. Students who enroll in the spring Food Law and Policy clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the spring Food Law and Policy clinic, they will also lose their reserved seat in this course. Please note that there is an early drop deadline of January 15, 2016 for students in this course enrolled in reserved clinical seats.
Food Law and Policy

Course #: 2359
Course Title: 2015FA
Faculty: Broad Leib, Emily
Credits: 2.00

Type: Elective
Subject Areas: Health Law; Regulatory Law

Delivery Mode: Seminar

Days and Times: Thu 3:00 PM - 5:00 PM
Location: WCC5044

Course Description:

Students who enroll in this course may count the credits towards the JD experiential learning requirement if they also enroll in the associated clinic.

Prerequisites: Enrollment in the seminar is limited to 20 students and it is open to LLM students by permission.

Exam Type: No exam.

This seminar will present an overview of topics in food law and policy, and will examine how these laws shape what we eat. In recent years, increasing attention has been paid to a range of issues impacting the food system from farm to fork to landfill. In the past few years, major news stories have covered the federal farm bill, state GMO labeling laws, food safety outbreaks in China, and the misleading and unregulated terrain of expiration dates.

In order to better understand these issues and some of their root causes, we will examine food policy via the diverse lenses of farmers, consumers, and corporations, as well as using diverse disciplinary perspectives. We will concentrate on food law in the United States, but will also discuss the global food system, and will include comparative international perspectives in areas such as farming support, the right to food, and food system planning.

We begin the course by looking at federal agricultural policy and farm subsidies, and analyze the environmental, health, and safety implications of our agricultural system. We then discuss current debates regarding genetically modified foods and the legal issues surrounding various eco-labels such as organic, sustainable, local, and fair trade. The course also examines the role the government plays in determining what foods are consumed in the United States, through its Dietary Guidelines and food assistance programs. Finally, we will evaluate a range of existing and potential policy interventions at the federal, state, and local level.

The reading materials will be provided in a course reader and on the course website, and include various book chapters, cases, regulations, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The seminar is intended to spark debate between different sides of these often controversial issues.

The seminar is open to any student interested in food and agricultural policy and its implications on health and the environment, and no background or prerequisites are required. Rather than an examination, students will be required to submit reading responses via the online course blog; prepare for and participate in in-class role play debates; and write one short policy brief. The policy brief will be geared to the appropriate government level and agency (state or federal government, depending on who controls the issue) and will explain a food-related problem and recommend a policy change intended to improve the health, nutrition, or environmental outcomes. Grades will be determined on the basis of these written submissions, in-class role plays, and class participation.

Some seats are reserved for students in the fall or winter Food Law and Policy clinic. Students who enroll in either the fall or winter Food Law and Policy clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the fall or winter Food Law and Policy clinic, they will also lose their reserved seat in this course. Please note that there is an early drop deadline of September 3, 2015 for students in this course enrolled in reserved clinical seats.
Food Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8038  Term: 2015FA  Faculty: Broad Leib, Emily  Credits: 4.00
Type: Clinic  Subject Areas: Health Law; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Food Law and Policy (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Students who drop this clinic will also lose their seat in the required class component. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS.

The Food Law and Policy Clinic (FLPC) provides students with the opportunity to practice using legal and policy tools in order to address the health, environmental, and economic impacts of our food system. The FLPC utilizes substantive expertise in food law and policy and a robust policy skill set to assist clients and communities in understanding and improving the laws impacting the food system. Clinic projects aim to increase access to healthy foods, prevent diet-related diseases such as obesity and type 2 diabetes, and assist small farmers and producers in participating in food markets.

Students enrolled in the FLPC get hands-on learning experience conducting legal and policy research for individuals, communities, and governments on a wide range of food law and policy issues. Students have the opportunity, for example: to comment on major federal regulations, such as the Food and Drug Administration rules impacting food safety on the farm; to identify and promote creative policies to reduce the 40% of food that goes to waste in the U.S.; to train and empower food policy councils and other community coalitions to achieve their food system goals; and to research and recommend policies increasing access to healthy food at all levels of government.

Students will develop a variety of transferable skills in areas such as research, writing, creative problem-solving, project management, oral communication, and leadership. In particular, students will have the opportunity to draft memoranda, white papers, and regulatory comments; conduct statutory interpretation; compose legislation and regulations; petition for agency rulemaking or enforcement actions; conduct interviews and fact-finding; and prepare and train communities about civic engagement, the food system, and policy change. Clinic clients are located around the United States, and some students will have the opportunity to travel, as we work closely with partners in New England, as well as places like Mississippi, West Virginia, and Navajo Nation.

For more information about the clinic please email Emily Broad Leib at ebroad@law.harvard.edu or visit our clinical suite in the WCC 3130.
Food Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8038  
Term: 2016SP  
Faculty: Broad Leib, Emily  
Credits: 4.00

Type: Clinic  
Subject Areas: Health Law; Procedure & Practice

Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Food Law and Policy (2 spring classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Students who drop this clinic will also lose their seat in the required class component.

Additional Co-/Pre-Requisites: None.

By Permission: No.


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

Placement Site: HLS.

The Food Law and Policy Clinic (FLPC) provides students with the opportunity to practice using legal and policy tools in order to address the health, environmental, and economic impacts of our food system. The FLPC utilizes substantive expertise in food law and policy and a robust policy skill set to assist clients and communities in understanding and improving the laws impacting the food system. Clinic projects aim to increase access to healthy foods, prevent diet-related diseases such as obesity and type 2 diabetes, and assist small farmers and producers in participating in food markets.

Students enrolled in the FLPC get hands-on learning experience conducting legal and policy research for individuals, communities, and governments on a wide range of food law and policy issues. Students have the opportunity, for example: to comment on major federal regulations, such as the Food and Drug Administration rules impacting food safety on the farm; to identify and promote creative policies to reduce the 40% of food that goes to waste in the U.S.; to train and empower food policy councils and other community coalitions to achieve their food system goals; and to research and recommend policies increasing access to healthy food at all levels of government.

Students will develop a variety of transferable skills in areas such as research, writing, creative problem-solving, project management, oral communication, and leadership. In particular, students will have the opportunity to draft memoranda, white papers, and regulatory comments; conduct statutory interpretation; compose legislation and regulations; petition for agency rulemaking or enforcement actions; conduct interviews and fact-finding; and prepare and train communities about civic engagement, the food system, and policy change. Clinic clients are located around the United States, and some students will have the opportunity to travel, as we work closely with partners in New England, as well as places like Mississippi, West Virginia, and Navajo Nation.

For more information about the clinic please email Emily Broad Leib at ebroad@law.harvard.edu or visit our clinical suite in the WCC 3130.
### Food Law and Policy Clinic of the Center for Health Law and Policy Innovation

<table>
<thead>
<tr>
<th>Course #: 8038</th>
<th>Term: 2016WI</th>
<th>Faculty: Broad Leib, Emily</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Clinic</td>
<td>Subject Areas: Health Law; Procedure &amp; Practice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Clinic</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Course Description:

Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Food Law and Policy (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Students who drop this clinic will also lose their seat in the required class component.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: Please note that this winter clinic has a drop deadline of September 3, 2015.

LLM Students: LLM students are not eligible to apply.

Placement Site: HLS.

The Food Law and Policy Clinic (FLPC) provides students with the opportunity to practice using legal and policy tools in order to address the health, environmental, and economic impacts of our food system. The FLPC utilizes substantive expertise in food law and policy and a robust policy skill set to assist clients and communities in understanding and improving the laws impacting the food system. Clinic projects aim to increase access to healthy foods, prevent diet-related diseases such as obesity and type 2 diabetes, and assist small farmers and producers in participating in food markets.

Students enrolled in the FLPC get hands-on learning experience conducting legal and policy research for individuals, communities, and governments on a wide range of food law and policy issues. Students have the opportunity, for example: to comment on major federal regulations, such as the Food and Drug Administration rules impacting food safety on the farm; to identify and promote creative policies to reduce the 40% of food that goes to waste in the U.S.; to train and empower food policy councils and other community coalitions to achieve their food system goals; and to research and recommend policies increasing access to healthy food at all levels of government.

Students will develop a variety of transferable skills in areas such as research, writing, creative problem-solving, project management, oral communication, and leadership. In particular, students will have the opportunity to draft memoranda, white papers, and regulatory comments; conduct statutory interpretation; compose legislation and regulations; petition for agency rulemaking or enforcement actions; conduct interviews and fact-finding; and prepare and train communities about civic engagement, the food system, and policy change. Clinic clients are located around the United States, and some students will have the opportunity to travel, as we work closely with partners in New England, as well as places like Mississippi, West Virginia, and Navajo Nation.

For more information about the clinic please email Emily Broad Leib at ebroad@law.harvard.edu or visit our clinical suite in the WCC 3130.
Foreign Relations Law

Course #: 2316  Term: 2015FA  Faculty: Goldsmith, Jack  Credits: 4.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; International, Comparative & Foreign Law
Delivery Mode: Course

Days and Times:  Location
Thu 9:50 AM - 11:50 AM  PND101
Fri 9:50 AM - 11:50 AM  PND101

Course Description: Prerequisites: None
Exam Type: Anyday Take-Home
This course examines the constitutional and statutory doctrines regulating the conduct of American foreign relations. Topics include the distribution of foreign relations powers between the three branches of the federal government, the role of federalism in foreign relations, the status of international law in U.S. courts, the scope of the treaty power, the validity of executive agreements, the power to conduct war and covert action, international human rights litigation, and the political question and other doctrines regulating judicial review in foreign relations cases.

Fraud

Course #: 2765  Term: 2016SP  Faculty: Rakoff, Todd  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Seminar

Days and Times:  Location
Wed 3:00 PM - 5:00 PM  WCC3034

Course Description: Prerequisites: None.
Exam Type: No exam.
Fraud (and its derivatives such as deceit, non-disclosure, and insider trading) is one of the master concepts of the legal universe. It appears in contracts, torts, criminal law, bankruptcy law, securities law, food and drug law, trade law, etc. etc. In this seminar we will start with the common law concept and then trace how it gets adjusted, refined, or left out when new subject matters, new remedies, new procedural settings, and new disclosure techniques are developed. Our inquiry will be jurisprudential; but of course fraud is also an omnipresent concept in legal practice. The instructor will develop and teach the materials for the original common law concept; students, working in groups, will be expected to develop and teach the materials for one or another of frauds more specialized applications.
### Free Speech Torts

<table>
<thead>
<tr>
<th>Course #</th>
<th>Term:</th>
<th>Faculty:</th>
<th>Credits:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2859</td>
<td>2016SP</td>
<td>Goldberg, Erica</td>
<td>1.00</td>
</tr>
</tbody>
</table>

**Type:** Elective  
**Subject Areas:** Business Organization, Commercial Law, and Finance; Constitutional Law & Civil Rights; Employment & Labor Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

**Delivery Mode:** Reading Group  
**Days and Times:** Tue 5:00 PM - 7:00 PM  
**Location:** LEW302

**Course Description:** Prerequisites: None. However, because the focus will be on First Amendment law and tort law, some degree of knowledge of both will be assumed, although First Amendment Law is not a prerequisite for the class.

Exam type: No exam.

The intersection of tort law and First Amendment doctrine raises questions about the kinds of harms that the law can and should remedy. This reading group will examine civil claims that implicate free speech concerns. Topics may shift but will likely include intentional infliction of emotional distress, privacy and reputational claims, harassment alleged at work, in school, and on the Internet, and liability for manufacturers of violent video games and other types of violence-producing speech. We will read cases and law review articles to explore the variety of ways in which the law does and should resolve the tension between preventing individual and social harms that flow from speech and upholding the public and private values associated with speech.

The reading group will meet for six two-hour sessions, dates TBD, and participation will be graded credit/fail.

### From Protest to Law: Triumphs and Defeats of the Civil Rights Revolution, 1950-1970

<table>
<thead>
<tr>
<th>Course #</th>
<th>Term:</th>
<th>Faculty:</th>
<th>Credits:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2697</td>
<td>2015FA</td>
<td>Kennedy, Randall</td>
<td>3.00</td>
</tr>
</tbody>
</table>

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

**Delivery Mode:** Course  
**Days and Times:** Thu 1:15 PM - 2:45 PM, Fri 1:15 PM - 2:45 PM  
**Location:** WCCB015

**Course Description:** Prerequisites: None  
Exam Type: No Exam

This course will examine the erasure of de jure segregation (see, e.g. Morgan v. Virginia, Brown v. Board of Education, and Loving v. Virginia, restrictions on private racial discrimination (see, e.g. the civil rights acts of 1964 and 1968), and efforts to enforce the Fifteenth Amendment (see, e.g. The Voting Rights Act of 1965). Attention will be paid to the social movement that generated the controversies that were, to some degree, settled by adjudications and legislation. But the main focus of our study will be on the arguments deployed by lawyers, legislators, and judges.
Frontiers of Cyberlaw: Artificial Intelligence, Automation and Information Security

Course #: 2795  Term: 2016WI  Faculty: Cuellar, Mariano-Florentino  Credits: 2.00
Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: Location
Mon 10:00 AM - 12:15 PM HAU101
Tue 10:00 AM - 12:15 PM HAU101
Wed 10:00 AM - 12:15 PM HAU101
Thu 10:00 AM - 12:15 PM HAU101
Fri 10:00 AM - 12:15 PM HAU101

Course Description: Prerequisites: None.
Exam Type: No exam.
Requirements include participation in discussion and in-class simulations, assisting in leading discussion for one session, response papers (or a combination of response papers and a longer research paper), and attendance.

Laws often reflect our efforts to articulate norms for social and economic relationships; manage principal agent problems; and define responsibilities between individuals, organizations, and public institutions. This seminar explores how emerging technological developments involving the security (or insecurity) of networked information systems, automation, and "artificial intelligence" affect the legal system and its persistent dilemmas. Specific topics include domestic and transnational cybersecurity risks; the promise and limitations of regulatory, criminal, and international law in addressing those risks; the impact of automation on labor markets and their regulation; and the evolving role of expert systems and decision support technologies in how governments make decisions about health and safety, criminal enforcement, and national security. Well explore these topics with examples and readings drawn from state, federal, and international law; economics and psychology; history and political science; computer science; and science and technology studies.
### Future of the Family

<table>
<thead>
<tr>
<th>Course #</th>
<th>2094</th>
<th>Term:</th>
<th>2016SP</th>
<th>Faculty:</th>
<th>Bartholet, Elizabeth</th>
<th>Credits</th>
<th>2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>Elective</td>
<td>Subject Areas:</td>
<td>Family, Gender &amp; Children's Law</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode:</td>
<td>Seminar</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Wed 5:00 PM - 7:00 PM</td>
<td>Location</td>
<td>WCC3011</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:**

Prerequisite: For JD1L students and cross-registrants, instructor permission is required to enroll in this seminar. There is no permission required for upper-level JDs or LLMs.

Exam type: No exam. Requirements include: regular attendance, active participation, presentation of own work, feedback on others work, and a research paper. Students are encouraged to write a substantial paper for an additional credit; this can be used to satisfy the Schools Written Work Requirement.

This seminar is for students interested in writing a research paper on any issue related to the below range of topics, as well as for students interested in doing papers on ideas explored in connection with any Child Advocacy Program (CAP) course (Child, Family & State, Family Law, The Art of Social Change, CAP Clinic). Initial class sessions will focus on readings related to general substantive area and also research and writing issues, and later sessions will focus on student work. Students will receive extensive guidance and feedback on their writing.

Possible issue areas include but are not limited to: parenting and procreation; child maltreatment and related state intervention; high-tech infertility treatment and assisted reproductive technologies; the commercialization of reproduction (sale of eggs, sperm, embryos and pregnancy services); non-traditional family forms (single parenting, same-sex unions and marriage, transracial and international adoption); and fetal abuse, sex selection, cloning, stem cell research and the new eugenics options.
Gender Violence Legal Policy Workshop

Course #: 2513  Term: 2016SP  Faculty: Rosenfeld, Diane  Credits: 2.00
Type: Elective  Subject Areas: Family, Gender & Children's Law

Delivery Mode: Course

Days and Times:  Location
Wed 10:00 AM - 12:00 PM  WCC3015

Course Description: Prerequisite: Students enrolled in the workshop must register for either the Title IX course or the Gender Violence, Law and Social Justice course in this academic year.

Exam Type: No exam.

This workshop offers the student hands-on experience in analyzing, evaluating, and creating legal policy on a range of issues related to gender violence. The three main areas of concentration are campus sexual assault, intimate partner violence, and sex trafficking and prostitution. We advise government officials (local, state and federal); national, international, and local advocacy groups working to stop gender violence; and individuals needing assistance in knowing their rights or accessing services. Recent activities include submitting comments to the White House Task Force on Protecting Students from Sexual Assault; helping an advocacy organization on preventing domestic violence homicide; and preparing a training for Middlesex County Police Chiefs on investigating sex trafficking rings.
Gender Violence, Law and Social Justice

Course #: 2098  Term: 2016SP  Faculty: Rosenfeld, Diane  Credits: 3.00
Type: Elective  Subject Areas: Family, Gender & Children’s Law
Delivery Mode: Course

Days and Times:  Location
Mon 10:20 AM - 11:50 AM  WCC3018
Tue 10:20 AM - 11:50 AM  WCC3018

Course Description: Prerequisites: None.

Exam type: No exam.

This course offers an in-depth examination of the phenomenon of gender-motivated violence. Following a consideration of the prevalence and variation of types of sexual violence and coercion around the world, we consider questions such as: How, if at all, is violence against women different from other types of violence? How effective have legal strategies to address violence against women been, and what shifts in thinking about gender-motivated violence would be necessary finally to eradicate it? How does the toleration of sexual violence shape people’s expectations and sense of entitlements? What are the implications of gender-based violence for the constitutional guarantee of equal protection of the laws? Does equal protection itself have a gendered meaning and reality? Among the types of violence against women we will consider are: intimate-partner violence; domestic homicide; prostitution; rape; sex trafficking of women and children; and violence against women facilitated by the Internet. The readings consist of primary and secondary materials drawn from several disciplines: law, social science, political science, psychology, evolutionary biology and women’s studies.
Global Anticorruption Lab

Course #: 2646  
Term: 2015FA  
Faculty: Stephenson, Matthew  
Credits: 2.00

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

Delivery Mode: Course

Days and Times:  
Tue 5:00 PM - 7:00 PM  
Location: WCC3015

Course Description: Prerequisites: Enrollment is limited to 12, and is by permission of the instructor. Interested students should email Professor Stephenson (mstephen@law.harvard.edu); the email should include a current CV and a statement of interest (preferably including one or two topics you might be interested in writing about). Please also indicate whether you intend to enroll in both semesters of the Lab, or only the Fall. (Enrollment in both semesters is not required, but preference will be given to applicants who intend to enroll for the full year.)

Exam Type: No Exam

This course will provide an opportunity for students interested in anticorruption (from legal, social scientific, or policy perspectives) to work on independent research projects in a collaborative, interactive setting. Students will select one or more topics of interest to explore during the semester; we will meet each week for an hour to discuss one another's research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute four substantive posts (1-3 paragraphs each) to the Global Anticorruption Blog. Participants will also be expected to participate in online discussions and debates about other blog entries. Students interested in expanding their research into a full paper may do so for an appropriate number of additional independent writing credits.
Global Anticorruption Lab

Course #: 2646  Term: 2016SP  Faculty: Stephenson, Matthew  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; International, Comparative & Foreign Law
Delivery Mode: Course

Days and Times: Thu 5:00 PM - 7:00 PM  Location: LEW301

Course Description: Prerequisites: Enrollment is limited to 12, and is by permission of the instructor. Interested students should email Professor Stephenson (mstephen@law.harvard.edu); the email should include a current CV and a statement of interest (preferably including one or two topics you might be interested in writing about). Please also indicate whether you intend to enroll in both semesters of the Lab, or only the Fall. (Enrollment in both semesters is not required, but preference will be given to applicants who intend to enroll for the full year.)
Exam type: No exam.
This course will provide an opportunity for students interested in anticorruption (from legal, social scientific, or policy perspectives) to work on independent research projects in a collaborative, interactive setting. Students will select one or more topics of interest to explore during the semester; we will meet each week for an hour to discuss one another's research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute four substantive posts (1-3 paragraphs each) to the Global Anticorruption Blog. Participants will also be expected to participate in online discussions and debates about other blog entries. Students interested in expanding their research into a full paper may do so for an appropriate number of additional independent writing credits.
Global Effects of EU Law

Course #: 2078  Term: 2016WI  Faculty: Goldner Lang, Iris; Perisin, Tamara  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Environmental Law; Health Law; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Course

Days and Times:
- Mon 9:00 AM - 12:15 PM
- Tue 9:00 AM - 12:15 PM
- Wed 9:00 AM - 12:15 PM
- Thu 9:00 AM - 12:15 PM
- Fri 9:00 AM - 12:15 PM
Location: HAU102

Course Description:
Prerequisites: There are no prerequisites for this course, and it is equally suitable for those with or without prior knowledge of EU law.
Exam type: Any day take-home.
This course is about how the European Union really works and how this is relevant for the United States and the rest of the world. The course highlights that US citizens and companies operating globally often follow EU law and its health, environmental, human rights or other standards, even when acting on US territory.
The course starts with an introduction into the economic, political and social background of the European Union and with the basic principles of EU law. It then examines the four EU fundamental freedoms: free movement of goods, persons, services and capital. Judicial interpretation of these market freedoms, just like that of the US Commerce Clause, has affected numerous non-trade areas such as health, food safety, environment, consumer protection, labor standards, gender equality and the fight against terrorism. It has also affected the EU’s global competitiveness, trade relations, the export of values, and has generally influenced global trade flows and migration.
The EU’s global effects are examined through disputes, e.g. WTO disputes with the US on beef hormones and GMOs, disputes before the EU Court of Justice on EU rules blocking mergers of US companies, on the right to be forgotten, on aviation emissions, etc. These disputes show that the EU and the US have a different level of risk aversion in relation to certain values. This affects US companies and individuals that often have to follow both US and EU rules if they want to benefit from the EU’s large single market, and it consequently leads to the export of EU standards into the US and the rest of the world.
Global effects are also examined through EU migration, asylum and border control rules, as the flipside of the free movement of persons in the EU. These also affect US citizens, both directly, as there are millions of US expatriates entering and staying in the EU (including, for example, US lawyers who once they are licensed in one EU state gain the right to practice law in all 28 EU states) and indirectly, by restricting the entry of persons from third countries (e.g. Africa and the Far East) who then seek to migrate into the US.
Finally, the course discusses which external effects of EU law could be addressed by the Transatlantic Trade and Investment Partnership (TTIP) between the US and the EU.
Prof. Lang and Prof. Perisin can be reached at igoldner@pravo.hr and tamara.perisin@pravo.hr, respectively.
Global Governance

Course #: 2100  Term: 2015FA  Faculty: Ruggie, John  Credits: 2.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law
Delivery Mode: Course

Days and Times:
Mon 10:15 AM - 11:30 AM
Wed 10:15 AM - 11:30 AM

Course Description: This course focuses on the interplay among states, international organizations (such as the UN, WTO, IMF, and World Bank), multinational corporations, civil society organizations, and activist networks in global governance. Cases are drawn from a broad range of issue areas, including peace and security, economic relations, human rights, and the environment. The objective is to better understand the evolution of global governance arrangements and what difference they make, in light of globalization and emerging geopolitical changes.

Note: This course is jointly-listed with HKS as IGA-103. It takes place at HKS; One Brattle Sq, room 401. The first class meeting is on September 2nd. The course will also meet for one Friday, on September 4th.

Global Law and Governance

Course #: 2101  Term: 2015FA  Faculty: Kennedy, David  Credits: 4.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law
Delivery Mode: Course

Days and Times:
Mon 5:00 PM - 7:00 PM
Tue 5:00 PM - 7:00 PM

Location: WCCB010

Course Description: Prerequisites: NoneExam Type: Last Class Take-HomeThis course explores ideas about how we are governed globally and projects to improve global governance through law. We will focus on the field of international law and organization, examining the history of ideas, legal doctrines, institutional and administrative structures developed over the last century to organize and legalize international economic and political life. The readings will focus on various ways to think about the legal organization of global order, and on the history of legal efforts to organize and institutionalize international affairs.
Globalization: Business, Legal and Public Policy Issues

Course #: 2696  
Term: 2016WI  
Faculty: Kaden, Lewis  
Credits: 3.00

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

Delivery Mode: Course

Days and Times:  
Wed 9:00 AM - 12:15 PM  
Thu 9:00 AM - 12:15 PM  
Fri 9:00 AM - 12:15 PM  
Mon 9:00 AM - 12:15 PM  
Tue 9:00 AM - 12:15 PM  
Location: WCC3016

Course Description:  
Prerequisites: There is no formal prerequisite. The materials will include all you need to participate in the discussions and the course will be open to law, business and public policy students.

Exam Type: No exam. Evaluation will be based on active engagement in the class discussions and a short written assignment.

This course explores business, legal and public policy issues arising in the global economy. The class discussions focus on cases which set out factual settings which raise questions of substance, strategy and tactics for many parties involved in the matter, including business organizations, civic groups, governments and multilateral organizations. The topics for the cases include financial crises, trade, cyber security, global labor standards and human rights, law enforcement in multiple jurisdictions, and corruption. In the class sessions, we will concentrate on the choices available to each major participant and we will ask members of the class either individually or in small groups to address those choices throughout the discussion on that case from the position of one of the interests involved in the matter.

Note: This course is jointly-listed with HKS as BGP-450M.
Good Native Governance

Course #: 2797  
Term: 2015FA  
Faculty: Riley, Angela  
Credits: 2.00

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

Delivery Mode: Seminar

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

Location: WCC3008

Course Description:  
Prerequisites: None.
Exam Type: No exam.
This course examines legal issues integral to governance that Native American nations face in the 21st century, including those that impact and shape: political sovereignty, economic development, constitutional reform, membership criteria, cultural property protection, sacred sites, religious freedom, and safety and criminal law enforcement, among others. The course emphasizes the breadth of issues that lawyers working with and for Native Nations must confront.

Course materials will draw on traditional law review articles, books, and case studies derived from field research to engage students in the multidimensional settings that confront Native societies.
Government Lawyer

Course #: 2103  Term: 2015FA  Faculty: Whiting, Alex  Credits: 3.00

Type: Elective  Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 2:30 PM HAU104
Tue 1:00 PM - 2:30 PM GRS110

Prerequisites: None  Exam Type: No Exam

A paper will be required in lieu of an examination. The course will examine the roles and responsibilities of the prosecutor, with a particular focus on federal prosecutors. The course will consider questions concerning the politics of prosecution, the role of the prosecutor in the adversarial system (and whether that system is the best for achieving justice), and the autonomy and discretion of the prosecutor. We will look at issues that arise at the policy level for prosecutors, as well as those that face individual prosecutors in their work. Some specific topics that will be addressed will include prosecutorial ethics; disclosure and discovery issues; pretrial publicity; investigations (including use of the grand jury); sentencing; federalization of crime; and dealing with informants, cooperators, and victims. We will consider these issues in the context of different areas of criminal prosecution, including white-collar crime, organized crime, urban violence, and terrorism.

Some seats are reserved for students in the fall or spring Government Lawyer: United States Attorney clinic. Students who are accepted into the fall or spring Government Lawyer: United States Attorney clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the fall or spring Government Lawyer: United States Attorney clinic, they will also lose their reserved seat in this course. Please note that this course has early drop deadlines for students enrolled in reserved clinical seats - the drop deadline for fall clinical students is June 11, 2015; the drop deadline for spring clinical students is September 3, 2015.

Note: This course satisfies the Law Schools professional responsibility requirement.
Government Lawyer: Attorney General Clinic

Course #: 8015  Term: 2015FA  Faculty: Tierney, James  Credits: 4.00
Type: Clinic  Subject Areas: Criminal Law & Procedure; Government Structure & Function; Procedure & Practice

Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: The Role of the State Attorney General (2 spring classroom credits). Some seats are reserved for clinical students. Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops the clinic, they will also lose their seat in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: Please note this clinic has a drop deadline of August 8, 2015.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Placement Site: Various externship placements at the Massachusetts’s AG Office.
The State Attorney General Clinic offers students an opportunity to work with the Office of the Massachusetts Attorney General’s Office. Clinical students responsibilities will include writing and research work pertinent to the division in which they are placed. Assignments will often include research and drafting memos and briefs. Students are placed in various divisions including:
Criminal Bureau (Appeals Division, Cybercrime Division, Enterprise and Major Crimes Division, Environmental Crimes Strike Force, Public Integrity Division)
Government Bureau (Trial Division)
Public Protection Bureau (Civil Rights Division, Health Care Division, Consumer Protection, Environmental Protection Division)
Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic (clinical@law.harvard.edu or 617-495-5202).
Government Lawyer: Attorney General Clinic

Course #: 8015   Term: 2016SP   Faculty: Tierney, James   Credits: 4.00
Type: Clinic   Subject Areas: Criminal Law & Procedure; Government Structure & Function; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: The Role of the State Attorney General (2 spring classroom credits). Some seats are reserved for clinical students. Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops the clinic, they will also lose their seat in the required course. Additional Co-/Pre-Requisites: None. By Permission: No.
Add/Drop Deadline: Please note this clinic has an early drop deadline of January 8, 2016.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Placement Site: Various externship placements at the Massachusetts's AG Office.
The State Attorney General Clinic offers students an opportunity to work with the Office of the Massachusetts Attorney General's Office. Clinical students responsibilities will include writing and research work pertinent to the division in which they are placed. Assignments will often include research and drafting memos and briefs. Students are placed in various divisions including:
Criminal Bureau (Appeals Division, Cybercrime Division, Enterprise and Major Crimes Division, Environmental Crimes Strike Force, Public Integrity Division)
Government Bureau (Trial Division)
Public Protection Bureau (Civil Rights Division, Health Care Division, Consumer Protection, Environmental Protection Division) Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic (clinical@law.harvard.edu or 617-495-5202).
Government Lawyer: Attorney General Clinic

Course #: 8015  Term: 2016WI  Faculty: Tierney, James  Credits: 2.00

Type: Clinic  Subject Areas: Criminal Law & Procedure; Government Structure & Function; Procedure & Practice

Delivery Mode: Clinic

Days and Times: Location

Course Description:
Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: The Role of the State Attorney General (2 spring classroom credits). Some seats are reserved for clinical students. Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops the clinic, they will also lose their seat in the required course.

Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: Please note this clinic has an early drop deadline of November 30, 2015.
LLM Students: LLM students are not eligible to enroll.
Placement Site: Various externship placements at AG offices throughout the country during winter term. The State Attorney General Clinic during the winter term offers students an opportunity to work in state attorney general offices around the country. Clinic work is full-time and care will be taken to place students in both states and divisions that meet their professional goals, although particular placements are not guaranteed. Winter term placements in 2015 were involved in various divisions of State AG office: environment, criminal trials and appeals, human trafficking, civil defense, opinions and consumer protection. Students were placed in seven different states for a three week period. Some financial support is available to assist with transportation and lodging.

Students may continue their winter work remotely from HLS during the spring term. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic (clinical@law.harvard.edu or 617-495-5202).
Government Lawyer: Semester in Washington Clinic

Course #: 8016  Term: 2016SP  Faculty: Wroblewski, Jonathan  Credits: 6.00

Type: Clinic  Subject Areas: Government Structure & Function; Procedure & Practice; Regulatory Law
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Government Lawyer: Semester in Washington Clinical Seminar (3 spring classroom credits). Students who are accepted into the clinic will be enrolled in both the clinic and clinical seminar by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: Yes. Applications are due August 21, 2015. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students are not eligible to enroll. Placement Site: Various externship placements in Washington D.C.

Students spend the entire spring term (except for spring break) in Washington, D.C. working as legal interns in a variety of federal offices while taking an evening course (twice a week during the spring) on government lawyering. Students are required to work at least 30 hours a week in the spring term, although most work full-time. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases. Placements in past years have included the House and Senate Judiciary Committees, the Departments of Justice and State, the White House Counsels Office, the Central Intelligence Agency, and the Federal Communications Commission. Placements are coordinated by the clinic director, Jonathan Wroblewski, in consultation with students. Students admitted to the clinic will meet individually with the clinic director to discuss their areas of interest and placement possibilities. Every effort will be made to find a placement to meet each students interest. During the clinic, the director will be available to meet one-on-one with students to discuss their ongoing work experience and progress.

Given the nature of government office hiring and the timing of security clearances, it is possible that placements may not be finalized until after committing to this clinic. Every effort is made to find a placement for students in his or her interest area.

This option is for the spring clinic. There is also a separate winter-spring clinic option, where students start early by spending the Winter Term in Washington, D.C. working full-time at their placement offices.

To get an inside view of the Program, students may access the Semester in Washington site, which contains detailed information about last years syllabus, course requirements, events, funding, housing, placements, etc.

Enrollment is by application and limited to 2L and 3L students. Students must be enrolled full-time at Harvard Law School to apply. Interested students can apply by submitting an application form, current resume, academic transcript, and a writing sample of no more than 10 pages. Apply through an online application form by August 21, 2015.

Students should be aware of their yearly HLS credit minimums, as the spring semester is spent entirely off campus (students will receive 6 spring clinical credits + 3 spring course credits + 1 writing credit for a total of 10 spring semester credits).
Government Lawyer: Semester in Washington Clinic

Course #: 8016  Term: 2016WS  Faculty: Wroblewski, Jonathan  Credits: 8.00
Type: Clinic  Subject Areas: Government Structure & Function; Procedure & Practice; Regulatory Law
Delivery Mode: Clinic

Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Government Lawyer: Semester in Washington Clinical Seminar (3 spring classroom credits). Students who are accepted into the clinic will be enrolled in both the clinic and clinical seminar by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: Yes. Applications are due August 21, 2015. Add/Drop Deadline: December 4, 2015. LLM Students: LLM students are not eligible to enroll. Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 6 spring clinical credits). Placement Site: Various externship placements in Washington D.C.

Students spend the entire winter and spring terms (except for spring break) in Washington, D.C. working as legal interns in a variety of federal offices while taking an evening course (twice a week during the spring) on government lawyering. There is no course work during winter term. Students are required to work 40 hours per week in the winter term, and at least 30 hours a week in the spring term, although most spring term students work full-time. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases. Placements in past years have included the House and Senate Judiciary Committees, the Departments of Justice and State, the White House Counsels Office, the Central Intelligence Agency, and the Federal Communications Commission. Placements are coordinated by the clinic director, Jonathan Wroblewski, in consultation with students. Students admitted to the clinic will meet individually with the clinic director to discuss their areas of interest and placement possibilities. Every effort will be made to find a placement to meet each student's interest. During the clinic, the director will be available to meet one-on-one with students to discuss their ongoing work experience and progress.

Given the nature of government office hiring and the timing of security clearances, it is possible that placements may not be finalized until after committing to this clinic. Every effort is made to find placements for students in his or her interest area.

This option is for the winter-spring clinic. There is also a separate spring-only clinic option.

To get an inside view of the Program, students may access the Semester in Washington site, which contains detailed information about last year's syllabus, course requirements, events, funding, housing, placements, etc.

Enrollment is by application and limited to 2L and 3L students. Students must be enrolled full-time at Harvard Law School to apply. Interested students can apply by submitting an application form, current resume, academic transcript, and a writing sample of no more than 10 pages. Apply through an online application form by August 21, 2015.

Students should be aware of their yearly HLS credit minimums, as the spring semester is spent entirely off campus (student will receive 6 spring clinical credits + 3 spring course credits + 1 writing credit for a total of 10 spring semester credits).
Government Lawyer: Semester in Washington Clinical Seminar

Course #: 2104  Term: 2016SP  Faculty: Wroblewski, Jonathan  Credits: 3.00
Type: Elective  Subject Areas: Government Structure & Function; Procedure & Practice; Regulatory Law
Delivery Mode: Seminar

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Government Lawyer: Semester in Washington Clinic, either during winter-spring (2 winter clinical credits + 6 spring clinical credits) or spring clinic (6 spring clinical credits). Students who are accepted into one of these two clinic offerings (winter-spring or spring) will be enrolled in the clinic and clinical seminar by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: Yes. Applications to the clinic are due August 21, 2015. Add/Drop Deadline: December 4, 2015 for winter-spring clinic students. January 15, 2016 for spring clinical students. LLM Students: LLM students are not eligible to enroll.

This course is offered as part of the Government Lawyer: Semester in Washington Clinic. Students spend the entire Spring term (except for spring break) in Washington, D.C. working as legal interns in a variety of federal offices while taking an evening course on government lawyering. Students may also begin the clinical work in the Winter Term. Students are required to work 40 hours per week in the Winter term, and at least 30 hours a week in the Spring semester, although most spring term students work full-time. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases. Students attend an evening class twice a week during the Spring semester. Readings and classroom discussions will be supplemented by guest speaker events and visits to government offices on several occasions throughout the semester. Case studies will supplement the core readings. The course will focus on the role of the government lawyer in policymaking and the many forces that influence the work of policymaking generally, and the government lawyers part in that process specifically. The course will examine the skills required of government attorneys in policymaking, the unique ethical, legal, and moral issues they face, and the impact of politics and ideology on their work. The course will explore the role of think tanks and interest groups on policymaking, how these organizations have proliferated in Washington over time, and how their work and their influence have changed. The course will look at the discourse in policymaking in Washington, whether it has changed, and the implications of the state of discourse for the government lawyer involved in policymaking, legal advice, and advocacy. Finally, the course will explore the process of policymaking, the use of data and research in policymaking, and the role of the bureaucracy. The course will include student discussions of their experiences in their clinical placements. Students will be required to come to class prepared to discuss relevant elements of their work each week. Guest speakers, including government lawyers, issue advocates, and think tank scholars, will visit the class periodically throughout the semester. Students will be expected to research the background of the guests and participate in class interviews to explore their work. The class may also include visits to government offices to examine, for example, how data used in the policymaking process is actually collected and synthesized. A course paper relating to the students work or to classroom subjects will be required in lieu of an examination.

To get an inside view of the Program, students may access the Semester in Washington site, which contains detailed information about last years syllabus, course requirements, events, funding, housing, placements, etc.

Enrollment is by application and limited to 2L and 3L students. Students must be enrolled full-time at Harvard Law School to apply. Interested students can apply by submitting an application form, current resume, academic transcript, and a writing sample of no more than 10 pages. Apply through an online application form by August 21, 2015.
Students should be aware of their yearly HLS credit minimums, as the spring semester is spent entirely off campus (student will receive 6 spring clinical credits + 3 spring course credits + 1 writing credit for a total of 10 spring semester credits).

This course fulfills the Professional Responsibility requirement.
Government Lawyer: United States Attorney Clinic

Course #: 8017  
Term: 2015FA  
Faculty: Whiting, Alex  
Credits: 4.00

Type: Clinic  
Subject Areas: Criminal Law & Procedure; Government Structure & Function; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Government Lawyer (3 fall classroom credits). Some seats are reserved for clinical students. Students who are accepted into this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops the clinic, they will also lose their seat in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes - applications are due April 7, 2015.

Add/Drop Deadline: June 11, 2015.

LLM Students: LLM students are not eligible to enroll.

Placement Site: Various externship placements at the U.S. Attorney’s office in Boston.

This clinic must be taken for 4 clinical credits (20 hours per week).

Students must attend a mandatory training session. The will be two training sessions offered - one on Wednesday, September 9 from 9am-12pm and another on Thursday, September 10 from 1pm-4pm.

The Government Lawyer clinic allows students to examine firsthand the roles and responsibilities of a federal prosecutor. Students are placed at the United States Attorneys Office in Boston. Work may include research, writing, trial and witness preparation, and attending depositions, hearings, and trials. The U.S. Attorneys Office offers placements in the following criminal divisions:

- Appeals Unit: The Appeals Unit is responsible for reviewing and approving all appellate briefs before they are filed.
- Anti-Terrorism and National Security Unit: The Anti-Terrorism and National Security Unit handles anti-terrorism investigations, those involving breaches of national security.
- Computer Crimes Unit: Investigates and prosecutes computer related crimes, including hacking, identity theft and other forms of computer fraud.
- Economic Crimes Unit: The Economic Crimes Unit handles complex economic crimes expected to require grand jury or other investigative effort.
- Health Care Fraud Unit: The Health Care Fraud Unit investigates and prosecutes complex health care fraud committed by corporate and individual defendants.
- Major Crimes Unit: The Major Crimes Unit handles violent crime, property crimes, fraud, theft, civil rights violations, and other matters of primary federal interest.
- Organized Crime Drug Enforcement Task Force: Drug Unit cases range from "buy/bust" prosecution to sophisticated money laundering prosecution.
- Organized Crime Strike Force: The organized crime unit handles complex long term matters, utilizing extensive grand jury and electronic surveillance, often using statutes such as RICO.
- Public Corruption and Special Prosecution Unit: The Public Corruption Unit handles sensitive cases involving allegations of corruption against elected and appointed federal, state, and local officials.

Important: All students must be U.S. citizens and complete a lengthy security clearance process by the Department of Justice, which involves numerous forms and fingerprinting. This process takes between 8-10 weeks for final clearance, which is then valid for only six months. This clearance process is not just a formality, and in some instances clearance has been delayed or denied. This process is coordinated between the Office of Clinical and Pro Bono Programs and the Human Resources department of the U.S. Attorney’s Office. Students should have at least one full day available in their schedules for clinical, and the additional hours worked must be for at least 5 hours at a time (20 hours per week is required).
Applications are due April 7, 2015 to Nancy Thompson (nthompso@law.harvard.edu). Applications should include a resume and a statement of interest no longer than 250 words. Students will be notified of their application results by April 14. Accepted students will be enrolled in the clinic and the required fall course component by the Office of Clinical and Pro Bono Programs.
Government Lawyer: United States Attorney Clinic

Course #: 8017  Term: 2016SP  Faculty: Whiting, Alex  Credits: 4.00

Type: Clinic  Subject Areas: Criminal Law & Procedure; Government Structure & Function; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Government Lawyer (3 fall classroom credits). Some seats are reserved for clinical students. Students who are accepted into this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops the clinic, they will also lose their seat in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes - applications are due April 7, 2015.


LLM Students: LLM students are not eligible to enroll.

Placement Site: Various externship placements at the U.S. Attorney's office in Boston. This clinic must be taken for 4 clinical credits (20 hours per week).

Students must attend a mandatory training session during the week of January 25 (details TBD).

The Government Lawyer clinic allows students to examine firsthand the roles and responsibilities of a federal prosecutor. Students are placed at the United States Attorneys Office in Boston. Work may include research, writing, trial and witness preparation, and attending depositions, hearings, and trials. The U.S. Attorneys Office offers placements in the following criminal divisions:

- Appeals Unit: The Appeals Unit is responsible for reviewing and approving all appellate briefs before they are filed.
- Anti-Terrorism and National Security Unit: The Anti-Terrorism and National Security Unit handles anti-terrorism investigations, those involving breaches of national security.
- Computer Crimes Unit: Investigates and prosecutes computer related crimes, including hacking, identity theft and other forms of computer fraud.
- Economic Crimes Unit: The Economic Crimes Unit handles complex economic crimes expected to require grand jury or other investigative effort.
- Health Care Fraud Unit: The Health Care Fraud Unit investigates and prosecutes complex health care fraud committed by corporate and individual defendants.
- Major Crimes Unit: The Major Crimes Unit handles violent crime, property crimes, fraud, theft, civil rights violations, and other matters of primary federal interest.
- Organized Crime Drug Enforcement Task Force: Drug Unit cases range from "buy/bust" prosecution to sophisticated money laundering prosecution.
- Organized Crime Strike Force: The organized crime unit handles complex long term matters, utilizing extensive grand jury and electronic surveillance, often using statutes such as RICO.
- Public Corruption and Special Prosecution Unit: The Public Corruption Unit handles sensitive cases involving allegations of corruption against elected and appointed federal, state, and local officials.

Important: All students must be U.S. citizens and complete a lengthy security clearance process by the Department of Justice, which involves numerous forms and fingerprinting. This process takes between 8-10 weeks for final clearance, which is then valid for only six months. This clearance process is not just a formality, and in some instances clearance has been delayed or denied. This process is coordinated between the Office of Clinical and Pro Bono Programs and the Human Resources department of the U.S. Attorney’s Office. Students should have at least one full day available in their schedules for clinical, and the additional hours worked must be for at least 5 hours at a time (20 hours per week is required).

Applications are due April 7, 2015 to Nancy Thompson (nthompso@law.harvard.edu). Applications should
include a resume and a statement of interest no longer than 250 words. Students will be notified of their application results by April 14. Accepted students will be enrolled in the clinic and the required fall course component by the Office of Clinical and Pro Bono Programs.

---

**Habeas Corpus**

**Course #:** 2869  
**Term:** 2016SP  
**Faculty:** Jordan, Adalberto  
**Credits:** 2.00

**Type:** Elective  
**Subject Areas:** Criminal Law & Procedure

**Delivery Mode:** Course

**Days and Times:**
Mon 8:00 AM - 10:00 AM

**Location:** WCC1023

**Course Description:** Prerequisites: None, but it will certainly help to have taken classes like constitutional law, criminal procedure (Fourth, Fifth, and Sixth Amendments), and/or federal courts.

Exam type: No exam.
Grading will be based on a 20-page paper and class participation (as set forth in the Law School’s policies).

This 2-credit course will focus on a number of topics concerning the writ of habeas corpus in federal courts, including the origins of the writ in England; the use and development of the writ in the United States; the significant changes in federal habeas practice due to passage of the Antiterrorism and Effective Death Penalty Act of 1996; the similarities and differences between 28 U.S.C. § 2241, 28 U.S.C. § 2254, and 28 U.S.C. § 2255; the relationship between state-post conviction remedies and federal habeas corpus; and the effect of the Suspension Clause of the Constitution on congressional attempts to limit habeas review.
Hannah Arendt

Course #: 2532  
Term: 2015FA  
Faculty: Luban, David  
Credits: 2.00

Type: Elective  
Subject Areas: Legal & Political Theory; Legal History

Delivery Mode: Seminar

Days and Times:  
Thu 5:00 PM - 7:00 PM

Location  
WCC5044

Course Description:  
Prerequisites: None.
Exam Type: No exam.

Hannah Arendt was one of the twentieth century’s greatest and most influential political philosophers. But her philosophical contributions included legal theory, as well as moral psychology and ethics, philosophy of history, and the analysis of violence and power. In law she had important ideas about international tribunals, criminal responsibility, civil disobedience, statelessness, and constitutionalism. Her book Eichmann in Jerusalem remains one of the classics of international criminal law. In ethics she aimed to develop an explanation of moral judgment; and her moral psychology produced the famous concept of the banality of evil. We will also take a sidelong glance at Arendt in connection with the philosophers who most influenced her (Augustine, Kant, Heidegger). Readings will be drawn from Eichmann in Jerusalem, The Human Condition, The Life of the Mind, and portions of other books and essays; excerpts from her correspondence; and related philosophical material by other authors.

Course #: 2536  
Term: 2015FA  
Faculty: Comaroff, John; Comaroff, Jean  
Credits: 2.00

Type: Elective  
Subject Areas: International, Comparative & Foreign Law; Legal & Political Theory

Course Description: Prerequisites: None.

Exam type: No Exam. Grades will be determined by class participation and by a term essay based on a reading of one or more of the ASW presentations. The first AAS 209a class will be held on Wednesday, September 2 (as this is a Monday schedule) at 12pm (Locke Room, Barker 230). However, there will not be an evening section (6-8pm) on Wednesday September 2. The first 6-8pm evening section (African Studies Workshop) will take place September 14. The evening sessions will take place in Robinson Lower Level Library.

This course is being taught as part of the African Studies Workshop at Harvard (ASW). It will consist of two components: (i) a public session, to be held every Monday evening at 6.00-8.00, at which a speaker invited from outside the university, a member of the Harvard faculty, or an advanced graduate student will present a pre-circulated paper to an audience similarly composed of faculty, visiting scholars, graduate students, and Africanists from other institutions in the greater Boston area. Each session will include a brief introduction to the paper by its author, a commentary by a discussant, and an open conversation, in which graduate students will be given the floor first for a period, followed by anyone else present; (ii) a graduate seminar component, to be held every Monday at 12.00-1.30, at which participants will discuss the paper to be presented on the same evening in the public session, along with relevant readings drawn from the contemporary Africanist canon. While the public sessions of the workshop are intended as a laboratory for international scholarly exchange, the graduate student component aims, in large part, to provide a professional apprenticeship for doctoral Africanists-in-training across the disciplines.

The theme of the graduate course derives from a story in The Economist in 2011 under the title, Africa Rising. It argued that the continent has come to epitomize both the “transformative promise of [capitalist] growth and its bleakest dimensions. During the spring semester, we shall explore Africa’s changing place in the world - and the new economies, legalities, socialities, and cultural forms that have arisen there; this in relation to the papers presented in the public sessions of the ASW. We shall also interrogate the claim that the African present is a foreshadowing of processes beginning to occur elsewhere; that, therefore, it is a productive source of theory about current conditions world-wide.

The theme of the course, Africa Rising? is itself part of a broader three year program of the ASW, under the rubric Africa and the World at Large: Or, What the New Global Order Has to Learn from the Contemporary African Experience. Under this rubric, several major topics will be addressed: (i) Crime, the State, and the Problem of Social Order, (ii) Changing Economies, Changing Polities, Changing Faces of Capitalism, and (iii) Health and Crises of Reproduction.

Participants in the graduate course will be expected to attend each Monday meeting at noon, having read the paper to be presented later that day in the public session. From the second week onward, one participant in the class will introduce the discussion, while all other participants will be expected to come to the meeting having prepared at least one written question to be shared with the class. [We shall divide the labor at the first meeting.]
Harvard Immigration and Refugee Clinic

Course #: 8020  Term: 2016SP  Faculty: Ardalan, Sabrineh  Credits: 4.00
Type: Clinic  Subject Areas: Constitutional Law & Civil Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Immigration and Refugee Advocacy (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: Either HLS or GBLS (downtown Boston).

For thirty years, the Harvard Immigration and Refugee Clinic (HIRC), in partnership with Greater Boston Legal Services (GBLS), has focused on direct representation of individuals applying for U.S. asylum and related relief, as well as representation of individuals who have survived domestic violence and other crimes and/or who seek avoidance of forced removal in immigration proceedings (i.e., VAWA, U-visas, Cancellation of Removal, Temporary Protected Status, etc.). HIRC is also involved in appellate and policy advocacy at the local, national, and international levels.

HIRC students take the lead in representing clients from all over the world who are seeking protection from being returned to human rights abuses in their country of origin, protection from exile after years of living in the United States, or reunification with their families. About forty students are placed each year with HIRC either at Harvard or at its partner clinic, Greater Boston Legal Services, Bostons oldest legal services organization (located in downtown Boston). Students typically work between fifteen and twenty hours per week (3-4 clinical credits).

Note: This course is jointly-listed with FAS as AAAS 209a. The workshop will meet at FAS.
Harvard Law School Course Catalog
2015-2016 Academic Year
December 21, 2017 2:07 AM

Harvard Immigration and Refugee Clinic

<table>
<thead>
<tr>
<th>Course #: 8020</th>
<th>Term: 2015FA</th>
<th>Faculty: Kelly, Nancy; Willshire, John</th>
<th>Credits: 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Clinic</td>
<td>Subject Areas: Constitutional Law &amp; Civil Rights; International, Comparative &amp; Foreign Law; Procedure &amp; Practice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Clinic</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Course Description:

Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Immigration and Refugee Advocacy (2 fall classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None.

By Permission: No.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Either HLS or GBLS (downtown Boston).

For over twenty-five years, the Harvard Immigration and Refugee Clinic (HIRC), in partnership with Greater Boston Legal Services (GBLS), has focused on direct representation of individuals applying for U.S. asylum and related relief, as well as representation of individuals who have survived domestic violence and other crimes and/or who seek avoidance of forced removal in immigration proceedings (i.e., VAWA, U-visas, Cancellation of Removal, Temporary Protected Status, etc.). HIRC is also involved in appellate and policy advocacy at the local, national, and international levels.

HIRC students take the lead in representing clients from all over the world who are seeking protection from being returned to human rights abuses in their country of origin, protection from exile after years of living in the United States, or reunification with their families. About forty students are placed each year with HIRC either at Harvard or at its partner clinic, Greater Boston Legal Services, Boston’s oldest legal services organization (located in downtown Boston). Students typically work between fifteen and twenty hours per week (3-4 clinical credits).
Harvard Law School Course Catalog
2015-2016 Academic Year
December 21, 2017 2:07 AM

Harvard Legal Aid Bureau 2L

<table>
<thead>
<tr>
<th>Course #</th>
<th>Term</th>
<th>Faculty</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>8000</td>
<td>2015FS</td>
<td>Caramello, Esme</td>
<td>6.00</td>
</tr>
</tbody>
</table>

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

**Course Description:**
Students who enroll in this clinic may count the credits towards the JD experiential learning requirement.

Required Class Component: Introduction to Advocacy: Ethics and Skills in Clinical Practice (2 fall classroom credits + 1 spring classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: Evidence and TAW. Students must enroll in Evidence during the fall of their 2L year and in TAW during the winter of their 2L year. Enrollment in Evidence and TAW is separate from clinic enrollment. By Permission: Yes. Applications are due to the clinic by March 14, 2015. Add/Drop Deadline: July 26, 2015. LLM Students: LLM students are not eligible to enroll. Multi-Semester: This is a fall-spring clinic (3 fall clinical credits + 3 spring clinical credits). Placement Site: HLS.

This clinic has a mandatory orientation from August 22 - August 28.

The Harvard Legal Aid Bureau is a student-run organization composed of approximately 50 second and third year Harvard Law School students who provide free civil legal services to a diverse population of low-income clients in the Greater Boston area. Students are supervised by practicing attorneys, each with extensive public interest and private practice experience, who train students, accompany them to court, provide strategic advice, and assist in case management. The Bureau specializes in four major areas of practice: housing law, including evictions from public and private apartments; family law, including divorce, child custody, paternity, visitation, and support issues; government benefits law, including appeals of the denial or termination of unemployment or social security disability benefits; and fair wage law, including nonpayment or underpayment of wages. Because the Bureau is student-run, students take the lead in setting organizational policy and exploring new potential practice areas. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.
**Harvard Legal Aid Bureau 3L**

<table>
<thead>
<tr>
<th>Course #</th>
<th>Term</th>
<th>Faculty</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>8010</td>
<td>2015FS</td>
<td>Caramello, Esme</td>
<td>6.00</td>
</tr>
</tbody>
</table>

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

**Delivery Mode:** Clinic

**Days and Times:**

**Course Description:** Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Advanced Clinical Practice (1 fall classroom credit + 1 spring classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: Harvard Legal Aid Bureau 2L. By Permission: Yes. This clinic is only open to students who have completed HLAB in their 2L year. Add/Drop Deadline: None. LLM Students: LLM students are not eligible to enroll. Multi-Semester: This is a fall-spring clinic (3 fall clinical credits + 3 spring clinical credits) Placement Site: HLS.

The Harvard Legal Aid Bureau is a student-run organization composed of approximately 50 second and third year Harvard Law School students who provide free civil legal services to a diverse population of low-income clients in the Greater Boston area. Students are supervised by practicing attorneys, each with extensive public interest and private practice experience, who train students, accompany them to court, provide strategic advice, and assist in case management. The Bureau specializes in four major areas of practice: housing law, including evictions from public and private apartments; family law, including divorce, child custody, paternity, visitation, and support issues; government benefits law, including appeals of the denial or termination of unemployment or social security disability benefits; and fair wage law, including nonpayment or underpayment of wages. Because the Bureau is student-run, students take the lead in setting organizational policy and exploring new potential practice areas. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.
Harvard Negotiation and Mediation Clinic

Course #: 8019  Term: 2015FA  Faculty: Bordone, Robert  Credits: 4.00
Type: Clinic  Subject Areas: Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Negotiation and Mediation Clinical Seminar (1 fall classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: Negotiation Workshop. Students must enroll in Negotiation Workshop separately from clinic enrollment. There is no clinic preference or priority to enroll in Negotiation Workshop. By Permission: No. Add/Drop Deadline: Please note this clinic has an early drop deadline of August 7, 2015. LLM Students: Due to the pre-requisite, LLM students are not eligible to enroll. Placement Site: HLS.

Students in the Harvard Negotiation and Mediation Clinical Program (HNMCP) work on advanced client matters related to negotiation, mediation, and conflict management. For example, students may assist an organization in conducting a conflict assessment, designing a dispute resolution system, assessing an ongoing set of dispute management processes, or resolving a current conflict or series of conflicts. In some instances, clinic teams design and deliver a tailored negotiation/mediation curriculum, offer strategic negotiation advice, or conduct a mediation or consensus-building session. In addition to applying the skills and concepts learned in Negotiation Workshop, students will develop a new set of skills that may include conducting interviews for stakeholder assessments, facilitating learning dialogues, running focus groups, leading teams, and presenting to clients. Each semester the clinic will offer a mix of public, private, domestic, and international projects. Recent clients include federal and state agencies, nonprofits, religious organizations, transnational corporations, small start-up companies, professional sports teams, municipalities, local government officials, and universities.

Students in the clinic will have the chance to manage senior level client relationships and are asked to work through difficult concepts and problems directly with clients and their clinical supervisor. Students work in a team of 2 to 4 students, typically collaborating on single project for one client during the entire semester. By working for a single client, students have the unique chance to collaborate on a project from start to finish. For a listing of current and past clinic clients, please visit the HNMCP website.

The Negotiation Workshop is a required prerequisite for the Negotiation and Mediation Clinic.

If you have questions about the clinic, feel free to email Tracy Blanchard at tblanchard@law.harvard.edu.
Harvard Negotiation and Mediation Clinic

Course #: 8019    Term: 2016SP    Faculty: Bordone, Robert    Credits: 4.00
Type: Clinic    Subject Areas: Procedure & Practice
Delivery Mode: Clinic
Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Dispute Systems Design (2 spring classroom credits). Some seats are saved for clinical students. Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops the clinic, they will also lose their seat in the required class component. Additional Co-/Pre-Requisites: Negotiation Workshop. Students must have completed the Negotiation Workshop prior to enrolling in the clinic. Failure to meet the pre requisites by the clinics add/drop deadline will result in the student being dropped from this clinic and the associated course. Students enrolled in the winter-spring 2016 Negotiation Workshop will qualify for meeting this pre-requisite. Add/Drop Deadline: Please note this clinic has an early drop deadline of December 4, 2015.
LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS.
Please note: Students who enroll in this spring clinic who have not yet taken the Negotiation Workshop must enroll in the winter-spring 2016 Negotiation Workshop to keep their clinical enrollment. Enrollment in the winter-spring 2016 Negotiation Workshop is completely separate from clinical registration.
Students who enroll in this spring clinic but then fail to enroll in the winter-spring Negotiation Workshop will lose their seat in this spring clinic.
Students in the Negotiation and Mediation Clinic work on advanced client matters related to negotiation, mediation, and conflict management. For example, students may assist an organization in conducting a conflict assessment, designing a dispute resolution system, assessing an ongoing set of dispute management processes, or resolving a current conflict or series of conflicts. In some instances, clinic teams design and deliver a tailored negotiation/mediation curriculum, offer strategic negotiation advice, or conduct a mediation or consensus-building session. In addition to applying the skills and concepts learned in Negotiation Workshop, students will develop a new set of skills that may include conducting interviews for stakeholder assessments, facilitating learning dialogues, running focus groups, leading teams, and presenting to clients. Each semester the clinic will offer a mix of public, private, domestic, and international projects. Recent clients include federal and state agencies, nonprofits, religious organizations, transnational corporations, small start-up companies, professional sports teams, municipalities, local government officials, and universities.
Students in the clinic will have the chance to manage senior level client relationships and are asked to work through difficult concepts and problems directly with clients and their clinical supervisor. Students work in a team of 2 to 4 students, typically collaborating on single project for one client during the entire semester. By working for a single client, students have the unique chance to collaborate on a project from start to finish. For a listing of current and past clinic clients, please visit the HNMCP website.
If you have questions about the clinic, feel free to email Tracy Blanchard at tblanchard@law.harvard.edu.
Health Care Law

Course #: 2107  
Term: 2016SP  
Faculty: Madison, Kristin  
Credits: 3.00

Type: Elective  
Subject Areas: Health Law

Delivery Mode: Course

Days and Times  
Mon 10:20 AM - 11:50 AM  
Tue 10:20 AM - 11:50 AM

Location  
HAU104

Course Description: Prerequisites: None.
Exam Type: In Class.
This course offers a broad survey of legal issues relevant to health care lawyers and health care policymakers. It provides an overview of the structure of the American health care delivery and financing systems and examines the common law, statutes, and regulations that affect hospitals, physicians, and other health care providers. It explores how health care regulation may help or hinder three major goals: increasing access, reducing cost, and improving quality.
Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

**Course #:** 8033  
**Term:** 2015FA  
**Faculty:** Greenwald, Robert  
**Credits:** 4.00

**Type:** Clinic  
**Subject Areas:** Health Law; Procedure & Practice  
**Delivery Mode:** Clinic

**Course Description:** Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Public Health Law and Policy (2 fall classroom credits). Some seats are reserved for clinical students. Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops this clinic, they will also lose their seat in the required class component. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS.

Students enrolled in the Health Law and Policy Clinic will develop cutting-edge policy recommendations at the state and national levels, in both the legislative and regulatory arenas, aimed at increasing access to quality, comprehensive health care for poor and low-income individuals and families. Student projects involve informing both national and state level implementation of the Affordable Care Act, providing law and policy analysis to national and state coalitions advocating to protect Medicaid, Medicare and discretionary health and public health programs, and investigating best practices for initiatives to increase access to treatment and service programs serving vulnerable populations.

National level work involves advising government actors and leading chronic illness and disability partnerships on health and public health reform initiatives. State level work (currently in Massachusetts, Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas) allows students the opportunity to travel to facilitate trainings and meetings with state government officials and community partners on a broad range of current health and public health concerns. (See the clinic website at www.chlpi.org for a more in-depth description of current clinic projects.)

Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, and develop written products such as fact sheets, in-depth reports, comment letters, testimony, presentations, and draft legislation or regulatory guidance. Students have the opportunity to develop a range of problem-solving, policy analysis, research and writing, oral communication, and leadership skills.

Students who would like to participate in the clinic must enroll through clinical registration. Clinical placements are available for 2, 3, or 4 clinical credits. Students who enroll in the clinic will also be enrolled in the required seminar (Public Health Law and Policy, 2 fall classroom credits) by the Office of Clinical and Pro Bono Programs. Their enrollment in this seminar is dependent on their clinical enrollment (should they drop the clinic, they will also be dropped from the seminar).

For more information about the clinic please email Professor Robert Greenwald at rgreenwa@law.harvard.edu or visit our clinical suite in the WCC 3130.
Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8033  Term: 2016WI  Faculty: Greenwald, Robert  Credits: 2.00
Type: Clinic  Subject Areas: Health Law; Procedure & Practice
Delivery Mode: Clinic

Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Public Health Law and Policy (2 fall classroom credits). Some seats are reserved for clinical students. Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops this clinic, they will also lose their seat in the required class component. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Please note that this clinic has a drop deadline of September 3, 2015. LLM Students: LLM students are not eligible to apply. Placement Site: HLS.

Students enrolled in the Health Law and Policy Clinic will develop cutting-edge policy recommendations at the state and national levels, in both the legislative and regulatory arenas, aimed at increasing access to quality, comprehensive health care for poor and low-income individuals and families. Student projects involve informing both national and state level implementation of the Affordable Care Act, providing law and policy analysis to national and state coalitions advocating to protect Medicaid, Medicare and discretionary health and public health programs, and investigating best practices for initiatives to increase access to treatment and service programs serving vulnerable populations.

National level work involves advising government actors and leading chronic illness and disability partnerships on health and public health reform initiatives. State level work (currently in Massachusetts, Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas) allows students the opportunity to travel to facilitate trainings and meetings with state government officials and community partners on a broad range of current health and public health concerns. (See the clinic website at www.chlpi.org for a more in-depth description of current clinic projects.)

Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, and develop written products such as fact sheets, in-depth reports, comment letters, testimony, presentations, and draft legislation or regulatory guidance. Students have the opportunity to develop a range of problem-solving, policy analysis, research and writing, oral communication, and leadership skills.

Students who would like to participate in the clinic must enroll through clinical registration. Clinical placements are available for 2 clinical credits over winter term. Students who enroll in the clinic will also be enrolled in the required seminar (Public Health Law and Policy, 2 fall classroom credits) by the Office of Clinical and Pro Bono Programs. Their enrollment in this seminar is dependent on their clinical enrollment (should they drop the clinic, they will also be dropped from the seminar).

For more information about the clinic please email Professor Robert Greenwald at rgreenwa@law.harvard.edu or visit our clinical suite in the WCC 3130.
Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8033  Term: 2016SP  Faculty: Greenwald, Robert  Credits: 4.00
Type: Clinic  Subject Areas: Health Law; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Public Health Law and Policy (2 spring classroom credits). Some seats are reserved for clinical students. Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops this clinic, they will also lose their seat in the required class component. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS.

Students enrolled in the Health Law and Policy Clinic will develop cutting-edge policy recommendations at the state and national levels, in both the legislative and regulatory arenas, aimed at increasing access to quality, comprehensive health care for poor and low-income individuals and families. Student projects involve informing both national and state level implementation of the Affordable Care Act, providing law and policy analysis to national and state coalitions advocating to protect Medicaid, Medicare and discretionary health and public health programs, and investigating best practices for initiatives to increase access to treatment and service programs serving vulnerable populations.

National level work involves advising government actors and leading chronic illness and disability partnerships on health and public health reform initiatives. State level work (currently in Massachusetts, Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas) allows students the opportunity to travel to facilitate trainings and meetings with state government officials and community partners on a broad range of current health and public health concerns. (See the clinic website at www.chlpi.org for a more in-depth description of current clinic projects.)

Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, and develop written products such as fact sheets, in-depth reports, comment letters, testimony, presentations, and draft legislation or regulatory guidance. Students have the opportunity to develop a range of problem-solving, policy analysis, research and writing, oral communication, and leadership skills.

Students who would like to participate in the clinic must enroll through clinical registration. Clinical placements are available for 2, 3, or 4 clinical credits. Students who enroll in the clinic will also be enrolled in the required seminar (Public Health Law and Policy, 2 spring classroom credits) by the Office of Clinical and Pro Bono Programs. Their enrollment in this seminar is dependent on their clinical enrollment (should they drop the clinic, they will also be dropped from the seminar).

For more information about the clinic please email Professor Robert Greenwald at rgreenwa@law.harvard.edu or visit our clinical suite in the WCC 3130.
Health Law, Policy, Bioethics, and Biotechnology Workshop

Course #: 2652  Term: 2015FS  Faculty: Cohen, I. Glenn  Credits: 2.00
Type: Elective  Subject Areas: Health Law

Delivery Mode: Seminar

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

Location

Course Description:

Prerequisites: None.
Exam Type: No exam.

This seminar will feature the presentation and discussion of cutting edge scholarship on health law, health policy, biotechnology and bioethics. The evaluation mechanism is that students must submit brief written comments on a number of the papers during the course. Because the papers are different every term, students can take the class as many times as they wish. This course meets 12 times total across the whole year, likely 6 times each semester, so half of the weeks will be off weeks where no workshop will take place. The course may only be taken for the full year, not for one semester. Presenters will come from a wide range of disciplines and departments, and papers may feature doctrinal, economics, philosophical, political science, or other methods, but students need not have prior training in these disciplines. To determine whether this workshop is a good fit for their interests, students are encouraged to browse the listing of papers presented in past years that can be found here:

Petrie-Flom Workshop

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

Note: The workshop meets on the following dates: 9/21, 10/19, 10/26, 11/2, 11/16, and 11/23 during the fall and 2/1, 2/22, 3/7, 4/4, 4/11, and 4/18 during the spring term. The first meeting will take place in Hauser 102.
Hedge Fund Law and Policy
Course #: 2768    Term: 2016SP    Faculty: Spammann, Holger; Mital, Manish    Credits: 2.00
Type: Elective    Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Course
Days and Times: Thu 5:00 PM - 7:00 PM
Location: HAU102

Course Description: Prerequisite: One of the following courses is required as a prerequisite: Bankruptcy, Corporate Finance, Corporations, Securities Regulation, or Taxation
Exam type: Last Class Takehome
Grading will be based 50% on three comment papers and 50% upon a research paper.
This class will introduce hedge funds from the practitioners perspective, and discuss the foundational issues of corporate and securities law that they raise. The class will begin by examining the internal structure, main regulation, and main strategies of hedge funds, and the main regulatory issues that they face. Through reading materials, course discussions, and guest lectures, students will gain insight into the perspective of fund managers, advisors to these managers and their funds, investors in such funds, those who transact with such funds, and those who regulate the fund industry. One theme that will emerge is that hedge fund strategies are at the center of many of the most pressing current issues in financial law. As the proverbial "smart money" in the market, hedge funds undergird market efficiency, but also continually attempt to exploit loopholes in the current regulatory and tax regime. They thereby expose the fault lines of the current regulatory and tax structure, which the course will reexamine.
History of Human Rights

Course #: 2781  Term: 2015FA  Faculty: Moyn, Samuel  Credits:  3.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Mon 11:00 AM - 12:00 PM WCC4059
Tue 11:00 AM - 12:00 PM WCC4059
Wed 11:00 AM - 12:00 PM WCC4059

Course Description: Prerequisites: None  Exam Type: In-Class
This course asks how we should understand the rise of contemporary human rights -- as a set of norms, an ethical project in the world, and as a set of institutions and laws. Starting far back in Western history, the course begins by asking what the basic moral building blocks of contemporary human rights culture - humanity, rights, compassion, pain and so on - mean and takes up what history has to say about them. In the second half of the course, we turn to the origins of the set of institutions, like governmental and intergovernmental structures and non-governmental movements, that is now so closely associated with human rights promotion. Attention is also given to the rise of international law, first as a tool to regulate war and later to promote more serious limits on how governments and non-state actors behave.

Note: This course is jointly-listed with FAS. It will meet on the FAS campus Monday and Wednesday. There will be a section at HLS for law students on Tuesday.
Housing Law Clinic

Course #: 8034  Term: 2015FA  Faculty: McDonagh, Maureen  Credits: 4.00
Type: Clinic  Subject Areas: Business Organization, Commercial Law, and Finance; Family, Gender & Children’s Law; Procedure & Practice

Delivery Mode: Clinic  Location

Days and Times:  

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Housing Law Clinical Seminar (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll. Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

As part of a broad coalition of legal services providers and community organizers, Housing Clinic represents tenants and foreclosed upon owners who are facing eviction. The work is done as part of a movement to affect change in the community and the bulk of the clinic’s work consists of litigation in the Boston Housing Court. Students defend evictions and prosecute affirmative cases to improve housing conditions and prevent utilities terminations. Students engage very actively in client interviewing and counseling, fact investigation, pre-trial discovery (including the taking and defending of depositions), negotiation, and motion practice, as well as trying cases in court. Students also have the opportunity to engage in community lawyering and mobilization efforts with long term community partners and to work on legislative and other law reform initiatives. Students participate in a Boston Bar Association Attorney for the Day Program and offer "game day" advice to unrepresented litigants in Court on the day of the litigants hearing or trial. As eviction cases are first scheduled by rule on Thursday mornings, students find it helpful if they are available for clinic work on Thursdays (from around 8:30 to 1:00) as many opportunities arise through the Attorney for the Day Program to argue contested motions and negotiate live client cases. The clinic is part of the Legal Services Center (LSC), a general practice community law office in the Jamaica Plain neighborhood of Boston. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services. Students are taught and mentored under the supervision and guidance of clinic directors, instructors and fellows and have an opportunity to meet students and advocates working in many areas of the law. For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh, mcdonagh@law.harvard.edu, (617) 390-2542.
Housing Law Clinic

Course #: 8034

Term: 2016SP

Faculty: McDonagh, Maureen

Credits: 4.00

Type: Clinic

Subject Areas: Business Organization, Commercial Law, and Finance; Family, Gender & Children's Law; Procedure & Practice

Delivery Mode: Clinic

Course Description:

Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Housing Law Clinical Seminar (2 spring classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll. Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

As part of a broad coalition of legal services providers and community organizers, The Housing Clinic represents tenants and foreclosed upon owners who are facing eviction. The work is done as part of a movement to effect change in the community and the bulk of the clinics work consists of litigation in the Boston Housing Court. Students defend evictions and prosecute affirmative cases to improve housing conditions and prevent utilities terminations. Students engage very actively in client interviewing and counseling, fact investigation, pre-trial discovery (including the taking and defending of depositions), negotiation, and motion practice, as well as trying cases in court. Students also have the opportunity to engage in community lawyering and mobilization efforts with long term community partners and to work on legislative and other law reform initiatives. Students participate in a Boston Bar Association Attorney for the Day Program and offer "game day" advice to unrepresented litigants in Court on the day of the litigants hearing or trial. As eviction cases are first scheduled by rule on Thursday mornings, students find it helpful if they are available for clinic work on Thursdays (from around 8:30 to 1:00) as many opportunities arise through the Attorney for the Day Program to argue contested motions and negotiate live client cases. The clinic is part of the Legal Services Center (LSC), a general practice community law office in the Jamaica Plain neighborhood of Boston. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services. Students are taught and mentored under the supervision and guidance of clinic directors, instructors and fellows and have an opportunity to meet students and advocates working in many areas of the law.

For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh, mcdonagh@law.harvard.edu, (617) 390-2542.
Housing Law Clinical Workshop

Course #: 2199  Term: 2015FA  Faculty: McDonagh, Maureen  Credits: 2.00
Type: Elective  Subject Areas: Family, Gender & Children's Law; Procedure & Practice

Location

Days and Times:  Location
Mon 5:00 PM - 7:00 PM  WCC5050

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Housing Law Clinic (2-4 fall clinical credits). This clinic and course are bundled &ndash; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

The Housing Law Clinical Workshop provides students, who are enrolled in the Legal Services Centers Housing Law Clinic, with the practical skills and substantive knowledge necessary to effectively advocate for tenants in and out of the courtroom. Objectives of the course include: understanding the statutes, cases and rules applicable in foreclosure and housing law cases; enhancing student understanding of the professional roles, values and ethics involved in the practice of law; developing practical lawyering skills (such as interviewing clients, negotiating settlements, arguing motions, and introducing evidence); and analyzing and proposing advocacy approaches to contemporary housing law issues (such as post-foreclosure evictions). A large part of the workshop is hands-on and group-oriented; students engage in small and large-group exercises and discussions. Throughout the course, we work on a hypothetical case from the initial client interview through the final disposition of the case. In addition, students will prepare a memorandum and conduct a presentation on one of their ongoing active cases at the Legal Services Center and will lead class discussion on the case. There is no final examination or paper for this course.

Students will be evaluated based on their preparation for and participation in class exercises and discussions. This workshop is a required component for students working in the Housing Law Clinic of the Legal Services Center.

For more information on the Clinic, contact Lecturer/Clinical Instructor Maureen McDonagh, mcdonagh@law.harvard.edu
Housing Law Clinical Workshop

Course #: 2199  Term: 2016SP  Faculty: McDonagh, Maureen  Credits: 2.00

Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Family, Gender & Children's Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:  Location
Mon 5:00 PM - 7:00 PM  WCC4056

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Housing Law Clinic (2-4 spring clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll. The Housing Law Clinical Workshop provides students, who are enrolled in the Legal Services Centers Housing Law Clinic, with the practical skills and substantive knowledge necessary to effectively advocate for tenants in and out of the courtroom. Objectives of the course include: understanding the statutes, cases and rules applicable in foreclosure and housing law cases; enhancing student understanding of the professional roles, values and ethics involved in the practice of law; developing practical lawyering skills (such as interviewing clients, negotiating settlements, arguing motions, and introducing evidence); and analyzing and proposing advocacy approaches to contemporary housing law issues (such as post-foreclosure evictions). A large part of the workshop is hands-on and group-oriented; students engage in small and large-group exercises and discussions. Throughout the course, we work on a hypothetical case from the initial client interview through the final disposition of the case. In addition, students will prepare a memorandum and conduct a presentation on one of their ongoing active cases at the Legal Services Center and will lead class discussion on the case. There is no final examination or paper for this course. Students will be evaluated based on their preparation for and participation in class exercises and discussions. This workshop is a required component for students working in the Housing Law Clinic of the Legal Services Center.

For more information on the Clinic, contact Lecturer/Clinical Instructor Maureen McDonagh, mcdonagh@law.harvard.edu
Human Rights Advocacy

Course #: 2510  
Term: 2015FA  
Faculty: Giannini, Tyler; Popowski, Deborah  
Credits: 2.00

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

Delivery Mode: Seminar

Days and Times:  
Thu 3:00 PM - 5:00 PM  
Location: WCC3008

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: International Human Rights Clinic (2-4 fall clinical credits). Students enrolled in the fall clinic must enroll in either this clinical seminar or the Promises and Challenges of Disarmament Clinical Seminar (2 fall classroom credits). Students are not guaranteed their first choice of clinical seminars. Clinical seminar selection and enrollment occurs once a student has enrolled in the fall clinic and is orchestrated by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: LLM students may apply to the clinic by submitting an application.

Human rights norms and discourse are employed widely by advocates around the world in their struggles for social justice. This course explores what it means to be a human rights advocate, whether one is engaged in debates over U.S. policy at home and abroad, the role of corporations in alleged violations, or the role of rights in times of transitions from conflict. Through case studies and simulations, this seminar examines the various dimensions and limitations of human rights advocacy, including strategic, ethical, and tactical challenges. What are the different ways that human rights can be used? In developing strategies for meaningful change, how do advocates decide which tactics to use and when? The goal is for students to develop core advocacy skills while thinking critically about their work. To that end, the seminar engages seriously with the major critiques and dilemmas faced by human rights advocates, in particular by lawyer-advocates from the Global North. The seminar also grapples with the limits of established approaches of the movement such as litigation, naming and shaming, and explores community lawyering and human rights. How do we engage without perpetuating power differentials along geopolitical, class, race, gender, and other lines? How do we find ways to work in collaboration with directly affected communities and movements? In addition to case studies, students workshop and reflect on their participation in supervised clinical projects, which include fact-finding investigations, media work, negotiations, advocacy, and litigation. Critical reflection will not be the end, but rather the means to find responsible ways of advancing justice.

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

Course #: 2510  Term: 2016SP  Faculty: Farbstein, Susan  Credits: 2.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law; Procedure & Practice
Delivery Mode: Seminar

Days and Times:  Location
Wed 3:00 PM - 5:00 PM  WCC3011

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: International Human Rights Clinic (2-4 spring clinical credits). Students enrolled in the spring clinic must enroll in either this clinical seminar or Human Rights and Criminal Justice (2 spring classroom credits). Students are not guaranteed their first choice of clinical seminars. Clinical seminar selection and enrollment occurs once a student has enrolled in the spring clinic and is orchestrated by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students may apply to the clinic by submitting an application.

Advocates around the world employ human rights law and discourse in struggles for social justice. While human rights law imposes standards on an astonishing range of issues of corporate accountability in South Africa, transitional justice in Burma, healthcare in Brazil, criminal justice in the United States, immigration policy in Europe, and beyond; advocates nonetheless face a host of challenges and dilemmas when seeking to translate law into positive sustainable change.

This seminar explores what it means to be a human rights advocate, with an emphasis on the role of lawyers. Through case studies, role plays, and guided discussion, the course examines key ethical, strategic, and legal dimensions of human rights work. Students grapple with tough questions that confront every human rights practitioner, including: How can human rights be harnessed to successfully influence and change behavior? What are appropriate responses to critiques of the human rights movement? What does responsible, effective human rights advocacy look like? How does one engage without perpetuating power differentials along geopolitical, class, race, gender, and other lines? How does an advocate forge partnerships with individuals and communities directly affected by abuse? The course is designed to encourage students to critically evaluate the human rights movement while learning core advocacy, litigation, and problem-solving skills to responsibly advance social justice. Case studies explore fundamental choices advocates face. Students workshop and reflect on their participation in supervised clinical projects, which provide rich material for discussions about skills such as fact-finding, media outreach, negotiations, advocacy, constituency-building, and litigation. Students also consider a series of dynamics (e.g., north/south, insider/outsider, donor/donee, lawyer/non-lawyer) that influence how and why advocacy is formulated and received. Finally, the seminar considers the limits of the human rights paradigm and its established methodologies, such as litigation and naming and shaming, and looks at alternative sources and forms of advocacy, including the role of community lawyering in the human rights context.
Human Rights and Criminal Justice

Course #: 2014  Term: 2016SP  Faculty: Delgado, Fernando  Credits: 2.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law
Delivery Mode: Seminar

Days and Times: Location
Wed 3:00 PM - 5:00 PM WCC4056

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: International Human Rights Clinic (2-4 spring clinical credits). Students enrolled in the spring clinic must enroll in either this clinical seminar or Human Rights Advocacy (2 spring classroom credits). Students are not guaranteed their first choice of clinical seminars. Clinical seminar selection and enrollment occurs once a student has enrolled in the spring clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.

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

Domestic criminal justice systems remain major sources of human rights abuse throughout the world despite decades of normative advances in international human rights law and the development of a global human rights movement. This seminar will explore the role of international human rights advocates in pressing for criminal justice reform in a range of contexts.

The seminar will critically assess the contents of international human rights protections regarding criminal justice. What are the contours of the rights to life, personal integrity, liberty, due process, and judicial protection? Can human rights norms adequately address structural problems in criminal justice systems, such as mass incarceration or racial, economic, and gender discrimination?

The seminar will also consider the context in which advocates promote the rights of those in the criminal justice system. How have advocates responded to tough on crime politics and other competing frameworks? Where and under what circumstances have reform efforts succeeded, and where and when have they failed?

The seminar will address these issues from the perspective of human rights advocates, considering the challenges of working on behalf of unpopular clients, particularly in contexts of high levels of crime and insecurity. The seminar will examine examples from the Clinics past work on security and human rights issues, which has included extensive engagement in the United States, South Africa, Brazil, Panama, Paraguay, El Salvador and elsewhere. To a lesser extent, the seminar will address the ways in which counter-terrorism, national security, and war paradigms constrain debates on respect for human rights in the domestic (U.S.) criminal justice system.

Students will also participate in skills-building exercises, including a fact-finding role play and media training.

A Spring clinical practice component is required of all students. Clinical placements are with the International Human Rights Clinic of the Human Rights Program. Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.
Immigration and Refugee Advocacy

Course #: 2115  Term: 2015FA  Faculty: Kelly, Nancy; Willshire, John  Credits: 2.00

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

Delivery Mode: Seminar

Days and Times: Location
Mon 5:00 PM - 7:00 PM WCC3008

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Harvard Immigration and Refugee Clinic (2-4 fall clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None.

By Permission: No.


LLM Students: LLM students may apply to the clinic by submitting an application. This seminar is for participants in the fall Immigration and Refugee Clinical and addresses substantive national and international refugee law, as well as advocacy skills relevant to students work at the clinic. The substantive portion of the seminar will provide an overview of international and domestic refugee law. It will examine selected topics typically encountered in the course of students casework in greater detail. Specific topics may include: The Refugee Convention and U.S. Law, Persecution and the Human Rights Paradigm, Issues of Credibility and Proof, and Gender-Based Asylum Claims. The skills component of the seminar will cover such areas as effective client interviewing, affidavit writing, cross-cultural lawyering, conducting immigration and human rights research, and preparation of cases and client testimony. In order to cultivate best practices in student advocacy and deepen the clinical experience, this seminar draws heavily for instructional examples on current clinical experiences of students (their actual cases and clients). It will also allow students to connect their understanding of refugee law and lawyering skills to actual casework through consideration of specific issues of doctrine and policy implicated by students cases. Students will have the opportunity to critically reflect on their experiences, models of advocacy, and social change. A clinical practice component is required of all students.
Immigration and Refugee Advocacy

Course #: 2115  Term: 2016SP  Faculty: Ardalan, Sabrineh  Credits: 2.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law
Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM  WCC3015

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Harvard Immigration and Refugee Clinic (2-4 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students may apply to the clinic by submitting an application. This seminar addresses substantive national and international refugee law as well as advocacy skills relevant to students work at the clinic. The substantive portion of the seminar will provide an overview of international and domestic refugee law. It will examine selected topics typically encountered in the course of students casework in greater detail. Specific topics may include: The Refugee Convention and U.S. Law, Persecution and the Human Rights Paradigm, Issues of Credibility and Proof, and Gender-Based Asylum Claims. The skills component of the seminar will cover such areas as effective client interviewing, affidavit writing, cross-cultural lawyering, conducting immigration and human rights research, and preparation of cases and client testimony. In order to cultivate best practices in student advocacy and deepen the clinical experience, this seminar draws heavily for instructional examples on current clinical experiences of students (their cases and clients). It will also allow students to connect their understanding of refugee law and lawyering skills to actual casework through consideration of specific issues of doctrine and policy implicated by students cases. Students will also have an opportunity to critically reflect on their experiences, models of advocacy, and social justice.
### Immigration Law

**Course #:** 2466  
**Term:** 2016SP  
**Faculty:** Neuman, Gerald  
**Credits:** 3.00

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

**Delivery Mode:** Course

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

**Location:** WCC2004

**Course Description:**  
Prerequisites: Prior completion of the course, Constitutional Law: Separation of Powers, Federalism and Fourteenth Amendment, is recommended, but not required.  
Exam Type: In-class exam (open book).  
Migration policy has long provoked controversy. This course will examine federal immigration law and policy in a variety of its aspects—contemporary and historical, substantive and procedural, statutory and regulatory and constitutional—including the criteria for admission to the United States on a temporary or permanent basis, the grounds and process of deportation, the peculiar constitutional status of foreign nationals, the role of the courts in ensuring the legality of official action, and an introduction to refugee law.  

### Immigration Law: Policy and Social Change

**Course #:** 2116  
**Term:** 2016SP  
**Faculty:** Anker, Deborah  
**Credits:** 2.00

**Type:** Elective  
**Subject Areas:** Constitutional Law & Civil Rights; Human Rights; Regulatory Law

**Delivery Mode:** Course

**Days and Times:**  
- Wed 5:00 PM - 7:00 PM

**Location:** WCC3016

**Course Description:**  
Prerequisites: None.  
Exam type: In class. Course requirements will consist of active participation, comments on the readings via blog posts, and a 3-hr final exam in which students will reflect and expand on a specific immigration topic from the course.  
This course touches upon the major policy debates currently surrounding immigration reform and policy. This course will survey social changes and developments in immigration law over the last few decades, including the emergence and role of social change movements. Topics will include the intersection of immigration law and criminal law, national security, labor rights, border security, and state and local enforcement as well as refugee and asylum policy and other topics. The course will bring leading immigration and refugee advocates, scholars and policy-makers into the classroom, engaging students in important debates about what immigration policy should be. The course will meet for two hours.
Innovation in Legal Education and Practice

Course #: 2689  Term: 2015FA  Faculty: Westfahl, Scott  Credits:  2.00
Type: Elective  Subject Areas: Procedure & Practice
Delivery Mode: Course

Days and Times:  Location
Tue 5:00 PM - 7:00 PM  WCC3016

Course Description: Prerequisites: None.
Exam type: No exam.
Note: The first class on 9/8 will take place in Griswold 110. Beginning 9/15 through the end of the semester, the course will meet in Wasserstein 3016.
Innovation in Legal Education and Practice will have students work in small teams to develop proposals for innovations in either legal education or legal practice. The course will begin with team dynamics and preparing the teams to innovate together. The course will draw upon expertise from other disciplines around design innovation, including psychology and neuroscience. The goal is to understand what makes for well functioning teams and how such teams can more quickly and more effectively reach innovative breakthroughs.
The second phase of the course will focus on providing support for the teams through a variety of experts on legal education and legal practice. We will have informational sessions about various innovations happening in the law to help give context. Finally, as students develop focus for their projects, the faculty will actively coach them and provide them with learning around how to build and present an effective business proposal. Students will be challenged at the end of the semester to present their proposals in an interactive forum to panels of expert judges.

Presentations at the end of the course will be judged on the following criteria: innovation, practicality, impact, and quality of presentation. Students will also receive professional feedback on their ideas.
Innovation in Medical Technologies: Law and Policy

Course #: 2828  Term: 2016SP  Faculty: Sachs, Rachel  Credits: 2.00
Type: Elective  Subject Areas: Health Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Seminar

Days and Times: Wed 5:00 PM - 7:00 PM
Location: WCC3034

Course Description: Prerequisites: For JD1L students only, you must seek permission from the instructor in order to enroll.
Exam Type: No exam.

This seminar will consider the ways in which different areas of law contribute to the broader innovation ecosystem in the context of healthcare technologies such as drugs and medical devices, examining the relationships between legal doctrines and innovation incentives. Beginning with a focus on intellectual property law, the classic locus of innovation incentives, the course will then take a broader view that includes lesser-known incentive levers including grants, prize systems, and insurance reimbursement. The course will also engage in an intersystemic analysis of these innovation policy levers, exploring their interactions and their relationship to the relevant institutional actors.

Inside Government: Making Public Policy

Course #: 2623  Term: 2016SP  Faculty: Sunstein, Cass; Summers, Lawrence  Credits: 2.00
Type: Elective  Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times: Tue 5:00 PM - 7:00 PM
Location: AUS100

Course Description: Prerequisite: None.
Exam Type: In-class exam

This course will explore an assortment of issues, ranging from environmental regulation (including climate change) to financial regulation to public health, at the intersection of theory and practice. Among other things, the seminar will discuss the role of cost-benefit analysis, legal limits on regulation, and both standard and behavioral economics.

Note: This course is jointly-listed with HKS as BGP-300 and FAS as Economics 2510.
Insider Share Ownership, Management Compensation, and CEO Turnover in U.S. Public Corporations

Course #: 2799  Term: 2015FA  Faculty: Kraakman, Reinier  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Seminar
Days and Times: Thu 5:00 PM - 7:00 PM
Location: WCC5052

Course Description: Prerequisites: None.
Exam Type: No exam.
This seminar addresses three topics with implications for the corporate governance and finance of U.S. public corporations: management compensation; turnover among senior managers and corporate directors; and equity ownership or voting power in the hands of managers, directors, and controlling shareholders. The readings will canvass articles drawn from the legal and corporate finance literatures. Seminar topics will stress the multisided among voting power, compensation, and management tenure. Possible examples include the following. Should the CEO and/or the directors of diffusely-held corporations face mandatory retirement ages or term limits? How tight is the linkage between management tenure and compensation, i.e., must shorter expected tenure lead to bigger paychecks for talented managers? How do firms that vest control in the hands of a few insiders by dual class stock differ from firms with a controlling shareholder? How well does U.S. management compensation track the interests of shareholders? Are shareholder interests homogeneous? What if shareholder preferences that don’t maximize the longterm value of the company? And finally, should corporate law mandate protection of stakeholders via regulating their compensation or awarding them governance rights? Seminar participants may be asked to introduce seminar readings and are required to submit 2-4 page reaction memos on seminar readings. Independent writing credit may be available in conjunction with this seminar but all participants must submit reaction memos.

Insurance Law

Course #: 2356  Term: 2015FA  Faculty: Hay, Bruce  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Course
Days and Times: Thu 10:00 AM - 11:30 AM  Fri 10:00 AM - 11:30 AM
Location: WCC3016

Course Description: Prerequisites: NoneExam Type: In-Class
This course gives students a working knowledge of the law of insurance, a key part of the toolkit for both litigation and transactional lawyers, as well as a growing practice area in its own right. Subjects covered include the nature and functions of insurance; the design, interpretation, and regulation of insurance contracts; property, health, life, and other forms of first-party insurance; liability insurance for individuals, firms, and nonprofits; national and international insurance markets. The course gives equal emphasis to theory, policy, and practice.
Intellectual Property & Business

Course #: 2858  Term: 2016WI  Faculty: Sichelman, Ted  Credits: 2.00

Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times: Location
Mon 9:00 AM - 11:15 AM WCC5052
Tue 9:00 AM - 11:15 AM WCC5052
Wed 9:00 AM - 11:15 AM WCC5052
Thu 9:00 AM - 11:15 AM WCC5052
Fri 9:00 AM - 11:15 AM WCC5052

Course Description: Prerequisites: None. Either a course in intellectual property law or some work experience at a technology company is recommended but is not required.
Exam type: Last class take-home.
The most skilled intellectual property and technology-focused corporate lawyers have a thorough understanding of the ways clients use and are affected by IP in their daily business activities. This course will provide an introduction to how patents, copyrights, trademarks, and trade secrets (1) are used by IP owners to further their business strategies; (2) affect non-IP owners, who must often license IP rights at substantial cost; and (3) impact industries and the overall economy. Specific topics include: the role of trademarks in promoting product branding; the use of patents in commercializing inventions; the effects of trade secrecy and non-competition agreements on R & D investment and employee mobility; IP & clean technologies; the effects of copyright on Internet business models; the use of IP by startup companies; private markets for buying, selling, and licensing IP rights; the role of patents in biotech deals; copyrights in the entertainment industry; and IP & software. Grades will be based on a final exam.
International Business Transactions

Course #: 2444  
Term: 2016SP  
Faculty: Anderson, Kenneth  
Credits: 3.00

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

Delivery Mode: Course

Days and Times:  
Fri 1:00 PM - 2:30 PM  
HAU102
Thu 1:00 PM - 2:30 PM  
HAU102

Course Description: Prerequisites: None, but it is recommended that you have taken, or are concurrently taking, Corporations.  
Exam Type: Last-class take-home exam.  
International Business Transactions is a survey course designed to introduce students to cross-border business transactions between private business firms. It considers a wide range of different transactions taking place across borders. The course has a double emphasis on contract law and basic business organizations law found in those transactions, but also a strong emphasis on understanding the economics and business motivations of the transactions. Class methods will include some amount of in-class role-playing as negotiators, sample drafting exercises, and similar teaching devices. Additionally, throughout the term students will be assigned vocabulary lists of basic business and international business terms; these will be tested periodically through vocabulary quizzes.

The class emphasizes forward-looking transactions - negotiations between business principals on each side, as well as negotiations over legal issues, in seeking to create a deal - rather than backward-looking dispute resolution or cross-border litigation issues raised by already completed transactions. It begins with sales of goods cross-border, moves to cross-border contracts for services, and gradually works through representation relationships and licensing, finally to end with joint ventures and foreign direct investment. It has a section midway through the course addressing the financing of transactions. The course deals only with private party transactions, and does not address global financial markets for publicly traded securities. The course is designed for students with no deeper background in business or business law than the basic corporations course (which is recommended but not required; students who have not taken that course are welcome to enter, but will probably have to do some additional reading on certain elements of business organization law).
International Commercial Arbitration

Course #: 2122  
Term: 2016WI  
Faculty: Tan, Daniel; Beckett, Mark  
Credits: 3.00

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

Delivery Mode: Course

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

Location: AUS101

Course Description:  
Prerequisites: None.  
Exam Type: Last-class take home.  
This course provides a rigorous introduction to the field of international commercial arbitration, which has become the default means of settling international disputes. The course will deal with the internationalist elements of the subject matter, but will also examine international commercial arbitration from an American perspective. Students can expect to review both foreign and US commentaries, statutes and case law on the subject. The course will comprise of five main topics: (1) an introduction to the field of international commercial arbitration; (2) the agreement to arbitrate; (3) the arbitrators; (4) the arbitration process; and (5) the arbitral award. The course will also cover in brief the law of foreign investment and the pivotal role of arbitration both in resolving disputes and developing the law in that area.
International Corporate Debt Solutions and Cross-Border Insolvency

Course #: 2587  Term: 2016SP  Faculty: Bromley, James  Credits: 1.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: Location
Tue 5:00 PM - 7:00 PM HAU104

Course Description: Prerequisites: None.
Exam type: No exam.
International Debt Solutions and Cross-Border Insolvency focuses on how legal systems deal with business failures in the age of globalization. While legal regimes often differ widely in the treatment of domestic business failures, the demands of the global economy have generated unique levels of cooperation where failures resonate beyond national boundaries. Forms of cross-border cooperation (or conflict) will be examined, including the UNCITRAL Model Law on Cross-Border Insolvency (and its U.S. form, Chapter 15 of the U.S. Bankruptcy Code), the European Union Insolvency Regulation (and proposed changes) and court to court protocols. The course will use several case studies including one focusing on a hypothetical multinational group and another requiring review of bank and bond documentation. The case studies will also highlight the sometimes (or often) conflicting duties faced by officers and directors of financially distressed businesses, and the choices faced by their legal and financial advisors, in several key jurisdictions around the globe.

Note: This course will meet for seven two-hour sessions. Dates TBD.

Drop Deadline: February 3, 2016 by 11:59pm EST
International Criminal Law

Course #: 2455  Term: 2016WI  Faculty: McCormack, Tim  Credits: 3.00

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

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 4:15 PM  WCC1023
Tue 1:00 PM - 4:15 PM  WCC1023
Wed 1:00 PM - 4:15 PM  WCC1023
Thu 1:00 PM - 4:15 PM  WCC1023
Fri 1:00 PM - 4:15 PM  WCC1023

Course Description: Prerequisites: Public International Law will be helpful but is not a required prerequisite.
Exam Type: In-class exam.
This course will focus on the prosecution of international crimes (genocide, crimes against humanity, war crimes and the crime of aggression) by international and national courts. We will study some of the historical development of the law of these crimes -- including the elements of crimes, modes of liability, and defenses -- as well as the institutional, political, strategic, logistical and procedural challenges faced by prosecutors, defense lawyers, and judges who adjudicate these crimes. The ambition of the course will be to understand the law and its development, as well as the dynamic application of the law in the courts that pursue these cases.

International Economic Law

Course #: 1015  Term: 2016SP  Faculty: Lienau, Odette  Credits: 4.00

Type: 1lintl  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM  WCC1015
Fri 9:50 AM - 11:50 AM  WCC1015

Course Description: Prerequisites: None. Exam type: One-day take-home.
This course will provide an overview of the legal context of key international economic transactions. Coverage includes sources of law (treaty, custom, domestic), basics of trade law, the role and regulation of corporate actors, transnational sales, foreign investment, and international debt, among other topics. When applicable, we will pay attention to the complementarity and conflict between the law governing economic transactions and other major issues in international law and international relations (including human rights, labor, the environment, and emerging commitments to ideas of democracy and good governance).

Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students.
International Environmental Law

Course #: 2123  Term: 2016WI  Faculty: Salzman, James  Credits: 2.00
Type: Elective  Subject Areas: Environmental Law; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: Location
Mon 9:00 AM - 12:15 PM  PND102
Tue 9:00 AM - 12:15 PM  PND102
Wed 9:00 AM - 12:15 PM  PND102

Course Description: Prerequisites: None.
Exam Type: In class.
This course explores the economic, political, and legal concepts relevant to international efforts to promote environmental protection. After laying a foundation in the nature of international law, institutions and the challenges of sustainable development, the course addresses concrete regimes designed to deal with specific international environmental problems, such as ozone depletion, marine pollution, fisheries depletion, biodiversity loss and, of course, climate change, among others. The course focuses principally on the dynamic of treaties, negotiations, and state and non-state actors on the international plane, with some discussion of the interplay between domestic legislation and international protection efforts.

International Finance

Course #: 2124  Term: 2016SP  Faculty: Scott, Hal  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Course

Days and Times: Location
Mon 8:40 AM - 10:10 AM  HAU102
Tue 8:40 AM - 10:10 AM  HAU102

Course Description: Prerequisites: None.
Exam type: In class.
This course focuses on how law and regulation affects international finance. It examines policies and regulation affecting cross-border banking and securities transactions in the three major markets, the United States, the European Union and Japan. In the U.S. the focus is on how post-Enron capital market regulation affects foreign firms, in the E.U. on continuing efforts to build integrated financial markets, and in Japan on the role of foreign firms in rebuilding the Japanese financial system after the "lost decade."
The course also looks at the infrastructure that underlies the global financial system--the U.S. dollar payment system, the Basel Capital Accord, global standards for the clearing and settlement of securities, and rules for different exchange rate regimes. In addition, the course deals with offshore markets--like the Euromarkets and various derivatives markets (including the securitized markets impacted by the subprime crisis), as well as global competition between stock and derivatives exchanges and some key aspects of the emerging markets, for example sovereign debt and project finance.
International Human Rights

Course #: 2126  Term: 2015FA  Faculty: Neuman, Gerald  Credits: 3.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:50 PM HAU104
Tue 3:20 PM - 4:50 PM HAU104

Course Description: Prerequisites: None. This course is not available to students who have taken International Law and Human Rights. Exam Type: In-Class. The examination will be open book/laptop. This course provides a general introduction to the law, theory, and practice of internationally recognized human rights. The course is designed to provide students with an informed and critical perspective on international instruments and institutions, and domestic legal arrangements relating to the articulation and implementation of human rights. Topics will include the historical origins of modern human rights law; connections between civil, political, social, and economic rights; global, regional, and national methods of implementation and enforcement; and comparative discussion of some particular human rights.
International Human Rights Clinic

Course #: 8021  Term: 2015FA  Faculty: Giannini, Tyler; Farbstein, Susan  Credits: 4.00

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

Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Students in the fall clinic must enroll in either Human Rights Advocacy (2 fall classroom credits) or The Promises and Challenges of Disarmament Clinical Seminar (2 fall classroom credits). Students who enroll in the fall clinic will be enrolled in one of the required courses by the Office of Clinical and Pro Bono Programs. Students are guaranteed a seat in one of these two required courses, but are not guaranteed their first choice. Students may enroll in only one of the two available courses. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS. Through the International Human Rights Clinic, students link theory with practice and learn core skills necessary to become effective and thoughtful human rights advocates. Students work on pressing and timely human rights problems around the world, in collaboration with leading international and local human rights organizations. Those in the Clinic have the opportunity to explore a range of approaches to advance the interests of clients and affected communities. For example, students interview survivors and document abuse; undertake legal, factual, and strategic analysis; and interact with media to build campaigns and advocate for human rights--all under the close supervision of the Clinics human rights practitioners. Students work in small teams on a variety of human rights projects and cases. When appropriate, students travel to investigate abuses or pursue advocacy outside Cambridge, participate in sessions before intergovernmental bodies and arguments before courts, and formulate policy to promote respect for human rights principles and the rule of law. In any given term, the Clinic delves into a wide range of issues, including extrajudicial executions, torture, and criminal justice; the unlawful use of cluster munitions and other weapons; civilian protection in armed conflict; sexual and reproductive rights; human rights and the environment; business and human rights; the role of health professionals in torture; Alien Tort Statute litigation; transitional justice; civil and political rights; economic, social, and cultural rights; and many more. Our clinicians have expertise in numerous regions and countries, including in Latin America, Southern Africa, Eastern and Central Europe, Southeast Asia, and the United States. This wide range of skills, as well as thematic and geographic knowledge, exposes students to a variety of strategies and innovative techniques for promoting and protecting human rights.

Fall clinic students must take either Human Rights Advocacy (2 fall classroom credits) OR The Promises and Challenges of Disarmament Clinical Seminar (2 fall classroom credits). While each course is focused on a particular subject matter, both teach the key skills of human rights practitioners and include simulations related to fact-finding and field investigations, media work, and/or negotiation and legislative work. Clinical seminar selection and enrollment occurs once a student has enrolled in the fall clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.
International Human Rights Clinic

Course #: 8021  
Term: 2016SP  
Faculty: Giannini, Tyler; Farbstein, Susan  
Credits: 4.00

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

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Students in the spring clinic must enroll in either Human Rights Advocacy (2 spring classroom credits) or Human Rights and Criminal Justice (2 spring classroom credits). Students who enroll in the spring clinic will be enrolled in one of the required courses by the Office of Clinical and Pro Bono Programs. Students are guaranteed a seat in one of these two required courses, but are not guaranteed their first choice. Students may enroll in only one of the two available courses. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS.

Through the International Human Rights Clinic, students link theory with practice and learn core skills necessary to become effective and thoughtful human rights advocates. Students work on pressing and timely human rights problems around the world, in collaboration with leading international and local human rights organizations. Those in the Clinic have the opportunity to explore a range of approaches to advance the interests of clients and affected communities. For example, students interview survivors and document abuse; undertake legal, factual, and strategic analysis; and interact with media to build campaigns and advocate for human rights--all under the close supervision of the Clinics human rights practitioners. Students work in small teams on a variety of human rights projects and cases. When appropriate, students travel to investigate abuses or pursue advocacy outside Cambridge, participate in sessions before intergovernmental bodies and arguments before courts, and formulate policy to promote respect for human rights principles and the rule of law. In any given term, the Clinic delves into a wide range of issues, including extrajudicial executions, torture, and criminal justice; the unlawful use of cluster munitions and other weapons; civilian protection in armed conflict; sexual and reproductive rights; human rights and the environment; business and human rights; the role of health professionals in torture; Alien Tort Statute litigation; transitional justice; civil and political rights; economic, social, and cultural rights; and many more. Our clinicians have expertise in numerous regions and countries, including in Latin America, Southern Africa, Eastern and Central Europe, Southeast Asia, and the United States. This wide range of skills, as well as thematic and geographic knowledge, exposes students to a variety of strategies and innovative techniques for promoting and protecting human rights.

Spring clinic students must take either Human Rights Advocacy (2 spring classroom credits) OR Human Rights and Criminal Justice (2 spring classroom credits). While each course is focused on a particular subject matter, both teach the key skills of human rights practitioners and include simulations related to fact-finding and field investigations, media work, and/or negotiation and legislative work. Clinical seminar selection and enrollment occurs once a student has enrolled in the spring clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.
Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Advanced Skills Training for Human Rights Advocacy (2 fall classroom credits). Once a student enrolls in this clinic, the Office of Clinical and Pro Bono Programs will enroll them in the required course. Additional Co-/Pre-Requisites: Prior semester of the International Human Rights Clinic. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: Due to the pre-requisite, LLM students are not eligible to apply. Placement Site: HLS.

Through the International Human Rights Clinic - Advanced, students continue to explore theory and practice and to refine core skills necessary to become effective and thoughtful human rights advocates. Students again work on pressing and timely human rights problems around the world, in collaboration with leading international and local human rights organizations. Those in the Clinic have the opportunity to explore a range of approaches to advance the interests of clients and affected communities. For example, students interview survivors and document abuse; undertake legal, factual, and strategic analysis; and interact with media to build campaigns and advocate for human rights—all under the close supervision of the Clinics human rights practitioners. Students work in small teams on a variety of human rights projects and cases. When appropriate, students travel to investigate abuses or pursue advocacy outside Cambridge, participate in sessions before intergovernmental bodies and arguments before courts, and formulate policy to promote respect for human rights principles and the rule of law. In any given term, the Clinic delves into a wide range of issues, including extrajudicial executions, torture, and criminal justice; the unlawful use of cluster munitions and other weapons; civilian protection in armed conflict; sexual and reproductive rights; human rights and the environment; business and human rights; the role of health professionals in torture; Alien Tort Statute litigation; transitional justice; civil and political rights; economic, social, and cultural rights; and many more. Our clinicians have expertise in numerous regions and countries, including in Latin America, Southern Africa, Eastern and Central Europe, Southeast Asia, and the United States. This wide range of skills, as well as thematic and geographic knowledge, exposes students to a variety of strategies and innovative techniques for promoting and protecting human rights.

Students enrolled in the International Human Rights Clinic - Advanced must take the seminar Advanced Skills Training in Human Rights Advocacy (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required class component by the Office of Clinical and Pro Bono Programs.
International Intellectual Property

Course #: 2463  Term: 2016SP  Faculty: Okediji, Ruth  Credits: 3.00
Type: Elective
Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: Location
Mon 8:40 AM - 10:10 AM  WCCB015
Tue 8:40 AM - 10:10 AM  WCCB015

Course Description: Prerequisites: Intellectual Property survey course, Copyright, Trademarks or Patent Law. Students who have not taken at least one intellectual property course may enroll only by permission.
Exam Type: No exam.
This course will provide students with an overview of the multilateral legal and policy framework for intellectual property protection.
It will focus on the legal, social and economic implications of the international intellectual property standards embodied in the 1994 World Trade Organization (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement).
The course will examine the implementation and enforcement of TRIPS standards with particular emphasis on patents and copyright, although some attention will be given to trademarks. The World Intellectual Property Organizations (WIPO) treaties dealing with copyright in the digital age and new norm-setting initiatives in WIPO will also be covered. Other topics will include the effect of bilateral, regional and plurilateral intellectual property agreements; securing rights in foreign jurisdictions; interface with antitrust law and; dispute resolution (including WTO enforcement, international arbitration panels and judicial proceedings). The implications of a harmonized international intellectual property system on economic development goals will be examined through the lens of topics that include access to medicines, access to knowledge and the WIPO Development Agenda.
**International Law and Human Rights**

<table>
<thead>
<tr>
<th>Course #: 1016</th>
<th>Term: 2016SP</th>
<th>Faculty: Moyn, Samuel</th>
<th>Credits: 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lintl</td>
<td>Subject Areas: Not Applicable</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:**

Prerequisites: None. Students who have taken International Human Rights may not take this course.

Exam type: Any-day take-home.

This course surveys a selection of topics in contemporary human rights law, with attention to broader concepts in international law, as well as to cognate fields like international criminal and international humanitarian law. A consistent focus is how the United States relates to the international human rights system -- and how, conversely, that system impinges on diverse areas of American law and policy. The course also takes up the ways in which both the international system and the rights jurisprudence of other countries might differ from approaches in American law, as for example in socioeconomic rights adjudication or the regulation of religious practice.

Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students.

---

**International Law in the US Legal System**

<table>
<thead>
<tr>
<th>Course #: 1021</th>
<th>Term: 2016SP</th>
<th>Faculty: Goldsmith, Jack</th>
<th>Credits: 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lintl</td>
<td>Subject Areas: Not Applicable</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:**

Prerequisites: None for JD students. LLM students need to have taken Legislation and Regulation and receive permission of the instructor to enroll. Please submit a statement of interest to Professor Goldsmith by October 15.

Exam type: One-day take-home. This course will study public international law (i.e. treaties and customary international law) and how that law applies, and is enforced in, the domestic U.S. legal system. Substantive topics covered will include the United Nations, war and neutrality, human rights, investment, sovereignty, sovereign immunity, claims settlement, recognition, and extraterritorial regulation. We will analyze how these issues international law intersect with U.S. constitutional and statutory law. We will also analyze various theories of international law compliance.

Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students.
International Law, Policy and Decision-Making in War: Advanced Research Seminar

Course #: 2764  Term: 2016SP  Faculty: Modirzadeh, Naz  Credits:  2.00

Type: Elective  Subject Areas: Government Structure & Function; Human Rights; International, Comparative & Foreign Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: Location
Mon 5:00 PM - 7:00 PM  WCC5044

Course Description: Prerequisites: This course is open to students who have taken Public International Law, International Humanitarian Law, Law of War, Use of Force, or Combating the Human Costs of Armed Conflict. Students who have taken such courses outside of HLS may seek the permission of the instructor to enroll.

Exam Type: No exam.

This seminar explores how international law regulates, shapes and informs decision-making in war. It moves beyond introductory courses, and invites students to delve into real-life dilemmas facing humanitarian actors, military personnel and political decision-makers in the field. We will explore topics such as: the classification of armed conflict, decision-making in targeting, accountability for violations of international law, the line between law enforcement and armed conflict, and the role of transparency and public debate in the legal regulation of war.

Students will engage critically with a variety of legal and military texts as well as cutting-edge scholarship, and have an opportunity to conduct original research.
**International Trade Law**

**Course #:** 2132  
**Term:** 2016SP  
**Faculty:** Wu, Mark  
**Credits:** 4.00

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

**Delivery Mode:** Course

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

**Location:** WCC3019

**Course Description:**
Prerequisites: None.
Exam type: One-day take-home.
This course focuses on the law governing international trade as established by the World Trade Organization. It engages in an in-depth analysis of WTO rules and case law. The class will examine the strengths and weaknesses of the existing regime and discuss the difficulties in reforming the system. Besides focusing on the basic principles governing trade in goods and services, the course will also examine specialized areas such as technical standards, agriculture, food safety, environment, and intellectual property. In addition, the course will focus on the geopolitical tensions between major trading powers, particularly with respect to the US, EU, and the emerging powers (China, India, Brazil).

**Interpreting Law and Scripture**

**Course #:** 2825  
**Term:** 2016SP  
**Faculty:** Vermeule, Adrian  
**Credits:** 1.00

**Type:** Elective  
**Subject Areas:** Constitutional Law & Civil Rights; Disciplinary Perspectives & Law

**Delivery Mode:** Reading Group

**Days and Times:**
- Tue 5:00 PM - 7:00 PM

**Location:** WCC3007

**Course Description:**
Prerequisites: Admission is by permission of the instructors. Applicants should send a resume and a 1-paragraph statement of interest to Ellen Keng (ekeng@law.harvard.edu) by January 15.
Exam type: No exam.
Note: This course is co-taught by Rev. Luther Zeigler (Harvard University Episcopal Chaplain).
We will compare and contrast debates over the interpretation of legal and religious texts, using statutes, the Constitution, and the Hebrew and Christian scriptures as our major sources. Issues will include debates over literalism versus flexible interpretation; "original understanding" and historical context versus evolving understandings over time; and whether deference is owed to authoritative interpreters.
Note: This reading group will meet on the following dates: 2/2, 2/16, 3/1, 3/22, 4/5, 4/19.
Drop Deadline: February 3rd, 2016 by 11:59pm EST.
Introduction to Accounting

Course #: 2133  Term: 2015FA  Faculty: Dharan, Bala  Credits:  1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice
Delivery Mode: Course
Days and Times: Location
Wed 5:00 PM - 7:00 PM PND101

Course Description: Prerequisites: NoneExam Type: In-ClassThis 1-credit module fall course is designed to help students develop an understanding of the accounting information presented in corporate financial statements. Students will learn the basics of how the three basic financial statements -- balance sheet, income statement and cash flow statement -- are prepared to capture the financial effects of management decisions, and how accounting reports are analyzed to aid management decisions. The course will be relevant for students who wish to learn the basic language of accounting and its use in capital markets, corporate transactions, commercial litigation, mergers and acquisitions, and other related areas. Note: The course meets once a week in a 2-hour block for the first six weeks of the semester, followed by an exam given in the seventh week.
Introduction to Advocacy: Skills and Ethics in Clinical Practice

Course #: 2134  Term: 2015FS  Faculty: Caramello, Esme; Lawrence, Eloise  Credits: 4.00
Type: Elective  Subject Areas: Procedure & Practice
Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:50 PM  WCC3018
Tue 3:20 PM - 4:50 PM  WCC3018
Mon 3:20 PM - 4:50 PM  WCC3018
Tue 3:20 PM - 4:50 PM  WCC3018

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement. Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Harvard Legal Aid Bureau 2L (3 fall clinical credits + 3 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: Evidence. Students must enroll in Evidence separately from clinic enrollment. By Permission: Yes. Applications are due to the clinic by March 14, 2015. Add/Drop Deadline: July 26, 2015. LLM Students: LLM students are not eligible to enroll. Multi-Semester: This is a fall-spring course (1 fall classroom credit + 1 spring classroom credit).

This course introduces students to civil law practice and is required for all 2L members of the Harvard Legal Aid Bureau. Student practice experience at the Bureau is the primary material for all class meetings and discussions. The goals of the course are: (1) to provide a strong foundation for developing lawyering skills; (2) to enhance student understandings of what lawyers do, with particular attention to professional role, values, and ethics; and (3) to develop skills of peer and self-assessment so that students will have the ability to continue to learn in practice after law school. The majority of class meetings will focus on specific lawyering tasks such as client counseling and interviewing, investigation of claims, negotiation, and argument and case presentation. With respect to each skill studied, attention will be paid to the ethical, relational, strategic, and tactical issues involved. Additional class sessions, led by Bureau Clinical Instructors, will provide opportunities for analysis of the substantive and procedural law applicable to the students clinical practice; development of litigation skills through role-play exercises; and rounds of discussions of challenging issues in the students casework.

There will be no examination, but students will be expected to complete a series of reflection papers and a project or paper that addresses an ethical or professional issue in their casework or that arises in the weekly class meetings or course readings.

Enrollment in this course is restricted to 2L Harvard Legal Aid Bureau members. HLAB members in their 2L year in 2015-2016 will automatically be enrolled in this course once HLAB membership is finalized. The classroom component of this clinical course satisfies the Law School's professional responsibility requirement.
Introduction to Empirical Methods

Course #: 2708  Term: 2016WI  Faculty: Cohen, Alma  Credits:  3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 4:15 PM LEW102
Tue 1:00 PM - 4:15 PM LEW102
Wed 1:00 PM - 4:15 PM LEW102
Thu 1:00 PM - 4:15 PM LEW102
Fri 1:00 PM - 4:15 PM LEW102

Course Description: Prerequisites: None
Exam Type: In Class
There will be a final exam.

Empirical methods and empirical findings are increasingly used in litigation, regulation, and legal policymaking and research. This course aims at introducing students to the basic methods and tools used in law-related empirical analysis. No prior work in empirical methods or statistics will be required or assumed. Concepts and topics that will be covered include descriptive statistics and graphs, probability, measures of dispersion, statistical inferences and hypothesis testing, correlation, analysis of variance, regression analysis (simple regression and multiple regression, dummy variables, functional forms, omitted variables, multicollinearity and correlation vs. causation). Legal examples and ungraded problems sets will be used throughout to illustrate the concepts and methods taught, and students will learn how to use a standard statistical software package.
Introduction to Finance Concepts 3-Day Section

Course #: 2537        Term: 2015FA        Faculty: Dharan, Bala        Credits: 1.00
Type: Elective        Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice
Delivery Mode: Course

Days and Times:        Location
Wed 1:00 PM - 5:00 PM  AUS100
Thu 1:00 PM - 5:00 PM  AUS100
Fri 10:00 AM - 2:00 PM AUS100

Course Description: Drop Deadline: Thursday, September 3, 2015 by 11:59pm EST

Prerequisites: None Exam Type: In-Class

This 1-unit course is designed to provide students with no prior course work in finance an introduction to core concepts and calculations of corporate finance. The course will meet over three days (Wednesday, September 2, Thursday, September 3, and Friday, September 4) in the week prior to the start of the upper-level fall term classes so that students can quickly equip themselves with an understanding of the basic concepts and procedures of corporate finance. Starting with a brief introduction to the use of Microsoft Excel for finance calculations, the following topics will be introduced: time value of money, discounted cash flow methodology, analysis of investment decisions, concept of risk and return, beta as a measure of systematic risk, and calculation of weighted average cost of capital.

Note: The course will be graded on a Credit/Fail basis.

Note: The course will meet on Wednesday, September 2 from 1 pm to 5 pm, Thursday, September 3 from 1 pm to 5 pm, and Friday, September 4 from 10 am to 2 pm.
Introduction to Finance Concepts 3-Week Section

Course #: 2537  Term: 2015FA  Faculty: Dharan, Bala  Credits: 1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice
Delivery Mode: Course

Days and Times: Location
Mon 5:00 PM - 7:00 PM WCC1019
Tue 5:00 PM - 7:00 PM WCC1019

Course Description: Prerequisites: None
Exam Type: In-Class
This 1-unit course is designed to provide students with no prior course work in finance an introduction to core concepts and calculations of corporate finance. The 3-week section of the course will meet on Mondays and Tuesdays from 5 pm to 7 pm during the first three weeks of the semester so that students can quickly equip themselves with an understanding of the basic concepts and procedures of corporate finance. Starting with a brief introduction to the use of Microsoft Excel for finance calculations, the following topics will be introduced: time value of money, discounted cash flow methodology, analysis of investment decisions, concept of risk and return, beta as a measure of systematic risk, and calculation of weighted average cost of capital.
Note: The course will be graded on a Credit/Fail basis.
Note: The course will meet on Mondays and Tuesdays from 5 pm to 7 pm during the first three weeks of the semester.

Introduction to Finance Concepts 3-Week Section

Course #: 2537  Term: 2016SP  Faculty: Dharan, Bala  Credits: 1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice
Delivery Mode: Course

Days and Times: Location
Thu 1:00 PM - 3:00 PM WCCB010
Fri 1:00 PM - 3:00 PM WCCB010

Course Description: Prerequisites: None.
Exam Type: In-class exam.
This 1-unit course is designed to provide students with no prior course work in finance an introduction to core concepts of corporate finance. The course will meet over the first three weeks of the term so that students can quickly equip themselves with an understanding of the basic concepts and terminology of corporate finance. Starting with a brief introduction to the use of Microsoft Excel for finance calculations, the following topics will be introduced: time value of money, discounted cash flow methodology, analysis of investment decisions, concept of risk and return, beta as a measure of systematic risk, and calculation of weighted average cost of capital.
The course will be graded on a Credit/Fail basis.
Note: The course will meet on Thursdays and Fridays from 1 pm to 3 pm during the first three weeks of the semester.
Introduction to Japanese Law

Course #: 2136  Term: 2016SP  Faculty: Ramseyer, J. Mark  Credits: 3.00

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

Delivery Mode: Course

Days and Times: Location
Mon 10:20 AM - 11:50 AM WCC3036
Tue 10:20 AM - 11:50 AM WCC3036

Course Description: Prerequisites: None.
Exam type: In class.
This course is designed to introduce the non-specialist law student to major features of the Japanese legal system. The course attempts to integrate the structures, processes, and personnel of the Japanese legal system with other features of Japanese society and history. Topics covered include (but are not limited to): Litigation and extra-judicial settlement, the legal services industry, economic regulation, criminal procedure, and constitutional litigation.

Introduction to Securities Regulation

Course #: 2224  Term: 2016SP  Faculty: Jackson, Howell  Credits: 3.00

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

Delivery Mode: Course

Days and Times: Location
Mon 10:20 AM - 11:50 AM AUS111
Tue 10:20 AM - 11:50 AM AUS111

Course Description: Prerequisites: While there are no formal prerequisites for this course, most students will find it helpful to have taken (or to be taking concurrently) a course on corporations or else to have some other previous exposure to financial or business matters.
Exam Type: In-class exam.
This course is designed to offer an overview of the regulation of securities and securities markets in the United States. The curriculum will be organized around the work of the Securities and Exchange Commission, including its oversight of the public offering of securities under the Securities Act of 1933 and its supervision of capital market operations under the Securities Exchange Act of 1934. Attention will also be given to the Commission's enforcement activities and the relationship between those activities and private securities litigation. As time permits, we will touch upon issues of cross-border coordination in the public oversight of both capital raising and enforcement activities.
Note: The class will not meet on Tuesday, February 9th; instead, it will be held on Wednesday, February 10th, during the regular time period.
Introduction to Social Entrepreneurship

Course #: 2137  Term: 2016WS  Faculty: Klahr, Suzanne; Westaway, Kyle  Credits: 3.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Course

Days and Times:
- Mon 1:00 PM - 4:15 PM  Location: GRS110
- Tue 1:00 PM - 4:15 PM  Location: GRS110
- Wed 1:00 PM - 4:15 PM  Location: GRS110
- Thu 1:00 PM - 4:15 PM  Location: GRS110
- Fri 1:00 PM - 4:15 PM  Location: GRS110

Course Description:

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

Introduction to Social Entrepreneurship combines both theory and practice with an end goal of equipping young lawyers to create a positive social impact.

First, the course covers the key fundamentals of the social enterprise movement as well as substantive cutting-edge legal doctrine relevant to the sector. Using the case study method typically used in MBA classes, students will examine the challenges of starting, counseling, serving, assessing and funding social ventures through the eyes of the entrepreneur, investor, attorney, board member and community leader.

The course provides an overview of the emergence and definition of social entrepreneurship and will explore the intricacies of establishing mission / vision / values, legal structures for both non-profit and for-profit social ventures, managing and sustaining growth, board governance, the profit and purpose tension, impact investing and creating shared value. This basic knowledge set will inform any student who seeks to advise, launch, and /or serving on the board of a social enterprise. By engaging with these case studies, students also learn the basics of leadership and management decision-making.

Second, the course provides an intensive introduction to consulting for a social enterprise on a student consulting team. Students have an opportunity to put their newly-learned skills into practice as they are grouped into teams and are partnered up with a social enterprise to help them solve a specific, real-time challenge they are facing. In the past, the challenges have been in the areas growth, revenue, marketing, programmatic issues, scale and legal complexities.

This experiential learning will not only give the students an opportunity explore innovative social enterprises through project-based, work opening their eyes to the realities of operating a social enterprise, but will also improve their skills in problem solving and client services.

During the Spring semester students will work on the written memo with their student consulting team. The Spring Term will culminate with the completion of the written report and a final presentation.
Introduction to Talmud

Course #: 2352  Term: 2016SP  Faculty: Septimus, Zvi  Credits:  3.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law; Legal & Political Theory
Delivery Mode: Course

Days and Times:  Location
Mon 10:20 AM - 11:50 AM  WCC4063
Tue 10:20 AM - 11:50 AM  WCC4063

Course Description: Prerequisites: None.
Exam: Any day take-home with paper option.
This course provides an introduction to the Talmudic legal system. The Babylonian Talmud is the central authoritative text of the Jewish legal tradition and, as such, serves as the basis for all subsequent Jewish law codes and rabbinic responsa. However, the Talmud is not itself a legal code but rather a multi-genre dialogue about life and law that spans the first seven centuries of the Common Era. It is a text that debates law but seldom reaches a conclusion; in most cases, the Talmud only ceases to debate an issue when the opinions of all of the parties to the debate appear to stand on solid legal ground. We will explore the structure and forms of legal argument found in the Talmud; how the Talmud reworks and develops earlier Jewish legal texts (including the Bible, Midrash, and Mishnah); the relationship between Oral Law and Written Law; and the complex intersection of law and narrative.
(All texts will be read in translation and no previous background in Talmud is necessary.)
Investment Management Law: Private Funds, Money Market Funds and Other Issues

Course #: 2323  Term: 2015FA  Faculty: Champ, Norm  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Course

Days and Times: Thu 5:00 PM - 8:00 PM
Location: HAU104

Course Description: Prerequisites: None
Exam Type: In-Class

The goal of this course is to teach the fundamental legal and regulatory regimes that govern the operation of an investment management advisory business. The course will focus primarily on an advisor that is managing investment funds or accounts that are privately offered and exempt from the Investment Company Act of 1940, as amended (Investment Company Act) but will also look at the operation of money market mutual funds that are registered under the Investment Company Act. Privately offered funds include private equity funds, hedge funds, real estate funds and other private funds that control several trillion dollars of investment capital. Money market mutual funds, which manage about $3 trillion in assets, are used for cash management by institutions and individuals and have been the subject of intense regulatory scrutiny since the 2008 financial crisis.

This course will use a study of statutes, rules, regulations, regulatory decisions, court cases, fund documentation and other materials to familiarize students with the legal issues in the investment management area and the principles that guide the resolution of these issues. Investment management law encompasses several different areas of the law including the federal securities laws, employment law, tax law, partnership and corporate law. It is my goal to integrate these areas into a cohesive view of the legal aspects of the investment management business. Using contacts in the regulatory agencies, investment management industry and bar, I plan to bring guest speakers to give students exposure to industry participants.
Islamic Law: Human Rights Advocacy in the Muslim World

Course #: 2517  Term: 2016SP  Faculty: Stilt, Kristen  Credits: 2.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: Location
Mon 5:00 PM - 7:00 PM LEW302

Course Description: Pre/Co-requisites: This course is open to students who have taken or are concurrently taking International Law and Human Rights, International Human Rights, or Human Rights Advocacy.
Exam Type: No exam.
Students will be graded on the basis of class participation and a final paper.
This course will focus on human rights advocacy in the Muslim world. After providing an introduction to Islamic law, the course will address difficult questions at the intersection of human rights law and some interpretations of Islamic law. Topics to be examined include religious freedom, sexual relations and sexuality, domestic relations, the rights of children, and public dress and behavior. The course will focus on how human rights organizations -- international, regional, and local -- have worked on cases in these areas of concern, and will consider how such organizations can most effectively address issues that involve religious belief and practice.
Issues in Election Law

Course #: 2843  Term: 2015FA  Faculty: Fried, Charles  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory

Delivery Mode: Seminar
Days and Times: Wed 5:15 PM - 7:15 PM  Location LEW214B

Course Description: Prerequisite: None.
Exam Type: No Exam.
The seminar is offered in conjunction with the Dean’s lecture series on Election Law. In addition to the class sessions, students will be expected to attend the noon-time, one-hour lectures on September 9, October 9, November 2, November 3, and November 9. (Further information about the Election Law lecture speakers and their topics will be available at the start of the semester. It is hoped that the speakers will permit the lectures to be recorded, so that students in the seminar who are unable to attend a particular lecture will be able to view it on-line.) To take account of this obligation, there will only be 10 formal seminar sessions-unless students wish additional optional sessions.


The seminar will meet to discuss these topics, and readings will be assigned. Students will write a reaction paper of no more than two pages due the day before each session. There will be a ten page paper, the topic of which is to be discussed with and approved by the instructor by November 17. The paper will be due on December 22, but students may, with prior permission requested by November 17, postpone delivering their papers until March 21, so that they may consider the Spring Semester election law lectures (which will take place at noon on February 2, February 12, February 17, and March 8). Grading will be on the written work and class participation.

The first week’s assignment for the session of September 9 will be announced shortly.
ITA Prosecution Perspectives Clinic

Course #: 8003  Term: 2015FW  Faculty: Corrigan, John  Credits: 4.00
Type: Clinic  Subject Areas: Criminal Law & Procedure; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Open to 3Ls only
This is a four-credit clinic (3 fall clinical credits + 1 winter clinical credit)
Required Class Component: ITA: Prosecution Perspectives (3 fall classroom credits + 1 winter classroom credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. There is no clinic preference or priority to enroll in TAW or Evidence. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.
By Permission: No.
Add/Drop Deadline: Please note this clinic has an early drop deadline of August 31, 2015.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Multi-Semester: This is a fall-winter clinic (3 fall clinical credits + 1 winter clinical credit).
Placement Site: Various D.A. offices throughout Massachusetts.
This clinic and course will focus on the role of and decision-making by the prosecutor in the criminal justice system, with particular attention to the exercise of discretion by the prosecutor in investigation, charging, plea negotiation and sentencing recommendation decisions. It will also involve an examination of the lawyering skills involved in case analysis, interviewing witnesses, and negotiation, and other aspects of case handling and courtroom advocacy, in the context of the District Court.
During the fall and winter terms, the class will consist of one two-hour class per week, in addition to the clinical assignment.
A clinical practice component is required of all students. Students must have at least two full days in their schedule free from 8am to 5pm for the clinical component. Clinical placements are with the Middlesex, Norfolk, Suffolk, or Essex County District Attorneys Office. Under the supervision of assistant district attorneys, students work a minimum of twenty hours per week to represent the Commonwealth in prosecuting District Court criminal cases. While student experiences vary, students are likely to handle arraignments, bail hearings, pretrial conferences, motion hearings, pleas and trials. Some students may handle a jury trial. Clinical placements will begin immediately after the completion of the fall Trial Advocacy Workshop. Readings will consist primarily of multilithed materials. Students are required to keep a journal relating to their fieldwork experiences and to prepare several short practical skills exercises.
The classroom component of this clinical course satisfies the Law Schools professional responsibility requirement. Ordinarily, students may not enroll in two courses that satisfy the professional responsibility requirement. Students who enroll in a clinical course that satisfies the professional responsibility requirement but who have already completed a professional responsibility course may receive one less classroom credit for the second course if there is substantial overlap in professional responsibility coverage. Students who have already taken a professional responsibility course should check with the Vice Dean for Academic Programming in advance of signing up for this clinical course to determine if there is overlap and if a credit reduction will apply.
Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.
ITA: Prosecution Perspectives

Course #: 2328  Term: 2015FW  Faculty: Corrigan, John  Credits: 4.00
Type: Elective  Subject Areas: Criminal Law & Procedure; Procedure & Practice
Delivery Mode: Seminar

Days and Times: Thu 5:00 PM - 7:00 PM
Location: HAU101

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Open to 3Ls only
This is a 4-credit course (3 fall classroom credits + 1 winter classroom credit).
Required Clinic Component: ITA Prosecution Perspectives (3 fall clinical credits + 1 winter clinical credit).
This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. There is no clinic preference or priority to enroll in TAW or Evidence. Failure to meet the pre/co-requisites by the clinic’s add/drop deadline will result in the student being dropped from this clinic and class.
By Permission: No.
Add/Drop Deadline: Please note this clinic has an early drop deadline of August 31, 2015.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Multi-Semester: This is a fall-winter course (3 fall classroom credits + 1 winter classroom credit).
This course will focus on the role of and decision-making by the prosecutor in the criminal justice system, with particular attention to the exercise of discretion by the prosecutor in investigation, charging, plea negotiation and sentencing recommendation decisions. It will also involve an examination of the lawyering skills involved in case analysis, interviewing witnesses, and negotiation, and other aspects of case handling and courtroom advocacy, in the context of the District Court.
During the fall and winter terms, the class will consist of one two-hour class per week, in addition to the clinical assignment.
A clinical practice component is required of all students. Students must have at least two full days in their schedule free from 8am to 5pm for the clinical component. Clinical placements are with the Middlesex, Norfolk, Suffolk, or Essex County District Attorneys Office. Under the supervision of assistant district attorneys, students work a minimum of twenty hours per week to represent the Commonwealth in prosecuting District Court criminal cases. While student experiences vary, students are likely to handle arraignments, bail hearings, pretrial conferences, motion hearings, pleas and trials. Some students may handle a jury trial. Clinical placements will begin immediately after the completion of the fall Trial Advocacy Workshop. Readings will consist primarily of multilithed materials. Students are required to keep a journal relating to their fieldwork experiences and to prepare several short practical skills exercises. The classroom component of this clinical course satisfies the Law Schools professional responsibility requirement.
Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.
Judicial Process in the Trial Courts Clinical Seminar

Course #: 2139  
Term: 2016SP  
Faculty: Cratsley, John  
Credits: 2.00

Type: Elective  
Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Seminar

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

Location: WCC3007

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Judicial Process in Trial Courts Clinic (2-4 spring clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course. Additional Co-/Pre-Requisites: None.

By Permission: No.  

LLM Students: LLM students may apply to the clinic by submitting an application. This seminar examines through participant observation the functioning of the judicial process in our trial courts with special attention to our first level or community courts. The focus of the class is on the various roles (adjudicatory, administrative, sentencing, educational and symbolic) that judges play in these courts. Students have the unique opportunity to observe and discuss the work of their assigned judges in a clerkship-type role. Students are also expected to assist their judges with legal research and writing. The contributions of various scholars to understanding the work of judges in these courts is reviewed as well as distinct proposals for reform. Because of the variety of judicial placements, attention is also paid to issues such as judicial accountability, judicial ethics, ADR, juries, and court innovations like treatment courts and restorative justice.

A fifteen to twenty page paper describing some aspect of the judiciary’s work in these courts is required and serves as a basis for each student’s grade. Students undertake clinical fieldwork study of judicial performance through clerkship-like clinical placements with individual justices of the District Court, Boston Municipal Court, Juvenile Court, Housing Court, Land Court and Superior Court Departments of the Massachusetts Trial Court, as well as federal judges in the U.S. District Court and Immigration Court. Clinical students are expected to be available to do research and writing projects for their assigned judge, and are expected to observe and assist their judge for at least 2 clinical credits, or ten hours per week. Students must have at least one full day or two mornings available for their judicial placement.

For more information, please contact Judge John C. Cratsley: cratsley@socialaw.com or jcratsley@law.harvard.edu.
Judicial Process in Trial Courts Clinic

Course #: 8022  Term: 2016SP  Faculty: Cratsley, John  Credits: 4.00
Type: Clinic  Subject Areas: Government Structure & Function; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Judicial Process in Trial Courts (2 spring classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None.
By Permission: No.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements.

Students undertake clinical fieldwork study of judicial performance through clerkship-like clinical placements with individual justices of the District Court, Boston Municipal Court, Juvenile Court, Housing Court, Land Court and Superior Court Departments of the Massachusetts Trial Court, as well as federal judges in the U.S. District Court and Immigration Court. Clinical students are expected to be available to do research and writing projects for their assigned judge, and are expected to observe and assist their judge for at least 2 clinical credits, or ten hours per week.
Students must have at least one full day or two mornings available for their judicial placement.
For more information, please contact Judge John C. Cratsley: cratsley@socialaw.com or jcratsley@law.harvard.edu.
Harvard Law School Course Catalog
2015-2016 Academic Year
December 21, 2017 2:07 AM

Jurisprudence

Course #: 2140  Term: 2015FA  Faculty: Brewer, Scott
Credits: 3.00

Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:20 AM WCCB015
Fri 9:50 AM - 11:20 AM WCCB015

Course Description: Prerequisites: None.
Exam type: Anyday take-home.
This course will introduce and explore basic themes in jurisprudence, including: (i) the relation among moral, political, and legal judgments; (ii) the nature of legal reasoning and its relation to other types of reasoning (moral reasoning, empirical scientific reasoning, and logical and mathematical reasoning); the role of reason and rationality in legal decision-making. Theories surveyed include "formalism," legal realism (e.g., O.W. Holmes, Jr., Karl Llewellyn, Felix Cohen), natural law (e.g., Lon Fuller, Ronald Dworkin, John Finnis), analytical legal positivism (e.g., H.L.A. Hart and Joseph Raz), and critical legal studies (e.g., Duncan Kennedy and Roberto Unger). Readings are from legal theorists and philosophers, and illustrative materials from cases, statutes, and constitutional provisions. The course does not require or presuppose any background in jurisprudence or philosophy. Some course materials explain and explore philosophical issues that are relevant to core jurisprudential questions. Course work consists of regular class attendance and participation and a one-day take home exam. Open to cross-registrants from other schools.

Jurisprudence: Legal Ideals

Course #: 2140  Term: 2016SP  Faculty: Sargentich, Lewis
Credits: 3.00

Type: Elective  Subject Areas: Legal & Political Theory

Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:50 PM PND100
Tue 3:20 PM - 4:50 PM PND100

Course Description: Prerequisites: None.
Exam type: Last-class take-home.
The liberal ideal of legality yields both formalization of law (law as formal rules or doctrines) and idealization of law (law as principles and policies). The course examines formalization as portrayed by modern legal positivism (mainly H.L.A. Hart) and criticized by American legal realists. Then we will undertake a study of the idealizing tendency within law. We will consider accounts of legal ideals offered by liberal jurisprudence (mainly Fuller, Hart and Sacks, and Dworkin) and by contemporary critical jurisprudence.
Readings include some illustrative cases and commentary on particular legal doctrines and fields, though the focus is on more highly general theoretical argument. The course aims to develop a definite thesis about the structure and character of legal ideals and to provide a connected account of phenomena emphasized by critical legal studies such as theory in doctrine, conflicting ideals, legal ideology, legal legitimation, and transformative possibility.
Readings for the course are photocopied materials.
JuryX: Deliberations for Social Change

Course #: 2762  Term: 2016WI  Faculty: Nesson, Charles  Credits: 3.00
Type: Elective  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Mon 9:00 AM - 12:15 PM AUS100
Tue 9:00 AM - 12:15 PM AUS100
Wed 9:00 AM - 12:15 PM AUS100
Thu 9:00 AM - 12:15 PM AUS100
Fri 9:00 AM - 12:15 PM AUS100

Course Description: Prerequisites: None.
Exam: One-day take home.
The class will consider campus issues of law, race, class and gender. You will explore the concept of jury in both theory and practice. You will learn about the jury in political theory and history. You will engage as co-learners in small-group deliberations, real and virtual, synchronous and asynchronous. You will gain hands-on experience of persuading and being persuaded. You will learn about your self and your jury in relation to others. You will be stimulated to explore who you are.
We begin by deliberating several historical legal cases. These are warm-ups for deliberating major issues that we face in our place and time.
Students will write a paper (1500 words) and an exam essay (500 words), both due at the end of the exam period.
Note: This class is an HLS section of the HarvardX course "JuryX: Deliberations for Social Change."

Justice and Morality in the Plays of Shakespeare

Course #: 2179  Term: 2015FA  Faculty: Stone, Alan  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM LEW214B

Course Description: Prerequisites: None.
Exam Type: No exam.
King Lear, Othello, The Merchant of Venice, Titus Andronicus, Richard III, Hamlet, A Thousand Times More Fair by Kenji Yoshino (a law and literature take on the plays of Shakespeare), other commentary and film versions of each play.
The students will be expected to write and present four response papers in the course of the seminar. In addition there will be other classroom activities including two mock trials.
Justice and Private Law

Course #: 2756  Term: 2016SP  Faculty: Dorfman, Avihay  Credits: 2.00

Type: Elective  Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times: Tue 5:00 PM - 7:00 PM

Location: WCC5052

Course Description: Prerequisites: For JD1L students only, you must have completed Contracts, Torts and Property in order to enroll in this seminar.

Exam Type: No exam.

This seminar will explore the place of private law (contracts, torts, and property) in the theory of justice. For the last several decades there have been major breakthroughs in philosophical theories of justice, on the one hand, and in theoretical accounts of private law, on the other. The course will focus on these two intellectual traditions and, in particular, the nature of the connection(s) between the two. The course materials will discuss legal doctrine, legal theory, and political philosophy in order to understand what, if anything, should be the justice of private law. Sessions toward the end of the term will be dedicated to presentations of student work.

Labor & Employment Lab

Course #: 2845  Term: 2016SP  Faculty: Sachs, Benjamin  Credits: 2.00

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

Delivery Mode: Course

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

Location: WCC3036

Course Description: Prerequisites: There is no prerequisite for the course, though Employment Law or Labor Law is helpful background. Enrollment is limited to 12 and is by permission of the instructor. Interested students should email Professor Sachs (bsachs@law.harvard.edu) with a brief statement of interest, which may include your background in the subject area and/or topics you may be interested in pursuing.

Exam Type: No exam.

In this two unit course, students will generate and publish writing on labor and employment law, labor politics, and contemporary labor market trends including developments related to the on-demand/sharing economy. Class meetings will be highly interactive and collaborative. Part of each class session will be dedicated to developing research topics and part will be dedicated to discussing each other’s work. Students will be required to write four substantive posts of approximately 750-1000 words each to be published on the OnLabor blog (www.onlabor.org). The course will provide students interested in labor and employment the opportunity to research and write on cutting edge issues and to publish their work for a live and extensive audience.
Labor Law

Course #: 2142  Term: 2016SP  Faculty: Sachs, Benjamin  Credits: 4.00
Type: Elective  Subject Areas: Employment & Labor Law

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM AUS101
Fri 9:50 AM - 11:50 AM AUS101

Course Description: Prerequisites: None.
Exam type: One-day take-home.
This course will focus on the statutory, judicial, and administrative law governing the collective organization of workers and the interaction between such collective organizations and employers. The course will introduce students to the basics of traditional labor law and will explore how labor law is evolving in response both to innovative forms of labor-management relations and to changes in the composition of the U.S. labor force. The class will consider the legal status of privately negotiated processes for organizing and recognizing unions, state and local approaches to labor law innovation, and new forms of workplace organization. We will also explore the intersection of labor and immigration law, union participation in the political process, and emerging forms of worker organizing that rely not on the National Labor Relations Act but on other statutory regimes.

Law and Business

Course #: 2277  Term: 2015FS  Faculty: Subramanian, Guhan  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Seminar

Days and Times: Location
Tue 7:30 PM - 9:30 PM

Course Description: Open only to current JD/MBA third- and fourth-year students.

Note: This course will meet at HBS. Exact dates and times to be determined. Historically, the course has met 7-9pm on Tuesdays.

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

Course #: 2145  Term: 2015FA  Faculty: Kennedy, David  Credits: 4.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law

Delivery Mode: Course  Location

Days and Times:
Mon 1:00 PM - 3:00 PM  WCC2004
Tue 1:00 PM - 3:00 PM  WCC2004

Course Description: Prerequisites: For JD students only, the instructors permission is required. Please write one paragraph explaining your background and interest to dkennedy@law.harvard.edu. Exam Type: Last Class Take-Home
This course will explore past and present debates about the role of the legal order in economic development. We will explore the relationships among economic ideas, legal ideas and the development policies pursued at the national and international level in successive historical periods. We will focus on the potential for an alliance of heterogenous traditions from economics, law and other disciplines to understand development. Open to all graduate students.

Law and Economics

Course #: 2146  Term: 2016SP  Faculty: Shavell, Steven; Kaplow, Louis  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar  Location

Days and Times:
Tue 5:00 PM - 7:00 PM  HAU102

Course Description: Prerequisites: None. Exam type: No exam.
This seminar will provide students with an opportunity to engage with ongoing research in the economic analysis of law. At most of the meetings, invited speakers--some from the Law School--will present works in progress. Students are required to submit, before sessions, brief written comments on the papers to be presented. Enrollment in either or both terms is permitted. Some background in economics or law and economics is helpful; however, knowledge of technical economics is unnecessary.
Law and Economics

Course #: 2146  Term: 2015FA  Faculty: Kaplow, Louis; Shavell, Steven  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM HAU102

Course Description: Prerequisites: None. Some background in economics or law and economics is helpful; however, knowledge of technical economics is unnecessary. Exam Type: No exam. This seminar will provide students with an opportunity to engage with ongoing research in the economic analysis of law. At most of the meetings, invited speakers--some from the Law School--will present works in progress. Students are required to submit, before sessions, brief written comments on the papers to be presented. Enrollment in either or both terms is permitted.

Law and Economics: Valuation in the Law

Course #: 2767  Term: 2016SP  Faculty: Rowell, Arden  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times: Location
Wed 5:00 PM - 7:00 PM WCC5048

Course Description: Prerequisites: None. Exam Type: No exam. Students may satisfy the course requirements by submitting short response papers each week or by writing a longer seminar paper on an approved topic. The law routinely requires regulators, judges, juries, lawyers, and members of the public to put monetized values on nonmonetary harms and benefits. This process plays a fundamental role in determining the quantity of settlement agreements, tax basis, and damage awards, and is often responsible for determining the substantive outcomes of laws themselves: for the judgment of whether a defendant was negligent in failing to take costly precautions; for whether a regulatory agency will regulate a risk, and how stringently; for whether a thief has committed a misdemeanor or a felony. Yet as critical as the process of valuation is for many legal decisions, the process and implications of monetizing non-monetary impacts is rarely studied in law schools. This seminar will explore various behavioral, economic, philosophical, and policy implications of legal processes of valuation.
Law and Finance of Start-Up Companies

Course #: 2147  Term: 2016SP  Faculty: Ferrell, Allen; Forrest, Richard  Credits:  2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode:  Seminar

Days and Times:  Location
Mon 5:00 PM - 7:00 PM  WCC3011

Course Description:  Prerequisites: None.
Exam type: No exam.
This seminar will cover topics in the area of start-up company law. Topics include institutional and legal arrangements important to start-up companies, agency problems facing start-up firms and mechanisms to deal with these problems, contractual issues start-up companies face, and the structure and operation of venture capital funds.
Law and Modernist Art, Philosophy, and Culture

Course #: 2677  Term: 2015FA  Faculty: Brewer, Scott  Credits: 1.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Legal & Political Theory

Delivery Mode: Reading Group

Location

Days and Times: Wed 1:00 PM - 3:00 PM

WCC5048

Course Description: Prerequisites: None.

Exam type: No exam.

Modernism can be fairly described as a movement emerging in the late nineteenth century into the first several decades of the twentieth, cutting across the disciplines of philosophy, the literary, plastic (painting and sculpture) and performance arts (theater and music, as well as the emergent category of "performance art"). Attending Modernist works and actions in these domains was a more nebulous but identifiable culture of Modernist sensibility that included fashion, architecture, dance, and politics. Among the themes central to Modernism in these different areas are challenges to the confidence in progress thought to typify the Enlightenment, self-reference, self-consciousness and even skepticism about the capacity of language and art, and the faculty of reason accurately to represent an external world, and an emphasis on creativity in everyday life as a key to fulfillment or even spiritual liberation. Modernism has also had a distinct impact on philosophy (in work by philosophers deeply influenced by, for example, Friedrich Nietzsche and Immanuel Kant), on politico-artistic movements (such as Dada, Situationism, Futurism, and Surrealism), and on legal theory. In this reading group we will consider various Modernist currents and ideas, and pay close attention to ideas about how Modernism can (and has been thought by some prominent legal theorists to) inform our understanding of the nature of law and its actual, and its desired, operation in society. Course readings are from a variety of sources, including legal theory and the history and philosophy of aesthetics. We will also consider several paradigmatic Modernist works, including some by Pablo Picasso, Samuel Beckett, Marcel Duchamp and other Dadaists, Surrealists, Futurists, and the Situationists (who were deeply inspired by Modernist projects) Raoul Vaneigem and Guy Debord. The reading group presupposes no background in either art, art theory, philosophy, or legal theory - only a willingness to engage material in a spirit of serious play, playful seriousness, and careful reflective thought. Regular attendance and preparation are essential to the success of this reading group.

Note: This Reading Group meets Wednesdays, 1-3 pm, for 6 meetings, starting first week of Fall classes: September 9, September 23, October 7, October 21, November 4, November 18.
Law and Neuroscience

Course #: 2707  Term: 2016SP  Faculty: Gertner, Nancy  Credits: 2.00
Type: Elective  Subject Areas: Criminal Law & Procedure; Disciplinary Perspectives & Law
Delivery Mode: Seminar
Days and Times: Wed 5:00 PM - 7:00 PM
Location: WCC3007

Course Description: Prerequisites: By permission of the instructor.
Exam Type: No exam.
This seminar examines cutting edge and even controversial linkages between law and neuroscience. We seek to highlight neuroscientific basis for behavior patterns with legal implication including how neuroscience intersects with criminal law, its normative assumptions and criminal punishment, evidentiary rules, memory bias and enhancement, lie and deception detection, adolescent brains and juvenile law. We will look critically at efforts to use neuroimaging in court in connection with in the prediction of criminality and predispositions towards mental illness and addiction, as well as efforts to identify neurobiological influences on the brain. Is there such a thing as a criminally violent brain? Does it make sense to speak of the neurobiology of violence or the psychopathology of crime, and how are (or should) such concepts translated into criminal law. The seminar will necessarily lead us to consider the relationship between law and science, more generally, and neuroscience in particular. Speakers will provide insights into their work and research.

Law and Philosophy Seminar

Course #: 2470  Term: 2015FA  Faculty: Fallon, Richard; Kamm, Frances  Credits: 2.00
Type: Elective  Subject Areas: Legal & Political Theory
Delivery Mode: Seminar
Days and Times: Wed 5:00 PM - 7:00 PM
Location: WCC5048

Course Description: Prerequisite: Law students must have completed either Constitutional Law: First Amendment or Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment prior to enrolling in this seminar. FAS and HKS students must either have taken a course in Constitutional Law, have a background in Philosophy, or have taken DPI 201.
Exam Type: No exam.
This seminar will explore some of the ways in which philosophical analysis and discussions of what the law is and ought to be can enrich one another. Students in the seminar will write several short papers, focused on weekly readings, and a longer final paper. For roughly half of the weeks, the readings will be drafts of works-in-progress by philosophers, political theorists, and law professors who will present their work in the seminar. Note: This course is jointly listed with FAS as Philosophy 277 and HKS as DPI-260.
Law and Psychology: The Emotions

Course #: 2151  Term: 2015FA  Faculty: Cope, David  Credits: 2.00

Type: Elective  Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times: Tue 5:00 PM - 7:00 PM

Location: WCC5052

Course Description: Prerequisites: None. Exam Type: No exam.

Love, jealousy, guilt, anger, fear, greed, compassion, hope, and joy play important roles in the lives of lawyers and those with whom they interact. The most effective lawyers are not just good thinkers, they are also empathic students of human emotions. This seminar will offer students a chance to explore what is missing from the traditional law school rational actor model of human nature through discussion of readings, primarily from psychology (but with contributions from economics, biology, philosophy, and literature), about the nature and operation of the emotions, the use of emotion in persuasion and negotiation, emotions and the good life, and the role of emotions in moral and legal decision making. Students will be asked to write short papers (1-2 pages) on each weeks readings. There will be no required final examination or term paper.

Law and the International Economy

Course #: 1009  Term: 2016SP  Faculty: Wu, Mark  Credits: 4.00

Type: 1intl  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:
- Thu 9:50 AM - 11:50 AM
- Fri 9:50 AM - 11:50 AM

Location: PND101

Course Description: Prerequisites: None. Exam type: One-day take-home. This course is designed to introduce first-year students to the architecture of the international economic law system. Its emphasis is on elements of international law that affect cross-border economic transactions and deals. The first part of the course examines the nature and sources of international law. The course then shifts to provide an overview of international commercial litigation, the trade and investment regimes, and emergent areas such as international regulation of corruption and corporate social responsibility. The course will introduce students to the various types of law that affect cross-border transactions (bilateral and multilateral treaties, customary international law, domestic law, foreign law, and hard/soft law) as well as the various dispute resolution mechanisms available to resolve cross-border disputes (including domestic courts, international courts, international commercial arbitration, and investor-state disputes).

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

Course #: 2793  Term: 2016SP  Faculty: Cohen, Amy  Credits: 2.00

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

Delivery Mode: Seminar

Days and Times: Location
Mon 5:00 PM - 7:00 PM  WCC3038

Course Description:

Prerequisites: None.
Exam Type: No exam.

Debates about how food is produced and distributed are often debates about the structure of economic exchange - and thus also debates about the legal rules that govern markets. This seminar uses the provisioning of food to study the role of law in economic development. We will begin with a history of law and development that traces shifts in dominant development ideas over the twentieth century. We will then study three global shifts in the structure of agricultural production, distribution and trade that roughly parallel this historical periodization. Throughout this investigation, we will ask how law shapes food systems and facilitates their transformation and, in turn, how food law and food systems have contributed to development and, sometimes, baffled or misdirected it. We will devote the second part of the seminar to contemporary case studies that focus primarily on land, agriculture, food security, and food sovereignty. Here, we will pay particular attention to how different actors use law to challenge economic concentration and inequality in (global and local) food systems and thus to promote particular ideas of society and market reform. Students will write a research paper.

Some seats in the seminar are reserved for students who wish to develop a clinical project. Subject to my approval, clinical projects may be in a broad range of areas that engage law and development.
Law, Development and Global Policy Clinic

Course #: 8047  
Term: 2016SP  
Faculty: Cohen, Amy  
Credits: 3.00

Type: Clinic  
Subject Areas: International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Clinic

Course Description:
Students who enroll in this clinic may count the credits towards the JD experiential learning requirement.
Required Class Component: Law, Development and Global Food Policy (2 spring classroom credits).
Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If you choose to drop this clinic, you will also lose your seat in the required spring class component.
Additional Co-/PreRequisites: None.
By Permission: No.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements. Clinical placements will be offered in conjunction with the Law, Development and Global Food Policy seminar in Spring 2016. The seminar examines how law shapes food systems and facilitates their transformation and how different actors use the law to challenge economic concentration and inequality in global and local food systems. Clinical projects in law and development will be developed in conjunction with Visiting Professor Amy Cohen. Students are responsible for proposing an organization, identifying a supervisor (licensed to practice law) within the organization, and working with Professor Amy Cohen over the fall semester to develop a successful project to undertake in the spring. For more information, please contact the Office of Clinical and Pro Bono Programs (clinical@law.harvard.edu or 617-495-5202).

Law, Development, and Morality: An Examination of National Contradictions

Course #: 2808  
Term: 2015FA  
Faculty: Richman, Barak  
Credits: 1.00

Type: Elective  
Subject Areas: International, Comparative & Foreign Law; Legal & Political Theory

Delivery Mode: Reading Group

Course Description:
Prerequisites: None.
Exam Type: No exam.
This Reading Group explores how social morality, individualism, democratic values, and cultural identity are shaped during periods of rapid economic and legal change. We will begin reading foundational works by John Dewey, Reinhold Niebuhr, and Amartya Sen. We then will explore moments of time and place—America’s Gilded Age, mid-Twentieth Century Israel, and contemporary China, India, & Nigeria—through the lens of popular writings in both fiction and nonfiction. Through a sampling of different cultures, economies, and political systems, we will explore common trends to the challenge of development and the role that law and legal principles play during turbulent moments of history.
Note: This reading group will meet on the following dates: 9/8, 10/6, 10/20, 11/3, 11/17, 12/1.
Law, Economics and Psychology

Course #: 2669  Term: 2016SP  Faculty: Bar-Gill, Oren  Credits: 4.00

Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM WCC1023
Fri 9:50 AM - 11:50 AM WCC1023

Course Description: Prerequisites: None.
Exam Type: In-class exam.
The law aims to control, guide, or facilitate many aspects of human behavior. To achieve these goals legal policymakers should benefit from an accurate account of how people make decisions. One leading account is the rational choice model of neoclassical economics. We will review the important contributions made by traditional economic analysis of law based on the rational choice model. Recently psychologists and behavioral economists have begun to challenge the dominant rational choice account, arguing that in many circumstances the standard model fails to provide a satisfactory account of human decision-making. As a result, a new model is emerging - a model informed by a more nuanced understanding of the interrelations between the law, economics and psychology of decision-making. We will explore the implications of this new model for legal policy. Topics will include law enforcement, decision-making by judges and juries, pre-trial settlement negotiations, contract law, and tort law.

Law, Psychology, and Morality: An Exploration through Film

Course #: 2158  Term: 2016SP  Faculty: Stone, Alan  Credits: 2.00

Type: Elective  Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times: Location
Thu 5:00 PM - 7:00 PM WCC3011

Course Description: Prerequisites: None.
Exam type: No exam. Students must view John Sayles’s film Lone Star and submit a brief review before the first class. Requirements include regular class attendance and active participation in discussion. Students must write five short papers to be shared with other members of the seminar.
This seminar will deal with subjects at the intersection of law, psychology, and morality using film as a text. Subjects include: responsibility and community, love and redemption, reconstructing the claims of family, gender and sexual identity, narratives of justice and injustice, the lawyers identity, patriarchy and misogyny, and race and the subculture of poverty. Films shown in the past years include (director and title): Gorris, Antonia’s Line; Mikhalkov, Burnt by the Sun; Fassbinder, The Marriage of Maria Braun; Coppola, Apocalypse Now; Resnais, Hiroshima Mon Amour; Verhoeven, The Nasty Girl; Tarantino, Pulp Fiction; Hrebejk, Divided We Fall; van Diem, Character; Vidor, The Crowd: Visconti, Rocco and His Brothers; Zhang, The Story of Qui Ju; Zwick, Glory; Leigh, Secrets and Lies; Fellini, 8 1/2; Allen, Crimes and Misdemeanors; Lee, Do the Right Thing; Frears, My Beautiful Laundrette, and Sautet, Un Coeur en Hiver.
Laws, Markets, and Religions

Course #: 2159            Term: 2015FS            Faculty: Clark, Robert            Credits: 2.00
Type: Elective            Subject Areas: Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:            Location
Thu 5:00 PM - 7:00 PM          WCC5048

Course Description:
Prerequisites: None.
Exam Type: No exam.
Students will be asked to write a short response paper about the readings for each session. There will be twelve two-hour sessions (6 in the fall and 6 in the spring), which will usually be scheduled on an every-other-week basis.
This year-long seminar will explore articles and books that help to illuminate the characteristic attributes and the relative advantages and disadvantages of four major systems of social control: legal systems, markets, social groups, and the world religions. The readings may also provide comparative insight into the scope and the historical development of these differing systems. Readings may be chosen from a broad array of social-science disciplines, including sociology, psychology, evolutionary theory, and behavioral law and economics.

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

Lawyering for the President

Course #: 2160            Term: 2015FA            Faculty: Barron, David            Credits: 1.00
Type: Elective            Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:            Location
Thu 5:00 PM - 7:00 PM          WCC4063

Course Description:
Prerequisites: Permission of the instructor. Interested students should send a brief statement of interest and relevant background to Melinda Eakin eakin@law.harvard.edu by August 31.
Exam: No Exam.
This course, drawing on the practice experience of the instructor and literature in the area, will examine the ethics, strategy, and policy issues confronting lawyers advising the president. Particular attention will be given to some contemporary issues related to war, but the course will also examine broader theoretical debates and some well-known historical precedents.
Note: This reading group will meet every other week beginning on September 17th.
Drop Deadline: September 18th at 11:59 pm EST
Legal History Seminar: Continental Legal History

Course #: 2166  Term: 2016SP  Faculty: Donahue, Charles  Credits: 2.00

Type: Elective  Subject Areas: International, Comparative & Foreign Law; Legal History

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM  WCC3011

Course Description: Pre/Co-requisites: Concurrent registration in Continental Legal History, or equivalent preparation is required, as is the ability to read simple Latin prose. For JD1L students, permission of the instructor is required in order to enroll.

Exam type: No exam.

Around the year 1100 a small group of men in Bologna began to study Roman law with an intensity not witnessed in the previous centuries. About a generation later a somewhat different group began to do the same thing with canon law. The combined product of these two studies, known as the ius commune ("the common law"), became an essential part of the training of any respectable European jurist, and the influence of the ius commune on subsequent developments, up to and including the codifications of the 19th century, is very large indeed. This seminar will introduce students to the techniques of reading and analyzing works in the ius commune of the medieval and early modern periods with the goal of enabling students to write a series of short papers on some part of the ius commune (which then may be combined for a third-year paper).

Offered concurrently in the Faculty of Arts and Sciences as History 2080. Multilithed materials. Students not writing their third-year papers in conjunction with this seminar should sign up for an hour of independent written work with Professor Donahue.

Not expected to be offered in 2016-2017.
Legal History Workshop

Course #: 2596  Term: 2015FA  Faculty: Mack, Kenneth; Brown-Nagin, Tomiko  Credits: 2.00
Type: Elective  Subject Areas: Legal History

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM WCC4059

Course Description: Prerequisites: None.
Exam Type: No exam.
This workshop will examine major works in the field of legal history, important historiographical debates and critical methodologies. Students will participate in workshop presentations by leading scholars. Law students have a choice of enrolling in the workshop for two or three credits. Law students who choose to write a substantial paper will receive three credits upon successful completion of the course; law students who do not complete substantial papers will receive two credits. All FAS graduate students who enroll in the workshop must complete a substantial paper; all FAS students will receive four credits upon successful completion of the course.
Note: This course is jointly-listed with FAS as History 2475.
Legal History: Continental Legal History

Course #: 2165   Term: 2016SP   Faculty: Donahue, Charles   Credits: 3.00
Type: Elective   Subject Areas: International, Comparative & Foreign Law; Legal History
Delivery Mode: Course

Days and Times: Location
Mon 11:00 AM - 12:00 PM
Tue 10:15 AM - 11:45 AM WCC3007
Wed 11:00 AM - 12:00 PM

Course Description:
Prerequisites: None.
Exam type: No exam.
A survey of the main outlines of Continental European legal history from the fall of the Roman Empire to the codifications of the 19th century. The course will focus on the main expressions of European legal culture over this long period of time: the "barbarian law codes" (6th-10th centuries), the revival of the academic study of Roman and canon law (11th-13th centuries), the customary law (13th-16th centuries), the schools of academic law (14th-17th centuries: the "commentators", the "humanists", the "natural law school", and the process of codification (France and Germany, 18th and 19th centuries). In each period an effort is made to relate the types of law produced to the social, political, and religious history of the period. No background in continental legal history will be presumed. All readings will be in English. Van Caenegem, An Historical Introduction to Private Law (1992), and multilithed materials.

Note: This course will meet at both HLS and FAS. It meets at FAS in Sever 202 on Mondays and Wednesdays and at HLS on Tuesdays. The Tuesday classes will meet in WCC 3007. On Monday, February 15, the course will also meet in WCC 3007. Please contact the faculty for more details.
Legal History: The History of Capitalism in the Americas

Course #: 2778 Term: 2015FS Faculty: Mack, Kenneth Credits: 2.00

Type: Elective Subject Areas: Business Organization, Commercial Law, and Finance; Legal History

Delivery Mode: Seminar

Days and Times: Mon 4:00 PM - 6:00 PM

Location

Course Description:

Prerequisites: None.

Exam Type: No exam.

This seminar is co-taught by Sven Beckert, Laird Bell Professor of History at FAS, and Michael Zakim, University of Tel Aviv. This year-long seminar focuses on the history of modern capitalism. As modern capitalism becomes dominant across the globe, the need to understand it increases. Is it a form of market organization, a material or social phenomenon, an epistemological development, a set of legal categories, or a mode of governance? This seminar explores modern capitalism as an historical form of political economy, developed over the last three centuries, that may partake of all these dimensions. The seminar is designed to include both students who are interested in the in-depth study of capitalism as a political economic form, and faculty/scholars already engaged in that research who seek a forum for presenting works-in-progress. Student participants will be required to submit a final paper of twenty-five to thirty pages. Law students may write papers that satisfy Option 1 of the JD Written Work Requirement in conjunction with the seminar. Cross-registrants are encouraged to apply.

The seminar will include sessions focused on influential works that have contributed a working vocabulary to current debates over capitalism. In alternating sessions, we will discuss new research by faculty, associated scholars, and guests. The seminar will run biweekly during the Fall 2015 and Spring 2016 semesters. This seminar is cross-listed with the Faculty of Arts and Sciences and is offered in conjunction with the annual workshop sponsored by the Charles Warren Center for Studies in American History. In addition to law students, participants will include graduate students, Warren Center fellows, and guest speakers.

Note: This seminar is jointly-listed with FAS as History 2482A/B. It usually runs as Legal History: The Political Economy of Modern Capitalism. The seminar will meet at FAS in the Robinson Hall Lower Library.
Legal Profession

Course #: 2169  Term: 2015FA  Faculty: Kaufman, Andrew  Credits: 3.00
Type: Legalprof  Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode:  Course

Days and Times:  Location

Mon 8:30 AM - 10:00 AM  WCC1023
Tue 8:30 AM - 10:00 AM  WCC1023

Course Description:  Prerequisites: None  Exam Type: In Class  Grades will be based principally on a final in-class examination (or, alternatively, a 5000-word paper on an approved topic) but also, to some extent, on class participation or assigned classroom exercises. This course considers three categories of materials. First, we will study the nature of professionalism in American society with readings and problems dealing with practical issues of professional responsibility faced by lawyers in the daily routine of private practice. Second, we will deal with issues faced by the profession as a whole, including the ways of providing effective legal services to all members of the community, regulation of competition, and the imposition of professional discipline. Third, we will also look at the organization and demographics of the profession, its units of practice, and what professional life is like in the twenty-first century. The course also invites students to address the questions: What kind of lawyer do I want to be, and to what kind of profession do I wish to belong?

The materials will be Kaufman and Wilkins, Problems in Professional Responsibility for a Changing Profession (5th edition), and Professional Responsibility Standards, Rules & Statutes (Dzienkowski, latest abridged edition).

Note: This course satisfies the Professional Responsibility requirement and will be included in the Legal Profession registration round. This course is only available to JD 3Ls and LLM students.

Legal Profession

Course #: 2169  Term: 2015FA  Faculty: Luban, David  Credits: 3.00
Type: Legalprof  Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode:  Course

Days and Times:  Location

Mon 10:20 AM - 11:50 AM  WCCB010
Tue 10:20 AM - 11:50 AM  WCCB010

Course Description:  Prerequisites: None  Exam Type: One-Day Take-Home  This course offers an overview and analysis of legal ethics from multiple standpoints. First, we will study the law of lawyering - the body of law regulating the conduct of lawyers. Second, we will ask what that body of law has to do with ethics - in other words, where is the ethics in legal ethics? To explore that question will require examining the nature of legal professionalism and its ideology, bringing in relevant ideas from moral and political theory. Third, we will examine ethical problems drawn from a variety of practice settings - private law firms, government agencies, criminal defense and prosecution, and public interest law. Fourth, we will study the way the market for legal services works or fails to work in meeting legal need. The basic text for the course is Rhode, Luban, and Cummings, Legal Ethics (6th ed., 2013), with a few supplemental readings. Note: This course satisfies the Professional Responsibility requirement.
Legal Profession

Course #: 2169  Term: 2015FA  Faculty: Gordon-Reed, Annette  Credits: 3.00
Type: Legalprof  Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility
Delivery Mode: Course

Days and Times:  
Tue 3:20 PM - 4:50 PM  Location: WCC2009
Wed 3:20 PM - 4:50 PM  WCC2009

Course Description: Prerequisites: None

Exam Type: One Day Take-Home

Grades will be based principally on a final take-home examination (or, alternatively, a 5000-word paper on an approved topic) but also, to some extent, on class participation or assigned classroom exercises.

This course considers three categories of materials. First, we will study the nature of professionalism in American society with readings and problems dealing with practical issues of professional responsibility faced by lawyers in the daily routine of private practice. Second, we will deal with issues faced by the profession as a whole, including the ways of providing effective legal services to all members of the community, regulation of competition, and the imposition of professional discipline. Third, we will also look at the organization and demographics of the profession, its units of practice, and what professional life is like in the twenty-first century. The course also invites students to address the questions: What kind of lawyer do I want to be, and to what kind of profession do I wish to belong?

Note: This course satisfies the Professional Responsibility requirement and will be included in the Legal Profession registration round. This course is only available to JD 3Ls and LLM students.
Legal Profession

Course #: 2169  
Term: 2015FA  
Faculty: Dacey, Timothy  
Credits: 3.00

Type: Legalprof  
Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Daily and Times:  
Thu 10:00 AM - 11:30 AM  
Fri 10:00 AM - 11:30 AM  
Location  
WCC1015

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: In-Class

Ethical issues can arise in any type of practice and at any point in a lawyer's work, often unexpectedly, in medias res. In this course, students will learn how to identify and respond to such issues. The course will focus on the types of problems a lawyer will encounter in daily practice, especially in litigation and transactional work, and on the rules of professional conduct, case law and other considerations that a lawyer is expected to take into account in resolving such issues. We will examine issues both from the perspective of a lawyer starting out in practice and a more experienced lawyer with supervisory responsibility, and will consider the different types of practice and the different institutional settings in which such problems arise. In addition, we will discuss challenges to the professions legal and regulatory framework posed by developments such as outsourcing, the continuing growth of large, multi-national law firms, the increasing role of in-house counsel, and innovations in the marketing of legal services.

Note: This course satisfies the Professional Responsibility requirement and will be included in the Legal Profession registration round. This course is only available to JD 3Ls and LLM students.
Legal Profession

Course #: 2169  
Term: 2015FA  
Faculty: DeStefano, Michele  
Credits: 3.00

Type: Legalprof  
Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:  
Tue 5:00 PM - 6:30 PM  
Wed 5:00 PM - 6:30 PM  
Location: WCC2004

Course Description: Prerequisites: None.
Exam Type: In-class exam.
This course examines the organization, operation, and ideology of the legal profession. It has three objectives. First, the course attempts to demonstrate that lawyers are often confronted with difficult ethical decisions. Therefore, students will be encouraged to assess the practical consequences and theoretical justifications for various responses to these ethical questions. Second, the course will examine the changing ways in which legal services are provided and regulated both within and outside the United States and how these changes affect 1) the character and ideology of the legal profession; 2) the organization and operation of legal service providers (including large corporate law firms, legal services offices, public interest practice, corporate legal departments, and alternative or disruptive law-related offerings like virtual law firms, law consulting, compliance, and litigation funding; and, 3) the careers of lawyers. Lastly, the course will challenge students to analyze the competing conceptions of lawyers, how lawyers are portrayed in the media and how they brand themselves, what roles they play (or are expected to play) and how they work (independently, collaboratively, and/or globally). Through course materials and a few team projects, this course will encourage students to think critically about the legal profession, the impact globalization and technology has had on the delivery of legal services, what it means to be a lawyer, and what type of lawyers they want to be.

Note: This course satisfies the Professional Responsibility requirement.
Legal Profession

Course #: 2169  Term: 2016SP  Faculty: Sawyer, Logan  Credits: 3.00
Type: Elective  Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility
Delivery Mode: Course

Days and Times: Location
Mon 1:30 PM - 3:00 PM  WCCB015
Tue 1:30 PM - 3:00 PM  WCCB015

Course Description: Prerequisites: None.
Exam Type: In-class exam.
This course provides an overview of the legal rules and principles that govern the legal profession. It emphasizes, but is not limited to, the Model Rules of Professional Conduct. It asks how those rules and principles have been shaped by ethical concerns, the ideology of professionalism, the practice of lawyer self-regulation, and the institutional concerns of the court system. Class will emphasize the discussion and analysis of problems faced by practicing lawyers. We will examine topics including the duty of confidentiality, the attorney-client privilege, conflicts of interest, ethics in advocacy, ethical issues in representing organizational clients, and advertising.
Note: This course satisfies the Professional Responsibility requirement.

Legal Profession

Course #: 2169  Term: 2016SP  Faculty: Sawyer, Logan  Credits: 3.00
Type: Elective  Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility
Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:50 PM  WCC1010
Tue 3:20 PM - 4:50 PM  WCC1010

Course Description: Prerequisites: None.
Exam Type: In-class exam.
This course provides an overview of the legal rules and principles that govern the legal profession. It emphasizes, but is not limited to, the Model Rules of Professional Conduct. It asks how those rules and principles have been shaped by ethical concerns, the ideology of professionalism, the practice of lawyer self-regulation, and the institutional concerns of the court system. Class will emphasize the discussion and analysis of problems faced by practicing lawyers. We will examine topics including the duty of confidentiality, the attorney-client privilege, conflicts of interest, ethics in advocacy, ethical issues in representing organizational clients, and advertising.
Note: This course satisfies the Professional Responsibility requirement.
Legal Profession - The New Market for Personal Legal Services: Ethical and Professional Challenges

Course #: 2169  
Term: 2015FA  
Faculty: Charn, Jeanne  
Credits: 3.00

Type: Legalprof  
Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:  
Mon 1:00 PM - 2:30 PM  
WCCB010
Tue 1:00 PM - 2:30 PM  
WCCB010

Course Description: Prerequisites: NoneExam Type: None In lieu of a final exam, students will, in consultation with the course instructor, investigate and report on the efficacy, ethics and feasibility of one or more service innovations. Whether in solo, small firm or not for profit legal aid offices, new modes of serving clients of modest means offer promise of expanded access to legal advice and assistance but also pose ethical and professional challenges for the personal service bar. This course explores new modes of practice such as: discrete task representation (unbundled legal services), collaborative law practice, advice and hot line services, on-line advice services, virtual law practices, and participation in court based lawyer of the day and other on-site assistance for self-represented litigants. We will also consider the professional duty to provide pro bono services, review the rule and code changes enacted to accommodate new modes of practice, and study leading ethical opinions and judicial rulings relevant to service innovations. In addition to a focus on the law and ethics of the profession, we will consider practical issues such as law practice management, developing a sound business plan, participating in referral services, assuring service quality, assessing the outcome and cost-effectiveness of different approaches to service delivery, understanding typical legal needs of people of modest means, and assuring that prospective clients/consumers of legal services understand the service options available to them.

Some seats are reserved for students in the fall Delivery of Legal Services clinic. Students who enroll in the fall Delivery of Legal Services clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the fall Delivery of Legal Services clinic they will also lose their reserved seat in this course. Please note that this course has an early drop deadline of September 3, 2015 for students enrolled in reserved clinical seats.

Note: This course satisfies the Professional Responsibility requirement.
Legal Profession - The New Market for Personal Legal Services: Ethical and Professional Challenges

Course #: 2169  Term: 2016SP  Faculty: Charn, Jeanne  Credits: 3.00

Type: Legalprof  Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:50 PM WCCB010
Tue 3:20 PM - 4:50 PM WCCB010

Course Description: Prerequisites: None.
Exam Type: No exam.
Whether in solo, small firm or not for profit legal aid offices, new modes of serving clients of modest means offer promise of expanded access to legal advice and assistance but also pose ethical and professional challenges for the personal service bar. This course explores new modes of practice such as: discrete task representation (unbundled legal services), collaborative law practice, advice and hot line services, on-line advice services, virtual law practices, and participation in court based lawyer of the day and other on-site assistance for self-represented litigants. We will also consider the professional duty to provide pro bono services, review the rule and code changes enacted to accommodate new modes of practice, and study leading ethical opinions and judicial rulings relevant to service innovations. In addition to a focus on the law and ethics of the profession, we will consider practical issues such as law practice management, developing a sound business plan, participating in referral services, assuring service quality, assessing the outcome and cost-effectiveness of different approaches to service delivery, understanding typical legal needs of people of modest means, and assuring that prospective clients/consumers of legal services understand the service options available to them. In lieu of a final exam, students will, in consultation with the course instructor, investigate and report on the efficacy, ethics and feasibility of one or more service innovations.

Some seats are reserved for students in the spring Delivery of Legal Services clinic. Students who enroll in the spring Delivery of Legal Services clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the spring Delivery of Legal Services clinic they will also lose their reserved seat in this course. Please note that this course has an early drop deadline of January 15, 2016 for students enrolled in reserved clinical seats.

Note: This course satisfies the Professional Responsibility requirement.
Legal Profession: Collaborative Law

Course #: 2169  
Term: 2015FA  
Faculty: Hoffman, David  
Credits: 3.00

Type: Legalprof  
Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times: Thu 4:00 PM - 7:00 PM  
Location: WCC3019

Course Description: Prerequisites: This course is only available to JD 3Ls and LLM students. Exam Type: Last Class Takehome
In addition to the final exam, students will submit a one-page reading response for each class. Readings for the course will be photocopied materials. The practice of law has been transformed in recent years by the emergence of Collaborative Law and the role of settlement counsel. In these new forms of practice, the lawyer focuses on problem-solving and achieving an interest-based solution that works for all parties. Collaborative Law practice has been approved as consistent with the ABAs Model Rules of Professional Conduct, in a 2007 opinion by the ABA Ethics Committee. This course examines how Collaborative Law meshes with the requirements of the ABAs Model Rules of Professional Conduct, and in particular the Rules requirement of "zealous" advocacy.

The course will examine such questions as the following: (a) in a setting in which the parties and counsel have agreed to negotiate cooperatively and share all relevant information, how do lawyers balance that expectation with the Model Rules requirement that lawyers protect the confidentiality of communications with their clients; (b) in Collaborative Law cases, where lawyers and clients agree that the lawyers shall be involved only in negotiations and are disqualified from representing the client in court, how do lawyers assure themselves that the clients are giving fully informed consent to these arrangements as required by the Model Rules: and (c) how do lawyers who are seeking to work cooperatively with each other and to seek solutions that meet the needs of all parties reconcile those objectives with their duty under the Model Rules of unfettered loyalty to their clients. This course will examine ethical dilemmas of this kind with case studies, role plays, and small group discussion. The course will also look comprehensively at the Model Rules and explore how lawyers can manage the tensions between the Rules and the norms of Collaborative Practice.

Note: This course satisfies the Professional Responsibility requirement and will be included in the Legal Profession registration round.
Legal Profession: Government Ethics - Scandal and Reform

Course #: 2169  Term: 2016WI  Faculty: Rizzi, Robert; Borden, Charles  Credits: 3.00
Type: Legalprof  Subject Areas: Legal Profession, Legal Ethics & Professional Responsibility

Course Description: Prerequisites: None
Exam Type: No Exam

The course will focus on the rapidly-changing legal system that is designed to regulate government ethics. The course will allow students to explore the legal and associated challenges for lawyers who represent clients in ethics-related matters, as well as for lawyers in the government who are charged with applying these complex and onerous rules to federal employees.

Over the past few years, numerous ethics-related scandals have led to a substantial overhaul of federal ethics law for all three branches of government, with the result that government employees are now subject to more stringent ethical restrictions than they have been in the past. At the same time, growing media scrutiny has made the reputational consequences to individuals and companies caught up in ethics scandals exceptionally severe, even in cases where no legal violation is ultimately established. Providing effective counsel to public sector and private sector clients thus increasingly requires an appreciation of both the legal and non-legal dimensions of ethics-related representations.

The course will concentrate primarily on the ethics rules that apply to individuals appointed to or serving in Executive Branch positions, although comparisons with rules in the other Branches will be addressed. The course will follow the timeline for appointees from initial selection to Senate confirmation, and will use case studies from recent administrations. The course will analyze the legal and practical questions that lawyers must address at each stage of government service, from initial appointment to departure from office. The course will also examine the ethics issues that arise for appointees upon their return to the private sector.

The course will involve readings from a wide range of sources; examination of a number of case studies; analysis of statutes, regulations and case law; and discussion of various approaches to the regulation of ethical behavior by government officials. Students will be expected to become familiar with the principal rules and authorities and with the basic tools used to regulate ethical behavior of government officials and with the role of the lawyer -- both in the government and in the private sector -- in the representation of parties involved in the system of government ethics.

Note: This course satisfies the Professional Responsibility requirement and will be included in the Legal Profession registration round. This course is only available to JD 3Ls and LLM students.
Legal Research, Writing and Analysis I

Course #: 2541  Term: 2015FA  Faculty: Taggart, Christopher  Credits: 1.00
Type: Elective  Subject Areas: Procedure & Practice

Course Description: Prerequisites: None Exam Type: No Exam This series of lectures and discussions is designed to introduce foreign-educated LL.M. students to the sources of U.S. law and the overall structure of the U.S. legal system, including the court system. These lectures and discussions serve to provide background information for students wishing to understand how U.S. lawyers analyze and frame legal positions and present their arguments and conclusions. Topics covered will include: how to read a case, the hierarchy of legal authorities, holdings vs. dicta, precedential argument by analogy, and American Legal Realism. The course will be taught by a team led by Christopher Taggart, with some guest lectures given by members of the Law School faculty, and will meet for a minimum of twelve hours during late August. Note: This course will be graded Credit/Fail; attendance at all sessions is mandatory. Note: Enrollment is limited to foreign-educated LL.M. students.

Legal Research, Writing and Analysis II

Course #: 2541  Term: 2015FA  Faculty: Taggart, Christopher  Credits: 2.00
Type: Elective  Subject Areas: Procedure & Practice

Course Description: Prerequisites: None Exam Type: No Exam This course introduces foreign-educated LL.M. students to the way U.S. lawyers analyze and frame legal positions, conduct legal research, and present their work in writing. (It presupposes the lectures and work completed in the LRWA I "Perspectives" series that occurs during late summer orientation.) During the fall semester, students learn research, writing, and analytical skills by preparing legal memoranda and becoming familiar with how to access legal research materials. Note: Enrollment is limited to foreign-educated LL.M. students and is designed specifically for those who wish to qualify for the New York State Bar Exam.
Legal Research, Writing and Analysis II

Course #: 2541  
Term: 2015FS  
Faculty: Taggart, Christopher  
Credits: 2.00

Type: Elective  
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:  
Tue 7:15 PM - 9:15 PM

Location: HAU104

Course Description: Prerequisites: NoneExam Type: No ExamThis course introduces foreign-educated LL.M. students to the way U.S. lawyers analyze and frame legal positions, conduct legal research, and present their work in writing. (It presupposes the lectures and work completed in the LRWA I "Perspectives" series that occurs during late summer orientation.) During the fall semester, students learn research, writing, and analytical skills by preparing legal memoranda and becoming familiar with how to access legal research materials.

Note: Enrollment is limited to foreign-educated LL.M. students and is designed specifically for those who wish to qualify for the New York State Bar Exam.
Legal Research: Advanced

Course #: 2173  Term: 2015FA  Faculty: Wise, Virginia  Credits: 3.00
Type: Elective  Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:  Location
Mon 10:20 AM - 11:50 AM  HAU101
Tue 10:20 AM - 11:50 AM  HAU101

Course Description: Prerequisites: For LLM students only, permission from the instructor is required for enrollment. Exam Type: No Exam

Students taking the course for three credits will be required to complete a series of eight research assignments throughout the term using print and online sources, two in-class quizzes announced in advance, and one short (20 page) paper. There is no final examination. American legal research in the twenty-first century offers an often bewildering array of options. This course will offer an in-depth exposure to the dissemination and use of legal information in various formats, including print, Lexis, Westlaw, and the Internet. Emphasis will be placed on contemporary developments, Key Search, Bloomberg, and emerging Internet providers of information. The course will focus on practical techniques and strategies for research, but will include some examination of information policy issues. Students should find the course particularly useful to prepare for conducting third-year paper research, writing and editing for law reviews, participating in clinical courses, working as a faculty research assistant, serving a judicial clerkship, practicing law, or becoming a legal academic.

At the end of the course students should be able to find current and retrospective cases, records and briefs, verdicts, settlements and other litigation materials, statutes, administrative rules and regulations, administrative decisions, and periodical articles and books in print and online from any U.S. jurisdiction. Students will be able to compile legislative histories and use legal looseleaf services. They will be proficient in using online catalogs to retrieve materials both at Harvard and at other institutions. They will receive an introduction to an array of non-legal material available through Nexis, Harvard Libraries E Resources, and on Westlaw which may be useful for legal researchers.

The course will meet once each week for an hour and 30 minutes in a lecture setting and for one hour and 30 minutes each week in the computer lab.

Students may elect to write a paper for 1 extra credit in this course. This paper may, but need not be, written to satisfy Option 1 of the J.D. Written Work Requirement. Students electing this option will be expected to complete an extensive (40-60 pages) research guide in a given subject area chosen by the student. This guide is intended to apply and synthesize the practical knowledge gained during the course.

Course materials will include a legal research textbook, the Bluebook, and supplementary materials distributed by the instructor.
Legal Research: Advanced

<table>
<thead>
<tr>
<th>Course #</th>
<th>2173</th>
<th>Term: 2016SP</th>
<th>Faculty: Wise, Virginia</th>
<th>Credits: 3.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>Elective</td>
<td>Subject Areas: Procedure &amp; Practice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode:</td>
<td>Course</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon 10:20 AM - 11:50 AM</td>
<td>WCC3016</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tue 10:20 AM - 11:50 AM</td>
<td>WCC3016</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Prerequisite: For LLM students, you must have taken Introduction to American and International Legal Research or have permission of the instructor.

Course Description:

Exam Type: No exam.
American legal research in the twenty-first century offers an often bewildering array of options. This course will offer an in-depth exposure to the dissemination and use of legal information in various formats, including print, Lexis, Westlaw, and the Internet. Emphasis will be placed on contemporary developments, Key Search, Bloomberg, and emerging Internet providers of information. The course will focus on practical techniques and strategies for research, but will include some examination of information policy issues. Students should find the course particularly useful to prepare for conducting third-year paper research, writing and editing for law reviews, participating in clinical courses, working as a faculty research assistant, serving a judicial clerkship, practicing law, or becoming a legal academic.

At the end of the course students should be able to find current and retrospective cases, records and briefs, verdicts, settlements and other litigation materials, statutes, administrative rules and regulations, administrative decisions, and periodical articles and books in print and online from any U.S. jurisdiction. Students will be able to compile legislative histories and use legal looseleaf services. They will be proficient in using online catalogs to retrieve materials both at Harvard and at other institutions. They will receive an introduction to an array of non-legal material available through Nexis, Harvard Libraries E Resources, and on Westlaw which may be useful for legal researchers.

The course will meet once each week for an hour and 30 minutes in a lecture setting and for one hour and 30 minutes each week in the computer lab. Students taking the course for three credits will be required to complete a series of eight research assignments throughout the term using print and online sources, two in-class quizzes announced in advance, and one short (20 page) paper. There is no final examination.

Students may elect to write a paper for 1 extra credit in this course. This paper may, but need not be, written to satisfy Option 1 of the J.D. Written Work Requirement. Students electing this option will be expected to complete an extensive (40-60 pages) research guide in a given subject area chosen by the student. This guide is intended to apply and synthesize the practical knowledge gained during the course.

Course materials will include a legal research textbook, the Bluebook, and supplementary materials distributed by the instructor.
Legal Research: International, Foreign, and Comparative

Course #: 2174  Term: 2016SP  Faculty: Wise, Virginia  Credits: 3.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law; Procedure & Practice
Delivery Mode: Course

Days and Times:  Location
Mon 1:00 PM - 2:30 PM  WCC3012
Tue 1:00 PM - 2:30 PM  WCC3012

Course Description: Prerequisite: For LLM students only, you must have taken Introduction to American and International Legal Research or have permission of the instructor.
Exam Type: No exam.
This course will provide an overview of research in international, foreign, and comparative law. As legal practice becomes more global, Harvard-educated lawyers need to be able to conduct research worldwide. The course should be especially valuable to students expecting to fill their third-year paper requirement on an international, foreign, or comparative law topic, journal editors editing and working on foreign and international materials, students planning to work in U.S. firms, government agencies, or NGOs with foreign or international concerns, or to work abroad.

Emphasis will be placed on the use of Internet, and online sources such as Lexis and Westlaw. Approximately half the course will explore formal international law by examining treaty research, both U.S. and non-U.S., and use of sources, such as the international law digests, Restatement on Foreign Relations, and United Nations documents. The European Union will serve as a model for doing research using regional organizations legal materials. Although it will obviously not be possible to cover all non-U.S. jurisdictions, the foreign law component of the course will use one non-U.S. common law jurisdiction and one civil law jurisdiction as paradigms of the structure of legal information in those systems. Students should be able to find legal materials, including books and periodicals, in English and foreign languages at Harvard and elsewhere around the world, upon completion of this course.

The course meets twice a week, one day in a lecture setting and one day in the computer lab. Students taking the course for three credits will be required to complete a series of eight legal research assignments requiring the use of print and online sources, take two quizzes announced in advance, and complete one short (20 page) paper. There is no final examination in this course. As with any study of international, foreign, or comparative law, some knowledge of a language other than English is useful, but not required for the course. Legal Research: Advanced is not a prerequisite for this course.

Students may elect to write a long paper for one hour extra credit in this course. Students electing this option will be expected to complete an extensive (40-60 page) research guide in a given subject area chosen by the student. This guide is intended to apply and synthesize the practical knowledge gained during the course.

Course materials will consist of a textbook, photocopied materials prepared by the instructor and publishers explanatory handouts.
Legal Research: Introduction to American and International Legal Research

Course #: 2175  Term: 2015FA  Faculty: Wise, Virginia  Credits: 1.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law; Procedure & Practice
Delivery Mode: Course
Days and Times: Location
Wed 1:00 PM - 3:00 PM

Course Description: Prerequisites: None  Exam Type: No Exam
Designed for LL.M. students from countries other than the United States, this one-credit credit/fail course will be taught in two-hour modules for the first two months of the term. This course will cover sources of information about the location of cases, statutes, administrative regulations and decisions, books, and periodical articles. It will introduce computerized legal research aids such as Harvard Libraries E Resources, Westlaw, and Lexis. A limited overview of international law sources will also be offered. The course will emphasize actual use of the materials in a series of legal research exercises. Satisfactory completion of all exercises and two quizzes will be required.

Note: Enrollment is limited to LL.M. students from countries other than the United States. This course will meet in the Langdell Library Computer Lab.

Legal Thought Now

Course #: 2389  Term: 2016SP  Faculty: Unger, Roberto Mangabeira  Credits: 2.00
Type: Elective  Subject Areas: Legal & Political Theory
Delivery Mode: Course
Days and Times: Location
Mon 1:00 PM - 3:00 PM  HAU104

Course Description: Prerequisites: None  Exam: Take-home exam, not administered by HLS
Law is the institutional form of the life of a people. It embodies the formative institutions and assumptions of society. But law is never a closed system: we can enlist its disharmonies in the service of reimagination and reform.

This course considers the character and consequences of a practice of legal analysis, couched in the language of purpose, policy, and principle, that has become dominant in the United States and in much of the world. It asks how we might change this practice to make it both more realistic about established law and more useful to the development of alternative futures for society. It provides an introduction to jurisprudence from the standpoint of an interest in transformation.

Note: This course is jointly offered with the Faculty of Arts and Sciences (Department of Government) as Government 1096.
Legal Writing: Advanced

Course #: 2178  Term: 2015FA  Faculty: Burling, Philip  Credits: 2.00
Type: Elective  Subject Areas: Procedure & Practice
Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:20 PM LEW102
Wed 3:20 PM - 4:20 PM LEW102

Course Description: Prerequisites: For LLM students only, instructor permission is required
Exam Type: No Exam
Each class session will explore a factual situation that calls for a type of legal writing. After each class, there will be a short writing assignment asking the student to deal with the problem in a paper using the relevant type of legal writing. Between classes, students will meet with the instructor to go over his comments and edits in the way that a junior lawyer can expect to meet with a superior in a law office. This course provides advanced training in legal writing across the range of situations typically met by the practicing lawyer and in the ways that different types of legal writing help to solve clients problems. Using the format of a small class and one-on-one sessions with the instructor, this course will examine the way that practicing lawyers use writing for the varying types of tasks which they perform. The course asks students to distinguish between the types of writing that lawyers use for transactions, litigation, statutes, and client communication and helps them to decide how to use those four types of legal writing in particular situations.
Note: The course will be graded on a Credit/Fail basis.
### Legal Writing: Advanced

<table>
<thead>
<tr>
<th>Course #: 2178</th>
<th>Term: 2016SP</th>
<th>Faculty: Burling, Philip</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Procedure &amp; Practice</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Days and Times: Location
- Mon 3:20 PM - 4:20 PM LEW301
- Wed 3:20 PM - 4:20 PM LEW301

#### Course Description:
Prerequisites: For LLM students only, instructor permission is required. 
Exam Type: No exam.

This course provides advanced training in legal writing across the range of situations typically met by the practicing lawyer and in the ways that different types of legal writing help to solve clients problems. Using the format of a small class and one-on-one sessions with the instructor, this course will examine the way that practicing lawyers use writing for the varying types of tasks which they perform. The course asks students to distinguish between the types of writing that lawyers use for transactions, litigation, statutes, and client communication and helps them to decide how to use those four types of legal writing in particular situations. Each class session will explore a factual situation that calls for a type of legal writing. After each class, there will be a short writing assignment asking the student to deal with the problem in a paper using the relevant type of legal writing. Between classes, students will meet with the instructor to go over his comments and edits in the way that a junior lawyer can expect to meet with a superior in a law office.

Note: The course will be graded on a Credit/Fail basis.

---

### Legislation and Regulation 1

<table>
<thead>
<tr>
<th>Course #: 1003</th>
<th>Term: 2015FA</th>
<th>Faculty: Davies, Susan</th>
<th>Credits: 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Days and Times: Location
- Mon 8:10 AM - 10:10 AM WCC2009
- Tue 8:10 AM - 10:10 AM WCC2009

#### Course Description:
Exam type: One-day take-home. Legislation and Regulation is an introduction to lawmaking in the modern administrative state. It will examine the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and administrative agencies -- interpret and apply these laws. It will consider, in particular, the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts.
### Legislation and Regulation 2

<table>
<thead>
<tr>
<th>Course #: 1003</th>
<th>Term: 2016SP</th>
<th>Faculty: Manning, John</th>
<th>Credits: 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Mon 1:00 PM - 3:00 PM</td>
<td>WCC1015</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tue 1:00 PM - 3:00 PM</td>
<td>WCC1015</td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:** Exam type: In Class.
Legislation and Regulation is an introduction to lawmaking in the modern administrative state. It will examine the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and administrative agencies -- interpret and apply these laws. It will consider, in particular, the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts.

### Legislation and Regulation 3

<table>
<thead>
<tr>
<th>Course #: 1003</th>
<th>Term: 2016SP</th>
<th>Faculty: Rowell, Arden</th>
<th>Credits: 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: 1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td>Location</td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Mon 1:00 PM - 3:00 PM</td>
<td>WCC1019</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tue 1:00 PM - 3:00 PM</td>
<td>WCC1019</td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:** Exam type: One-day take-home.
This course is an introduction to lawmaking in the administrative state. It will explore and compare the processes through which legislatures and agencies create legal rules, and through which agencies and courts interpret statutes. We will study the architecture of the federal administrative state, the institutional dynamics of federal administrative policymaking, and the legal rules that structure relationships between and among agencies, legislatures, courts and other actors.
Legislation and Regulation 4

Course #: 1003  Term: 2016SP  Faculty: Tushnet, Mark  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times:  Location
Mon 10:20 AM - 11:40 AM  WCC1019
Tue 10:20 AM - 11:40 AM  WCC1019
Wed 10:20 AM - 11:40 AM  WCC1019

Course Description: Exam type: One-day take-home.
Legislation and Regulation is an introduction to lawmaking in the modern administrative state. It will examine the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and administrative agencies -- interpret and apply these laws. It will consider, in particular, the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts.

Legislation and Regulation 5

Course #: 1003  Term: 2016SP  Faculty: Beermann, Jack  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times:  Location
Thu 8:30 AM - 9:40 AM  WCC1015
Fri 8:30 AM - 9:40 AM  WCC1015
Wed 8:30 AM - 10:10 AM  WCC1015

Course Description: Note: This course will meet from 8:30-10:10a on Wednesdays and 8:30-9:40a on Thursdays and Fridays.
Legislation and Regulation is an introduction to lawmaking in the modern administrative state. It will examine the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and administrative agencies -- interpret and apply these laws. The course will cover, among other topics, the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts.
### Legislation and Regulation 6

<table>
<thead>
<tr>
<th>Course #</th>
<th>1003</th>
<th>Term: 2016SP</th>
<th>Faculty: Gersen, Jacob</th>
<th>Credits: 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wed 1:00 PM - 3:00 PM</td>
<td>WCC1023</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thu 1:00 PM - 3:00 PM</td>
<td>WCC1023</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:** Exam type: One-day take-home. This course is an introduction to lawmaking in the administrative state, including the enactment of rules by legislatures and administrative agencies, and the interpretation of statutes by administrative agencies and courts. We will study the architecture of the federal administrative state, the institutional dynamics of federal administrative policymaking, and the legal rules that structure relationships between and among legislatures, agencies, courts and other actors.

### Legislation and Regulation 7

<table>
<thead>
<tr>
<th>Course #</th>
<th>1003</th>
<th>Term: 2015FA</th>
<th>Faculty: Rakoff, Todd</th>
<th>Credits: 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>1lcourse</td>
<td>Subject Areas: Not Applicable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wed 8:20 AM - 9:40 AM</td>
<td>WCC1015</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thu 8:20 AM - 9:40 AM</td>
<td>WCC1015</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fri 8:20 AM - 9:40 AM</td>
<td>WCC1015</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:** Exam type: In class. This course is an introduction to lawmaking in the modern administrative state. It will examine how Congress and executive agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and agencies -- interpret and apply these rules. The course will consider theories and tools of statutory interpretation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the laws that structure the relationships among Congress, the agencies, and the courts.
Legislative Lawyering in Education

Course #: 2774  Term: 2016SP  Faculty: Gregory, Michael; Cole, Susan  Credits: 2.00
Type: Elective  Subject Areas: Procedure & Practice
Delivery Mode: Seminar
Days and Times: Thu 5:00 PM - 7:00 PM  Location: WCC5046

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Education Law Clinic (2-4 spring clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

Students must attend a mandatory orientation session before the beginning of spring classes (date TBD).

In this seminar, which is associated with the Education Law Clinic’s Legislative and Administrative Lawyering, students will learn the theory and practice the skills that will enable them to be effective legislative and administrative lawyers in the area of education. Students will learn how to identify and understand systemic problems, assess the educational systems response to at-risk children, and reflect on the challenges and rewards of interdisciplinary advocacy at the intersection of the fields of law, education, neurobiology, psychology, and public policy. The seminar will cover several general substantive areas related to legislative and administrative lawyering: the constitutional roles and powers of the General Court, the executive branch and administrative agencies in Massachusetts, House and Senate procedure, the state budget process, and lobbying. The readings and activities in this seminar are designed to support and encourage reflection on the legislative lawyering skills that students will develop and practice in their clinical work, including: identifying and researching a problem, proposing solutions and approaches, developing and drafting a desired legislative remedy, learning who the stakeholders are in the education establishment, accurately assessing the political and legal landscape surrounding the desired remedy, building a vibrant and effective coalition, engaging in oral presentations and negotiations, and analyzing ethical issues that arise in legislative and administrative advocacy. The seminar will also introduce students to distinguished guest speakers from practice. The goal is for students to learn the unique role lawyers can play as part of a movement to create effective remedies for at-risk children. There is no final examination for this course; students will prepare a presentation in which they lead a discussion with their colleagues based on an interesting issue or problem they encountered in their clinic advocacy during the semester. All students are required to attend a mandatory 9am-2PM orientation session before the beginning of classes on Saturday, January 24, 2015.
LGBT Flashpoints - Litigation, Policy and Persuasion

Course #: 2494  Term: 2016SP  Faculty: Bonauto, Mary  Credits: 1.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Procedure & Practice
Delivery Mode: Reading Group

Days and Times:  Location
Tue 5:00 PM - 7:00 PM  WCC5047

Course Description: Prerequisites: None.
Exam Type: No exam.
This reading group will address substantive and strategic issues affecting efforts to obtain legal equality for LGBT people. It will highlight efforts and strategies to advance change in each branch of government (state and federal) as well as in public opinion. Topics may change, but will likely include the continued effects of sodomy laws and moral opposition to gay people, the non-discrimination paradigm in state and federal laws, particularly regarding sex and sexual orientation discrimination, and how to achieve nationwide non-discrimination protections, the appropriate standard of review government classifications based on sexual orientation, the widespread use of religious exceptionalism, religious exemptions and RFRAs to authorize different treatment of LGBT people and same-sex relationships, marriage and the dismantling of the federal Defense of Marriage Act, issues facing youth in schools and in their families, and goals for the future.

Note: The reading group will meet on the following dates: 1/26, 2/9, 2/23, 3/1, 3/22, 4/5.
Litigating Health Rights: Can Courts Bring More Justice to Health?

Course #: 2772  
Term: 2015FA  
Faculty: Yamin, Alicia  
Credits: 1.00

Type: Elective  
Subject Areas: Government Structure & Function; Health Law; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:  
Thu 5:00 PM - 7:00 PM  
Location: WCC4061

Course Description:  
Prerequisites: None.  
Exam Type: No exam.

The last twenty years have seen a tremendous surge in the number of health rights cases across the globe, from South Africa to India, Costa Rica to Brazil. In Latin America, tens of thousands of claims for medications and services are enforced each year. The question of whether courts can not only call for modifying legislation and policies but also enforce affirmative entitlements to care has been answered in many contexts. Yet questions still persist as to when and how litigation can lead to greater equity in health and enhance the functioning and oversight of health systems, rather than distorting priorities and budgets.

This reading group will explore: the origins of health rights litigation and reasons for its emergence in certain contexts; how courts in different countries have approached establishing the contours of an enforceable right to health and construed their role in relation to the creation of public policies; and methodologies for assessing the impacts of judicialization on health systems and health equity.  
Note: This reading group will meet for the first session on September 10. The remaining dates will be determined after the first session.
Litigating in the Family Courts: Domestic Violence and Family Law Clinic

Course #: 8032  Term: 2015FA  Faculty: Odim, Nnena  Credits: 4.00
Type: Clinic  Subject Areas: Family, Gender & Children's Law; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Litigating in the Family Courts: Domestic Violence and Family Law Clinical Seminar (2 fall classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll. Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

Students in the Domestic Violence and Family Law Clinic work directly with clients in matters of divorce, custody and visitation, abuse prevention, paternity, child support, guardianship, and second parent adoptions. Under close supervision of the clinical instructor, students manage all aspects of a family law case, including counseling clients, conducting factual investigation and legal research, developing case strategies, conducting and analyzing discovery, and drafting pleadings. In addition, students may have multiple court appearances in both Family and District Courts for motion hearings, restraining orders, pre trial conferences, and/or status conferences. In addition, students negotiate directly with opposing attorneys, pro se opponents, and in court-mandated "dispute resolution" sessions. In cases scheduled for full trial, students conduct depositions, develop witness and exhibit lists, trial strategies and trial notebook, prepare and conduct direct- and cross-examinations of witnesses, make opening statements and closing arguments, and/or draft post-trial briefs and memoranda. Students may also have the opportunity to prepare and present trainings and workshops on relevant legal issues to health care providers and domestic violence advocates.

The Family Law Clinic addresses issues of custody, visitation, child and spousal support, health and life insurance, and the equitable division of marital property and debt in the context of divorce, paternity, modification, contempt, guardianship, and adoption actions. The clinic also provides some direct legal services to the LGBT community, with a particular emphasis on family-related legal issues, such as custody, support and visitation, and second-parent adoptions.

The Domestic Violence Clinic focuses on abuse prevention, safety, and making sure that domestic violence is not a barrier to a clients legal rights regarding custody, property division, and other aspects of family and domestic relations.

In addition to direct legal services, the Clinic actively participates in creating systemic change and policy reform to ensure safety for domestic violence victims and survivors, and to improve overall justice in the field of domestic relations.

Due to the litigation emphasis of the clinics and court-related schedules, students are strongly encouraged to enroll for 3 or 4 clinical credits, however, students who can only enroll for 2 credits will be accommodated.

Please keep in mind that most court hearings and trials take place starting at 8:30 or 9am. It's recommended that you arrange your schedule to have as much morning availability as possible, in order to maximize your court-related opportunities. In addition, having a block of three or more hours is better than trying to come to the Center for fewer hours at one time.
Litigating in the Family Courts: Domestic Violence and Family Law Clinic

Course #: 8032  Term: 2016SP  Faculty: Odim, Nnena  Credits: 4.00
Type: Clinic  Subject Areas: Family, Gender & Children's Law; Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Litigating in Family Courts: Domestic Violence and Family Law Clinical Seminar (2 spring classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll. Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

Students in the Domestic Violence and Family Law Clinic work directly with clients in matters of divorce, custody and visitation, abuse prevention, paternity, child support, guardianship, and second parent adoptions. Under close supervision of the clinical instructor, students manage all aspects of a family law case, including counseling clients, conducting factual investigation and legal research, developing case strategies, conducting and analyzing discovery, and drafting pleadings. In addition, students may have multiple court appearances in both Family and District Courts for motion hearings, restraining orders, pre-trial conferences, and/or status conferences. In addition, students negotiate directly with opposing attorneys, pro se opponents, and in court-mandated "dispute resolution" sessions. In cases scheduled for full trial, students conduct depositions, develop witness and exhibit lists, trial strategies and trial notebook, prepare and conduct direct- and cross-examinations of witnesses, make opening statements and closing arguments, and/or draft post-trial briefs and memoranda. Students may also have the opportunity to prepare and present trainings and workshops on relevant legal issues to health care providers and domestic violence advocates.

The Family Law Clinic addresses issues of custody, visitation, child and spousal support, health and life insurance, and the equitable division of marital property and debt in the context of divorce, paternity, modification, contempt, guardianship, and adoption actions. The clinic also provides some direct legal services to the LGBT community, with a particular emphasis on family-related legal issues, such as custody, support and visitation, and second-parent adoptions.

The Domestic Violence Clinic focuses on abuse prevention, safety, and making sure that domestic violence is not a barrier to a clients legal rights regarding custody, property division, and other aspects of family and domestic relations.

In addition to direct legal services, the Clinic actively participates in creating systemic change and policy reform to ensure safety for domestic violence victims and survivors, and to improve overall justice in the field of domestic relations.

Due to the litigation emphasis of the clinics and court-related schedules, students are strongly encouraged to enroll for 3 or 4 clinical credits, however, students who can only enroll for 2 credits will be accommodated.

Please keep in mind that most court hearings and trials take place starting at 8:30 or 9am. It's recommended that you arrange your schedule to have as much morning availability as possible, in order to maximize your court-related opportunities. In addition, having a block of three or more hours is better than trying to come to the Center for fewer hours at one time.
# Litigating in the Family Courts: Domestic Violence and Family Law Clinical Seminar

<table>
<thead>
<tr>
<th>Course #</th>
<th>Term</th>
<th>Faculty</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>2085</td>
<td>2015FA</td>
<td>Odim, Nnena</td>
<td>2.00</td>
</tr>
</tbody>
</table>

**Type:** Elective  
**Subject Areas:** Family, Gender & Children’s Law; Procedure & Practice  
**Delivery Mode:** Seminar  
**Days and Times:**  
Mon 5:00 PM - 7:00 PM  
Mon 5:00 PM - 7:00 PM  
**Location:** LEW301

**Course Description:** Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Litigating in the Family Courts: Domestic Violence and Family Law Clinic (2-4 fall clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

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

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

Due to the litigation emphasis of the clinics and court-related schedules, students enrolled in this course are strongly encouraged to enroll for 3 or 4 clinical credits, however, students who can only enroll for 2 credits will be accommodated.

Please keep in mind that most court hearings and trials take place starting at 8:30 or 9am. It’s recommended that you arrange your schedule to have as much morning availability as possible, in order to maximize your court-related opportunities. In addition, having a block of three or more hours is better than trying to come to the Center for fewer hours at one time.
Litigating in the Family Courts: Domestic Violence and Family Law Clinical Seminar

Course #: 2085  Term: 2016SP  Faculty: Odim, Nnena  Credits: 2.00

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

Delivery Mode: Seminar

Days and Times:  Location
Mon 5:00 PM - 7:00 PM  WCC3008

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Litigating in the Family Courts: Domestic Violence and Family Law Clinic (2-4 spring clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

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

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

Due to the litigation emphasis of the clinics and court-related schedules, students enrolled in this course are strongly encouraged to enroll for 3 or 4 clinical credits, however, students who can only enroll for 2 credits will be accommodated.

Please keep in mind that most court hearings and trials take place starting at 8:30 or 9am. It’s recommended that you arrange your schedule to have as much morning availability as possible, in order to maximize your court-related opportunities. In addition, having a block of three or more hours is better than trying to come to the Center for fewer hours at one time.
### Local Government Law

<table>
<thead>
<tr>
<th>Course #</th>
<th>Term</th>
<th>Faculty</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>2181</td>
<td>2015FA</td>
<td>Su, Rick</td>
<td>3.00</td>
</tr>
</tbody>
</table>

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

**Delivery Mode:** Course

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

**Location:** HAU102

**Course Description:**
Prerequisites: None
Exam Type: One Day Take Home
This course explores the legal structure of local governments and its effect on the spatial and social organization of American society. We will examine the legal doctrines that define the power of localities, their relationship with the state and federal government, and the role of decentralization in our federal system. In addition, this course investigates the profound consequences of these doctrines on our everyday lives, including their effects on key issues such as the funding of public schools and other municipal services, land-use planning and economic development, housing policy, city-suburb relations, racial and ethnic segregation, and local democratic participation.

---

### Local Government Law

<table>
<thead>
<tr>
<th>Course #</th>
<th>Term</th>
<th>Faculty</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>2181</td>
<td>2016SP</td>
<td>Frug, Gerald</td>
<td>3.00</td>
</tr>
</tbody>
</table>

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

**Delivery Mode:** Course

**Days and Times:**
- Mon 10:20 AM - 11:50 AM  
- Tue 10:20 AM - 11:50 AM

**Location:** WCC1015

**Course Description:**
Prerequisites: None
Exam Type: One-day take-home exam.
This course examines the possibility and desirability of decentralization of power in America. In the process of doing so, it focuses on issues such as federal and state control of city decision-making, the conflict between central cities and suburbs and among the suburbs themselves, alternatives to city-delivered services and to city taxation as a source of local revenue, and the ways in which racial and ethnic division fracture American metropolitan areas. Above all, this is a course about local democracy. For that reason, among others, active class participation is an integral part of the course and will be expected of every student enrolled in it.

Making Legal History

Course #: 2666  Term: 2015FS  Faculty: Rosenberg, David  Credits: 2.00
Type: Elective  Subject Areas: Legal History
Delivery Mode: Seminar

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

Course Description: Prerequisites: None.
Exam Type: No exam.
The final grade will be based on the memos and class participation.

The theme of this course is a variation on Josephine Tey's The Daughter of Time. Instead of the trained skepticism of a police detective, we will apply that of a lawyer to determine the validity of a major piece of contemporary received historical wisdom. The focus of study will be on the prevailing account of the theory of torts developed by Oliver Wendell Holmes. According to that account, Holmes emphatically rejected strict liability in favor of the negligence rule on moral and pragmatic grounds; indeed to economically subsidize nascent American industry, he is said to have led the opposition to adopting the expansive English rule of Rylands v. Fletcher.
Our inquiry will ripen into a genuine whodunit upon discovery that much of the historical record has been hidden and distorted by the contemporary histories of it. To solve this mystery, to figure out the who, how, when and why of it, we will examine the available evidence, some presented in distributed materials, but most derived from archival and more conventional legal and non-legal research. With legal history courses proliferating, and historical arguments exerting increasing influence on judicial decisions, our case study of the history of Holmess thinking can serve as an object lesson in the well-known but too often neglected rule of good practice: check the sources. In the process, we will explore the nature and historical origins of Holmess jurisprudence, the intellectual wellspring for todays and in all probability tomorrows leading thought on the purposes and processes of court-made law.
Class meetings will take place every other week in the fall and spring semesters. During the intervals between meetings, students will conduct research and write memos detailing and analyzing their findings. Class discussions will be devoted to critically evaluating the research reports and analyses and to mapping further lines of investigation.
My research on this matter is reported in The Hidden Holmes: His Theory of Torts in History (1995). I request that those interested in enrolling not read my book nor any accounts of it, before they are assigned as class readings.
Beyond a contrarian spirit and enjoyment of treasure hunts, there are no prerequisites for enrolling in the course.
Making Rights Real: The Ghana Project

Course #: 2326  Term: 2016SP  Faculty: White, Lucie  Credits: 1.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law; Legal & Political Theory; Procedure & Practice

Delivery Mode: Seminar  Location: WCC4062

Days and Times: Mon 7:00 PM - 9:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Making Rights Real: The Ghana Project Clinic (2 spring clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.

Additional Pre-/Co-Requisites: None.
By Permission: Yes. Applications to the clinical are due by 5:00pm on August 15, 2015.
LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 15, 2015.

The Making Rights Real clinic will build on a partnership between Professor White, Harvard law students, and a network of Ghanaian Human Rights / Development organizations which began in 2002. Each year this team plans and implements clinical activities, which focus on a dimension of economic and social rights implementation on the ground.

In the Spring term of 2016, the clinic will focus on the impacts and challenges of Ghana’s recent off-shore oil production on low income Ghanaians, particularly in coastal fishing communities directly affected by oil activity. Thus, working with local and national partners, the students will address oil production’s impacts on such rights as health, clean water, a sustainable environment, indigenous livelihoods in fishing and related activities, adequate food, and having a voice in policy planning and transnational corporate incursions on their way of life.

Specific clinical activities will include both conventional and community lawyering strategies, such as legal research and analysis; reviewing and drafting legislation and regulations; strategy mapping; human rights documentation; participatory action research; partner briefings; and, while on-site in Ghana, facilitating grassroots education and empowerment workshops; conducting community meetings; and working with media. In March of 2016, the work will take place primarily in Ghana’s Western coastal villages, with some consultations taking place in Accra.

Admission to the academic and clinical components is determined together, by permission of the instructor. For both JD and LLM students, apply for both the academic and clinical components together by sending a single application -- i.e., a two-page double spaced statement of interest and a one-page CV -- to the clinical office (clinical@law.harvard.edu) with a cc to Ellen Keng (ekeng@law.harvard.edu) by 5:00pm on August 15, 2015. Accepted candidates will be notified prior to the beginning of the semester.

Note: This course will meet on the following dates: 2/8, 2/22, 3/7, 3/28, 4/11, 4/18.
Making Rights Real: The Ghana Project Clinic

Course #: 8025  Term: 2016SP  Faculty: White, Lucie  Credits: 2.00

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

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Making Rights Real: The Ghana Project (1 spring classroom credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Pre-/Co-Requisites: None. By Permission: Yes. Applications are due by 5:00pm on August 15, 2015. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 15, 2015. Placement Site: HLS and travel to Ghana over spring break.

The Making Rights Real clinic will build on a partnership between Professor White, Harvard law students, and a network of Ghanaian Human Rights / Development organizations which began in 2002. Each year this team plans and implements clinical activities, which focus on a dimension of economic and social rights implementation on the ground.

In the Spring term of 2016, the clinic will focus on the impacts and challenges of Ghana’s recent off-shore oil production on low income Ghanaians, particularly in coastal fishing communities directly affected by oil activity. Thus, working with local and national partners, the students will address oil production’s impacts on such rights as health, clean water, a sustainable environment, indigenous livelihoods in fishing and related activities, adequate food, and having a voice in policy planning and transnational corporate incursions on their way of life.

Specific clinical activities will include both conventional and community lawyering strategies, such as legal research and analysis; reviewing and drafting legislation and regulations; strategy mapping; human rights documentation; participatory action research; partner briefings; and, while on-site in Ghana, facilitating grassroots education and empowerment workshops; conducting community meetings; and working with media. In March of 2016, the work will take place primarily in Ghanas Western coastal villages, with some consultations taking place in Accra.

Admission to the academic and clinical components is determined together, by permission of the instructor. For both JD and LLM students, apply for both the academic and clinical components together by sending a single application -- i.e., a two-page double spaced statement of interest and a one-page CV -- to the clinical office (clinical@law.harvard.edu) with a cc to Ellen Keng (ekeng@law.harvard.edu) by 5:00pm on August 15, 2015. Accepted candidates will be notified prior to the beginning of the semester.
Management and Leadership Skills for Lawyers

**Course #:** 2547  
**Term:** 2016SP  
**Faculty:** Friedman, David  
**Credits:** 1.00

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

**Delivery Mode:** Reading Group

**Days and Times:**  
Mon 7:10 PM - 9:10 PM

**Location:** WCC3036

**Course Description:**  
Prerequisites: None.
Exam Type: No exam.
This Reading Group will study the practical, policy and ethical dimensions of management in various organizational settings, with a heavy emphasis on practical understanding and skills. Attorneys can - and should - develop management and legal skills from their very first day in practice. As your legal career advances, in the future you may be entrusted to run a government agency (or an entire government), a law firm, a non-profit organization, a company's in-house law department, a court system, or a smaller division of any of these. We will examine principles, case studies and hypothetical problems with an eye to building awareness and habits that prepare you for management roles. And until you become a supervisor, understanding how managers and leaders function will better prepare you to be an effective counsel and to understand the people and entities with whom you work and interact.

We will cover the fundamental aspects of business management, with an eye to the unique dynamics, challenges and responsibilities that attorneys face in management and leadership roles. We will also explore how management roles and challenges vary across different legal practice settings, including government agencies and offices, for-profit companies, non-profit organizations, and law firms.

Some of the specific questions and topics we will examine include:

- How do you set goals and measure performance for attorneys when so much of what attorneys do cannot be easily quantified (providing sound judgment and counsel, pursuing justice, preventing disputes, etc.)?
- What management and communication styles work most effectively in various settings and circumstances?
- What decisionmaking approaches can managers and leaders use to facilitate good, sound decisions?
- How can managers handle situations over which they have limited direct authority and control?
- How can lawyers excel as leaders?
- How do various compensation systems affect the management of lawyers and how can compensation be optimally structured?
- How can managers successfully create change in their organizations?
- How can junior attorneys develop leadership skills and practices that will prove valuable later on in their careers; and what are those key skills and best practices?

We will be joined by special guests for several sessions who will share their own stories and experiences of managing and leading in different settings.

**Note:** The class will meet on Monday evenings from 7:10 p.m. to 9:10 p.m. on the following dates: 1/25, 2/8, 2/29, 3/7, 3/28, 4/4.
Mediation

Course #: 2183  Term: 2016SP  Faculty: Hoffman, David  Credits: 3.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Procedure & Practice
Delivery Mode: Course

Days and Times: Location
Thu 4:00 PM - 7:00 PM WCC3019

Course Description: Mediation is having an increasingly profound impact on the way law is practiced in the U.S. and internationally, and clients expect both transactional lawyers and litigators to have a working knowledge of the mediation process. This course focuses on the theory and practice of mediation. Students will have opportunities to try mediating and serving as an advocate in mediation. The readings and discussion will address legal, ethical and policy issues arising from the use of mediation -- such as confidentiality and privilege, credentialing of mediators, the institutionalization of mediation in courts and world of business, differing styles of mediation and mediation advocacy, and the role of gender, class, culture and psychology in the mediation process. Students will write a research paper in lieu of a final exam. Students will also do some writing during the semester about the readings -- approximately one page per week.

There is no required text other than photocopied materials.

Some seats are reserved for students in the spring Mediation clinic. Students who enroll in the spring Mediation clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the spring Mediation clinic they will also lose their reserved seat in this course. Please note that this course has an early drop deadline of January 15, 2016 for students enrolled in reserved clinical seats.

Students enrolled in the Mediation clinic are required to attend one of the two 32-hour training sessions offered by the Harvard Mediation Program. The first session will occur in fall 2015 on October 3, 4, 17, and 18. The second training session will occur in February 6, 7, 20 and 21. For more information, contact Prill Ellis, Clinical Supervisor at prillellis@gmail.com, call the HMP office at 617-494-1854, or stop by HMP located in Pound Hall, Room 521.
Mediation

Course #: 2183  Term: 2015FA  Faculty: Cohen, Amy  Credits: 3.00  Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times:  Location
Mon 1:00 PM - 2:30 PM  WCC3016
Tue 1:00 PM - 2:30 PM  WCC3016

Course Description: Prerequisites: None  Exam Type: No Exam  Students will write a research paper in lieu of a final exam. Students will also write three short papers during the semester reflecting on the readings. This course explores the theory and practice of mediation and how it is changing the practice of law. We will study the history and development of mediation in North America, the legal debates surrounding its emergence, its foundational characteristics and principles, and the regulatory, legal, and ethical rules that now govern its use. We will complement this analysis of mediation with exercises and participation in role-plays so that students can experience the practice of mediation. We will conclude with a look at other forms of dispute processing that share features in common with mediation, such as problem-solving courts and case studies of extralegal dispute resolution processes in other contexts and cultures.
Mediation Clinic

Course #: 8026   Term: 2016SP   Faculty: Hoffman, David   Credits: 1.00
Type: Clinic   Subject Areas: Procedure & Practice
Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Mediation (3 spring classroom credits). Some seats are reserved for clinical students. Once a student enrolls in this clinic, the Office of Clinical and Pro Bono Programs will enroll them in the required course. If a student drops this clinic, they will also lose their seat in the required class component.
Additional Co-/Pre-Requisites: None.
By Permission: No.
LLM Students: LLM students are not eligible to apply.
Placement Site: HLS.
Mandatory Trainings: All students must attend a mandatory training sessions in either October (the 3rd-4th & 17th-18th) or February (the 6th-7th & 20th-21st). Clinic placements are with the Harvard Mediation Program (HMP), where students are given an opportunity to observe and conduct mediations in small claims courts in court sessions for small claims cases and harassment prevention orders in the Boston area. Clinic students must complete HMPs 32-hour basic mediation training and mediate or observe in small claims court every week during the spring semester and work one hour per week in the HMP office. The court commitment is the same day and time every week [see HMP application for court schedules] and usually requires about three hours, including travel time. Clinic students also keep a weekly journal reflecting on their mediation experiences and write a short final report at the end of the semester. The HMP mediation training is required of all students, and will occur in October (10/3-10/4 & 10/17-10/18) and February (2/6-2/7 & 2/20-2/21). For more information about this clinic, including scheduling information, please visit the Harvard Mediation Program website.
Mergers and Acquisitions Workshop: Boardroom Strategies and Deal Tactics

Course #: 2185  Term: 2016WI  Faculty: Gordon, Mark  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 4:30 PM  WCC1019
Tue 1:00 PM - 4:30 PM  WCC1019
Wed 1:00 PM - 4:30 PM  WCC1019
Thu 1:00 PM - 4:30 PM  WCC1019
Fri 1:00 PM - 4:30 PM  WCC1019

Course Description: Prerequisites: Corporations.
Exam Type: In-class exam.
Successful M&A lawyers (and bankers) provide leadership and judgment in the boardroom and tactical execution at the negotiating table. Taught by a Mergers & Acquisitions partner at Wachtell, Lipton, Rosen & Katz, this workshop is intended to give students exposure to both the macro strategic issues faced by directors in M&A situations (buy-side and sell-side; hostile, friendly and crisis) as well as the tactical issues involved in negotiating acquisition agreements and other transaction documents. Topics to be explored include how buyers select, and then woo, their targets and what tactics buyers might pursue to keep the price low and eliminate competition; how target boards respond to acquisition overtures and evaluate bids; how to best structure a sale or auction of a public company; management-led buyouts and the potential for conflicts of interest; distressed company acquisitions and negotiating key provisions of an acquisition agreement, such as representations, "deal protection", closing conditions, walk-away rights and related penalties, and deal financing. The workshop is based around case studies of several real transactions or strategic situations, and makes use of real transaction documents. Students will be expected to make presentations and participate in class discussions and mock strategy and negotiating sessions. Some sessions may feature guest speakers who have been involved in recent deals.

Business school students are very much welcome (and have done well in this course in the past), and spaces have been reserved for you. Business School students need not have taken Corporations; cross-listing students from other parts of Harvard should seek permission from Prof. Gordon.

Note: This course will meet for the first two weeks of the term.
### Mergers, Acquisitions, and Split-Ups

<table>
<thead>
<tr>
<th>Course #: 2186</th>
<th><strong>Term:</strong> 2015FA</th>
<th><strong>Faculty:</strong> Clark, Robert; Strine Jr., Leo</th>
<th><strong>Credits:</strong> 4.00</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type:</strong> Elective</td>
<td><strong>Subject Areas:</strong> Business Organization, Commercial Law, and Finance</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Delivery Mode:</strong> Course</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Days and Times:**

<table>
<thead>
<tr>
<th></th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon 5:00 PM - 7:00 PM</td>
<td>AUS101</td>
</tr>
<tr>
<td>Tue 5:00 PM - 7:00 PM</td>
<td>AUS101</td>
</tr>
</tbody>
</table>

**Course Description:**

Prerequisites: JD students should have already taken Corporations; LLM students should have had a comparable basic business organization course, or relevant background and experience, or should be contemporaneously taking the basic Corporations course; cross-registering Business School students (whom the co-teachers very much welcome) need not have taken Corporations; cross-registrants from other parts of Harvard should seek permission from Professor Clark. Exam Type: In Class

This course, co-taught by a corporate law professor (who is also a director) and the Chief Justice of the Delaware Supreme Court, will focus on the law affecting corporate mergers and acquisitions (including both third-party and going-private deals), and divestitures such as spin-offs and split-ups. Though state law will be heavily emphasized, it will also touch upon relevant parts of securities law, tax law, corporate finance theory, and laws affecting cross border M&A. The course will also deal substantially with merger agreements, considered as contracts, and with the important contractual principles and issues relevant to most M&A deals, as well as the business aspects of breakup plans. The course will have a practical bent and will address the real-world problems faced by parties contemplating, attempting, or resisting acquisitions and divestitures, as well as the policy dilemmas faced by courts called upon to assess such transactions. To further this goal, several key classes will involve the participation of leading practitioners.
**Migration and Human Rights**

**Course #:** 2784  
**Term:** 2015FA  
**Faculty:** Neuman, Gerald  
**Credits:** 1.00  
**Type:** Elective  
**Subject Areas:** Human Rights; International, Comparative & Foreign Law  
**Delivery Mode:** Reading Group  
**Days and Times:** Wed 5:00 PM - 7:00 PM  
**Location:** WCC5050  

**Course Description:** Prerequisite For JD students, you must have completed one of the following courses or clinics: Immigration Law, Harvard Immigration and Refugee Clinic, Immigration Law: Policy and Social Change, Crimmigration Clinic, Crimmigration: The Intersection of Criminal Law and Immigration Law, International Human Rights, International Human Rights Clinic, or International Law and Human Rights. For LLM and transfer students, instructor permission is required in order to enroll.

Exam Type: No exam.  
This reading group will explore the interface between international human rights law and the regulation of migration (or immigration law). How do, or should, human rights of migrants constrain national policies for migration control and enforcement? Readings will include primary materials from international bodies, which have taken different approaches to these issues, and analyses by scholars and advocates.

Note: This reading group will meet on the following dates: 9/9, 9/23, 10/14, 10/28, 11/11, 12/2.

---

**Mind and Criminal Responsibility in the Anglo-American Tradition**

**Course #:** 2831  
**Term:** 2016SP  
**Faculty:** Kamali, Elizabeth Papp  
**Credits:** 2.00  
**Type:** Elective  
**Subject Areas:** Criminal Law & Procedure; International, Comparative & Foreign Law; Legal History  
**Delivery Mode:** Seminar  
**Days and Times:** Wed 3:00 PM - 5:00 PM  
**Location:** HAU101  

**Course Description:** Prerequisites: None.  
Exam type: No exam. Grades will be based upon short responses to each week’s readings and class participation.

Reum non facit nisi mens rea. According to this maxim, culpability depends upon the presence of mens rea, or guilty mind. The maxim appears in an early 12th-century English legal compilation and was likely borrowed from Augustine, perhaps by way of Ivo of Chartres. This seminar will explore the deep roots of the modern doctrine of mens rea and will consider a variety of related issues, including insanity, infancy, provocation, and duress. Readings will include a variety of primary and secondary sources from a broad time span in Anglo-American history, from the medieval to the modern.
Minority Lawmaking

Course #: 2850  Term: 2016SP  Faculty: McKinley, Maggie  Credits: 1.00

Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function; Legal History

Delivery Mode: Reading Group

Days and Times:  Location
Thu 5:00 PM - 7:00 PM WCC5051

Course Description:  Prerequisites: None.

Exam Type: No exam.

To the extent that lawyers think about Congress at all, we often think of it as an institution ruled by the majoritarian mechanism of the electoral process. Minority engagement with legislatures outside of the vote, however, has had a long and storied history. This reading group will explore how, for much of this Nation’s history, minorities engaged with legislatures through the petition process—a formal process by which individuals and associations, including the unenfranchised, received consideration and a formal response; legislatures considered equally petitions by women, Native Americans, Tribal governments, and African Americans, and passed laws to redress their grievances. Alongside this history, we will explore the concerns over faction and democratic legitimacy that motivated the Founding generation to design lawmaking institutions that would protect minority interests.

Next we will examine the consequences when these mechanisms break down and the process by which minority groups translated the petition right into impact litigation, administrative actions, lobbying, and protest. Finally, we will discuss the tensions inherent in democratic government towards minority lawmaking, including concerns over special interest capture, corruption, and corporatism, with a particular focus on our current lobbying system.

Note: This reading group will meet on the following dates: 2/11, 2/25, 3/10, 3/24, 4/7, and 4/21.
Drop Deadline: February 12th, 2016 by 11:59pm EST.
Misdemeanors: The Hidden Criminal Justice System

Course #: 2761  Term: 2015FA  Faculty: King, Nancy  Credits: 1.00
Type: Elective  Subject Areas: Criminal Law & Procedure
Delivery Mode: Reading Group

Days and Times: Thu 5:00 PM - 7:00 PM
Location: WCC3013

Course Description: Prerequisites: None.
Exam Type: No exam.
This reading group will examine misdemeanor offenses, crimes that are seldom discussed in the media or first year criminal law classes, but have a profound impact on society and the criminal justice system as a whole. Readings will include reports and empirical research, historical perspectives, and scholarly articles addressing various issues in the enforcement, prosecution, and punishment of misdemeanor offenses, such as detention and plea bargaining, sentencing and financial consequences, mental illness, representation issues, and state justice funding and politics.
Note: This reading group will meet on the following dates: 9/10, 9/17, 9/24, 10/1, 10/8, 10/15.

Music and Digital Media

Course #: 2189  Term: 2016SP  Faculty: Bavitz, Christopher  Credits: 2.00
Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment
Delivery Mode: Seminar

Days and Times: Mon 5:00 PM - 7:00 PM
Location: WCC4059

Course Description: Prerequisites: A prior course or other background in copyright law would be useful but is not required.
Exam Type: No exam.
This course explores a variety of legal issues relating to the creation, exploitation, and protection of music and other content. The seminar focuses on traditional legal regimes and business models and the ways in which new technologies (particularly the evolution of digital media and the Internet) have affected legal and business strategies involved in the making and distribution of content. The courses primary emphases are music and the ways in which legal principles manifest themselves in practice in the music industry. The seminar builds off a discussion of music rights to address issues surrounding content rights in other contexts, and it reviews the ways in which traditional concepts and practices in this area are challenged by and evolving in the digital world. The course balances discussions of big-picture doctrinal, policy, and theoretical considerations with a focus on day-to-day legal and business practices and specific skills (transactional, client counseling, and litigation) that are relevant to practitioners in this area.
Nation and Peoplehood: Advanced Topics in Jewish Law and Legal Theory

Course #: 2437  Term: 2016SP  Faculty: Feldman, Noah  Credits: 1.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law
Delivery Mode: Reading Group

Days and Times: Location
Thu 7:00 PM - 9:00 PM WCC3007

Course Description: Prerequisite: This seminar will be by permission of the instructor, who strongly prefers that students have a background in advanced study of Jewish legal material. To apply please send a short statement of interest including background in Jewish legal studies to nfeldman@law.harvard.edu with a copy to swhalen@law.harvard.edu.

Exam Type: No exam.
The group will examine sociological questions of the Yeshiva world as well as theoretical/textual ones regarding what is studied, and how, and by whom.

Note: The reading group will meet on the following dates: 2/4, 2/18, 3/3, 3/10, 3/31 and 4/14. On 4/14 the course will meet in WCC B010. Drop Deadline: February 5 by 11:59pm EST
National Security Law

Course #: 2190  Term: 2015FA  Faculty: Baker, James  Credits: 1.00
Type: Elective  Subject Areas: Criminal Law & Procedure; Government Structure & Function; International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:  Location
Wed 5:00 PM - 7:00 PM  LEW102

Course Description: Prerequisite: Enrollment is by permission of instructor. Interested students should email a CV and statement of interest to Mr. Baker at jimbaker1234@yahoo.com no later than Monday, August 24. Exam Type: No exam.
This reading group will address various aspects of the law governing national security. Topics will include electronic surveillance conducted pursuant to the Foreign Intelligence Surveillance Act (FISA), detention and interrogation of suspects, covert action, investigative tools authorized under the USA PATRIOT Act, and related topics. National security law is often inaccessible, and can be particularly hard to follow when divorced from the context of historical tradition, governmental structures, and the operational reality in which it functions. The course will aim to present national security law in context, exposing students as much as possible to the real-world effects of applicable legal standards and rules.

Note: The reading group will meet on the following dates: 9/16, 9/30, 10/14, 11/4, 11/18, 12/2. Drop Deadline: September 17th by 11:59pm EST.
National Security Law and Practice

Course #: 2671  
Term: 2016SP  
Faculty: Olsen, Matthew  
Credits: 2.00

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

Delivery Mode: Seminar

Days and Times:  
Thu 3:00 PM - 5:00 PM

Location: WCC3036

Course Description: Prerequisites: Enrollment in this seminar is by permission of instructor. A prior course related to national security law, or a background in national security or law enforcement, is encouraged. Please send a statement of interest and resume, as well as your year and program information, to Matt Olsen at molsen@law.harvard.edu by October 31, 2015.

Exam Type: No exam.

This seminar will examine a series of current and difficult national security legal and policy issues. We will explore a range of selected topics that confront national security lawyers and policy makers, including: the structure and regulation of the intelligence community; the scope of foreign intelligence surveillance; counterterrorism operations and lethal targeting; the detention and interrogation of suspected terrorists; the investigation and prosecution of terrorism cases; and the role of national security lawyers. We will consider these issues in the context of operational practice and government decision-making and examine the difficult legal questions and policy choices these issues raise.

Matt Olsen was the director of the National Counterterrorism Center from 2011 to 2014. He previously served as General Counsel at the National Security Agency and as a federal prosecutor.
# National Security Law: Legal Frameworks and National Security Decision-making

<table>
<thead>
<tr>
<th>Course #: 2191</th>
<th>Term: 2016SP</th>
<th>Faculty: Zarate, Juan</th>
<th>Credits: 1.00</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type:</strong> Elective</td>
<td><strong>Subject Areas:</strong> Criminal Law &amp; Procedure; Government Structure &amp; Function; International, Comparative &amp; Foreign Law</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Course</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Days and Times:</strong></td>
<td><strong>Location:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tue 7:00 PM - 9:00 PM</td>
<td>GRS110</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wed 7:00 PM - 9:00 PM</td>
<td>GRS110</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thu 7:00 PM - 9:00 PM</td>
<td>GRS110</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:**

Prerequisites: None.

Exam Type: No exam.

This course will explore legal frameworks in national security policy and decision making. Legal frameworks and lexicon -- involving definitions and interpretations of evidence, burdens and standards of proof, and legal presumptions -- are often embedded in national security decision-making. These elements, which are fundamental to legal training and jurisprudence, are often incorporated into major national security policymaking, discourse, and diplomacy and are affected directly by the risk calculus applied by policymakers -- especially after 9/11. The course will review how these issues emerge in, affect, and can complicate policies related to terrorism, attribution of threats and attacks, international sanctions, and decisions to intervene globally or use military force. Particular attention will be paid to the domestic and international debate regarding the decision to intervene in Syria, the treatment of terrorist suspects, the use of targeted financial sanctions against terrorist supporters, the Iraq war, sanctions intended to isolate nation states like Iran and North Korea, and responses to cyber and physical attacks. Active participation in classroom discussions, to include scenario-based debates, is required along with two short (3-5 page) papers.

Note: The course will meet on the following dates: March 1, 2, 3, 8, 9, and 10.

Drop Deadline: March 2, 2016 by 11:59pm EST
Natural Law and Positive Law

Course #: 2192  Term: 2015FA  Faculty: Sargentich, Lewis  Credits:  1.00
Type: Elective  Subject Areas: Legal & Political Theory
Delivery Mode: Reading Group
Days and Times: Wed 6:00 PM - 8:00 PM
Location: LEW301

Course Description: Prerequisites: None.
Exam Type: No exam.
We will look briefly at the classical debate between exponents of natural law (Thomas Aquinas) and positive law (John Austin). Then we will focus on debates in contemporary jurisprudence between legal positivists (H.L.A. Hart, Joseph Raz) and their opponents (Lon Fuller, Ronald Dworkin, John Finnis). The question throughout is: what is laws relation to morality?
Class will meet every other week for two hours, there will be no paper or exam, and class will be graded credit/fail.
Note: This reading group will meet on the following dates: 9/9, 9/23, 10/7, 10/21, 11/4, 11/18.

Natural Resources Law

Course #: 2193  Term: 2016SP  Faculty: Anderson, Robert  Credits:  3.00
Type: Elective  Subject Areas: Environmental Law; Regulatory Law
Delivery Mode: Course
Days and Times: Mon 8:40 AM - 10:10 AM  Tue 8:40 AM - 10:10 AM
Location: HAU104

Course Description: Prerequisites: None.
Exam Type: In-class exam.
This course is a survey course on Natural Resources Law. Topics covered include Wildlife and Biodiversity, Living Marine Resources, Rangelands, Forest Lands, Protected Lands, Minerals, Forests, and Energy Resources. Special attention will be paid to issues of Natural Resource Management on American Indian Lands. The course also addresses state responsibilities for natural resources management (focusing on the public trust doctrine) and issues raised by regulation of natural resources on private lands (focusing on constitutional takings doctrine).&nbsp;
Negotiation and Mediation Clinical Seminar

Course #: 2194  Term: 2015FA  Faculty: Emery, Alonzo  Credits: 1.00
Type: Elective  Subject Areas: Procedure & Practice
Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM  LEW301

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component Harvard Negotiation and Mediation Clinic (2-4 fall clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: Negotiation Workshop. Students must enroll in Negotiation Workshop separately from clinic enrollment. There is no clinic preference or priority to enroll in Negotiation Workshop. Failure to meet the co-/pre requisites by the clinic’ add/drop deadline will result in the student being dropped from the clinic and this required course.
By Permission: No.
LLM Students: Due to the pre-requisite, LLM students are not eligible to apply.
This 1-credit seminar is the required classroom component for students doing work through the Negotiation & Mediation Clinical Program during the fall of 2015. Students will read and discuss works related to the various models for conducting conflict assessments, designing dispute systems, and working as a lawyer to be an effective deal-design architect. In addition, readings and discussions will focus on the practical and ethical quandaries and special challenges faced by professionals in conflict resolution, mediation, and dispute systems design. Some sessions will require students to present problems related to the clinical work in which they are currently engaged to the members of the class for discussion and brainstorming. The 1-credit class will be front-loaded with weekly meeting times for the first part of the semester and fewer or no class sessions in the second half of the semester in order to allow students to focus more intently on their clinical work.
Negotiation Workshop

Course #: 2195  Term: 2016WS  Faculty: Mnookin, Robert  Credits: 4.00
Type: Multisection  Subject Areas: Procedure & Practice
Delivery Mode: Course

Location

Days and Times:

Mon 9:00 AM - 5:00 PM  LAN225
Tue 9:00 AM - 5:00 PM  LAN225
Wed 9:00 AM - 5:00 PM  LAN225
Thu 9:00 AM - 5:00 PM  LAN225
Fri 9:00 AM - 5:00 PM  LAN225

Course Description:
Special drop deadline: November 10, 2015.
Prerequisites: None.
Exam Type: No exam.

*Cross-Registrants and LLM students: Please note that cross-registrant and LLM students interested in taking the Workshop must participate in the online application process for the Workshop. The deadline to apply is 12:00pm EST on Friday, October 9, 2015. For more information please visit the course website: http://blogs.law.harvard.edu/hnmcp/negotiation-workshop/.
The credit breakdown for this seminar is as follows: four total credits with three credits awarded in the winter and one credit awarded in the spring.

Most lawyers, irrespective of their specialty, must negotiate. Litigators resolve far more disputes through negotiation than by trials. Business lawyers -- whether putting together a start-up company, arranging venture financing, or preparing an initial public offering -- are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators.

This Workshop, by combining theory and practice, aims to improve both the participants understanding of negotiation and their effectiveness as negotiators. Drawing on work from a variety of research perspectives, the readings and lectures will provide students with a framework for analyzing negotiations and tools and concepts useful in negotiating more effectively. Participants will spend much of their time in a series of negotiation exercises and simulations, where as negotiators and critical observers, they will become more aware of their own behavior as negotiators and learn to analyze what works, what does not work, and why.

The Workshop is intensive and time-consuming. Participants should have no other work commitments during the winter term. Specifically, participants should be available each day from 9:00am until 5:00pm (although class will often end earlier). There will be simulations and videotaping on some evenings and some weekends. Class attendance is essential and required at all sessions including the evening and weekend sessions. Students may not take the Workshop if they have other courses or any other significant obligation during the winter term that conflict with the required course sessions of the Workshop.

There will be no Workshop classes during the spring term.

Class attendance is required at all sessions, and please particularly note participants cannot miss any of the first day. The Workshop will begin at 9:00 a.m. sharp on Monday, January 4, 2016. No one will be admitted to or allowed to complete the course who is not present when the course begins. Participants should adjust their travel plans accordingly.

The Workshop will be limited to 144 students who will be divided into six working groups of 24 each. Plenary sessions of the full class will be devoted to demonstrations, discussion problems, lectures, video and film. Much of the time devoted to exercises and simulations will take place in the smaller working groups, each of which will be led by an experienced instructor and a teaching assistant.

In addition to participating in the daily activities, students will be expected to keep a journal and write a
short paper. The journal is submitted weekly. This course has no final examination and the short paper will be due during the spring semester in light of the intensity of the Workshop during the winter term. During the first week of the Workshop, JD and LLM students will be given an opportunity to elect to take the Workshop on a credit/fail basis. For cross-registrants, the availability of the credit/fail option is dependent on the policies of their home school. Please note: The Workshop has an early drop deadline of November 10, 2015. The course may not be dropped after November 10, 2015 without the written permission of the instructor and students who drop after this date will receive a WD on their transcript.
Negotiation Workshop

Course #: 2195  
Term: 2016SP  
Faculty: Bordone, Robert  
Credits: 4.00

Type: Multisection  
Subject Areas: Procedure & Practice

Location

Days and Times:  
Wed 3:10 PM - 7:20 PM  
LAN225  
Thu 3:10 PM - 7:20 PM  
LAN225

Course Description:

Cross-Registrants: Please note that students interested in cross-registering must participate in the application process (see below for more information on how to apply). The deadline to apply is October 9, 2015.

Most lawyers, irrespective of their specialty, must negotiate. Litigators resolve far more disputes through negotiation than by trials. Business lawyers -- whether putting together a start-up company, arranging venture financing, or preparing an initial public offering -- are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators.

This Workshop, by combining theory and practice, aims to improve both the participants’ understanding of negotiation and their effectiveness as negotiators. Drawing on work from a variety of research perspectives, the readings and lectures will provide students with a framework for analyzing negotiations and tools and concepts useful in negotiating more effectively. Participants will spend much of their time in a series of negotiation exercises and simulations, where as negotiators and critical observers, they will become more aware of their own behavior as negotiators and learn to analyze what works, what does not work, and why.

The Workshop is intensive and time-consuming. It meets Wednesdays and Thursdays from 3:10 p.m. to 7:20 p.m. In addition, students will need to be present for exercises for portions of two weekends during the term. These sessions are required.

The Workshop will be limited to 144 students who will be divided into six working groups of 24 each. Plenary sessions of the full class will be devoted to demonstrations, discussion problems, lectures, video and film. Much of the time devoted to exercises and simulations will take place in the smaller working groups, each of which will be led by an experienced instructor and a teaching assistant.

No fewer than 30 spots will be reserved for 1Ls. 1Ls will be admitted to the course through an application process during the fall semester. The remainder of the slots will be open to all 2Ls, 3Ls, LL.M.s and cross-registrants who will be interspersed within the working groups. LLM and cross-registrant students may apply online for the workshop. The deadline to apply is noon on Friday, October 9, 2015. For more information please visit the course website: http://blogs.law.harvard.edu/hnmcp/negotiation-workshop/.

In addition to participating in the daily activities, students will be expected to keep a journal and write a short paper. The journal is submitted weekly. This course has no final examination.

During the first week of the Workshop, upperclass and LL.M. students will be given an opportunity to elect to take the Workshop on a credit/fail basis. For cross-registrants, the availability of the credit/fail option is dependent on the policies of their home school.

Note - Early Drop Deadline
The Workshop has an early drop deadline of December 4, 2015. The course may not be dropped after
Nietzsche For Lawyers

Course #: 2834   Term: 2016SP   Faculty: Parker, Richard   Credits: 2.00
Type: Elective   Subject Areas: Constitutional Law & Civil Rights; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM HAU105

Course Description: Prerequisites: None.
Exam Type: No exam.
Truly speaking, wrote Emerson, it is not instruction, but provocation, that I can receive from another soul.
In this seminar, we’ll read selections by Nietzsche [plus one book: The Genealogy of Morals] in that spirit.
The premise is that provocation by this Master Provocateur may be just the therapy that law students need. One former law student, after all, advised that anything we read must be the axe for the frozen sea within us. [Kafka.]

No prior study of Nietzsche is needed. His biography; his intent; the phases of his twenty-year career; the context [historical, philosophical] in which he wrote; his interpretation by others; indeed the meaning of his writing … all of that fosters erudite avoidance … and so will be out of bounds. The seminar is for amateurs able to take Nietzsche’s passionate, enigmatic words personally - and, so, able to be provoked by them.

Each student will share a short [1-2 page] response paper with the group each week. No exam. Soft drinks, wine and snacks will be provided.
### Olympic Ideal, Boston Bid, and the Future of Sports Education

<table>
<thead>
<tr>
<th>Course #: 2837</th>
<th>Term: 2015FA</th>
<th>Faculty: Nesson, Charles</th>
<th>Credits: 1.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Disciplinary Perspectives &amp; Law; Family, Gender &amp; Children's Law</td>
<td>Delivery Mode: Reading Group</td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wed 3:00 PM - 5:00 PM</td>
<td>WCC5051</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:** Prerequisites: None.

Exam: No exam.

This reading group is taught with Fern Nesson. The group will (1) deepen and share our understanding of the Olympic ideal, and (2) consider how Boston might contribute new dimension and legacy to it.

Note: This reading group will meet on the following dates: 9/23, 10/7, 10/28, 11/2, and 11/18. The meeting on 11/2 will take place from 6-9pm at the Nesson residence.

Drop Deadline: September 24th, 2015 at 11:59 pm EST.
Originalism and Its Discontents

Course #: 2766  
Term: 2016SP  
Faculty: Sachs, Stephen  
Credits: 2.00

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

Delivery Mode: Seminar

Days and Times:  
Thu 3:00 PM - 5:00 PM

Location: WCC3011

Course Description:

Prerequisites: One course on American constitutional law (Constitutional Law: First Amendment; Constitutional Law: Separation of Powers, Federalism, and the Fourteenth Amendment; Comparative Constitutional Law; Constitutional Analysis; or Constitutional History I), as well as either (i) one additional course on constitutional law (see prior list), Federal Courts and the Federal System, Jurisprudence, and/or Legislation and Regulation, or (ii) equivalent prior coursework approved by the instructor.

Exam Type: No exam.

Originalism is a major school of constitutional interpretation and a growing field of study. Both public discourse and legal practice commonly feature originalist arguments as well as criticisms of originalism. To engage these arguments, lawyers and citizens should be able to weigh the merits of a diverse set of originalist theories. This course acquaints students with a number of originalist and nonoriginalist arguments; enables them to judge for themselves the strengths and weaknesses of each; and gives them an opportunity to sharpen their own views on the topic. It examines various originalist theories (original intentions, original meanings, original methods, and so on), the different emphases in originalist argumentation over time (the "old" originalism vs. the "new"), and the forms of argument used in support or opposition (conceptual, normative, positive).

The course is taught as a two-hour weekly seminar, focused on class discussion of the readings. Two days before each session, a preselected group of students will submit a detailed five- to eight-page paper in response to that weeks readings. (After the first session, students will sign up for particular weeks in advance, so that each student will write a total of eight response papers throughout the course.) These papers will then be circulated to all participants and will serve, together with the instructors comments at the start of each session, as a basis for class discussions. A final response paper discussing the material as a whole, or any originalism-related subject of the students interest, is due on the last day of the exam period. Grading for the course is based on these response papers as well as on class participation.

In addition, and with the permission of the instructor, students may choose to write a substantial paper for one additional credit. This paper can be used to satisfy Option 1 of the Written Work Requirement.
Overcriminalization and the Limits of Criminal Law

Course #: 2852  
Term: 2016SP  
Faculty: Levin, Benjamin  
Credits: 1.00

Type: Elective  
Subject Areas: Criminal Law & Procedure; Disciplinary Perspectives & Law; Government Structure & Function

Delivery Mode: Reading Group

Days and Times:  
Tue 5:00 PM - 7:00 PM

Location: HAU103

Course Description:  
Prerequisites: None.
Exam type: None.
Contemporary criminal law scholarship and criminal justice reform efforts have devoted substantial attention to the problem of overcriminalization. Scholars, judges and politicians have critiqued the expansive use of criminal law to solve social problems and fill regulatory gaps. This reading group will examine the theoretical basis for critiques of overcriminalization, as well as the practical consequences of the turn to criminal regulatory regimes. The reading group will focus on three primary questions: (1) What is overcriminalization? (2) Why is overcriminalization a problem? And (3) How can we address overcriminalization? The reading group will be divided into three units, each of which will address one of these questions and will consist of two sessions. We will use a range of texts (judicial opinions, congressional reports, scholarly writing, and popular commentary).

Note: The reading group will meet for six two-hour sessions on the following dates: TBD.

Drop Deadline: February 3, 2016 by 11:59pm EST
Partnership Taxation

Course #: 2298  Term: 2016SP  Faculty: Brennan, Thomas  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Course

Days and Times:  Location
Wed 8:20 AM - 9:40 AM  WCC1023
Thu 8:20 AM - 9:40 AM  WCC1023
Fri 8:20 AM - 9:40 AM  WCC1023

Course Description: Prerequisites: Taxation of Business Corporations.

Exam Type: One-day take-home exam.

This course is a sub-course within the Taxation of Businesses course. Students enrolled in the sub-course will attend the classes of the full course that deal with the taxation of partnerships, and they will take an exam that covers only the taxation of partnerships. Taxation of Business Corporations is a pre-requisite for the Partnership Taxation Sub-Course, unless permission from the instructor is obtained. Please note that the full Taxation of Businesses course is not open to students who have previously taken Taxation of Business Corporations, and neither the Partnership Taxation Sub-Course nor the full Taxation of Businesses course is open to students who have previously taken Partnership Tax.

Note: The course will meet for the first seven weeks of the term from Wednesday, January 27 through Friday, March 11.
Patent Litigation Workshop

Course #: 2514  Term: 2016SP  Faculty: Porcelli, Frank  Credits: 2.00
Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment
Delivery Mode: Seminar

Days and Times:  Location
Mon 5:00 PM - 7:00 PM  WCC3019

Course Description:
Prerequisites: Patent Law or Intellectual Property. Otherwise, please seek permission from the faculty member to enroll.
Exam: No Exam.
This two-credit course will provide students with exposure to the practical aspects of patent litigation. We will cover all of the major phases of a patent infringement suit, from pleading through trial. Students will participate in exercises intended to simulate many of the nuts-and-bolts tasks associated with a patent case, including preparing infringement and invalidity contentions and presenting oral argument on claim construction or summary judgment. Most classes will be conducted in a seminar format, with discussions focused primarily on litigation strategy and tactics, with reference to recent developments in the law. We will also have occasional guest lectures and demonstrations by distinguished practitioners in this field.

The instructor for this course is Frank Porcelli, a senior principal at the firm of Fish & Richardson P.C. Mr. Porcelli has over 30 years’ experience specializing in patent trial and appellate work. Mr. Porcelli will be joined for most class sessions by other senior patent litigation attorneys from his firm who will share with the class their varied perspectives on patent litigation practice.
Patents

Course #: 2754  Term: 2015FA  Faculty: Okediji, Ruth  Credits: 3.00

Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:50 PM  PND100
Tue 3:20 PM - 4:50 PM  PND100

Course Description: Prerequisites: None

Exam Type: In-Class

This course will provide foundational knowledge of the U.S. patent system. It introduces the history, legal and policy objectives of the patent system, with a focus on rules pertaining to patent protection, prosecution, enforcement and remedies. The course will address justifications for the grant of patent rights, and the mechanisms by which the constitutional objectives underlying the patent system are carried out, including in new areas of discovery and scientific innovation.

For select topics in the syllabus, the course will offer a comparison of the U.S. patent system with those of other industrialized and major emerging economies.

Neither a technical nor scientific background is necessary for this course.
Policing and Community Groups

Course #: 2770  Term: 2015FA  Faculty: Heymann, Philip; Harris, David  Credits: 2.00
Type: Elective  Subject Areas: Criminal Law & Procedure
Delivery Mode: Seminar
Days and Times: Location
Mon 5:00 PM - 7:00 PM  HAU105

Course Description: Prerequisites: None  Exam Type: In-Class
One of the most important problems our nation will face in the years ahead is demonstrating to minority groups that they truly enjoy the equal protection of the law. There are a number of reasons to question whether this is so. Inequality is found in abuses of police discretion, the use of force including lethal force, and in decisions as to arrest and sentencing. The reasons for it are deep and varied, including running from bias to fear and the impact of both on the broader electoral politics of law enforcement.

We hope to probe the extensive facts which have been gathered, the opinions and explanations of members of the minority community and the police, the interactions of both in light of accepted operating procedures and the culture that often shapes behavior in major American police departments.

What we will look for are recommendations that can move us promptly and steadily towards a state where minority communities of race, ethnicity, and disability are treated with the level of care and concern equal to that all police are expected to exercise in dealing with the middle class of the majority. The course will utilize as visiting lecturers a number of police at all levels and members of communities now being treated with hostility or suspicion.
Political Economy After the Crisis

Course #: 2390        Term: 2016SP        Faculty: Unger, Roberto Mangabeira        Credits: 2.00
Type: Elective        Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Location
Thu 1:00 PM - 3:00 PM HAU104

Course Description: Prerequisites: None
Exam: Takehome, not administered by HLS
Alternative ways of thinking about contemporary market economies and their reconstruction, explored in three contexts: the recent world financial and economic crisis and the struggle for recovery, the effort to advance socially inclusive economic growth in rich as well as in developing countries, and the character and consequences of globalization. We explore the ideas that can best help us understand how contemporary economies work and how they can be reformed, especially in the interest of innovation and inclusion. Previous acquaintance with economics useful but no pre-requisite. Readings from the classic and contemporary literatures of economics, politics, and law.

Note: This course is jointly-listed with FAS as Societies of the World 31 and HKS as PED-233.
Popular Criminalism

Course #: 2746  
Term: 2016SP  
Faculty: Crespo, Andrew  
Credits: 1.00

Type: Elective  
Subject Areas: Criminal Law & Procedure; Government Structure & Function

Delivery Mode: Reading Group

Days and Times:  
Thu 5:00 PM - 7:00 PM

Location

Course Description:  
Prerequisites: None  
Exam: No Exam

What is the relationship between popular democracy and criminal justice law and policy? What should it be? This seminar will look beyond the traditionally dominant actors in the criminal justice system (prosecutors, judges, defense attorneys, police officers) to explore ways in which other potential actors might interact with and influence criminal law and its enforcement. Topics will include institutional opportunities for lay citizens to impact the criminal justice system directly, including through their role as voters, petit jurors, grand jurors, and (sometimes) as crime victims, witnesses or defendants. We will also explore the role of the media, interest groups, community organizers and public-interest lawyers in shaping criminal justice policy.

Note: This reading group will meet on the following dates: 3/3, 3/10, 3/24, 3/31, 4/7, 4/14.

Drop Deadline: March 3rd, 2016 by 11:59 pm EST.
Poverty Law

Course #: 2201  
Term: 2016SP  
Faculty: White, Lucie  
Credits: 2.00

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

Delivery Mode: Course

Days and Times:  
Tue 5:00 PM - 7:00 PM

Location:  
PND102

Course Description:  
Prerequisites: None.
Exam Type: No exam.
A growing portion of the US population is living in poverty. Historically and today, groups such as racial and ethnic minorities, Native Americans, immigrants, people with disabilities, and single parent households have borne the brunt of US poverty. "Poverty law," which has its roots in the old English "Poor Laws," can be viewed as both a cause of these groups economic marginalization and a tool that activists use to promote their social rights. In the course, we will consider this "double-edged" character of US poverty law through a close examination of that law's intersections, both historical and contemporary, with the socioeconomic status and lived experience of America's most resource-limited groups.
We will begin with an overview of federal programs that provide a "safety net" for all citizens. We will then turn to the groups enumerated above, and consider where they have stood with respect to the distribution of the nation's wealth, its "universal" safety net, and the particular laws and policies that have been directed at them. The course will be taught as a workshop with the objective of giving students a solid grounding in both the content and differential impact of US "poverty law." In addition to readings, short response papers, and oral exercises, the course will require each student to do a longer paper or group presentation on a course theme.

Drop Deadline: February 3, 2016 by 11:59pm EST
Poverty, Human Rights, and Development

Course #: 2202  
Term: 2016SP  
Faculty: White, Lucie  
Credits: 2.00

Type: Elective  
Subject Areas: Family, Gender & Children's Law; Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:  
Wed 5:00 PM - 7:00 PM  
Location: WCCB010

Course Description:  
Prerequisites: None.

Exam Type: No exam.

This course uses a multidisciplinary lens to explore the linkages between global poverty, human rights, and development from an historical, theoretical, institutional, and policy-making perspective. Its departure point is the emergence of a recent "human rights and development" trend, both in academia and policy, as a result of the combined failure of development economics and the human rights movement to effectively address the challenge of global poverty and inequality.

The first part of the course draws on foundational readings from law, development economics, political science, moral philosophy, and social anthropology to introduce historically and normatively situated approaches to development and human rights. The second part explores key themes and current policy debates in the field as they play out at the levels of international financial institutions, national level development strategies, and the private sector. The third part focuses on how human rights to food, health, housing, and a decent livelihood, for instance, can be advanced in developing countries. In this final section of the course, student groups will design and teach workshops about bringing social rights, poverty alleviation, and equitable development together in grounded ways. In addition to readings, response papers, and class exercises, the course will require each student either to write a final paper or take part in teaching an in-class student workshop.

Note:
Students will have the option of adding an additional writing credit.

Drop Deadline: February 4, 2016 by 11:59pm EST
Predatory Lending and Consumer Protection Clinic

Course #: 8035  Term: 2015FA  Faculty: Bertling, Roger; Merrill, Toby  Credits: 4.00
Type: Clinic  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:
Students who enroll in this clinic may count the credits towards the JD experiential learning requirement.

Required Class Component: Predatory Lending and Consumer Protection Clinical Seminar (2 fall classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.


LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Predatory Lending/Consumer Protection Clinic focuses its advocacy efforts on preserving and protecting equity for low- and moderate-income homeowners; combating abuses in the consumer financial services industry; and ensuring equal and fair access to credit markets. The practice is primarily litigation and involves consumer, bankruptcy, real estate, banking, and tort law. The Clinic defends homeowners against foreclosure and commences complex litigation in Federal District Court, Bankruptcy Court, and Massachusetts Superior Court against subprime lenders, banking institutions, mortgage brokers, loan servicers, and foreclosure rescue scam artists. The Clinic also maintains a vibrant consumer law practice in which students defend against unlawful debt collection practices in state court, represent consumers who have been victimized by for-profit colleges and student lenders and represent consumers seeking a fresh start through petitions for bankruptcy.

Students in the Clinic gain extensive experience interviewing clients, analyzing loan documents, drafting complaints, drafting and responding to discovery requests, conducting and defending depositions, negotiating with opposing counsel, arguing motions, and engaging in long-term case strategizing. Students also have the opportunity to engage in bankruptcy and transactional work; to participate in the State Court Debt Collection Project; and, on occasion, to work on legislative initiatives and impact litigation.

For more information on the Predatory Lending Prevention / Consumer Protection Clinic, please contact Roger Bertling, (617) 390-2572; or Max Weinstein, (617) 390-2694.
Predatory Lending and Consumer Protection Clinic

Course #: 8035  Term: 2016SP  Faculty: Bertling, Roger; Merrill, Toby  Credits: 4.00
Type: Clinic  Subject Areas: Procedure & Practice; Regulatory Law
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Predatory Lending and Consumer Protection Clinical Seminar (2 spring classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).
The Predatory Lending/Consumer Protection Clinic focuses its advocacy efforts on preserving and protecting equity for low- and moderate-income homeowners; combating abuses in the consumer financial services industry; and ensuring equal and fair access to credit markets. The practice is primarily litigation and involves consumer, bankruptcy, real estate, banking, and tort law. The Clinic defends homeowners against foreclosure and commences complex litigation in Federal District Court, Bankruptcy Court, and Massachusetts Superior Court against subprime lenders, banking institutions, mortgage brokers, loan servicers, and foreclosure rescue scam artists. The Clinic also maintains a vibrant consumer law practice in which students defend against unlawful debt collection practices in state court, represent consumers who have been victimized by for-profit colleges and student lenders and represent consumers seeking a fresh start through petitions for bankruptcy.
Students in the Clinic gain extensive experience interviewing clients, analyzing loan documents, drafting complaints, drafting and responding to discovery requests, conducting and defending depositions, negotiating with opposing counsel, arguing motions, and engaging in long-term case strategizing. Students also have the opportunity to engage in bankruptcy and transactional work; to participate in the State Court Debt Collection Project; and, on occasion, to work on legislative initiatives and impact litigation.

For more information on the Predatory Lending Prevention / Consumer Protection Clinic, please contact Roger Bertling, (617) 390-2572; or Max Weinstein, (617) 390-2694.
Predatory Lending and Consumer Protection Clinical Seminar

Course #: 2204  Term: 2015FA  Faculty: Bertling, Roger; Merrill, Toby  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice; Regulatory Law

Delivery Mode: Seminar

Days and Times: Location
Mon 5:00 PM - 7:00 PM  WCC3009

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Predatory Lending and Consumer Protection Clinic (2-4 fall clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
The Predatory Lending and Consumer Protection Clinical Seminar is a required component of a clinical placement in the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Students in this clinic defend against foreclosures and commence affirmative litigation against banking institutions, sub-prime lenders, for-profit colleges and student lenders, servicers of loans, debt buyers and collectors, home improvement contractors, brokers and foreclosure rescue scam artists; and also represent consumers in Chapter 7 and Chapter 13 bankruptcies as well as in all facets of litigation on significant consumer issues, such as automobile financing, utility disputes, credit card, fair lending and fair credit reporting issues. The seminar introduces students to the substantive law germane to the clinics areas of practice, offers training in the skills needed to effectively litigate, (such as depositions, motion drafting and oral argument), and provides the opportunity for students to think strategically about their cases and to discuss the larger policy framework. Students will draft and argue a mock motion related to the coursework. Students will be graded based upon their participation in class and their motions and arguments.
A clinical practice component is required of all students. Enrollment is through clinical registration. Clinical placements are with the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.
# Predatory Lending and Consumer Protection Clinical Seminar

<table>
<thead>
<tr>
<th>Course #: 2204</th>
<th>Term: 2016SP</th>
<th>Faculty: Bertling, Roger; Merrill, Toby</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Procedure &amp; Practice; Regulatory Law</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Seminar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon 5:00 PM - 7:00 PM</td>
<td>WCC4063</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Course Description:
Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Predatory Lending and Consumer Protection Clinic (2-4 spring clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.


LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll. The Predatory Lending and Consumer Protection Clinical Seminar is a required component of a clinical placement in the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Students in this clinic defend against foreclosures and commence affirmative litigation against banking institutions, sub-prime lenders, for-profit colleges and student lenders, servicers of loans, debt buyers and collectors, home improvement contractors, brokers and foreclosure rescue scam artists; and also represent consumers in Chapter 7 and Chapter 13 bankruptcies as well as in all facets of litigation on significant consumer issues, such as automobile financing, utility disputes, credit card, fair lending and fair credit reporting issues. The seminar introduces students to the substantive law germane to the clinics areas of practice, offers training in the skills needed to effectively litigate, (such as depositions, motion drafting and oral argument), and provides the opportunity for students to think strategically about their cases and to discuss the larger policy framework. Students will draft and argue a mock motion related to the coursework. Students will be graded based upon their participation in class and their motions and arguments.

A clinical practice component is required of all students. Enrollment is through clinical registration. Clinical placements are with the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.
Privacy, Technology, and National Security

Course #: 2205  
Term: 2016SP  
Faculty: Heymann, Philip  
Credits: 2.00  
Type: Elective  
Subject Areas: Constitutional Law & Civil Rights; Criminal Law & Procedure; Government Structure & Function  
Delivery Mode: Seminar  
Days and Times: Wed 5:00 PM - 7:00 PM  
Location: WCC3012  
Course Description: Prerequisites: None.  
Exam Type: No exam.  
The threat of terrorism is leading to the development of remarkable, new methods of surveillance --- methods that do not require either the physical intrusion or traditional ways of overhearing conversations to which the courts have been applying Fourth Amendment law for decades. Nor have statutes filled the gaps in privacy that the new technology is opening. With the assistance of relevant scientists and engineers, we will look at a number of surveillance devices that will, foreseeably, be developed within the next decade and consider to what extent they will narrow the sphere of freedom that privacy and anonymity have long granted. This will require a careful analysis of the values protected by privacy, the usefulness of new technology in terms of security, and the possibilities for regulation by statute or judicial interpretation that could begin to reconcile these competing concerns.  
Note: This course is jointly-listed with HKS as DPI-525.

Private Law Workshop

Course #: 2206  
Term: 2015FA  
Faculty: Smith, Henry; Gold, Andrew  
Credits: 2.00  
Type: Elective  
Subject Areas: Business Organization, Commercial Law, and Finance; Legal & Political Theory  
Delivery Mode: Seminar  
Days and Times: Wed 3:00 PM - 5:00 PM  
Location: WCC3011  
Course Description: Prerequisite: Admission is by permission of the instructors. Students who wish to be considered for the seminar should submit a CV to Henry Smith (hesmith@law.harvard.edu).  
Exam Type: No exam.  
Paper required.  
This workshop will explore the foundations of private law -- property, contracts, torts, and restitution. Emphasis will be on theories that offer explanations, justifications, and criticisms of architectural features of these areas of law and of their connections to one another. Sessions will be devoted to paper presentations by outside speakers and to discussions of classic and contemporary works reflecting philosophical, historical, and economic approaches to private law topics.
Problem Solving Workshop A

Course #: 1007  |  Term: 2016WI  |  Faculty: Westfahl, Scott  |  Credits: 2.00

Type: 1lcourse  |  Subject Areas: Not Applicable

Delivery Mode: Course

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

Location: WCC1015

Course Description: This is a required course for 1Ls only.

The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients.

The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there is a required final exercise on the evening of January 20th presenting to practitioners. The final class will be held on January 21st.
Problem Solving Workshop B

Course #: 1007       Term: 2016WI       Faculty: Lee, William       Credits: 2.00

Type: 1lcourse       Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:       Location
Mon 9:00 AM - 12:15 PM WCC1019
Tue 9:00 AM - 12:15 PM WCC1019
Wed 9:00 AM - 12:15 PM WCC1019
Thu 9:00 AM - 12:15 PM WCC1019
Fri 9:00 AM - 12:15 PM WCC1019

Course Description: This is a required course for 1Ls only. The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients. The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there is a required final exercise on the evening of January 20th presenting to practitioners. The final class will be held on January 21st.
Problem Solving Workshop C

Course #: 1007  Term: 2016WI  Faculty: Berkman, Ellen  Credits: 2.00
Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Wed 9:00 AM - 12:15 PM WCC2004
Thu 9:00 AM - 12:15 PM WCC2004
Fri 9:00 AM - 12:15 PM WCC2004
Tue 9:00 AM - 12:15 PM WCC2004
Mon 9:00 AM - 12:15 PM WCC2004

Course Description: This is a required course for 1Ls only.

The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients.

The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there is a required final exercise on the evening of January 20th presenting to practitioners. The final class will be held on January 21st.
**Problem Solving Workshop D**

- **Course #:** 1007  
- **Term:** 2016WI  
- **Faculty:** Crawford, Susan  
- **Credits:** 2.00  
- **Type:** 1lcourse  
- **Subject Areas:** Not Applicable

**Delivery Mode:** Course

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

**Location:**
- WCC1023

**Course Description:**
This is a required course for 1Ls only.

The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients.

The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there is a required final exercise on the evening of January 20th presenting to practitioners. The final class will be held on January 21st.
Problem Solving Workshop E

Course #: 1007  Term: 2016WI  Faculty: Singer, Joseph  Credits: 2.00

Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:  
Mon 9:00 AM - 12:15 PM  WCC2009
Tue 9:00 AM - 12:15 PM  WCC2009
Wed 9:00 AM - 12:15 PM  WCC2009
Thu 9:00 AM - 12:15 PM  WCC2009
Fri 9:00 AM - 12:15 PM  WCC2009

Course Description: This is a required course for 1Ls only.
The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events. 

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients. The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there is a required final exercise on the evening of January 20th presenting to practitioners. The final class will be held on January 21st.
Problem Solving Workshop F

Course #: 1007  
Term: 2016WI  
Faculty: Rakoff, Todd  
Credits: 2.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

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

Location: WCC2012

Course Description:  
This is a required course for 1Ls only.  
The course is intended to help prepare you for the actual practice of law by allowing you actively to  
engage in the sorts of discussions and activities that occupy real lawyers every day, combining their  
knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It  
is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical  
issues lurking behind every day events.  
What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they  
bring to bear? What practical judgments? This workshop-style course will help answer these questions by  
giving you a chance to practice confronting client problems the way lawyers do, from the very beginning,  
before the facts are all known, before the clients goals are clarified, before the full range of options is  
explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on  
a number of different problems in different lawyering settings. You will be writing short memos of the kind  
written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to  
answer, and options that should be considered as well as writing memos interpreting laws that impinge on  
the problem and recommending a course of action. You will also engage in simulated interviews of clients.  
The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings,  
between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many  
days, written assignments prepared by each team due by the end of the afternoon. Class attendance every  
day is required as well as participation in the afternoon team work. There is no final exam, but there is a  
required final exercise on the evening of January 20th presenting to practitioners. The final class will be  
held on January 21st.
Problem Solving Workshop G

Course #: 1007  Term: 2016WI  Faculty: Shay, Stephen  Credits: 2.00
Type: 1Lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Location
Tue 9:00 AM - 12:15 PM WCC1010
Wed 9:00 AM - 12:15 PM WCC1010
Thu 9:00 AM - 12:15 PM WCC1010
Fri 9:00 AM - 12:15 PM WCC1010
Mon 9:00 AM - 12:15 PM WCC1010

Course Description:
This is a required course for 1Ls only.

The course is intended to help prepare you for the actual practice of law by allowing you actively to engage in the sorts of discussions and activities that occupy real lawyers every day, combining their knowledge of law with practical judgment to help clients attain their goals within the bounds of the law. It is also intended to help you become the kind of thoughtful practicing lawyer who can see the theoretical issues lurking behind every day events.

What sorts of problems do lawyers solve? How do they solve them? What intellectual constructs do they bring to bear? What practical judgments? This workshop-style course will help answer these questions by giving you a chance to practice confronting client problems the way lawyers do, from the very beginning, before the facts are all known, before the clients goals are clarified, before the full range of options is explored, and before a course of conduct is chosen. You will undertake these tasks by working in teams on a number of different problems in different lawyering settings. You will be writing short memos of the kind written by practicing lawyers, identifying facts that need to be gathered, questions the client needs to answer, and options that should be considered as well as writing memos interpreting laws that impinge on the problem and recommending a course of action. You will also engage in simulated interviews of clients.

The Problem Solving Workshop is the only class 1Ls take during winter term. Classes meet in the mornings, between the hours of 9am and 12pm most days; afternoons are devoted to team meetings, with, on many days, written assignments prepared by each team due by the end of the afternoon. Class attendance every day is required as well as participation in the afternoon team work. There is no final exam, but there is a required final exercise on the evening of January 20th presenting to practitioners. The final class will be held on January 21st.
Procedural Due Process

Course #: 2790  Term: 2015FA  Faculty: Lahav, Alexandra  Credits: 1.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Procedure & Practice
Delivery Mode: Reading Group

Course Description: Prerequisites: None.
Exam Type: No exam.
This reading group will explore the question "how much process is due?". Topics include due process administrative proceedings, court access fees, the right to counsel in civil cases, the right to a neutral arbiter, and the relationship between due process and equal protection doctrine.
Note: This reading group will meet on the following dates: 9/9, 9/16, 9/30, 10/7, 10/21, 10/28.

Progressive Alternatives: Institutional Reconstruction Today

Course #: 2391  Term: 2016SP  Faculty: Unger, Roberto Mangabeira  Credits: 2.00
Type: Elective  Subject Areas: Legal & Political Theory
Delivery Mode: Course

Course Description: Prerequisites: None
Exam: Takehome, not administered by HLS
An exploration of the past and future agenda of progressives, whether self-described as liberals or as leftists. What should they propose, now that they no longer believe in the usefulness of governmental direction of the economy or in the sufficiency of redistributive social programs? How can democracies and market economies be reorganized to suit progressive goals? Emphasis on the structural imagination about society and its alternatives in which contemporary social science and political discourse are deficient. Readings from several disciplines and examples from many countries.
Note: This course is jointly offered with FAS as Government 1092 and HKS as DPI-348. It is open to graduate and undergraduate students alike.
Promises and Challenges of Disarmament Clinical Seminar

Course #: 2509  Term: 2015FA  Faculty: Docherty, Bonnie  Credits: 2.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law; Procedure & Practice
Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM WCC3012

Course Description:
Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: International Human Rights Clinic (2-4 fall clinical credits). Students enrolled in the fall clinic must enroll in either this clinical seminar or Human Rights Advocacy (2 fall classroom credits). Students are not guaranteed their first choice of clinical seminars. Clinical seminar selection and enrollment occurs once a student has enrolled in the fall clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None.
By Permission: No.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: HLS.

Over the past 150 years, certain weapons have caused so much human suffering that the international community has taken steps to regulate or ban them. The most important method of disarmament has been treaty law although judicial opinions and national measures have played a role as well. This seminar will introduce students to different approaches to disarmament and various means to achieve them. The seminar will begin by identifying the kinds of problems posed by weapons and the need for weapons-specific treaties. It will then analyze three main approaches to disarmament: traditional disarmament, which is driven by national security interests; arms control, especially as it relates to nuclear weapons; and humanitarian disarmament, which focuses on civilian concerns. The seminar will consider how to achieve disarmament by discussing different treaty-making processes, strategies for promoting regulations or bans, the intricacies of crafting a convention, and the steps needed to fulfill an adopted treaty’s promise. To conclude, the seminar will examine new disarmament challenges, asking what types of weapons should be dealt with in the future and how.

In addition to being exposed to the substance and strategies of disarmament, students will build advocacy skills by doing fact-finding and treaty negotiation simulations. A fall clinical practice component in the International Human Rights Clinic is required of all students.
Property 1

Course #: 1004  Term: 2015FA  Faculty: Stilt, Kristen  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:  Location
Thu 9:50 AM - 11:50 AM  WCC1010
Fri 9:50 AM - 11:50 AM  WCC1010

Course Description: Exam type: In Class. This course provides an introduction to property law for first-year students.

Property 2

Course #: 1004  Term: 2016SP  Faculty: Singer, Joseph  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:  Location
Mon 8:10 AM - 10:10 AM  WCC1019
Tue 8:10 AM - 10:10 AM  WCC1019

Course Description: Exam type: One-day take-home. This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Topics will cover aspects of commercial land transfers such as leases, conveyances, recording, and other methods of title assurance; the role of property law in producing and remedying racial and economic inequality; private land use planning methods; and zoning, health and safety regulations, and takings doctrine. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.
Property 3

Course #: 1004  Term: 2015FA  Faculty: Smith, Henry  Credits: 4.00

Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Mon 10:20 AM - 11:40 AM  WCC2004
Tue 10:20 AM - 11:40 AM  WCC2004
Wed 10:20 AM - 11:40 AM  WCC2004

Course Description: Exam type: In Class. This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

Property 4

Course #: 1004  Term: 2015FA  Faculty: Mann, Bruce  Credits: 4.00

Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

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

Course Description: Exam type: One-day take-home. This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.
Property 5
Course #: 1004  Term: 2015FA  Faculty: Glendon, Mary Ann  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times: Location
Thu 9:50 AM - 11:50 AM  WCC1023
Fri 9:50 AM - 11:50 AM  WCC1023

Course Description:
Exam type: One-day take-home. This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

Property 6
Course #: 1004  Term: 2016SP  Faculty: Mack, Kenneth  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course
Days and Times: Location
Mon 10:20 AM - 11:40 AM  WCC2004
Tue 10:20 AM - 11:40 AM  WCC2004
Wed 10:20 AM - 11:40 AM  WCC2004

Course Description:
Exam type: One-day take-home. This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Topics will cover aspects of commercial land transfers such as leases, conveyances, recording, and other methods of title assurance; the role of property law in producing and remedying racial and economic inequality; private land use planning methods; and zoning, health and safety regulations, and takings doctrine. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.
Property 7

Course #: 1004  Term: 2015FN  Faculty: Donahue, Charles  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable
Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:40 PM  WCC2004
Tue 3:20 PM - 4:40 PM  WCC2004
Wed 3:20 PM - 4:40 PM  WCC2004

Course Description: Exam type: One-day take-home. This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.
Public Education Policy and Consulting Clinic

Course #: 8046  Term: 2015FA  Faculty: Liebman, James  Credits: 6.00
Type: Clinic  Subject Areas: Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. When students apply for this clinic, they may apply to participate in either the fall semester or the spring semester. Students should indicate which semester they are applying for in their application. Applications are due March 31 regardless of which semester you are applying for. Required Class Component: Public-Sector Structural Change in K-12 Education (5 classroom credits in either the fall or spring term, depending on which semester you participate in the clinic).

Additional Co-/Pre-Requisites: None.
By Permission: Yes. Applications are due March 31, 2015.
Add/Drop Deadline: Students will be notified of acceptances on April 20, 2015 and will be asked to make a firm commitment to the Clinic by May 11th, 2015.
LLM Students: LLM students are not eligible to enroll.
Location: Columbia University in NYC.

Introduction
The United States is in the midst of a massive restructuring of public-sector service delivery. Staffed by broadly interdisciplinary teams of accomplished and motivated professionals, the most successful of these new federal, state and local reforms are replacing outmoded public bureaucracies with learning organizations committed to using public problem-solving techniques to enhance the will and capacity of public agencies to improve the life chances of the nation’s most underserved populations. Nowhere are these changes more important and promising, yet also challenging and controversial, than in the nation’s public school systems.

This full-semester interdisciplinary Clinic brings together upper-level graduate students in law, business, education and policy from Harvard, Columbia, Dartmouth, Michigan, NYU and Stanford to immerse themselves in (i) emerging strategies for K-12 and allied institutional reform; (ii) structured, team-based problem-solving skills that effective organizations use to address the most difficult challenges in public education and many other domains; and (iii) high-priority multi-dimensional consulting projects on behalf of public- and social-sector organizations serving the educational and related needs of children.

Clinic Description
Participants in this Clinic engage in:

1. A comprehensive seminar in the design, governance, regulation, democratic accountability and transformation of K-12 school systems and allied public- and social-sector organizations.
2. Skills training in a constellation of twenty-first century problem-solving competencies, including working in diverse teams to address multi-dimensional problems; quantitative and qualitative analysis and measurement; organizational macro- and micro-design; project management; policy research and analysis; and presentation of professional advice to public- and social-sector clients.
3. A high-priority, professionally guided consulting project on which an interdisciplinary team of professional students provides research, design, strategic planning, and/or counseling assistance on matters that interweave legal, regulatory, management, policy, and/or technological problems crucial to the mission of the client organization-typically, a state department of education, school district, charter school organization, social services agency or other non-profit serving children.

The classroom components of the clinic are front-loaded in the semester to give student teams ample time later in the semester to focus on their consulting projects, including periods of time on site with their client organizations in the New York City area and throughout the U.S. (Travel expenses are covered by the
program.) Students admitted to the clinic communicate their areas of project interest, and every effort is made to place them on projects that conform to their interests.

James S. Liebman, Columbia Law professor and former Chief Accountability Officer of the New York City Schools leads the course and conducts its academic seminar. Consulting projects are guided by a team of experienced managers employed full-time by the Clinic who bring extensive experience in K-12 education, management consulting and other professional endeavors. These managers assure that the project work is both challenging and achievable by the student teams, and they provide students with intensive one-on-one feedback and personalized professional development and mentorship.

Program Components

A load of 11 credits total (5 classroom credits + 6 clinical credits);
Approximately 60 seminar hours over the semester for 5 classroom credits;
Average of 30 clinical hours/week working on consulting teams for K-12 organizations under the guidance of experienced engagement managers for 6 clinical credits;
A culminating paper reflecting on the work performed on behalf of the client and on the broader institutional context in which the work occurred, drawing on the critical and theoretical perspectives introduced in the seminar portion of the course.

Students also have the option of registering for 1 writing credit (in addition to the culminating paper) sponsored by an HLS faculty member (HLS Optional Written Work).

Application

Enrollment is by application and is limited to rising 2L and 3L students.
Students who are interested in this Clinic should submit a resume, unofficial transcript, and brief statement of interest (500 word max.) to cprl@law.columbia.edu by Tuesday, March 31, 2015 at 5 pm.
CPRL will notify students who have been invited for a video interview with Professor Liebman and the CPRL team. All interviews will be conducted by April 16th, 2015 and notification of decisions will be sent via email by April 20th, 2015.

Feel free to contact CPRL at info.cprl@gmail.com with any questions.

Accepted students will be enrolled in the clinic and associated course component by the Office of Clinical and Pro Bono Programs.
Public Education Policy and Consulting Clinic

Course #: 8046  Term: 2016SP  Faculty: Liebman, James  Credits: 6.00
Type: Clinic  Subject Areas: Procedure & Practice
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Public-Sector Structural Change in K-12 Education (5 classroom credits in either the fall or spring term, depending on which semester you participate in the clinic). Additional Co-/Pre-Requisites: None. By Permission: Yes. Applications for the spring term are due by November 10, 2015. Add/Drop Deadline: Students who are accepted into the clinic are expected to participate. LLM Students: LLM students are not eligible to enroll. Location: Columbia University in NYC.

Introduction
The United States is in the midst of a massive restructuring of public-sector service delivery. Staffed by broadly interdisciplinary teams of accomplished and motivated professionals, the most successful of these new federal, state and local reforms are replacing outmoded public bureaucracies with learning organizations committed to using public problem-solving techniques to enhance the will and capacity of public agencies to improve the life chances of the nation’s most underserved populations. Nowhere are these changes more important and promising, yet also challenging and controversial, than in the nation’s public school systems.

This full-semester interdisciplinary Clinic brings together upper-level graduate students in law, business, education and policy from Harvard, Columbia, Dartmouth, Michigan, NYU and Stanford to immerse themselves in (i) emerging strategies for K-12 and allied institutional reform; (ii) structured, team-based problem-solving skills that effective organizations use to address the most difficult challenges in public education and many other domains; and (iii) high-priority multi-dimensional consulting projects on behalf of public- and social-sector organizations serving the educational and related needs of children.

Clinic Description
Participants in this Clinic engage in:

1. A comprehensive seminar in the design, governance, regulation, democratic accountability and transformation of K-12 school systems and allied public- and social-sector organizations.
2. Skills training in a constellation of twenty-first century problem-solving competencies, including working in diverse teams to address multi-dimensional problems; quantitative and qualitative analysis and measurement; organizational macro- and micro-design; project management; policy research and analysis; and presentation of professional advice to public- and social-sector clients.
3. A high-priority, professionally guided consulting project on which an interdisciplinary team of professional students provides research, design, strategic planning, and/or counseling assistance on matters that interweave legal, regulatory, management, policy, and/or technological problems crucial to the mission of the client organization—typically, a state department of education, school district, charter school organization, social services agency or other non-profit serving children.

The classroom components of the clinic are front-loaded in the semester to give student teams ample time later in the semester to focus on their consulting projects, including periods of time on site with their client organizations in the New York City area and throughout the U.S. (Travel expenses are covered by the program.) Students admitted to the clinic communicate their areas of project interest, and every effort is made to place them on projects that conform to their interests.

James S. Liebman, Columbia Law professor and former Chief Accountability Officer of the New York City Schools leads the course and conducts its academic seminar. Consulting projects are guided by a team of
experienced managers employed full-time by the Clinic who bring extensive experience in K-12 education, management consulting and other professional endeavors. These managers assure that the project work is both challenging and achievable by the student teams, and they provide students with intensive one-on-one feedback and personalized professional development and mentorship.

Program Components

A load of 11 credits total (5 classroom credits + 6 clinical credits);
Approximately 60 seminar hours over the semester for 5 classroom credits;
Average of 30 clinical hours/week working on consulting teams for K-12 organizations under the guidance of experienced engagement managers for 6 clinical credits;
A culminating paper reflecting on the work performed on behalf of the client and on the broader institutional context in which the work occurred, drawing on the critical and theoretical perspectives introduced in the seminar portion of the course.

Students also have the option of registering for 1 writing credit (in addition to the culminating paper) sponsored by an HLS faculty member (HLS Optional Written Work).

Application
Enrollment is by application and is limited to rising 2L and 3L students.
Students who are interested in this Clinic should submit a resume, unofficial transcript, and brief statement of interest (500 word max.) to cprl@law.columbia.edu by November 10, 2015 at 5 pm. CPRL will notify students who have been invited for a video interview with Professor Liebman and the CPRL team.
Feel free to contact CPRL at cprl@law.columbia.edu with any questions.
Accepted students will be enrolled in the clinic and associated course component by the Office of Clinical and Pro Bono Programs.
Public Health Law and Policy

Course #: 2497 Ter: 2015FA Faculty: Greenwald, Robert Credits: 2.00
Type: Elective Subject Areas: Health Law
Delivery Mode: Seminar

Location

Days and Times: Tue 5:00 PM - 7:00 PM

WCC3011

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement if they also enroll in the associated clinic.

Prerequisites: Enrollment in the seminar is limited to 20 students, and is open to LLM students by permission.

Exam Type: No exam.

This seminar provides an overview of the historical law and policy decisions that have shaped the U.S. health care system and are informing current debates about health reform. Incorporating varying perspectives, the seminar discusses federal and state policy options to address current public health and access to care challenges.

This seminar begins with an analysis of health systems in other countries. Next, we discuss the key policy decisions made over the past century that have shaped the current patchwork of public and private insurance coverage options in this country. After providing this international and historical context, we analyze in detail the key elements of the current U.S. health and public health care systems through the lens of its impact on vulnerable populations. We look at the components of the federal approach to reform, including the national health care reform law the Patient Protection and Affordable Care Act. We also consider several state initiatives that highlight how states are acting as laboratories of innovation to implement sweeping health reforms. Finally, we discuss the forces at play that favor the health policy status quo in this country and discuss the many opportunities for health policy solutions focusing on increasing access to care and addressing public health concerns. This seminar is open to students interested in health and public health law and policy; no background or prerequisites are required. The reading materials include various book chapters, cases, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The course is intended to spark debate between different sides of these often controversial issues, and students participate in different in-class role plays and debates.

Some seats are reserved for students in the fall or winter Health Law and Policy clinic. Students who enroll in either the fall or winter Health Law and Policy clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the fall or winter Health Law and Policy clinic, they will also lose their reserved seat in this course. Please note that there is an early drop deadline of September 3, 2015 for students in this course enrolled in reserved clinical seats.
Public Health Law and Policy

Course #: 2497  Term: 2016SP  Faculty: Greenwald, Robert  Credits: 2.00
Type: Elective  Subject Areas: Health Law

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM  WCC3036

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement if they also enroll in the associated clinic.
Prerequisites: Enrollment in the seminar is limited to 20 students, and is open to LLM students by permission.
Exam Type: No exam.
This seminar provides an overview of the historical law and policy decisions that have shaped the U.S. health care system and are informing current debates about health reform. Incorporating varying perspectives, the seminar discusses federal and state policy options to address current public health and access to care challenges.
This seminar begins with an analysis of health systems in other countries. Next, we discuss the key policy decisions made over the past century that have shaped the current patchwork of public and private insurance coverage options in this country. After providing this international and historical context, we analyze in detail the key elements of the current U.S. health and public health care systems through the lens of its impact on vulnerable populations. We look at the components of the federal approach to reform, including the national health care reform law the Patient Protection and Affordable Care Act. We also consider several state initiatives that highlight how states are acting as laboratories of innovation to implement sweeping health reforms. Finally, we discuss the forces at play that favor the health policy status quo in this country and discuss the many opportunities for health policy solutions focusing on increasing access to care and addressing public health concerns. This seminar is open to students interested in health and public health law and policy; no background or prerequisites are required. The reading materials include various book chapters, cases, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The course is intended to spark debate between different sides of these often controversial issues, and students participate in different in-class role plays and debates.

Some seats are reserved for students in the spring Health Law and Policy clinic. Students who enroll in the spring Health Law and Policy clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the spring Health Law and Policy clinic, they will also lose their reserved seat in this course. Please note that there is an early drop deadline of January 15, 2016 for students in this course enrolled in reserved clinical seats.
Public International Law

Course #: 1008  
Term: 2016SP  
Faculty: Blum, Gabriella  
Credits: 4.00

Type: lintl  
Subject Areas: Not Applicable  
Delivery Mode: Course

Days and Times:  
Thu 9:50 AM - 11:50 AM  
Fri 9:50 AM - 11:50 AM  
Fri 3:15 PM - 5:15 PM

Location:  
LAN225  
LAN225

Course Description:  
Prerequisites: None. Exam type: One-day take-home. This is an introductory course to public international law. The first part of the course examines the nature, sources, and methods of international law, the relationship between international law and domestic U.S. law, the determination of international responsibility and the resolution of international disputes, and the bases of national jurisdiction over international conduct. In the second part of the course we will study select substantive areas of international law, including the use of force and the laws of war, human rights, international criminal law, and international trade law. Where relevant, the course will follow current events.

Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students. There will be several make up classes held during the early part of the term. Students should be prepared to attend these sessions which will be held on Fridays, 3:15-5:15 pm.
Public International Law

Course #: 2212        Term: 2015FA        Faculty: Helal, Mohamed        Credits: 3.00

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

Delivery Mode: Course

Days and Times:        Location
Thu 10:00 AM - 11:30 AM HAU104
Fri 10:00 AM - 11:30 AM HAU104

Course Description: Prerequisites: NoneExam Type: One-Day Take-Home. Grading will be based on the final examination and in-class participation. This is an introductory course on public international law, which is the body of rules governing relations both between states and, increasingly, between a diverse set of actors, including individuals, civil society, international institutions, NGOs, and corporations. The purpose of this course is to introduce students to the foundational rules of the international legal system, which are vitally important to a wide range of global policy challenges such as waging war, combating terrorism, preventing the proliferation of weapons of mass destruction, protecting human rights, preserving the environment, promoting world trade, and managing the global commons.

This course is divided into two parts, the first of which focuses on the sources and subjects of international law. The sources of international law are treaties, custom, general principles of law, and the opinions of jurists and court decisions. Special attention will be given to the processes of making and interpreting treaties, and to the formation and evolution of custom. Discussion of the subjects of international law, which are the actors governed by international law, will extend to states, including examining the elements of statehood, state recognition, the changing nature of sovereignty, and the relationship between international and domestic law, with a focus on the United States. We will also discuss the status, rights, roles, and obligations of other actors, including individuals, international organizations, and corporations.

The second part of this course introduces students to specific areas of international law, including: the use of armed force, international criminal law, international humanitarian law, human rights law, the law of the sea, state responsibility, and international trade law. These areas may be revised if warranted by current events.

In-class discussions and assigned readings will frequently extend beyond the rules of international law to consider policy aspects of issues examined during the course. No previous courses or practical experience either in international law, international relations, or political science are required for this course. This course is available to students who have not previously taken a course in public international law.
**Public International Law**

**Course #:** 1008  
**Term:** 2016SP  
**Faculty:** Anderson, Kenneth  
**Credits:** 4.00  
**Type:** 1lintl  
**Subject Areas:** Not Applicable

**Delivery Mode:** Course

**Days and Times:**
- Thu 9:50 AM - 11:50 AM  
- Fri 9:50 AM - 11:50 AM

**Location:** WCC1019

**Course Description:**
Prerequisites: None. Exam type: Any-day take-home exam.
This is an introductory course to public international law and institutions. The course examines the nature, sources, and methods of international law; the nature and structure of United Nations system and other key public international organizations; the relationship between international law and domestic law, including the bases of national jurisdiction over cross-border conduct; and the interaction of international law, diplomacy, and politics in global affairs. The course will consider select substantive areas of international law, such as the use of force and the laws of war, human rights, international criminal law, and international economic law. Where relevant, it will follow current events. The course will be framed against a broad conceptual debate over the meaning of global governance in a world of sovereign states. Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students.

---

**Public Law Workshop**

**Course #:** 2213  
**Term:** 2016SP  
**Faculty:** Minow, Martha; Manning, John  
**Credits:** 2.00  
**Type:** Elective  
**Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function

**Delivery Mode:** Course

**Days and Times:**
- Wed 3:00 PM - 5:00 PM

**Location:** WCC3036

**Course Description:**
Prerequisite: Instructor permission is required for enrollment. Applicants should send a statement of interest and resume to Cherisa Ellis (cellis@law.harvard.edu) by October 31.
Exam Type: No exam.
The Public Law Workshop reads a mix of classic and contemporary work, in legal theory and adjacent disciplines, on the legal and political foundations of constitutional law, interpretive practice, and regulatory design. In approximately half of the sessions, invited speakers will present papers on topics relevant to the workshop’s themes. Students will be required to write a number of short response papers.
Public Narrative and Justice

Course #: 2823  
Term: 2016SP  
Faculty: Lessig, Lawrence; Goldsmith, Jack; Suskind, Ron

Credits: 2.00

Type: Elective  
Subject Areas: Disciplinary Perspectives & Law; Government Structure & Function; Legal & Political Theory

Delivery Mode: Seminar

Days and Times:  
Thu 5:00 PM - 7:00 PM

Location: WCC3007

Course Description: Prerequisites: None.
Exam type: No exam. Requirements: Short weekly response essays (1 page or less) plus a final paper critiquing a public narrative campaign.
This class analyzes public narratives, and deconstructs them to understand how they form and then how they are reshaped - based on available evidence or contravening it - to carry forward specific public goals. These shifting narratives form public definitions of justice and its expression in law. Who shapes them, how and why, will be examined in regard to seminal issues of principle and practice - from the U.S. engagement in torture to campaign finance reform to race-based preferences and protections. Students will study the nature of effective stories - those that engage audiences and often prompt action - from the courtroom to the public square, and will have a chance to question combatants in key struggles of this era.
Public Problems: Advice, Strategy and Analysis

Course #: 2398  Term: 2016SP  Faculty: Barron, David; Fung, Archon  Credits: 2.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Government Structure & Function; Procedure & Practice

Delivery Mode: Seminar
Days and Times: Thu 4:15 PM - 6:15 PM  Location: WCC3034

Course Description: Note: The first class session will be held on Friday, January 29th, from 3:15-5:15pm. Thursday meetings will resume as scheduled the week of February 3rd.
Prerequisite: Instructor permission is required for enrollment. For students who want permission to enroll, please email Professors Barron and Fung expressing why you would like to take the seminar by December 1st. Their emails are archon_fung@harvard.edu and dbarron@law.harvard.edu.
Exam type: No Exam. This is a two-credit jointly taught seminar that is required for students in their third and fourth years of the HLS/HKS joint degree program. It will use a series of case studies to examine how to analyze, advise and strategize the resolution of a series of difficult real world public problems at the intersection of law and policy from the vantage point of government decision makers at the city, state and federal levels, as well as from the vantage point of nongovernmental organizations and advocacy groups.

Students enrolled at the Kennedy School who have already received a JD or have completed the first year of law school, or students at the law school who have received a public policy degree or are presently enrolled in a public policy program other than the HKS program may also take this seminar with the permission of Professors Barron and Fung.

Note: This course is jointly-listed with HKS as DPI-562.

Race & Politics: Post Racial? A 21st Century Query

Course #: 2484  Term: 2015FA  Faculty: Robinson, Stephanie  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function

Delivery Mode: Seminar
Days and Times: Tue 5:00 PM - 7:00 PM  Location: HAU101

Course Description: Prerequisites: None.
Exam Type: No exam.
This course traces the trajectory of select sentiment, ideology and media relevant to the recent concept of a "post-racial" American society. While the successful campaign of President Barack Obama certainly acted as a galvanizing force for post racial conceptualizations and discourse, this course will consider this political watershed within a larger context of the historical and current factors facilitating the development of such a debatable construct. Relevant factors including the flaws and promises of traditional civil rights movements, changing demographics, evolving issues of race and marriage, anti-immigrant sentiment, economic turmoil, and sympathy for the loss of whiteness in traditional national identity will be discussed through literature, journalism, and visual media.
# Reading the Federalist in the 21st Century

<table>
<thead>
<tr>
<th>Course #: 2792</th>
<th>Term: 2015FA</th>
<th>Faculty: Levinson, Sanford</th>
<th>Credits: 1.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Constitutional Law &amp; Civil Rights</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode: Reading Group</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times: Mon 5:00 PM - 7:00 PM</td>
<td>Location LEW102</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Course Description:**
Prerequisites: None.

Exam Type: No exam.

This course will be based on Prof. Levinson's forthcoming book, a set of 85 essays on the corresponding essay in *The Federalist*, where the central question is what, if anything, does the Federalist essay teach the reader about 21st century politics (including the purpose and design of constitutions). Over the six meetings, we shall read approximately 24-30 of the original Federalist essays, together with the essays from Prof. Levinson new book, and discuss them. An important general question involves the audience for the Federalist. The American Bar Association often sends copies abroad. Why? Will American and foreign audiences necessarily infer congruent messages? For obvious reasons, LLMs are welcome to enroll.

Note: This reading group will meet on the following dates: 9/21, 9/28, 10/5, 10/19, 11/2, 11/16. Drop Deadline: September 22, 2015 by 11:59pm EST
Real Estate Transactions

Course # 2218  Term: 2016SP  Faculty: Abromowitz, David  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice; Regulatory Law

Delivery Mode: Course

Location

Days and Times:
Wed 5:00 PM - 6:30 PM  GRS110
Thu 5:00 PM - 6:30 PM  GRS110

Course Description:
Prerequisites: Familiarity with business entities (limited liability companies and partnerships), and tax, are beneficial but not required.
Exam type: One day take-home.

This course will provide a practical introduction to the transactional world of real estate finance and development. We will delve into a broad range of real estate transactions that will illustrate issues that will include sales, purchases, mortgage financing, mezzanine financing, commercial leasing, ground leasing, joint ventures, "air rights" transactions, land use and private/public partnerships.

The course is designed to give students interested in real estate transactions an insight into both the integration of law into the practice area, and some practical lawyering experiences including negotiation and drafting exercises. We will use documentation from actual deals for some sections of the class. Some sessions will include guest speakers, including developers and other industry experts.

Class size will be limited, and class participation will be a component of final grades.
Regulation of Financial Institutions

Course #: 2219  Term: 2015FA  Faculty: Jackson, Howell; Tahyar, Margaret  Credits: 4.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law

Delivery Mode: Course

Days and Times: Location
Thu 9:50 AM - 11:50 AM WCCB010
Fri 9:50 AM - 11:50 AM WCCB010

Course Description: Prerequisites: None
Exam Type: In-Class
Over the course of the semester, students will be expected to prepare one short research paper on a topic of current interest and the final examination. This course explores the regulation of financial institutions in the United States, covering a range of firms including banks, mutual funds, securities firms, and insurance companies, as well as financial markets more generally. We will examine the many different supervisory mechanisms that have evolved in the United States to regulate financial firms, with a particular emphasis on jurisdictional boundaries, ongoing reforms in prudential regulation, consumer financial protection, and the oversight of systemic risks. Margaret E. Tahyar, a senior member of the Davis Polk Financial Institutions Group, will participate in co-teaching portions of the course focusing on issues related to the implementation of the Dodd-Frank Act of 2010.

Teaching materials will include several case studies raising issues of current policy concern as well as more traditional legal sources. Readings will be from Barr, Jackson & Tahyar, Financial Regulation: Law and Policy (forthcoming Foundation Press 2016).

Remedies

Course #: 2221  Term: 2016WI  Faculty: Smith, Henry  Credits: 3.00
Type: Elective  Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Mon 9:00 AM - 12:15 PM HAU104
Tue 9:00 AM - 12:15 PM HAU104
Wed 9:00 AM - 12:15 PM HAU104
Thu 9:00 AM - 12:15 PM HAU104
Fri 9:00 AM - 12:15 PM HAU104

Course Description: Prerequisites: None.
Exam Type: In-class exam.
This course will address what courts do for litigants seeking to vindicate their legal rights. Topics include damages, injunctive relief, declaratory judgments, restitution, and punitive civil remedies. These remedies are considered in both private law and public law settings. The course will particularly focus on the role of equity and equitable notions across the legal system.
Reproductive Rights and Justice

Course #: 2540       Term: 2016SP       Faculty: Roseman, Mindy       Credits:  2.00

Type: Elective       Subject Areas: Family, Gender & Children’s Law; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:       Location
Thu 5:00 PM - 7:00 PM   WCC3012

Course Description: Prerequisites: None.
Exam type: No exam.
This seminar will examine reproductive rights and justice, domestically and globally. The concept of reproductive rights and justice cuts across many legal doctrines, such as family law, property, health law, criminal law, immigration, human rights, and constitutional law. The course aims to join the doctrinal black letter law and the conceptualization of these issues as both matters of health and rights, and place our discussion in its multifaceted political context.

Reproductive rights include access to fertility treatment, pre-natal care, contraception, pregnancy termination, perinatal and post-natal care, genetic counseling, gender equality and more. Yet in public and political discussions, attention is often limited to questions involving abortion. Reproductive justice seeks to broaden the remit of reproductive rights and bring in an intersectional analysis of race, class, gender, sexuality, able-bodiedness and so on. This course will address a wide range of sexual and reproductive rights and justice through the interdisciplinary and cross-cultural examination of historical, anthropological, sociological and public health articles, as well as legal cases, film and literature. We will explore social movements, population policy, sexuality, gender, race/ethnicity and poverty, as well as look at legal and policy responses such as decriminalization, financial regulation, and public interest litigation.

Some of the questions this seminar will consider are: What are the legal doctrines that constitute reproductive (and sexual) rights, and in being so constructed, what actions do they enable and constrain? What roles have the US constitutional courts played in constructing elite and popular debates? Why is abortion so central? How do reproductive and new media technologies contribute to global and local conversations and social movements? How have concepts of sexual and reproductive rights transformed into claims for justice and what does that mean?
Research Seminar in Law, Economics, and Organizations

Course #: 2157  Term: 2016SP  Faculty: Kaplow, Louis; Bebchuk, Lucian; Spier, Kathryn  Credits: 1.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law
Delivery Mode: Seminar

Days and Times: Location
Mon 12:30 PM - 2:00 PM HAU105

Course Description: Prerequisites: None. The seminar is given jointly with the FAS Economics Department, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.)
Exam type: No exam.
This seminar is co-taught by Professors Bebchuk, Kaplow, Spier, Spamann and Prof. Oliver Hart, an Andrew E. Furer Professor of Economics in the Economics Department.
This seminar will involve the presentation by speakers of papers in the fields of law and economics, law and finance, and contract theory. The two-credit seminar will meet for one and a half hours for two-thirds of the weeks in each of the two terms. Lunch will be served. A student may take the seminar for only one term, for one credit (2 credit fall/spring terms, 1 credit fall term, or 1 credit spring term). Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

Research Seminar in Law, Economics, and Organizations

Course #: 2157  Term: 2015FA  Faculty: Kaplow, Louis; Bebchuk, Lucian; Spier, Kathryn  Credits: 1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law
Delivery Mode: Seminar

Days and Times: Location
Mon 12:30 PM - 2:00 PM HAU105

Course Description: Prerequisites: None.
Exam Type: No exam.
This seminar is co-taught by Professors Bebchuk, Kaplow, Spier, Spamann and Prof. Oliver Hart, an Andrew E. Furer Professor of Economics in the Economics Department.
This seminar will involve the presentation by speakers of papers in the fields of law and economics, law and finance, and contract theory. The two-credit seminar will meet for one and a half hours for two-thirds of the weeks in each of the two terms. Lunch will be served. A student may take the seminar for only one term, for one credit (2 credit fall/spring terms, 1 credit fall term, or 1 credit spring term). The seminar is given jointly with the FAS Economics Department, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.
Research Seminar in Law, Economics, and Organizations

Course #: 2157  Term: 2015FS  Faculty: Spier, Kathryn; Kaplow, Louis; Bebchuk, Lucian  Credits: 2.00

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

Delivery Mode: Seminar  Location

Days and Times:
Mon 12:30 PM - 2:00 PM

Course Description:
Prerequisites: None.
Exam Type: No exam.

This seminar is co-taught by Professors Bebchuk, Kaplow, Spier, Spamann and Prof. Oliver Hart, an Andrew E. Furer Professor of Economics in the Economics Department.

This seminar will involve the presentation by speakers of papers in the fields of law and economics, law and finance, and contract theory. The two-credit seminar will meet for one and a half hours for two-thirds of the weeks in each of the two terms. Lunch will be served. A student may take the seminar for only one term, for one credit (2 credit fall/spring terms, 1 credit fall term, or 1 credit spring term). The seminar is given jointly with the FAS Economics Department, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

Research Seminar in the First Amendment

Course #: 2818  Term: 2016SP  Faculty: Tushnet, Mark  Credits: 2.00

Type: Elective  Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Seminar  Location

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

Course Description:
Prerequisite: Constitutional Law: First Amendment
Exam Type: No exam.

This seminar will examine advanced topics in the First Amendment (both speech and religion). After an introductory series of classes on advanced topics in the field (such as the coverage/protection distinction and the emerging scholarship of freedom of the church,) the course will move to student presentations, initially of proposals for research papers and then, toward the end of the semester, in a workshop format for draft papers.

Drop Deadline: February 2, 2016 by 11:59pm EST
Research Seminar: Management Turnover in the S&P 500

Course #: 2530  Term: 2016SP  Faculty: Kraakman, Reinier  Credits:  2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM  WCC3038

Course Description: Prerequisites: The only prerequisite for this seminar is some exposure to corporate law or corporate governance
Exam Type: No exam.
Individual participants may be asked to present assigned readings and will be asked to complete a 20-25 page paper, based either on secondary sources or primary research into a turnover-related dataset. This seminar reviews the literature on management and director turnover in U.S. public corporations. Topics to be addressed include the proximate causes of turnover (e.g., retirements, terminations, and takeovers); relationships between turnover and corporate attributes such as firm performance, size, and ownership structure; the relationship between managerial compensation and turnover; the evolution of CEO and director turnover over time; and the merits of mandatory retirement and term limits (for corporate directors). Depending on available data, the seminar may also inquire into when turnover in the C-suite or the boardroom is a team phenomenon, i.e., when is turnover among a company’s directors and/or top managers highly intercorrelated. Finally, seminar readings will address the implications of turnover for corporate governance norms. Should turnover be encouraged by means of term limits or mandatory retirement ages? Should it be discouraged by practices that foster continuity in leadership, such as retaining a retiring CEO as the chairman of the board? How do these issues resemble other governance topics such as the value of independent directors or separating the roles of Chairman and CEO?
### Ripped from the Headlines: Major Contemporary Criminal Cases and Issues

**Course #:** 2820  
**Term:** 2015FA  
**Faculty:** Gertner, Nancy  
**Credits:** 1.00  
**Type:** Elective  
**Subject Areas:** Criminal Law & Procedure  
**Delivery Mode:** Reading Group  
**Days and Times:** Mon 5:00 PM - 7:00 PM  
**Location:** LEW302  
**Course Description:**  
- Prerequisites: None.  
- Exam Type: No exam.  
- An examination of major criminal cases -- one each week for example, Tsarnaev (Boston Marathon); Pistorious, Zimmerman, Governor McDonnell, a battered womens syndrome case.  
- Note: This reading group will meet on the following dates: 9/14, 10/5, 11/2, 11/9, 11/23, 11/30.  
- Drop Deadline: September 15th, 2015 by 11:59pm EST.

---

### Roman Law

**Course #:** 2223  
**Term:** 2015FA  
**Faculty:** Donahue, Charles  
**Credits:** 1.00  
**Type:** Elective  
**Subject Areas:** International, Comparative & Foreign Law; Legal History  
**Delivery Mode:** Reading Group  
**Days and Times:** Mon 5:00 PM - 7:00 PM  
**Location:** WCC4061  
**Course Description:**  
- Prerequisites: None.  
- Exam Type: No exam.  
- A very brief introduction to classical Roman law. We will begin with a H. J. Wolffs, Roman Law, an introductory book that outlines the history of Roman law in the Ancient World from 450 BC to the codifications of Justinian (530-533 AD). We will then read (in translation) Gaiuss Institutes, a first-year textbook for students of Roman law, written around 160 AD.  
- Note: This reading group will meet on the following dates: TBD during the first week of the semester.
Securities Litigation

Course #: 2443  
Term: 2016WI  
Faculty: Ferrell, Allen  
Credits: 3.00

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

Delivery Mode: Course

Days and Times:  
Mon 1:00 PM - 4:15 PM
Tue 1:00 PM - 4:15 PM
Wed 1:00 PM - 4:15 PM
Thu 1:00 PM - 4:15 PM
Fri 1:00 PM - 4:15 PM

Location: WCC3007

Course Description:  
Prerequisites: None.
Exam Type: In-class exam.
The class will explore a variety of issues that arise in securities litigation. These issues will include accounting fraud, proxy fraud, underwriter liability, the interplay of SEC, criminal, class, and opt-out actions, the extraterritorial application of U.S. securities law, and insider trading. The class will also cover the recurring themes of securities litigation - state of mind, pleading, gatekeeper liability, duty, materiality, class certification, causation, damages, and settlement -- as they arise in various settings.
Semester in Human Rights

Course #: 8042  Term: 2015FA  Faculty: Giannini, Tyler; Farbstein, Susan  Credits: 6.00
Type: Clinic  Subject Areas: International, Comparative & Foreign Law
Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Advanced Skills Training in Human Rights Advocacy (2 fall classroom credits).

Once a student is accepted into this clinic, the Office of Clinical and Pro Bono Programs will enroll them in the required course. Additional Co-/Pre-Requisites: 3Ls only; prior semester of the International Human Rights Clinic. By Permission: Yes. Applications are due May 1, 2015. Add/Drop Deadline: September 3, 2015. LLM Students: Due to the pre-requisite, LLM students are not eligible to apply. Placement Site: HLS. This will be a full-time clinic option for up to 2 students in the International Human Rights Clinic (IHRC) in Fall 2015. Students will enroll in 10 credits total with the Clinic for the semester (see breakdown below), with requirements as follows:

By application (Deadline: May 1, 2015).
Limited to 3Ls who have previously spent at least one semester in the IHRC.
Students will take the fall course, Advanced Skills Training in Human Rights Advocacy (2 fall classroom credits).
Students will work full-time in the Clinic on one or more projects (6 clinical credits).
Students will take independent writing credits under the supervision of an IHRC clinician, with a focus on a topic of relevance to either the clinical work or the seminar (2 writing credits).
Full-time clinic students will also be given additional responsibilities, serving as student team leaders who assist in making strategic decisions and in supporting the work of other students on a given project.

In addition to the 10 credits enrolled through the Semester in Human Rights, students may also enroll in additional seminar or course (of 2 or 3 credits) related to their area of focus. In their applications (see below for details), students should identify any such seminar or course and explain how it is relevant to their focus for the semester.

Additional Logistics:
Advanced Skills Training in Human Rights Advocacy will have a total of 10 JD students; 8 through students who register for the Advanced International Human Rights Clinic and up to 2 by application for the Semester in Human Rights.
Students who are accepted into the Semester in Human Rights will also register for 2 writing credits. To register for writing credits, students should fill out the JD Option 1 Written Work form (link to page) and submit to Maggie Bay in Office of Clinical and Pro Bono Programs.
Applications for the Semester in Human Rights, with a current CV and a statement of interest, should be addressed to Tyler Giannini and Susan Farbstein, and sent to Katherine Talbot (ktalbot@law.harvard.edu).
Please address the following questions in your statement of interest:

How will the intensive focus of a full-time semester in human rights benefit you personally?
How will the full-time semester build on your prior experience in and commitment to human rights, whether in a clinic, summer placement, pre-law school employment, etc.? How and why are you prepared for this option?
What are your post-graduate career plans, and how will the full-time semester better prepare you for your intended career path?
What project(s) do you propose to work on, and why is the full-time option necessary for the project(s)? If you do not have a particular project in mind, what issues or skills do you propose to focus on and why?
What will be the added value of enrolling full time?
How will the different components (advanced class, clinical projects, independent writing) complement each other and form a coherent and intensive term?

Seminar on Case Writing

Course #: 2814  
Term: 2015FA  
Faculty: Rohrer, Lisa  
Credits: 2.00

Type: Elective  
Subject Areas: Procedure & Practice

Delivery Mode: Seminar

Location

Days and Times:
Mon 5:00 PM - 7:00 PM  
WCC5052

Course Description:
Prerequisites: None.
Exam Type: No exam.
The goal of the course will be for students to analyze and write about legal problems as they present themselves in the real world while also contributing to a growing library of case studies that are used in the Problem Solving Workshop and other law school courses. Students will have an opportunity to (1) explore a real-world legal issue from multiple perspectives, (2) learn to write effectively about that issue and (3) develop a set of teachable lessons that come out of the issue. The course is suited both for students who have an interest in legal academia as well as students who enjoy writing and are interested in finding ways to further explore legal issues in real-world contexts.

During the first few weeks of the seminar, students will select a topic as well as a professor or a legal practitioner as an adviser with whom they can work to develop their own case study. Each week, we will analyze existing law school case studies both from legal and pedagogical perspectives. We will invite the case study authors (often HLS professors) to come and discuss their motivation and strategy for writing the case, challenges and how they overcame them, and how the case has worked in a classroom environment. We will also invite guest speakers from outside of HLS to provoke discussions about writing style and narrative as well as alternative ways of writing and using cases (such as simulations and online case studies).

Students will submit a fully developed case study and teaching note at the end of the semester. Selected cases may be used in future versions of the Problem Solving Workshop or other HLS courses and published on the HLS case study portal (http://casestudies.law.harvard.edu).
Seminar: Human Rights in the UN Treaty Bodies

Course #: 2343  Term: 2015FS  Faculty: Neuman, Gerald  Credits: 2.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law
Delivery Mode: Seminar

Days and Times: Thu 5:00 PM - 7:00 PM

Location

Course Description:

Prerequisite: By permission of instructor. Students who have taken either the 1L or upper-level International Human Rights introductory course at HLS may enroll without special permission but should contact the instructor for pro forma permission due to technical reasons; other students who have not taken that course but believe that they have equivalent preparation may contact the instructor for permission to enroll. Auditing will not be permitted.

Exam Type: No exam.
Grading will be based on class participation and a series of short reaction papers.
This advanced seminar will focus on selected topics relating to the work of the UN human rights treaty bodies, especially the Human Rights Committee (of which the instructor was previously a member). Topics vary from year to year, but may include such subjects as arbitrary detention, religious exemptions, military trials, forced evictions, "hate speech," rights of persons with disabilities, and international monitoring procedures. The seminar will meet six times each semester, in two-hour sessions.

The seminar is required for LL.M. students in the LL.M. human rights concentration. Participation by J.D. students is also encouraged.

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

Note: The fall semester meeting dates are as follows: Sept 10, Sept 24, Oct 22, Oct 29, Nov 19, Dec 3.
Sentencing: Punishment and Crime

Course #: 2457  Term: 2016SP  Faculty: Gertner, Nancy  Credits: 2.00

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

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM HAU101

Course Description: Prerequisites: Criminal Law is required.

Criminal Investigations / Police Practices: Fourth, Fifth and Sixth Amendments is a suggested prerequisite course.

Exam Type: No exam.

An examination of the history, philosophy, and administration of the criminal sentencing process. Particular attention will be devoted to: (1) how judges, apart from guidelines, exercise discretion in light of the circumstances of crimes, discretionary decisions by prosecutors, characteristics of offenders, and choices among permissible sanctions and purposes of sentencing; and (2) whether, in the wake of guidelines, even "advisory" guidelines, and mandatory penalties, fact-finding judges may continue to individualize sentences and if so, how. The course will explore different kinds of sentencing regimes-state guideline systems, international models on which sentencing standards have evolved from common law decision making or judge-imposed guidelines (Australia, Israel, England), the American Law Institutes revision of the Model Penal Codes sentencing provisions, and the federal sentencing guidelines. The course will also explore the relationship between sentencing guidelines and the criminal code; the interplay between principles of proportionality, severity, and parsimony; and the impact of race, class, and gender on case outcomes.
Separation of Powers

Course #: 2225  Term: 2015FA  Faculty: Kavanaugh, Brett  Credits: 3.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function
Delivery Mode: Course

Location

Days and Times:
Mon 5:00 PM - 8:00 PM  WCCB015
Tue 5:00 PM - 8:00 PM  WCCB015

Course Description:  Prerequisites: None  Exam Type: No Exam

This course will examine the structure of our national government and our system of separated powers with checks and balances.

Students must submit short reaction emails for every other class. And students will be required to submit a final 20-page paper, which will not be due until the end of the semester in December.

We will examine a variety of cases and disputes concerning separation of powers issues; as we do so, we will focus not only on court decisions but also on how officials and lawyers in the Legislative Branch and Executive Branch have handled - and should have handled - those controversies.

During the course, we also will discuss ongoing and current events that illustrate the continuing significance of our three-branch constitutional structure.

General topics will include: the process for electing the President; the appointment and removal of executive officers; the role of the President in the legislative process, including the veto power; the interaction of the three Branches with respect to war and the foreign policy and national security of the United States; Presidential power with respect to criminal law enforcement and prosecution; the Presidents authority to issue signing statements and to decline to execute unconstitutional laws; the congressional spending authority and power of the purse; congressional oversight of the executive branch; the scope of executive privileges, particularly with respect to congressional inquiries; the roles of the President and the Senate in the appointment of Supreme Court Justices and inferior court judges; and the role of the Judiciary in refereeing disputes and power struggles between the Legislative and Executive Branches. As we explore these topics, we will examine historical precedents and controversies relating to these issues. We will also explore more modern separation of powers controversies and debates, such as: the post-September 11 Supreme Court, Presidential, and congressional decisions and actions with respect to the war against al Qaeda; the similarities and changes in war powers matters in the Bush and Obama Administrations; the actions of the President and the Senate in the appointments of Supreme Court Justices and executive branch officials; prosecutorial discretion; the independent counsel law and investigations of executive officials; executive privilege and impeachment controversies; and the functions of the Attorney General, Counsel to the President, and Assistant Attorney General for the Office of Legal Counsel in formulating legal advice for the President.

The textbook will be Shane and Bruff, Separation of Powers Law (3rd ed. 2011). We will also have more recent cases as supplemental readings.

The class will meet on Mondays and Tuesdays for 3 hours per class for the first 6 weeks of the semester. The class will therefore end in mid- to late October.
Solving Problems in an Uncertain World

Course #: 2849  
Term: 2016SP  
Faculty: Bubb, Ryan  
Credits: 1.00

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

Delivery Mode: Reading Group

Days and Times:  
Mon 7:00 PM - 9:00 PM

Location: WCC4061

Course Description:  
Prerequisites: None.  
Exam: No exam.  
Lawyers solve problems. To do so effectively, they must grapple with their own and others’ cognitive limitations, which can lead to systematic errors in judgment and decision making. They also must cope with uncertainty about how the world works. This reading group will explore how understanding these limits can make us better problem solvers and counselors. We will focus on solutions to public policy problems, for which the law and lawyers play crucial roles, but we will also talk about applications of these ideas to other contexts in which lawyers operate.  
Note: This reading group will meet on the following dates: 2/1, 2/15, 2/29, 3/21, 4/4, 4/18.  
Drop Deadline: February 2nd, 2016 by 11:59 pm EST.
Sports and the Law: Examining the Legal History and Evolution of America's Three "Major League" Sports: MLB, NFL and NBA

Course #: 2229  
Term: 2015FA  
Faculty: Carfagna, Peter  
Credits: 2.00

Type: Elective  
Subject Areas: Business Organization, Commercial Law, and Finance; Employment & Labor Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course  
Days and Times: Thu 1:00 PM - 3:00 PM  
Location: HAU102

Course Description:  
Prerequisites: None  
Exam Type: Last-Class Take-Home  
Class participation and successful completion of weekly assignments will count for a significant portion of the students final grade. This basic Sports Law course will offer an overview of the three major sports that dominate the American sports scene today: Major League Baseball, the National Football League, and the National Basketball Association. The Course will devote approximately equal time to each of these 3 major sports, and compare/contrast the similarities and differences among them, from an historical legal perspective. Specifically, it will evaluate the evolution of the 3 major leagues, and examine how Supreme Court and other courts landmark decisions have affected the path of their progress. In so doing, practical examples of the cutting edge issues for practitioners in each of these 3 leagues will be offered. "Hypothetical" examples of negotiating, drafting and litigating the most significant issues in each of these 3 sports will be analyzed in group settings. Negotiation strategies, contract-drafting techniques and litigation-related resolutions will be explored within each group.

Enrollment is available to second year, third year and LLM students. For JD students who take this course, it will satisfy one half of the Option 2 writing requirement. Students taking this course and who are interested in sports law clinical placements during winter or spring 2016 are strongly encouraged to enroll in the 1-credit fall 2015 "Sports and the Law: Advanced Contract Drafting." This seminar will provide students the opportunity to negotiate and draft agreements that a lawyer advising a sports team would encounter. Students in the seminar will learn about the various components of complex deal documents and have the opportunity to then draft these documents. Students in the seminar will also explore and experiment with negotiating strategies. Overall, the goal of the seminar is to have students master skills related to negotiating, drafting, and analyzing the various "moving parts" of complicated agreements regarding stadium leasing; naming rights; sponsorship; media rights; food and beverage; provision of medical; hospital and financial services; state-operated entities; and purchase and sale of sports teams.

This course fulfills the pre-requisite for the Sports Law Clinic. Please see the clinic's description or review the Sports Law Clinic Guide for more information.
Sports and the Law: Representing the Professional Athlete

Course #: 2230  Term: 2016WI  Faculty: Carfagna, Peter  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Employment & Labor Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Course Description: Prerequisites: None.
Exam Type: Last-class take-home.
This course will begin with an overview of the sports marketing industry and then proceed to discuss some of the more important legal doctrines relating to that industry, involving intellectual property law, labor law and contract law. In that context, the course will explore the skills necessary to conduct a series of "hypothetical" sports-related contract negotiations. The students will then participate in group-based contract-drafting exercises with an emphasis on client representation. Contracts to be drafted include a "product endorsement agreement," and a "name, image and likeness" lithograph poster agreement. Simulated depositions and "oral arguments" will also be conducted. Next, in the context of a mock litigation, students will assume a "contract breach" of the agreements they have drafted. In turn, they will draft document requests, deposition questions and legal briefs in support of the contractual positions taken during the contract drafting exercises.
Class participation and successful completion of weekly assignments will count for a significant portion of the students final grade. Enrollment is available to second year, third year, and LLM students. For JD students who take this course, it will satisfy one half of the Option 2 writing requirement.
This course fulfills the pre-requisite for the Sports Law Clinic. Please see the clinics description or review the Sports Law Clinic Guide for more information.
Sports Law Clinic

Course #: 8028  
Term: 2016WI  
Faculty: Carfagna, Peter  
Credits: 2.00

Type: Clinic  
Subject Areas: Business Organization, Commercial Law, and Finance; Employment & Labor Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: This clinic requires that students have taken or are currently taking at least one of the courses listed below. Additional Co-/Pre-Requisites: The following courses do not have any seats reserved for clinical students: Sports Law: Advanced Contract Drafting (fall 2015); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (fall 2015); Sports and the Law: Representing the Professional Athlete (winter 2016). By Permission: Yes. The deadline to apply is Thursday, October 15, 2015. Please see below for additional instructions.


LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: Various externship placements.

Sports Law clinical placements are in a variety of settings, including legal departments of major leagues or sports franchises, and with law firms and lawyers doing sports law in representing individual players, teams, or leagues. Students clinical work in the field can may include contract and transactional work, arbitration, litigation, research, and writing.

Peter Carfagna, instructor of sports law courses at HLS, oversees clinical placements and students clinical work. Admission in the clinic is by application. Applications are due by 5pm on Thursday, October 15, 2015. To apply, please review the Sports Law Clinic Guide before submitting a statement of interest (including which semester you are applying for) and a resume to clinical@law.harvard.edu and to Professor Carfagna (pcarfagna@law.harvard.edu). Please note that your application materials may be sent to placement organizations during the selection process.
Sports Law Clinic

Course #: 8028  
Term: 2016SP  
Faculty: Carfagna, Peter  
Credits: 4.00

Type: Clinic  
Subject Areas: Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: This clinic requires that students have taken or are currently taking at least one of the courses listed below. Additional Co-/Pre-Requisites: The following courses do not have any seats reserved for clinical students: Sports Law: Advanced Contract Drafting (fall 2015); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (fall 2015); Sports and the Law: Representing the Professional Athlete (winter 2016).

By Permission: Yes. The deadline to apply is Thursday, October 15, 2015. Please see below for additional instructions.


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

Placement Site: Various externship placements.

Sports Law clinical placements are in a variety of settings, including legal departments of major leagues or sports franchises, and with law firms and lawyers doing sports law in representing individual players, teams, or leagues. Students clinical work in the field can may include contract and transactional work, arbitration, litigation, research, and writing.

Peter Carfagna, instructor of sports law courses at HLS, oversees clinical placements and students clinical work. Admission in the clinic is by application. Applications are due by 5pm on Thursday, October 15, 2015. To apply, please review the Sports Law Clinic Guide before submitting a statement of interest (including which semester you are applying for) and a resume to clinical@law.harvard.edu and to Professor Carfagna (pcarfagna@law.harvard.edu). Please note that your application materials may be sent to placement organizations during the selection process.
Sports Law: Advanced Contract Drafting

Course #: 2349  
Term: 2015FA  
Faculty: Carfagna, Peter  
Credits: 1.00

Type: Elective  
Subject Areas: Business Organization, Commercial Law, and Finance; Employment & Labor Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Course

Days and Times:  
Wed 1:00 PM - 3:00 PM

Location: GRS110

Course Description: Prerequisites: None  
Exam Type: Last-Class Take-Home  
This seminar will provide students the opportunity to negotiate and draft agreements that a lawyer advising a sports team would encounter. Students in the seminar will learn about the various components of complex deal documents and have the opportunity to then draft these documents. Students in the seminar will also explore and experiment with negotiating strategies. Overall, the goal of the seminar is to have students master skills related to negotiating, drafting, and analyzing the various "moving parts" of complicated agreements regarding stadium leasing; naming rights; sponsorship; media rights; food and beverage; provision of medical; hospital and financial services; state-operated entities; and purchase and sale of sports teams.

Additional Written Work Option: Any student can earn up to two (2) additional writing credits in connection with this course by completing any of the Agreement-related assignments listed in the course syllabus. In other words, as to the Lease Agreement and the Other Agreements listed in the syllabus, we will only be able to draft selected clauses from each of the Agreements. If any student chooses to draft additional clauses and/or any of those syllabus-listed Agreements in their entirety, Professor Carfagna would be happy to supervise such a project for an extra credit or 2 credits, depending upon the length of the project.

This course fulfills the pre-requisite for the Sports Law Clinic. Please see the clinic's description or review the Sports Law Clinic Guide for more information.
State Constitutional Law

Course #: 2507  Term: 2016WI  Faculty: Sutton, Jeffrey  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times: Location
Mon 10:00 AM - 12:15 PM WCCB015
Tue 10:00 AM - 12:15 PM WCCB015
Wed 10:00 AM - 12:15 PM WCCB015
Thu 10:00 AM - 12:15 PM WCCB015
Fri 10:00 AM - 12:15 PM WCCB015

Course Description: Prerequisites: None.
Exam Type: No exam.
Each student will be responsible for one in-class presentation and two 6-8 page papers.
This survey course explores the nature and significance of state constitutional law, a topic that has long lived in the shadow of federal constitutional law but that has become increasingly relevant in recent years. The course covers rights and structure, and in both settings it compares the federal model to the various state models. Of particular emphasis is the role of the state courts in protecting liberty and property rights under their own constitutions, and most notably whether they should construe these guarantees to offer protections that the federal courts have not provided in construing the federal constitution. Examples include litigation involving school funding, marriage, property takings, criminal procedure, the free exercise of religion, among others. We also will consider the amendment procedures of the state constitutions, the election of state court judges, the non-unitary executive under most state constitutions and other structural issues.
Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions

Course #: 2324  
Term: 2016WI  
Faculty: Levin, Jack  
Credits: 3.00

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

Delivery Mode: Course

Days and Times: Location
Mon 9:00 AM - 12:15 PM AUS111
Tue 9:00 AM - 12:15 PM AUS111
Wed 9:00 AM - 12:15 PM AUS111
Thu 9:00 AM - 12:15 PM AUS111
Fri 9:00 AM - 12:15 PM AUS111

Course Description: Prerequisites: Although there are no specific prerequisites, basic tax is strongly recommended, and taxation of entities (corporations, partnerships, LLCs) is desirable. In addition, knowledge of corporate law, securities regulation, bankruptcy, and accounting is helpful. However, the course book and the course book appendix contain adequate discussion and supplemental precedents for an understanding of the material covered by the course.

Exam Type: In-class exam.

This course covers tax, legal, and economic principles applicable to a series of interesting, complex, current entrepreneurial transactions, utilizing venture capital or private equity financing, including (1) new business start-up, (2) growth-equity investment in existing business enterprise, (3) leveraged buyout of private or public company (including going-private transaction), (4) use of flow-through tax entity such as S corporation, partnership, or LLC for variety of venture capital or private equity financed transactions, (5) devising equity-based executive compensation program, (6) private equity financed restructuring or workout (in or out of bankruptcy) for troubled over-leveraged enterprise and utilizing troubled company’s NOL after restructuring, (7) devising exit scenario for successful venture capital or private equity financed enterprise (such as IPO, SEC rule 144 sale, sale of company, or merger of company into larger enterprise), and (8) forming new venture capital, LBO, or private equity fund.

Substantive subjects covered include federal income tax, securities regulation, corporate law, partnership law, LLC law, bankruptcy law, fraudulent conveyance law, and other legal doctrines, as well as accounting rules and practical structuring issues (including use of common and preferred stock, subordinated debt, convertible debt, convertible preferred stock, warrants, and options). The course reviews these tax, legal, and accounting principles in a transactional context and also considers their policy underpinnings and likely future evolution.

The course book (which includes the appendix) is Levin and Rocap Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions (2015 edition).
Student Loan Law

Course #: 2593  Term: 2016SP  Faculty: Weinstein, Max; Merrill, Toby  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Seminar

Days and Times: Thu 5:00 PM - 7:00 PM

Location: WCC3036

Course Description: Prerequisites: None.
Exam Type: Any-day take-home exam.
Outstanding student loan debt in the United States exceeds one trillion dollars, surpassing all other forms of consumer debt. This course examines the unique and rapidly-changing legal and regulatory apparatus governing federal and private educational lending. Topics include: sources of federal funding for higher education and regulations limiting the schools and students eligible for such funding; enforcement of federal and private student loan contracts through debt collections agencies and federal collection powers; and the unique position of student loans among consumer debts as non-dischargeable in bankruptcy. The course also gives considerable attention to consumer rights and remedies in the student loan context, including the enforceability of arbitration clauses and federal preemption of state consumer protection law. We will examine the policies underlying these programs and the incentives they create for borrowers, lenders, public and private schools, federal regulators, and legislators.
In addition to preparing for, attending, and participating in each class session, students will be expected to complete three response papers over the course of the semester, as well as a final exam or term paper.

Supreme Court and Environmental Law

Course #: 2662  Term: 2015FA  Faculty: Lazarus, Richard  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Environmental Law
Delivery Mode: Seminar

Days and Times: Tue 5:00 PM - 7:00 PM

Location: WCC5048

Course Description: Prerequisites: None.
Exam Type: No exam.
This seminar will explore the role of the United States Supreme Court in the shaping of the nations environmental and natural resources laws. Students will review and discuss some of the most significant Supreme Court rulings and Justices, beginning with the nations early years and extending to current times and issues now before the Court. The seminar will also examine the role of advocacy before the Court in environmental cases. Readings will include legal scholarship on the Courts environmental law precedent, the Courts opinions, and in-depth examination of the briefs and oral arguments in significant environmental law Supreme Court cases.
Supreme Court Litigation

Course #: 2233  Term: 2016WI  Faculty: Russell, Kevin; Massey, Jonathan; Singh, Tejinder  Credits: 1.00

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

Delivery Mode: Seminar

Days and Times: Location

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Supreme Court Litigation Clinic (2 winter clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due October 19, 2015.


LLM Students: LLM students may apply by submitting an application.

Placement Site: Washington D.C.

This winter-term class is taken concurrently with the Supreme Court Litigation Clinic. Students are immersed in the intensive practice of law before the United States Supreme Court. Both the class and clinic will take place in Washington, D.C. to facilitate greater interaction between students, instructors and the litigation process at the Supreme Court. Eric Citron will also co-teach.

The clinic and course will consist of intensive work on actual cases before the Court, as well as a series of lectures and classroom discussions on Supreme Court practice -- including strategy, procedure, brief writing, and oral advocacy. Students will be assigned to small teams, each working closely with an instructor to write and file a petition for certiorari, brief in opposition to certiorari, merits brief, amicus brief and/or to prepare for oral argument in a pending case. In addition, students will attend arguments at the Supreme Court, view a moot court, and meet with leading members of the Supreme Court bar, former Supreme Court clerks, and members of the Supreme Court press corps. Transportation to and from Washington, as well as housing during the term, will be provided.

The work is both rewarding and extremely intensive, precluding students from undertaking any significant non-class-related activities during the winter term. Students will work long hours, including on the weekends. They will be provided transportation to and from Washington, D.C., as well as housing (which will require students to share hotel rooms, likely two students per bedroom). Housing will not be provided for students spouses or significant others. Students will be responsible for providing themselves meals and transportation within the city (housing will be located as close as possible to the metro system).

Enrollment is through an application process. Interested students must submit a resume, an informal transcript, and an unedited writing sample (i.e., a writing sample not edited by anyone other than the author) of fifteen to twenty pages to Maggie Bay (mbay@law.harvard.edu) by October 19, 2015.

Enrollment is limited to 10 students.
Supreme Court Litigation Clinic

Course #: 8030  Term: 2016WI  Faculty: Russell, Kevin; Massey, Jonathan; Singh, Tejinder  Credits: 2.00

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

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Supreme Court Litigation (1 winter classroom credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due October 19, 2015.


LLM Students: LLM students may apply by submitting an application.

Placement Site: Washington D.C.

This winter-term clinic is taken concurrently with the Supreme Court Litigation class. Students are immersed in the intensive practice of law before the United States Supreme Court. Both the class and clinic will take place in Washington, D.C. to facilitate greater interaction between students, instructors and the litigation process at the Supreme Court.

The clinic and course will consist of intensive work on actual cases before the Court, as well as a series of lectures and classroom discussions on Supreme Court practice -- including strategy, procedure, brief writing, and oral advocacy. Students will be assigned to small teams, each working closely with an instructor to write and file a petition for certiorari, brief in opposition to certiorari, merits brief, amicus brief and/or to prepare for oral argument in a pending case. In addition, students will attend arguments at the Supreme Court, view a moot court, and meet with leading members of the Supreme Court bar, former Supreme Court clerks, and members of the Supreme Court press corps. Transportation to and from Washington, as well as housing during the term, will be provided.

The work is both rewarding and extremely intensive, precluding students from undertaking any significant non-class-related activities during the winter term. Students will work long hours, including on the weekends. They will be provided transportation to and from Washington, D.C., as well as housing (which will require students to share hotel rooms, likely two students per bedroom). Housing will not be provided for students spouses or significant others. Students will be responsible for providing themselves meals and transportation within the city (housing will be located as close as possible to the metro system).

Enrollment is through an application process. Interested students must submit a resume, an informal transcript, and an unedited writing sample (i.e., a writing sample not edited by anyone other than the author) of fifteen to twenty pages to Maggie Bay (mbay@law.harvard.edu) by October 19, 2015.

Enrollment is limited to 10 students.
Systemic Justice

Course #: 2747  Term: 2016SP  Faculty: Hanson, Jon  Credits: 4.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Course

Days and Times: Location
Wed 1:20 PM - 2:40 PM WCC2012
Thu 1:20 PM - 2:40 PM WCC2012
Fri 1:20 PM - 2:40 PM WCC2012

Course Description:
Prerequisites: None. This class serves as a prerequisite or corequisite for The Justice Lab.
Exam type: None.
Students will have several assignments, including a group or individual policy paper on a problem of their choosing and a related presentation.
This course will employ insights from numerous disciplines, including history, mind sciences, economics, and law to explore some of the deep, common, and overlapping causes of injustice. It will examine and draw lessons from a handful of well-known injustices—from antebellum slavery to twentieth-century marketing of tobacco. Focusing on varied sources of power, the course will analyze interconnections between policy problems and the cycles that contribute to inequality and injustice. Based on those understandings, the course will name and inventory causes of injustice, impediments to justice, and ways better to pursue justice through law and social activism. The course will pay special attention to the relationship between power, inequality, and legitimacy. Finally, the course will pull those lessons into the present as students examine, workshop, and write about current problems.
Tax Law, Finance, and Strategic Planning

Course #: 2806  Term: 2016SP  Faculty: Brennan, Thomas  Credits: 2.00
Type: Elective  Subject Areas: Taxation

Delivery Mode: Seminar

Days and Times: Thu 5:00 PM - 7:00 PM
Location: HAU101

Course Description:
Pre-requisite: Taxation
Exam Type: No exam.
This course develops tools for understanding and evaluating the effect tax laws have on strategic planning in both business and personal contexts. The perspective taken is generally that of financial economics, with cash flows resulting from transactions being viewed as items which are subject to valuation using asset pricing techniques. This approach allows for a precise understanding of where the value in a transaction comes from and how careful tax planning can help maximize this value. Consideration is also given to policy responses to strategic planning.

No advanced coursework in finance is assumed, but a variety of concepts are introduced in the course, and students are expected to learn how to use them effectively in the context of arriving at optimal tax strategies. Techniques covered include present value analysis, the use of payoff diagrams, option pricing using the Black-Scholes formula, and, as time permits, valuation using Monte Carlo simulation methods.

Tax Law, Policy and Practice

Course #: 2496  Term: 2016SP  Faculty: Shay, Stephen  Credits: 1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law; Taxation

Delivery Mode: Seminar

Days and Times: Wed 5:00 PM - 7:00 PM
Location: WCC3013

Course Description:
Prerequisite: Taxation, unless with permission of instructor.
Exam: No Exam.
This seminar will consider a range of current issues in taxation policy and practice, with a focus on papers and presentations by invited participants. Students will be asked to write short papers relating to materials on the topics to be presented. The seminar will meet every other week (one credit.) The seminar also will be offered in the fall. Students may enroll either in both sections or for one semester only.

Drop Deadline: February 4, 2016 by 11:59pm EST
### Tax Law, Policy and Practice

**Course #:** 2496  
**Term:** 2015FA  
**Faculty:** Shay, Stephen  
**Credits:** 1.00

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

**Delivery Mode:** Seminar

**Days and Times:**  
Wed 5:00 PM - 7:00 PM

**Location:** WCC3013

**Course Description:**  
Prerequisite: Taxation, unless with permission of instructor.  
Exam: No Exam.  
This seminar will consider a range of current issues in taxation policy and practice, with a focus on papers and presentations by invited participants. Students will be asked to write short papers relating to materials on the topics to be presented. The seminar will meet every other week (one credit.) The seminar also will be offered in the spring. Students may enroll either in both sections or for one semester only.

---

### Taxation

**Course #:** 2234  
**Term:** 2016SP  
**Faculty:** Warren, Alvin  
**Credits:** 4.00

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

**Delivery Mode:** Course

**Days and Times:**  
Wed 8:15 AM - 9:40 AM  
Thu 8:15 AM - 9:40 AM  
Fri 8:15 AM - 9:40 AM

**Location:** LAN272

**Course Description:**  
Prerequisites: None.  
Exam Type: In-class exam.  
This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers, whether wealthy (e.g., the capital gains preference), middle-income (the education credits) or lower-income (the earned income credit). A principal goal of this course is also to teach students to analyze and apply a complex federal statute.  
Unless waived by the instructor, Taxation is generally a pre-requisite for J.D. students in the advanced tax courses.  
### Taxation

**Course #:** 2234  
**Term:** 2015FA  
**Faculty:** Brennan, Thomas  
**Credits:** 4.00

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

**Delivery Mode:** Course

**Days and Times:**

<table>
<thead>
<tr>
<th>Monday</th>
<th>Tuesday</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:10 AM - 10:10 AM</td>
<td>8:10 AM - 10:10 AM</td>
</tr>
</tbody>
</table>

**Location:** PND102

**Course Description:**

Prerequisites: None  
Exam Type: One-Day Take-Home  

This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers, whether wealthy (e.g., the capital gains preference), middle-income (the education credits) or lower-income (the earned income credit). A principal goal of this course is also to teach students to analyze and apply a complex federal statute. Unless waived by the instructor, Taxation is generally a pre-requisite for J.D. students in the advanced tax courses.

---

### Taxation

**Course #:** 2234  
**Term:** 2015FA  
**Faculty:** Schizer, David  
**Credits:** 4.00

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

**Delivery Mode:** Course

**Days and Times:**

<table>
<thead>
<tr>
<th>Wednesday</th>
<th>Thursday</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 AM - 10:10 AM</td>
<td>8:00 AM - 9:40 AM</td>
</tr>
</tbody>
</table>

**Location:** PND101

**Course Description:**

Prerequisite: None.  
Exam Type: In-class exam. There will be a graded mid-term and participation will be graded in accordance with the School’s rules.

This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers, whether wealthy (e.g., the capital gains preference), middle-income (the education credits) or lower-income (the earned income credit). A principal goal of this course is also to teach students to analyze and apply a complex federal statute. At least one class, plus makeups, will be held, as needed, on selected Tuesdays from 7 pm to 9 pm. Unless waived by the instructor, Taxation is generally a pre-requisite for J.D. students in the advanced tax courses.
Taxation

Course #: 2234  Term: 2015FA  Faculty: Desai, Mihir  Credits: 4.00
Type: Multisection  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law; Taxation
Delivery Mode: Course
Days and Times: Location
Wed 1:00 PM - 3:00 PM AUS111
Thu 1:00 PM - 3:00 PM AUS111

Course Description: Prerequisites: None  Exam Type: In-Class
This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers across the income spectrum. A principal goal of this course is also to teach students to analyze and apply a complex federal statute. Unless waived by the instructor, Taxation is generally a pre-requisite for J.D. students in the advanced tax courses.

The materials for the course are Graetz, and Schenk, Federal Income Taxation, and CCH Federal Income Tax, Code and Regulations, Selected Sections.

Taxation of Businesses

Course #: 2274  Term: 2016SP  Faculty: Brennan, Thomas  Credits: 4.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Taxation
Delivery Mode: Course
Days and Times: Location
Wed 8:20 AM - 9:40 AM WCC1023
Thu 8:20 AM - 9:40 AM WCC1023
Fri 8:20 AM - 9:40 AM WCC1023

Course Description: Prerequisite: Taxation is a prerequisite for this course, or you must seek permission from the instructor. Corporations is a recommended preparation. Students who have already taken Partnership Tax may not take this course.
Exam Type: One-day take-home exam.
This course covers the federal income tax issues involved in the organization and operation of business entities in the U.S. Both corporations and partnerships are studied, and attention is given to the choice of entity and federal income tax classification. The course provides the background necessary for understanding and participating in many types of business transactions involving both publicly and closely held organizations. Please note that the taxation of corporate mergers, acquisitions and divisions is covered separately in a different course.
Taxation of Corporate Mergers, Acquisitions, and Divisions

Course #: 2788  Term: 2016SP  Faculty: Warren, Alvin  Credits: 2.00

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

Delivery Mode: Course

Days and Times: Location
Tue 8:10 AM - 10:10 AM WCC1010

Course Description: Prerequisite: Taxation or permission of the instructor
Exam Type: In-class exam.
This course covers the major tax law and policy issues that arise in corporate acquisitions, mergers, and divisions. In the U.S., the structure of these major corporate transactions is very heavily influenced by the applicable tax provisions.
Note: This course is not open to students who took Taxation of Business Corporations from Professor Warren in 2014-2015.
Teaching Copyright

Course #: 2636  Term: 2016SP  Faculty: Fisher, William  Credits: 2.00
Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment
Delivery Mode: Seminar

Days and Times: Location
Tue 7:00 PM - 8:30 PM  WCC5048
Wed 10:20 AM - 11:40 AM

Course Description: This course has an early drop deadline of December 1.

By permission: Teaching Copyright is open to all Harvard Law School students who either have already taken a course on Copyright at HLS or will be enrolled in such a course during the Spring of 2016. Harvard Law School students who satisfy these requirements may enroll by emailing Saptarishi Bandopadhay at sbandopadh@sjd.law.harvard.edu (with a copy to Kathy Curley at curley@law.harvard.edu) by November 21. Ms. Curley will, in turn, notify the Registrar of your admission to the course. Other students may enroll only with the permission of the instructor. To seek such permission, please send a resume and an explanation of your interest and qualifications to tfisher@law.harvard.edu by November 21.

Exam type: No exam.

This course is designed for students who are interested in deepening their knowledge of copyright law and gaining experience with law teaching. Each student in the course will be a Teaching Fellow for CopyrightX, an online copyright course taught by Prof. Fisher to roughly 500 students worldwide. The weekly meetings of the course have two functions: to provide an advanced seminar on copyright; and to provide students guidance and support as they learn to teach.

CopyrightX closely parallels the HLS course on Copyright. Like the HLS students, the CopyrightX students learn the essential elements of both doctrine and theory by watching videotaped lectures prepared by Prof. Fisher, reading cases and secondary materials, and watching webcast special events in which guest speakers examine controversial current topics. In addition, each CopyrightX student participates in a 25-person seminar led by a Teaching Fellow.

Each Teaching Fellow has two primary responsibilities: to conduct each week an 80-minute live online discussion that uses case studies to refine his or her students' understanding of the pertinent laws and policies; and to draft or revise (at some point during the semester) one case study that will be employed both by Prof. Fisher and by the other Teaching Fellows to facilitate discussions. In addition, the Teaching Fellows will meet once a week with Prof. Fisher to debate the issues addressed in the lecture and readings for that week and to exchange ideas concerning possible ways of teaching their own seminars. During most weeks, this meeting will be held during one of the time slots allocated to the regular Copyright course. On a few occasions, however, it will meet between 7pm and 8:30pm on Tuesday evenings.

Additional information concerning CopyrightX and the role of the Teaching Fellows can be found by visiting copyx.org or by emailing copyrightx[at]cyber.law.harvard.edu.

Note: The credit breakdown for this course is as follows: three total credits -- two classroom credits and one writing credit.
Technology and Inequality

Course #: 2777  
Term: 2016SP  
Faculty: Benkler, Yochai  
Credits: 3.00

Type: Elective  
Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times:  
Mon 8:40 AM - 10:10 AM  
WCC3018

Tue 8:40 AM - 10:10 AM  
WCC3018

Course Description:  
Prerequisites: None.
Exam Type: Any-day take-home.
Since the late 1970s, income for the median worker in the United States has stagnated, and since 2002 income of the bottom 80% of the workforce has stagnated or fallen.
At the same time, productivity has increased, and the share of income and wealth held by the top 1% and the top 0.1% has increased substantially.
A core aspect of the debate over the causes of inequality and possible approaches to address it focuses on the role of technology.
The course will consider the role of technological change in shaping social and economic patterns, focusing in particular on the distribution of wealth in society. Our primary focus will be US, we will but consider it in light of both other rich economies and emerging and poorer economies as well. Some of the work will be historical, beginning with the industrial revolution, some will be futuristic, looking to an age of robotics and 3D printing. Can technology be a complete or partial solution, and how will it intersect with institutional interventions in the basic terms of economic production and exchange?
The Art and Science of Financial Regulation

Course #: 2723  Term: 2015FA  Faculty: Paredes, Troy  Credits: 1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Regulatory Law
Delivery Mode: Reading Group

Days and Times: Location
Mon 5:00 PM - 7:00 PM LEW214B

Prerequisites: None.
Exam: No exam.

Financial services are subject to historic regulatory change. The Dodd-Frank Act is a case in point, although the legislation and the hundreds of rulemakings that it directed do not capture all that has been underway and that is still to come. The regulatory developments taking hold impact banks, broker-dealers, mutual funds, hedge funds, private equity funds, exchanges, credit rating agencies, investors, and others in the finance industry as well as operating companies that rely on banks and capital markets. This course will focus on these developments, including the state of the financial regulatory landscape and its impact on our capital markets, the role and mission of the SEC, and how the SEC operates in practice. Troy Paredes, who will be teaching the course, will offer an insider’s view, having served as an SEC Commissioner from 2008-2013.

Note: The class will meet 6 times during the semester. Although a couple of the dates might change, the present plan is to meet on the following dates: September 21, October 5, October 19, October 26, November 2, and November 9. Reading assignments will be posted in advance of each class.

Drop Deadline: September 22, 2015 by 11:59 pm EST
The Common Law in the Federal System

Course #: 2771  Term: 2015FA  Faculty: Sachs, Stephen  Credits: 1.00
Type: Elective  Subject Areas: Government Structure & Function; Legal & Political Theory
Delivery Mode: Reading Group

Days and Times:  Location
Thu 3:00 PM - 5:00 PM  WCC4061

Course Description: Prerequisite: Civil Procedure, Federal Courts, or equivalent experience coupled with permission from the instructor is required to enroll.
Exam Type: No exam.
The United States is known as a "common-law country." But what does it mean to have a common law? Where does it come from? How does it interact with our system of government? And is it state law, federal law, or something else entirely?

This reading group discusses the place of the common law in America's federal system. Topics may include the philosophy and jurisprudence of the common law, its history from the colonial period through post-Founding controversies, general common law in the era of Swift v. Tyson, the development of federal common law after Erie Railroad Co. v. Tompkins, and the modern relationship between common law and the regulatory state.

Note: This reading group will meet on the following dates: 9/10, 9/24, 10/8, 10/29, 11/12, 12/3.
The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624  Term: 2015FA  Faculty: Umunna, Dehlia  Credits: 1.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Criminal Law & Procedure
Delivery Mode: Reading Group

Days and Times:  Location
Mon 5:00 PM - 7:00 PM  WCC5044

Course Description:

Prerequisites: None.
Exam Type: No exam.
More than 6 million Americans are under "correctional supervision" in the United States, which incarcerates people at a rate drastically out of proportion with its population compared with the rest of the world. The yearly US cost of incarceration is over $60 billion per year. There are major debates on incarceration issues swirling in the general public and in the legal community ranging from the morality and efficacy of solitary confinement to the effects of prison overcrowding to the proper administration of parole to the appropriateness of life sentences without parole for a variety of populations and crimes. The effects of incarceration fall disproportionately on communities of color and perpetuate the cycle of poverty.

Through a combination of practical experiences and written texts, students will examine the experience and effects of incarceration and parole locally, nationally, and internationally. Experiences in the reading group will include: touring local prisons or jails, meetings with lifetime parolees and formerly incarcerated individuals, and a wide variety of written texts including essays, case studies, and research.

Note: This reading group will meet on the following dates: 9/14, 9/28, 10/26, 11/9, 11/16, 11/30. Drop Deadline: September 15th, 2015 by 11:59pm EST
The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624  Term: 2016SP  Faculty: Umunna, Dehlia  Credits: 1.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Criminal Law & Procedure
Delivery Mode: Reading Group

Days and Times: Mon 5:00 PM - 7:00 PM
Location: WCC3034

Course Description: Prerequisites: None.
Exam Type: No exam.

More than 6 million Americans are under "correctional supervision" in the United States, which incarcerates people at a rate drastically out of proportion with its population compared with the rest of the world. The yearly US cost of incarceration is over $60 billion per year. There are major debates on incarceration issues swirling in the general public and in the legal community ranging from the morality and efficacy of solitary confinement to the effects of prison overcrowding to the proper administration of parole to the appropriateness of life sentences without parole for a variety of populations and crimes. The effects of incarceration fall disproportionately on communities of color and perpetuate the cycle of poverty.

Through a combination of practical experiences and written texts, students will examine the experience and effects of incarceration and parole locally, nationally, and internationally. Experiences in the reading group will include: touring local prisons or jails, meetings with lifetime parolees and formerly incarcerated individuals, and a wide variety of written texts including essays, case studies, and research.

Note: The reading group will meet on the following dates: 1/25, 2/8, 2/22, 3/7, 3/28, 4/4.
The Enemy: Law and the Human

Course #: 2856   Term: 2016SP   Faculty: Feldman, Noah   Credits:  2.00
Type:  Elective   Subject Areas: Not Applicable
Delivery Mode:  Seminar

Days and Times:  Location
Thu 3:00 PM - 5:00 PM

Course Description:  Prerequisites: For JD 1Ls, by permission of the faculty member is required to enroll.  To apply, please send a short statement of interest to nfeldman@law.harvard.edu with a copy to swhalen@law.harvard.edu.

Exam: No exam.

The friend-foe distinction, particularly as understood by legal theorist Carl Schmitt, poses fundamental problems for law, politics, and culture. This course studies Schmitt’s concept of the enemy in its historical context, in relation to alternative accounts (by St. Paul, Machiavelli, Hobbes, Madison, Nietzsche, Benjamin, Agamben, and others) and for its relevance to constitutional law and history of art).

Note: This course is jointly listed with FAS as HAA 271K. It takes place at FAS and is co-taught by Prof. Joseph Koerner.

The Ethics of Armed Conflict

Course #: 2803   Term: 2015FA   Faculty: Tadros, Victor   Credits:  1.00
Type:  Elective   Subject Areas: International, Comparative & Foreign Law
Delivery Mode:  Reading Group

Days and Times:  Location
Mon 5:00 PM - 7:00 PM
WCC3011

Course Description:  Prerequisites: None.
Exam Type: No exam.

This course investigates the relationship between individual self-defense and the ethics of armed conflict. It looks at the moral foundations of self-defence, and considers the implications of an understanding of self-defence for the conduct of combatants during war. The course is not primarily concerned with the legal regulation of war, but rather with moral and political questions that govern decisions to go to war and conduct during war. A background in philosophy will be helpful, but is not essential.

Note: This reading group will meet on the following dates: 9/21, 10/2*, 10/19, 11/2, 11/9, 11/23. *Please note the meeting on 10/2 is during the make-up block, Friday from 3-5pm.
Drop Deadline: September 22nd by 11:59 pm EST
The Fiction and Biography of Philip Roth: Meditation on American Identity

Course #: 2690  Term: 2015FA  Faculty: Stone, Alan; MacCourt, Duncan  Credits: 1.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Legal History
Delivery Mode: Reading Group

Location

Thu 5:00 PM - 7:00 PM  WCC5051

Course Description: Prerequisites: None.
Exam Type: No exam.

Note: The reading group will meet on the following dates: 9/17, 9/24, 10/8, 10/22, 10/29, 11/5
Drop Deadline: September 18, 2015 at 11:59pm EST

The International Law Workshop

Course #: 2129  Term: 2015FA  Faculty: Alford, William; Blum, Gabriella  Credits: 2.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law
Delivery Mode: Course

Location

Wed 1:00 PM - 3:00 PM  HAU102

Course Description: Prerequisites: Enrollment in this course is by permission of the instructors. Exam Type: No Exam
This workshop is intended to provide students with the opportunity to enmesh themselves in scholarly writing about Global Justice, by bringing to the fall semester workshop scholars engaged in some of the most interesting new work in this field. Generally, our invited speakers--some from law and some from other disciplines--will present work in progress. Our focus will be on the intellectual underpinnings of the field rather than hands-on practice. Students in the class will be required to submit brief "reflection" pieces commenting on the paper to be presented and will also have the opportunity to question the presenter during the session. Some sessions will be reserved for meetings without outside speakers. There are no prerequisites for this workshop, but it is generally intended for students with a strong academic interest.
Note: Enrollment is limited to 35 students. Students wishing to take this course should send a short statement of their reasons for wishing to take the class, along with a CV, to Professors Alford (alford@law.harvard.edu) and Blum (gblum@law.harvard.edu) as soon as possible, as admission is on a rolling basis (albeit with seats reserved for LLMs given their later registration deadline). Additionally all students wishing to take the class &nbsp;-- including those on the waitlist or considering adding it -- MUST attend the first session. If you are accepted into the class, we will notify you and the Registrar’s Office. The Registrar’s Office will then let you know when you are able to add the class in Helios. Until then, you won’t see the class as something you are able to add. Please email Emma Johnson with any questions about this process (johnson@law.harvard.edu).
The Justice Lab

Course #: 2748  Term: 2016SP  Faculty: Hanson, Jon  Credits: 2.00
Type: Elective  Subject Areas: Legal & Political Theory
Delivery Mode: Course

Days and Times: Location
Tue 1:00 PM - 3:00 PM WCC3018

Course Description: Prerequisites: Students must have previously taken any four-credit course with Professor Hanson, or be simultaneously registered in Professor Hanson’s Systemic Justice. If you are interested in participating, please email hanson@law.harvard.edu and jlipton@law.harvard.edu (and include the words Justice Lab in the subject line) so we can give you further details and make you eligible for enrollment. We encourage you to reach out to us early so we can begin discussing paper topics.
Exam: No Exam.
The Justice Lab seeks to develop a new way of approaching societal injustices, while providing students with experience operating in a think tank environment. Students will work in teams drafting policy papers and taking part in the running of The Justice Lab. Students will participate in the selection of problems for the lab to address, will identify a variety of relevant experts, stakeholders, and victims of injustice as part of researching the problem, and will coordinate and participate in drafting collaborative policy papers. Some papers will analyze a problem, identify possible solutions, and propose a set of potential policy reforms. Other papers will concern problem causers, the often unseen or unmanageably large forces that contribute to many specific problems. Class time will be devoted to presentations, guest lectures and workshops, and discussions of the policy problems. Much of the work will be done outside of class in smaller groups and subgroups. Jacob Lipton will assist with this course.
The Justice Lab

Course #: 2748  Term: 2015FA  Faculty: Hanson, Jon  Credits: 2.00
Type: Elective  Subject Areas: Legal & Political Theory
Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 3:00 PM  WCC5044

Course Description: Prerequisites: Students must have previously taken any four-credit course with Professor Hanson, although exceptions may be made for students with special expertise or interest, including cross-registrants. If you are interested in participating, please email hanson@law.harvard.edu and jlipton@law.harvard.edu (and include the words Justice Lab in the subject line) so we can give you further details and make you eligible for enrollment.
Exam: No Exam.
The Justice Lab seeks to develop a new way of approaching societal injustices, while providing students with experience operating in a think tank environment. Students will work in teams drafting policy papers and taking part in the running of The Justice Lab. Students will participate in the selection of problems for the lab to address, will identify a variety of relevant experts, stakeholders, and victims of injustice as part of researching the problem, and will coordinate and participate in drafting collaborative policy papers. Some papers will analyze a problem, identify possible solutions, and propose a set of potential policy reforms. Other papers will concern problem causers, the often unseen or unmanageably large forces that contribute to many specific problems. Class time will be devoted to presentations, guest lectures and workshops, and discussions of the policy problems. Much of the work will be done outside of class in smaller groups and subgroups. Jacob Lipton will assist with this course.

The Law and Finance of the Japanese Firm

Course #: 2785  Term: 2015FA  Faculty: Ramseyer, J. Mark  Credits: 1.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law
Delivery Mode: Reading Group

Days and Times: Location
Mon 5:00 PM - 7:00 PM  WCC4063

Course Description: Prerequisites: None.
Exam Type: No exam.
We will read widely (in English) about how Japanese firms finance and govern themselves. No prior knowledge of Japan or Japanese necessary.
Note: This reading group will meet on the following dates: 9/14, 9/21, 10/5, 10/19, 11/2, 11/16. Drop Deadline: September 15, 2015 by 11:59pm EST
The Law of Nonprofit Organizations

Course #: 2156  Term: 2016SP  Faculty: Bjorklund, Victoria  Credits:  2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Taxation

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 3:00 PM WCC3008
Tue 1:00 PM - 3:00 PM WCC3008

Course Description: Drop Deadline: February 2, 2016 by 11:59pm EST
Prerequisites: None.
Exam type: No exam. Students will be graded on the quality of their weekly written work product, class attendance, and regular active class participation.

Students will learn about forming and advising nonprofit organizations, boards, and donors with emphasis on public charities and private foundations. Students will read and discuss federal and state statutes, regulations and cases and then draft governing documents, filings, and memoranda related to public charities, foundations, donor-advised funds, and social enterprise entities. Students will also consider legal aspects of charities operating issues. Each students written assignments will be collected in a portfolio of his or her work, which the professor will mark up as if the student were an associate in a law firm or organization. In addition to classes, each student will meet individually with the professor to discuss her markups of each work product.

Note: The course will meet on the following Mondays and Tuesdays: 2/1, 2/2, 2/8, 2/9, 2/22, 2/23, 2/29, 3/1, 3/7, 3/8, 3/21, and 3/22.
The Legal Education Lab

Course #: 2874  Term: 2016SP  Faculty: Hanson, Jon  Credits: 2.00
Type: Elective  Subject Areas: Not Applicable
Delivery Mode: Seminar

Prerequisites: By Permission Only: If you are interested in participating, please email hanson@law.harvard.edu and jlipton@law.harvard.edu (and include the words Legal Education in the subject line) so we can give you further details and make you eligible for enrollment.

Exam: No Exam.

The norms and practices in legal education matter. They influence what students enter law school, what those students study and learn when they arrive, what and how they practice when they leave. In short, legal education influences the legal profession, the law, and the extent to which they both advance justice.

Students in the Legal Education Lab will identify some of the problems associated with inclusion in legal education, causes of the problems, alternative practices, and possible solutions. Students will research and connect with scholars and experts who focus on these topics as well as with relevant stakeholders and will jointly prepare a policy paper. Their work will be presented at the 2016 Systemic Justice Conference (April 8 - 10). In addition, students will research contextualization in legal education, and prepare resources for contextualized learning. Class time will be devoted to presentations, guest speakers, workshops, and discussions of various elements of the project. Students will produce various written work, including collaborative papers and individual written assignments, and prepare and participate in an in-depth presentation for the Systemic Justice Conference in April. Much of the work will be done outside of class in smaller groups and subgroups. Jacob Lipton will assist with this course.
The Oath and the Constitution

Course #: 2821  
Term: 2016SP  
Faculty: Horwitz, Paul  
Credits: 1.00

Type: Elective  
Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Reading Group

Days and Times:  
Tue 5:00 PM - 7:00 PM

Location: WCC4056

Course Description:  
Prerequisites: None.  
Exam Type: No exam.  

Article VI of the Constitution declares: The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution. This reading group will consider what this requirement means for the act of constitutional interpretation by different officeholders. Does the President, for example, have a distinct responsibility to interpret the Constitution? Can his or her approach to interpretation, and the outcomes the President arrives at, differ from those reached by a federal judge? How do considerations differ for local state officeholders? An important element of this discussion is the meaning of oaths themselves and their connection to the concept of honor. Once understood to be an essential motivation for American constitutional officials, honor is now often thought of as an obsolete virtue. We will ask whether and how honor once created a kind of personal relationship between the officeholder and the Constitution, whether and why honor fell into desuetude among the virtues, and whether it is possible to imagine some reconstructed version of honor, or some other virtue, that might lend a sense of energy and seriousness to the act of constitutional interpretation by American officials at all levels.

Note: The reading group will meet on the following dates: 2/2, 2/16, 3/8, 3/22, 4/5, 4/19.

Drop Deadline: February 3, 2016 by 11:59pm EST
The Role of the State Attorney General

Course #: 2237  Term: 2016SP  Faculty: Tierney, James; Brann, Peter  Credits: 2.00
Type: Elective  Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times: Mon 1:00 PM - 3:00 PM
Location: WCC3018

Course Description:
The role of state attorneys general has dramatically expanded as these elected officials and their staff have become increasingly important actors in American jurisprudence. In the aftermath of their historic $27 Billion settlement against major banks and the litigation against the tobacco industry, attorneys general continue to make their mark in consumer protection, antitrust, civil rights, education, immigration, labor law, political corruption and environmental protection even as they tender daily legal advice that impacts the workings of state government. Working alone or in combination with the federal government, their colleagues in other states or with businesses, unions and interest groups, the attorneys general are now major players in American jurisprudence.

This two credit course examines the core duties of attorneys general and reviews and critiques their authority and performance. The class will examine the means utilized by attorneys general in carrying out their responsibilities including their ethical responsibilities. We will also discuss the implications for federalism and separation of powers by exploring state relations with state and federal agencies that have parallel jurisdiction. Finally, the course will discuss the impact that interest groups and the media have on the office of attorney general. Attorneys general and their staff regularly visit the class.

Students admitted into the clinic must complete a security clearance in advance of starting clinical work. Due to the security clearance, this clinic has early add/drop deadlines. Clinical students are also required to attend three to four additional non-credit evening seminars that are held on campus and are facilitated by the Assistant Attorney General intern coordinator. Students are strongly recommended to set aside 15 hours per week (3 credits) in their schedule for clinical work. For additional information, please see the clinics description.

Some seats are reserved for students in the fall, winter or spring Government Lawyer: State Attorney General clinic. Students who enroll in the fall, winter or spring Government Lawyer: State Attorney General clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the fall, winter or spring Government Lawyer: State Attorney General clinic, they will also lose their reserved seat in this course. Please note that this course has early drop deadlines for students enrolled in reserved clinical seats - the drop deadline for fall clinical students is August 8, 2015; the drop deadline for winter clinical students is November 30, 2015; the drop deadline for spring clinical students is January 8, 2016.
The Short Stories of Alice Munro: A Woman’s Voice in a Changing World

Course #: 2817  Term: 2016SP  Faculty: Stone, Alan; MacCourt, Duncan  Credits: 1.00
Type: Elective  Subject Areas: Legal & Political Theory
Delivery Mode: Reading Group

Days and Times: Location
Tue 5:00 PM - 7:00 PM  WCC4061

Course Description: Prerequisites: None.
Exam Type: No exam.
Alice Munro is the author of short stories spanning half a century. The reading group will sample her fiction across the decades.
Note: The reading group will meet on the following dates: 2/9, 2/23, 3/8, 3/22, 4/5, 4/12.

Drop Deadline: February 10th, 2016 by 11:59pm EST.
The Supreme Court 2005-2015

<table>
<thead>
<tr>
<th>Course #</th>
<th>2722</th>
<th>Term:</th>
<th>2016WI</th>
<th>Faculty:</th>
<th>Kavanaugh, Brett</th>
<th>Credits:</th>
<th>2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>Elective</td>
<td>Subject Areas:</td>
<td>Constitutional Law &amp; Civil Rights</td>
<td>Delivery Mode:</td>
<td>Course</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon 10:00 AM - 12:35 PM</td>
<td>WCC3007</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tue 10:00 AM - 12:35 PM</td>
<td>WCC3007</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wed 10:00 AM - 12:35 PM</td>
<td>WCC3007</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thu 10:00 AM - 12:35 PM</td>
<td>WCC3007</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fri 10:00 AM - 12:35 PM</td>
<td>WCC3007</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Course Description: Prerequisites: None.
Exam: No exam. There will be a paper requirement of approximately 20 pages. The paper will not be due during the winter term itself but will be due by the end of March.
In this course, we will analyze and discuss important Supreme Court opinions that have been issued since 2005 when John Roberts became Chief Justice. We will focus on leading decisions within 10 particular areas of the Courts post-2005 jurisprudence: war powers, campaign finance, religion, the health care law, equal protection, Fourth Amendment, federalism, separation of powers, environmental law, and the death penalty.
In so doing, we will also consider overarching jurisprudential principles such as methods of constitutional and statutory interpretation, the role of the courts in our constitutional structure, and stare decisis. The class will be limited to 20 students. We will meet for 10 days from January 4-15 for 2 hours and 35 minutes each day. We will not meet on January 19 and 20.

Note: You may not enroll in this class if you were enrolled in fall 2014 in Judge Kavanaugh's reading group, The Supreme Court.
The Supreme Court’s 2014 Term

Course #: 2515  Term: 2015FA  Faculty: Kagan, Elena  Credits: 1.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Government Structure & Function
Delivery Mode: Reading Group

Days and Times:  Location
Tue 5:00 PM - 8:00 PM  WCC3016
Wed 5:00 PM - 8:00 PM  WCC3016
Thu 5:00 PM - 8:00 PM  WCC3016
Fri 3:00 PM - 6:00 PM  WCC3016

Course Description: Prerequisite: Admission is by permission of the instructor.
Exam Type: No Exam.
This reading group will focus on a collection of decisions from the most recent Supreme Court term.

The class will meet the week of September 7th, as follows: Tuesday, Wednesday, Thursday from 5-8pm, and Friday from 3-6pm. Please note that the exact course meeting times may change (including possibly some evening sessions) and students are asked to be flexible regarding the class schedule.

Participation in all sessions of the reading group is expected. Students admitted to the reading group should make interview and other plans accordingly

Application Process

Please submit a CV and short essay (one or two paragraphs) explaining interest in the reading group. The essay should include discussion of relevant study at HLS or another institution including constitutional law, administrative law, and statutory interpretation courses. All materials must be submitted no later than Friday, July 22, and all applicants will be notified of their status on Monday, August 1. Please forward all application materials to Cherisa Ellis at cellis@law.harvard.edu
The Supreme Court, the Lower Courts and Society

Course #: 2789  Term: 2015FA  Faculty: Hubbard, William  Credits: 1.00
Type: Elective  Subject Areas: Disciplinary Perspectives & Law; Government Structure & Function
Delivery Mode: Reading Group
Days and Times: Tue 5:00 PM - 7:00 PM
Location: LEW102
Course Description: Prerequisites: None. Exam Type: No exam. When does the Supreme Court matter? While it has long been assumed that high-profile Supreme Court decisions will have large effects, empirical work has sometimes offered a less sanguine view. We will explore the conditions under which Supreme Court decisions might have large effects on behavior (either in courts below, or in society at large) with an eye toward understanding the role of the Supreme Court in the judicial hierarchy and in the larger political system.
Note: This reading group will meet on the following dates: 9/15, 9/22, 10/6, 10/20, 11/3, 11/17.
Drop Deadline: September 16, 2015 by 11:59pm EST

The Two-Way Mirror: Media Imaging in the 21st Century

Course #: 2612  Term: 2016SP  Faculty: Robinson, Stephanie  Credits: 1.00
Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment
Delivery Mode: Reading Group
Days and Times: Wed 5:00 PM - 7:00 PM
Location: WCC4057
Course Description: Prerequisites: None. Exam Type: No exam. This reading group examines mass media depictions and images in the modern era. It situates this loaded imaging process within an appropriate social and historical context while considering how the quest to maintain a normalized national identity competes with evolving notions of race, culture and gender. Such imaging --commonly a dual process involving contestation between a groups projected image and one being projected upon them -- will be discussed through literature, journalism and visual media.
Note: The reading group will meet on the following dates: 2/3, 2/17, 3/2, 3/9, 3/30, 4/13.
Drop Deadline: February 4th by 11:59pm EST.
### The U.S. Congress and Law Making

<table>
<thead>
<tr>
<th>Course #: 2251</th>
<th>Term: 2016SP</th>
<th>Faculty: King, David</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Constitutional Law &amp; Civil Rights; Government Structure &amp; Function</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon 2:45 PM - 4:00 PM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wed 2:45 PM - 4:00 PM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Course Description:</td>
<td>Prerequisites: None</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Exam: No Exam</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The United States Congress is the &quot;board of directors&quot; for the Federal Government, and it plays the central role in most national policy decisions. Yet how it works - the real story of how it works - is largely unknown, even among people who have worked in policymaking for a long time. Taught by the faculty chair of Harvards Bipartisan Program for Newly Elected Members of Congress, this course puts students in the midst of legislative politics through academic readings and real-world cases. The course begins with the theory and history of legislatures and ends with a simulation involving lobbyists, journalists, and would-be legislators. It is ideal for anyone considering working with the Congress or state legislatures.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Also offered by the Harvard Kennedy School as DPI-120. Please note, the course will meet at HKS in the Starr Auditorium in the Belfer Center.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### The Vietnam War: A Legal History

<table>
<thead>
<tr>
<th>Course #: 2783</th>
<th>Term: 2015FA</th>
<th>Faculty: Moyn, Samuel</th>
<th>Credits: 2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type: Elective</td>
<td>Subject Areas: Constitutional Law &amp; Civil Rights; Legal &amp; Political Theory; Legal History</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivery Mode:</td>
<td>Seminar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days and Times:</td>
<td>Location</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tue 5:00 PM - 7:00 PM</td>
<td>WCC3008</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Course Description:</td>
<td>Prerequisites: None</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Exam Type: No exam.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>In the first half of this class we will examine legal aspects of the Vietnam war and its aftermath, roughly between 1965 and 1973, with an eye to developments since. Topics include congressional authorization and the resort to force under domestic and international law, the law of war as understood both before and after the My Lai massacre was revealed, legal relationships with South Vietnam, domestic legal advocacy around conscription, CIA activities, the bombing of Cambodia, and attempts in the aftermath of the war to craft a new set of legal constraints on the executive in the realm of warmaking and intelligence. In the second half of the course we will collectively work on student papers on topics that fill in our very spotty understanding of the legal history of the era.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Note: This course is jointly-listed with FAS as History 1934.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The Warren Court

Course #: 2005  Term: 2016SP  Faculty: Klarman, Michael  Credits: 2.00
Type: Elective  Subject Areas: Constitutional Law & Civil Rights; Legal History
Delivery Mode: Seminar

Days and Times:  Location
Tue 5:00 PM - 7:00 PM  WCC3008

Course Description:
Prerequisites: None.
Exam type: No exam.
There is no exam or long-paper requirement. Students are expected to attend class, do the readings, and participate in class discussion. In addition, you will be asked to write 2 short papers over the course of the semester responding to the readings. These should be in the range of 4-6 double-spaced pages. Final grades will be based half on these short papers and half on class participation.
This seminar will examine most of the leading constitutional rulings of the Warren Court. The readings will be considerable--you should expect somewhere between 6 and 10 hours of reading per week--as I am trying to give you a wide range of angles from which to approach each of the subject matter areas we will be discussing. Readings will include: cert. memos from law clerks, briefs, conference notes, memos between the justices, excerpted opinions, newspaper reaction, letters to the justices, and law review commentary. We will also be using Lucas Powes The Warren Court and American Politics to provide background and an overview.

Theories About Law

Course #: 2319  Term: 2016SP  Faculty: Sargentich, Lewis  Credits: 2.00
Type: Elective  Subject Areas: Legal & Political Theory
Delivery Mode: Course

Days and Times:  Location
Wed 5:00 PM - 7:00 PM  PND100

Course Description:
Prerequisites: None.
Exam Type: No exam.
There will be one or two short papers in lieu of an examination.
This course begins with a survey of positions in American legal thought, from the time of the Legal Realists to the contemporary period. Then the course looks at law from the standpoint of a number of larger theories, considering law in relation to social theory, literary understanding, moral psychology, and the critique of liberalism. The last two sessions ask how law might go forward on premises of critical jurisprudence.
Readings are selected as exemplary texts, displaying core theoretical positions. After the initial survey, each session restricts its focus to a close look at basic ideas of one or two major theorists.
Time and Law

Course #: 2798  
Term: 2015FA  
Faculty: Rowell, Arden  
Credits: 1.00

Type: Elective  
Subject Areas: Legal & Political Theory

Delivery Mode: Reading Group

Days and Times:  
Tue 5:00 PM - 7:00 PM

Location: WCC5051

Course Description:  
Prerequisites: None.  
Exam Type: No exam.  
What role should time play in legal decisionmaking? What assumptions about time are imbedded in models of the rule of law, human behavior, and legal compliance? How do these assumptions compare to physical and social research on the nature of time, and on the social experience of it? And what can we learn from individual’s representations of law and time in literature? This reading group will explore these questions through a wide range of readings drawn from law, literature, and social science research.  
Note: This reading group will meet on the following dates: 9/15, 9/22, 10/6, 10/20, 11/10, 11/17.  
Drop Deadline: September 16, 2015 by 11:59pm EST

Time, History, and the Creation of the New

Course #: 2854  
Term: 2016SP  
Faculty: Moyn, Samuel; Unger, Roberto Mangabeira  
Credits: 2.00

Type: Elective  
Subject Areas: Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Course

Days and Times:  
Wed 1:00 PM - 3:00 PM

Location: HAU104

Course Description:  
Prerequisites: None  
Exam: Takehome, not administered by HLS  
This course uses the creation of the new - natural phenomena, social arrangements, and machines or ideas that never existed before - as a provocation to probe some of our most basic assumptions about nature, society, humanity, and the mind. We address a longstanding but dissident tradition in philosophy, science, and social thought that treats time as real, structure as mutable, and natural and human history as open. We go on to ask how democracies, economies, and schools can best be organized to exploit our potential as creators of the new.  
Note: This course is jointly-offered with the Faculty of Arts and Sciences as Ethical Reasoning 29.
Title IX: Sports, Sex and Equality on Campus

Course #: 2242  Term: 2015FA  Faculty: Rosenfeld, Diane  Credits: 2.00

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

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM WCC4063

Course Description: Prerequisites: None.

Exam Type: No exam.

Title IX of the Civil Rights Act promises equal access to educational opportunities. This course considers the implications of that mandate for various dimensions of education, including athletic opportunities, sexual harassment, and campus sexual assault. Recent national attention to the question of how schools should best address campus sexual assault, in conjunction with unprecedented student activism about civil rights on campus, contribute to a dynamic moment in Title IX jurisprudence. This course provides the opportunity to participate in a robust discourse on critical issues of gender equality in schools. As well, students will have a unique opportunity to develop legal policy initiatives to help guide the national discussion. Readings include cases, articles, and OCR decisions.

Tocqueville

Course #: 2243  Term: 2015FA  Faculty: Glendon, Mary Ann  Credits: 1.00

Type: Elective  Subject Areas: Legal & Political Theory; Legal History

Delivery Mode: Reading Group

Days and Times: Location
Tue 5:00 PM - 7:00 PM LEW302

Course Description: Prerequisites: None.

Exam Type: No exam.

The group will read Tocquevilles Democracy in America with special attention to the authors treatment of law and the legal profession. Participants will be required to submit a short paper on each weeks reading assignment. Enrollment is limited to 10 students.

Note: The reading group will meet on the following dates: 9/8, 9/15, 9/29, 10/6, 10/20, 11/10/2015.
Tocqueville

Course #: 2243  Term: 2016SP  Faculty: Glendon, Mary Ann  Credits: 1.00
Type: Elective  Subject Areas: Legal & Political Theory; Legal History

Delivery Mode: Reading Group

Days and Times: Location
Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: None.
Exam Type: No exam.
The group will read Tocqueville's Democracy in America with special attention to the authors' treatment of law and the legal profession. Participants will be required to submit a short paper on each week's reading assignment. Enrollment is limited to 10 students.
Note: The reading group will meet on the following dates in Prof. Glendon's office: 2/2, 2/16, 3/1, 3/8, 3/29, 4/12/2016.
Drop Deadline: February 3, 2016 by 11:59 pm EST.

Topics in Education Law and Policy

Course #: 2610  Term: 2016SP  Faculty: Brown-Nagin, Tomiko  Credits: 2.00
Type: Elective  Subject Areas: Family, Gender & Children's Law; Regulatory Law

Delivery Mode: Seminar

Days and Times: Location
Tue 5:00 PM - 7:00 PM  WCC5044

Course Description: Prerequisites: None.
Exam Type: No exam.
Final paper required.
This seminar will consider selected topics pertaining to elementary, secondary, and higher education law and policy. Topics include schools and race; schools and gender; standardized testing; school choice; higher education admissions and student debt. Laptops not permitted in class.
### Topics in Mergers and Acquisitions

<table>
<thead>
<tr>
<th>Course #</th>
<th>2493</th>
<th>Term:</th>
<th>2015FA</th>
<th>Faculty:</th>
<th>Coates, John</th>
<th>Credits:</th>
<th>2.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>Elective</td>
<td>Subject Areas:</td>
<td>Business Organization, Commercial Law, and Finance</td>
<td>Delivery Mode:</td>
<td>Seminar</td>
<td>Days and Times:</td>
<td>Wed 5:00 PM - 7:00 PM</td>
</tr>
</tbody>
</table>

**Course Description:**
Prerequisites: None.
Exam Type: No exam.
Research and writing seminar on advanced topics in M&A. The semester will be spent reading and discussing existing research on a number of topics (hostile takeovers and defenses; short-termism and activist investors; risk-allocation and earn-outs; dispute management and arbitration; shareholder litigation and forum bylaws; deal structure and currency; post-merger integration; non-financial factors affecting pricing; etc.).

### Topics in Sovereign Debt

<table>
<thead>
<tr>
<th>Course #</th>
<th>2602</th>
<th>Term:</th>
<th>2016SP</th>
<th>Faculty:</th>
<th>Lienau, Odette</th>
<th>Credits:</th>
<th>1.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
<td>Elective</td>
<td>Subject Areas:</td>
<td>Business Organization, Commercial Law, and Finance; International, Comparative &amp; Foreign Law</td>
<td>Delivery Mode:</td>
<td>Reading Group</td>
<td>Days and Times:</td>
<td>Tue 5:00 PM - 7:00 PM</td>
</tr>
</tbody>
</table>

**Course Description:**
Prerequisites: None.
Exam Type: No exam.
This reading group will consider key issues and debates in the field of sovereign debt, with a focus on the international arena. Course topics will tentatively include the history of sovereign debt, the context of debt repayment, contemporary problems, proposed solutions (contractual and statutory), ideas of odious debt, and debt and good governance.

**Note:** This reading group will meet on the following dates: 2/2, 2/9, 2/16, 3/1, 3/8, with the sixth meeting date TBD.

**Drop Deadline:** February 3rd, 2016 by 11:59 pm EST.
Harvard Law School Course Catalog
2015-2016 Academic Year
December 21, 2017 2:07 AM

Torts 1

Course #: 1005  
Term: 2016SP  
Faculty: Zittrain, Jonathan  
Credits: 4.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Wed 1:00 PM - 3:00 PM WCC1019
Thu 1:00 PM - 3:00 PM WCC1019

Course Description: Exam type: In Class. This course explores the American law of torts -- the circumstances and theories under which people owe others money for wrongs they commit -- principally as a vehicle for understanding how the law operates and how lawyers help to argue and shape it.

Torts 2

Course #: 1005  
Term: 2015FA  
Faculty: Sargentich, Lewis  
Credits: 4.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Mon 3:20 PM - 4:40 PM PND101
Tue 3:20 PM - 4:40 PM PND101
Wed 3:20 PM - 4:40 PM PND101

Course Description: Exam type: In Class. This course concerns the legal protection afforded in civil proceedings against interference by others with security of one's person, property or intangible interests. It is not directly concerned with the law of property and contract, which form the subject of other courses, but it explores relationships with these bodies of law. Three fundamental theories of liability emerge: intentional interference, negligence, and strict liability. The influence of these theories and of associated policies is studied in the context of recognized categories of tort liability, particularly assault, battery, interference with peace of mind, negligence, trespass, nuisance, product liability and also no-fault plans. Through these illustrations the course seeks to develop an understanding of the laws search for basic principles to govern the resolution of human conflicts, particularly disputes having to do with the harmful side-effects of productive activity. Professor Sargentich will use Keeton, Sargentich, and Keating, Tort and Accident Law (4th ed. 2004).
Torts 3

Course #: 1005    Term: 2016SP    Faculty: Dorfman, Avihay    Credits: 4.00
Type: 1lcourse    Subject Areas: Not Applicable

Delivery Mode: Course

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

Course Description: Exam type: One-day take-home. The law of torts amalgamates discrete torts-viz., forms of wrong-doing-into one juridical unity. In that, tort law determines terms of interactions among persons (including, in particular, complete strangers) and it does that by imposing duties of forbearance and, when appropriate, of redress. The course will focus on torts' basic concepts and doctrines in general and in the context of specific torts such as assault and battery, trespass to land and to chattels, various forms of negligent infliction of harm, defamation, and more. In addition, the various theoretical foundations of this body of law will be explored and analyzed in some depth.

Torts 4

Course #: 1005    Term: 2015FA    Faculty: Klass, Alexandra    Credits: 4.00
Type: 1lcourse    Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Wed 1:05 PM - 3:05 PM WCC2009
Thu 1:05 PM - 3:05 PM WCC2009

Course Description: Exam type: In Class. A tort is a wrong. To commit a tort is to violate a duty owed to another person such that the person is granted a power to hold the wrongdoer accountable. Tort law determines what counts as a tort, what a plaintiff must prove to obtain recourse, the defenses by which a defendant can avoid liability, and the remedies available to successful plaintiffs. Examining negligence, medical malpractice, products liability, battery, assault, trespass, nuisance, and other torts, this course will explore tort law and larger theoretical questions it raises.
Torts 5

Course #: 1005  Term: 2015FA  Faculty: Lazarus, Richard  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Wed 1:00 PM - 3:00 PM  AUS101
Thu 1:00 PM - 3:00 PM  AUS101

Course Description: Exam type: In Class. A tort is a wrong. To commit a tort is to violate a duty owed to another not to injure her, such that the other is granted a power to hold the wrongdoer accountable. Tort law determines what counts as a tort, what a plaintiff must prove to obtain recourse, the defenses by which a defendant can avoid liability, and the remedies available to successful plaintiffs. Examining negligence, medical malpractice, battery, assault, trespass, and other torts, this course will explore tort law and larger theoretical questions that it raises.

Torts 6

Course #: 1005  Term: 2015FA  Faculty: Hanson, Jon  Credits: 4.00
Type: 1lcourse  Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location
Wed 1:15 PM - 2:45 PM  WCC2004
Thu 1:15 PM - 2:45 PM  WCC2004
Fri 1:15 PM - 2:45 PM  WCC2004

Course Description: Exam type: One-day take-home. This course will review the doctrines and history of tort law, various positive and normative theories of tort law, the psychological, social, economic, and political forces and dynamics influencing tort law and tort reform, and the interconnections of tort law to other areas of law.

Please note, class time includes space for section planning.
Torts 7

Course #: 1005  
Term: 2016SP  
Faculty: Sparrow, Sophie  
Credits: 4.00

Type: 1lcourse  
Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:  
Wed 1:00 PM - 3:00 PM  
Thu 1:00 PM - 3:00 PM

Location  
WCC2004  
WCC2004

Course Description: Exam type: In class. A tort is a wrong. To commit a tort is to violate a duty owed to another not to injure her, such that the other is granted a power to hold the wrongdoer accountable. Tort law determines what counts as a tort, what a plaintiff must prove to obtain recourse, the defenses by which a defendant can avoid liability, and the remedies available to successful plaintiffs. Examining negligence, medical malpractice, products liability, battery, assault, trespass, nuisance, and other torts, this course will explore tort law and larger theoretical questions that it raises.

Trade, Development, and Entrepreneurship

Course #: 2835  
Term: 2015FA  
Faculty: Kuhlmann, Katrin  
Credits: 1.00

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

Delivery Mode: Reading Group

Days and Times:  
Thu 5:00 PM - 7:00 PM

Location  
WCC3009

Course Description: Prerequisites: None.  
Exam type: No Exam.  
Trade and economic regulatory frameworks are increasingly viewed from a development perspective, both within international institutions like the World Trade Organization and among entrepreneurs and policymakers seeking to expand economic opportunities more broadly in developing markets. This reading group will examine the connection between different areas of international trade and economic law (WTO, regional trade agreements, national economic law and regulation), exploring the impact of development-focused legal and regulatory reform on individuals and entrepreneurs. The reading group will include background readings, legal guides, and short case studies linking broader legal frameworks and policy debates with investments along value chains in developing markets.  
Note: This reading group will meet on the following dates: 9/10, 9/24, 10/8, 10/22, 11/12, 12/3.  
Please Note: This reading group serves as a pre-requisite for any students interested in applying for the winter term New Markets Lab clinic. To read about last years New Market Lab clinical experience, please visit the Office of Clinical and Pro Bono Program blog.
Trademark and Unfair Competition

Course #: 2462  Term: 2015FA  Faculty: Tushnet, Rebecca  Credits: 3.00

Type: Elective  Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times:  Location
Mon 8:40 AM - 10:10 AM  WCCB015
Tue 8:40 AM - 10:10 AM  WCCB015

Course Description: Prerequisites: None
Exam Type: Any-Day Take-Home
This course will introduce students to the federal Lanham Act and related common law doctrines designed to protect against consumer confusion and appropriation of commercial goodwill. In addition to the technical requirements for trademark eligibility, registration, and infringement, we will consider the constitutional and economic underpinnings of trademark protection and evaluate current trends toward the "propertization" of trademark law, First Amendment defenses, and the role of the right of publicity.
Transactional Law Clinical Workshop

Course #: 2247  
Term: 2015FA  
Faculty: Price, Brian  
Credits: 2.00

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

Delivery Mode: Course

Days and Times: Tue 5:00 PM - 7:00 PM  
Location: WCC1023

Course Description: Required Clinic Component: Transactional Law Clinics (3-4 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: LLM students are eligible to enroll in this clinic through Helios.

This course is the classroom component of the clinical practice for students enrolled in one of the Transactional Practice Clinics (TLC). Students in the Workshop will choose to concentrate their clinical practice in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Recording Artist Project (entertainment), Community Enterprise Project (CEP). In the classroom and the clinical work, students will have the opportunity to explore and directly experience the various roles performed by transactional lawyers in providing legal services to small businesses, non-profit organizations, real estate parties, community development corporations, or individuals and companies in the arts and entertainment industry. Students will develop legal skills utilized by transactional lawyers and will gain the perspective of transactional practice in the context of actual client representation. Depending upon their clinical concentration and clients needs, students typically will have opportunities to engage in entity formation; contract negotiation and drafting; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; or other transactional legal work. Students will be exposed to the various challenges faced by clients engaged in transactional activities and to the laws, policies and institutions impacting their ability to succeed. In addition, the course will engage students in critical reflection about the ethical, strategic and policy dimensions of their clinical work; as well as invite reflection about their own professional development. In the classroom component of the course, every student will participate in "rounds" sessions, by presenting a challenging case for class discussion and by critiquing and analyzing the presentations of fellow students.

A clinical practice component is required of all students. Clinical placements are with the Transactional Practice Clinics (www.harvardtlc.org). Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website (http://www.law.harvard.edu/academics/clinical) for clinical registration dates, early add/drop deadlines, and other information about the clinical.
Transactional Law Clinical Workshop

Course #: 2247  Term: 2016SP  Faculty: Price, Brian  Credits: 2.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice
Delivery Mode: Course
Days and Times: Tue 5:00 PM - 7:00 PM
Location: WCCB010

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Transactional Law Clinics (3-4 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students are eligible to enroll in this clinic through Helios.

This course is the classroom component of the clinical practice for students enrolled in one of the Transactional Practice Clinics (TLC). Students in the Workshop will choose to concentrate their clinical practice in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Recording Artist Project (entertainment), Community Enterprise Project (CEP). In the classroom and the clinical work, students will have the opportunity to explore and directly experience the various roles performed by transactional lawyers in providing legal services to small businesses, non-profit organizations, real estate parties, community development corporations, or individuals and companies in the arts and entertainment industry. Students will develop legal skills utilized by transactional lawyers and will gain the perspective of transactional practice in the context of actual client representation. Depending upon their clinical concentration and clients needs, students typically will have opportunities to engage in entity formation; contract negotiation and drafting; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; or other transactional legal work. Students will be exposed to the various challenges faced by clients engaged in transactional activities and to the laws, policies and institutions impacting their ability to succeed. In addition, the course will engage students in critical reflection about the ethical, strategic and policy dimensions of their clinical work; as well as invite reflection about their own professional development. In the classroom component of the course, every student will participate in "rounds" sessions, by presenting a challenging case for class discussion and by critiquing and analyzing the presentations of fellow students.

A clinical practice component is required of all students. Clinical placements are with the Transactional Practice Clinics (www.harvardtlc.org). Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website (http://www.law.harvard.edu/academics/clinical) for clinical registration dates, early add/drop deadlines, and other information about the clinical.
Transactional Law Clinical Workshop

Course #: 2247  Term: 2016WI  Faculty: Kool, Amanda; Hedal, Joseph  Credits: 1.00
Type: Elective  Subject Areas: Procedure & Practice
Delivery Mode: Seminar

Location

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Transactional Law Clinics (2 winter clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
LLM Students: LLM students are eligible to enroll in the clinic through Helios.
This course is a winter term combined seminar and clinical practice course in which students will learn and practice transactional law within the Transactional Law Clinics (TLC), working with real clients. Students in the course will have the opportunity to explore and directly experience various roles performed by transactional lawyers in providing legal services to small businesses and non-profit organizations. Students will develop legal skills utilized by transactional lawyers and learn substantive areas of law underlying transactional practice in the context of actual client representation. Depending upon clients needs, students are expected to have opportunities to engage in entity formation; contract negotiation and drafting; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright advising and protections; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; or other transactional legal work based on individual client’s needs. In the seminar component of the course, students will read materials, supported by instructor lecture, on the substantive law of which knowledge is needed to provide client legal services. The seminar component will also include discussion of the various challenges faced by clients, and their lawyers, engaged in transactional activities, including discussion of the laws, policies, and institutions impacting the clients’ ability to succeed. The seminar may also include an emphasis on social enterprise, including non-profit organizations and benefit corporations, if the portfolio of client work within the clinic is supportive of such an emphasis. Subject to client case timelines and demands, the course may include research into areas of developing law important to TLC’s services. In addition, the course will engage students in critical reflection about the ethical, strategic, and policy dimensions specific to transactional work; as well as discussion about the application of transactional law skills to students’ own professional development. This winter term course would be helpful to students evaluating whether a career in transactional practice would align with their professional interests and goals.
This clinical workshop is graded Credit/Fail.
**Transactional Law Clinics**

**Course #:** 8031  
**Term:** 2016WI  
**Faculty:** Kool, Amanda; Hedal, Joseph  
**Credits:** 2.00

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

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

**Course Description:**

Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Transactional Law Clinical Workshop (1 winter classroom credit). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None.

By Permission: No.


LLM Students: LLM students are eligible to enroll through Helios.

Placement Site: HLS.

This course is a winter term combined seminar and clinical practice course in which students will learn and practice transactional law within the Transactional Law Clinics (TLC), working with real clients. Students in the course will have the opportunity to explore and directly experience various roles performed by transactional lawyers in providing legal services to small businesses and non-profit organizations. Students will develop legal skills utilized by transactional lawyers and learn substantive areas of law underlying transactional practice in the context of actual client representation. Depending upon clients needs, students are expected to have opportunities to engage in entity formation; contract negotiation and drafting; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright advising and protections; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; or other transactional legal work based on individual client’s needs. In the seminar component of the course, students will read materials, supported by instructor lecture, on the substantive law of which knowledge is needed to provide client legal services. The seminar component will also include discussion of the various challenges faced by clients, and their lawyers, engaged in transactional activities, including discussion of the laws, policies, and institutions impacting the clients’ ability to succeed. The seminar may also include an emphasis on social enterprise, including non-profit organizations and benefit corporations, if the portfolio of client work within the clinic is supportive of such an emphasis. Subject to client case timelines and demands, the course may include research into areas of developing law important to TLC’s services. In addition, the course will engage students in critical reflection about the ethical, strategic, and policy dimensions specific to transactional work; as well as discussion about the application of transactional law skills to students’ own professional development. This winter term course would be helpful to students evaluating whether a career in transactional practice would align with their professional interests and goals.

This clinic is graded Credit/Fail.
Transactional Law Clinics

Course #: 8031  
Term: 2016SP  
Faculty: Price, Brian  
Credits: 4.00

Type: Clinic  
Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Transactional Law Clinical Workshop (2 spring classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: LLM students are eligible to enroll in this clinic through Helios. Placement Site: HLS.

Students enrolled in the Transactional Law Clinics will engage in actual legal practice with real clients involved in transactional matters. Students practice under the supervision and mentoring of an experienced practitioner in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Entertainment Law (Recording Artists Project), Community Enterprise Project (CEP) (please note that students interested in the CEP will need to submit an application instead of enrolling through Helios - please see the CEP course catalog description for more information about the application process). TLC clients include entrepreneurs, small businesses, non-profit organizations, real estate parties, community development corporations, and individuals and companies in the art and entertainment industry. Students will have direct hands-on responsibility for handling their cases and will gain experience in various aspects of transactional practice. Depending upon their clinical concentration and client needs, students typically have opportunities to engage in entity formation; start-up financing; contract negotiation and drafting; applications for tax-exemption; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; and other transactional legal work. TLC students typically experience professional growth in areas such as strategic judgment, transactional thinking ability, communication skills, client management, document drafting and review, ethical awareness, and practice-oriented research and writing.
Transactional Law Clinics

Course #: 8031  Term: 2015FA  Faculty: Price, Brian  Credits: 4.00
Type: Clinic  Subject Areas: Business Organization, Commercial Law, and Finance; Procedure & Practice
Delivery Mode: Clinic  Location

Days and Times:  

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Transactional Law Clinical Workshop (2 fall classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: LLM students are eligible to enroll in this clinic through Helios. Placement Site: HLS. 

Students enrolled in the Transactional Law Clinics will engage in actual legal practice with real clients involved in transactional matters. Students practice under the supervision and mentoring of an experienced practitioner in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Entertainment Law (Recording Artists Project), Community Enterprise Project (CEP) (please note that students interested in the CEP will need to submit an application instead of enrolling through Helios - please see the CEP course catalog description for more information about the application process). TLC clients include entrepreneurs, small businesses, non-profit organizations, real estate parties, community development corporations, and individuals and companies in the art and entertainment industry. Students will have direct hands-on responsibility for handling their cases and will gain experience in various aspects of transactional practice. Depending upon their clinical concentration and client needs, students typically have opportunities to engage in entity formation; start-up financing; contract negotiation and drafting; applications for tax-exemption; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; and other transactional legal work. TLC students typically experience professional growth in areas such as strategic judgment, transactional thinking ability, communication skills, client management, document drafting and review, ethical awareness, and practice-oriented research and writing.
Transnational Corruption

Course #: 2719  Term: 2015FA  Faculty: Butuyan, El Cid  Credits: 2.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law
Delivery Mode: Seminar
Days and Times: Fri 1:00 PM - 3:00 PM
Location: WCC3034

Course Description: Prerequisites: None.
Exam type: No exam.
Grade is based on papers and class participation.

This course will explore the emergence of the global anti-corruption movement and will provide students with a brief overview of: the trends in the burgeoning field of anti-corruption enforcement, including various global norms on the subject; the work of select regulatory and enforcement authorities; initiatives by multilateral institutions and other international actors; and the day-to-day lawyering skills required of practitioners. Through readings, lectures, case studies, guest speakers, and projects (“Idea Papers”), the course aims to introduce students to significant substantive and practical issues in international anti-corruption work and the fundamentals required for a future career in this field. Students are expected to write short response papers and engage with practitioners in an interactive manner on "live" issues.

Trauma, Refugees and Asylum Law

Course #: 2576  Term: 2015FA  Faculty: Ardalan, Sabrineh  Credits: 2.00
Type: Elective  Subject Areas: Human Rights; International, Comparative & Foreign Law
Delivery Mode: Seminar
Days and Times: Tue 5:00 PM - 7:00 PM
Location: WCC3036

Course Description: Prerequisites: None.
Exam Type: No exam.
Refugees are among the most vulnerable populations in our legal system today and are among the most challenging to represent. They are the quintessential trauma survivors. Because trauma affects refugees memories, emotions, and demeanor, representation requires lawyers to surmount barriers to elicit information about the harm suffered in order to narrate the refugees story persuasively and effectively. For these reasons, lawyers often work closely with mental health professionals and medical doctors both to treat refugees and to substantiate their claims.

Critical as it is to the success of refugees legal cases, collaboration among lawyers, medical doctors, and mental health professionals raises provocative and important issues. Lawyers, mental health clinicians, and doctors each have expertise in their own fields, but view their mandates through different lenses. This seminar will address the intersection of immigration and refugee law, trauma, and psychology, drawing on literature from both law and psychology, as well as on immigrant and refugee narratives as told through various genres and media. Social work perspectives will also be integrated throughout the course. Guest speakers will include doctors, psychologists, social workers, immigrants, refugees, and advocates.
Trial Advocacy Workshop

Course #: 2249  Term: 2016WI  Faculty: Sullivan, Ronald  Credits: 3.00
Type: Multisection  Subject Areas: Procedure & Practice
Delivery Mode: Course

Course Description: Monday, January 4 - Friday, January 22, 2016

Early drop deadline of September 4, 2015

Prerequisite(s): None, although familiarity with the rules of evidence is assumed throughout the course. LLM students may enroll with the permission of the instructor.

Please note: There will be a mandatory meeting in November 2015 (date and time TBD) for all students enrolled in the Winter 2016 Trial Advocacy Workshop.

Please note: It is highly recommended (but not required) that students complete a course in Evidence prior to taking this course. Familiarity with the rules of evidence is assumed throughout the course. The Winter Trial Advocacy Workshop is an intensive course in trial analysis, skills, and techniques taught complete in three weeks. More detailed descriptions of the organization and content of the Workshop programs appear below. The course is graded Credit/Fail. Any questions pertaining to the Workshop should be directed to Professor Ronald S. Sullivan Jr.: rsullivan@law.harvard.edu and the TAW Coordinator, Amy E. Soto: asoto@law.harvard.edu.

Course days and hours: Monday through Friday, 2:00 p.m. to 9:00 p.m. (Class will not be held on Monday, January 18, 2016, due to the Martin Luther King, Jr. Holiday).

The Winter Trial Advocacy Workshop will take place beginning Monday, January 4, 2016 to Friday, January 22, 2016. The course focuses on the task of the trial lawyer to create in the consciousness of the fact-finders the precise fact picture, which reflects the lawyers version of the case. The workshop includes simulated exercises on all aspects of in-court trial practice including opening statements, development of witness testimony on direct and cross examination, use of illustrative aids and exhibits in evidence, impeachment, expert testimony and summations. An important feature of the workshop is the on-the-spot evaluation and critique by experienced trial lawyers and judges who teach as volunteers during the workshop. Student performances are also video-recorded and individually critiqued. Each student will take part in two full simulated trials, which are systematically critiqued by trial advisors and judges.

The Winter Trial Advocacy Workshop requires intensive study, preparation, and activity. The program is structured as follows:

1. For the first week of the workshop, students will meet in classroom sessions (large groups of twenty-four and small groups of eight) for simulated trial advocacy exercises from 2:00 p.m. to 6:00 p.m. daily. Each student will be expected to perform each of the assigned exercises each day. These sessions will involve short role-playing assignments for students in various aspects of trial advocacy, evaluations of performances, and occasional demonstrations by members of the teaching team.

2. Students will have opportunities, individually or in groups, for detailed review or critique of video-recordings of their own and each other’s performances. One or more members of the teaching team will be available at scheduled hours to participate in this review.
3. Following each day’s classroom exercises, the students are invited to supper with the faculty, which consists of experienced judges and lawyers, and are required to attend an evening lecture-demonstration from 7:00 p.m. to 9:00 p.m. each evening.

4. A similar schedule is followed for the first two days of the second week of the workshop. Wednesday of the second week is a trial preparation day. Simulated non-jury trials take place on the last two days of the week. Each student participates in one non-jury trial as a lawyer and in one as a witness.

5. The first two days of the third week of the workshop follow the same classroom schedule as the first week. On Thursday and Friday of the third week of the workshop, participants conduct simulated jury trials in state and federal courthouses.

Text: Murray, Basic Trial Advocacy, plus multilithed materials and case files.

Note: This course has an early drop deadline of September 4, 2015. The course may not be dropped after September 5, 2015, without the written permission of the instructor.
Trial Advocacy Workshop

Course #: 2249  Term: 2015FA  Faculty: Ogletree, Charles  Credits: 3.00
Type: Multisection  Subject Areas: Procedure & Practice
Delivery Mode: Course

Location

Course Description: Early drop deadline of August 31, 2015.

Prerequisite(s): None, although familiarity with the rules of evidence is assumed throughout the course.

Please note: There will be a meeting on Thursday, April 9, 2015, in Pound 100 at 12:00pm for all students interested in enrolling in the Fall 2015 Trial Advocacy Workshop.

The Fall Trial Advocacy Workshop (TAW) is an intensive course in trial analysis, skills, and techniques taught complete in three weeks. More detailed descriptions of the organization and content of the Workshop program appear below. The Workshop is a required component of ITA: Prosecution Perspectives, and Criminal Justice Institute: Defense Theory and Practice. The course is graded Credit/Fail. Any questions pertaining to the Workshop should be directed to Professor Charles J. Ogletree, Jr.: ogletree@law.harvard.edu and the TAW Coordinator, Amy E. Soto: asoto@law.harvard.edu.

Course days and hours: Monday through Friday, 2:00 p.m. to 9:00 p.m. Students are allowed four hours (maximum) of class conflicts per week (HLS courses only). Students must be available for trials from 2:00 p.m. to 9:00 p.m. on 9/17, 9/18, 9/24, and 9/25. If you have concerns regarding the conflicts policy and your schedule, please contact Professor Ogletree directly at ogletree@law.harvard.edu and the TAW Coordinator, Amy E. Soto: asoto@law.harvard.edu.

The Fall Trial Advocacy Workshop will take place beginning Tuesday, September 8, 2015 to Friday, September 25, 2015 (There is no class on Monday, September 7, 2015, due to the Labor Day Holiday). The course focuses on the task of the trial lawyer to create in the consciousness of the fact-finders the precise fact picture, which reflects the lawyer’s version of the case. The Workshop includes simulated exercises on all aspects of in-court trial practice including opening statements, development of witness testimony on direct and cross examination, use of illustrative aids and exhibits in evidence, impeachment, expert testimony and summations. An important feature of the Workshop is the on-the-spot evaluation and critique by experienced trial lawyers and judges who teach as volunteers during the Workshop. Student performances are also video-recorded and individually critiqued.

The Fall Trial Advocacy Workshop requires intensive study, preparation, and activity. The program is structured as follows:

1. For the first week of the Workshop, students will meet in classroom sessions (large groups and small groups) for simulated trial advocacy exercises from 2:00 p.m. to 6:00 p.m. daily. Each student will be expected to perform each of the assigned exercises each day. These sessions will involve short role-playing assignments for students in various aspects of trial advocacy, evaluations of performances, and occasional demonstrations by members of the teaching team.

2. Students will have opportunities, individually or in groups, for detailed review or critique of video-recordings of their own and each other’s performances. One or more members of the teaching team will be available at scheduled hours to participate in this review.

3. Following each day’s classroom exercises, the students are invited to supper with the faculty,
which consists of experienced judges and lawyers, and are required to attend an evening lecture-demonstration from 7:00 p.m. to 9:00 p.m. each evening.

4. Students will participate in two full trials as members of a team of students trying the case. Trial time will include two to four hours of pretrial conferences and five to eight hours of trial performance and critique for each trial. Students will also be expected to serve as witnesses in two additional trials.

Texts: Mauet, Trial Techniques (required), plus multilithed materials and case files. Murray, Basic Trial Advocacy (optional)

Note: This course has an early drop deadline of August 31, 2015.

---

**Trusts and Estates**

**Course #**: 2250  
**Term**: 2015FA  
**Faculty**: Sitkoff, Robert  
**Credits**: 4.00

**Type**: Elective  
**Subject Areas**: Business Organization, Commercial Law, and Finance; Family, Gender & Children's Law; Regulatory Law; Taxation

**Delivery Mode**: Course

**Days and Times**:  
Mon 1:00 PM - 3:00 PM  
Tue 1:00 PM - 3:00 PM

**Location**: WCC2012

**Course Description**: Prerequisites: None  
Exam Type: In-Class  
This course examines freedom of disposition in American succession law by way of: (a) intestate succession; (b) wills (including execution, revocation, interpretation, and contests); (c) will substitutes (i.e., nonprobate transfers) and planning for incapacity; and (d) trusts (including creation, fiduciary administration, modification, termination, spendthrift and other asset protection trusts, and charitable trusts).
Trusts and Estates

Course #: 2250  Term: 2016SP  Faculty: Sitkoff, Robert  Credits: 4.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance; Family, Gender & Children's Law; Regulatory Law; Taxation

Delivery Mode: Course

Days and Times:
- Mon 8:10 AM - 10:10 AM
- Tue 8:10 AM - 10:10 AM

Location:
- WCC2012

Course Description:
Prerequisites: None.
Exam Type: In-class exam.
This course examines freedom of disposition in American succession law by way of: (a) intestate succession; (b) wills (including execution, revocation, interpretation, and contests); (c) will substitutes (i.e., nonprobate transfers) and planning for incapacity; and (d) trusts (including creation, fiduciary administration, modification, termination, spendthrift and other asset protection trusts, and charitable trusts).

U.S. Aspects of International Income Taxation

Course #: 2236  Term: 2015FA  Faculty: Shay, Stephen  Credits: 3.00
Type: Elective  Subject Areas: International, Comparative & Foreign Law; Taxation

Delivery Mode: Course

Days and Times:
- Mon 1:10 PM - 2:40 PM
- Tue 1:10 PM - 2:40 PM

Location:
- WCC5048

Course Description:
Prerequisite: This course is open only to students who have completed the basic course in Taxation or, if students have prior tax experience, with permission of the instructor.
Exam Type: In Class.
This course examines U.S. income tax laws and policies relating to the taxation of foreign income of U.S. persons and U.S. income of foreign persons. Emphasis will be on fundamental issues, such as jurisdiction to tax, source of income, U.S. taxation of foreign persons, the credit for foreign taxes paid by U.S. persons, U.S. taxation of foreign income earned by foreign entities owned by U.S. persons, pricing transactions between related parties, and income tax treaties.
Understanding Law Firms as Businesses

Course #: 2691  Term: 2016SP  Faculty: Gardner, Heidi  Credits: 3.00
Type: Elective  Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times: Location
Mon 1:00 PM - 2:30 PM  PND102
Tue 1:00 PM - 2:30 PM  PND102

Course Description: Prerequisites: None.
Exam type: Any-day take-home exam.
Requirements include several team-based exercises, a research-based written assignment, and the final exam.
This course helps law students understand the fundamental strategic, operational and human components of law firms, equipping them to face the demands of a rapidly changing legal arena. The classes include interactive lectures, business-school case discussions, and hands-on exercises designed to provide students with practical skills they can use throughout their careers. Guests - including General Counsel and law firm partners & executives - play a major role.

This course contains four modules. The first covers firm strategy and client relationship management, exploring business development challenges from the perspective of aspiring rainmakers, firm leaders and clients. Topics include globalization, strategic positioning, and the rise of new competitors. The second module focuses on talent management, including how law firms attract, hire, motivate, and promote professionals. We explore how these processes affect lawyers’ experiences including career progression, diversity, and work-life balance. The third module centers on collaboration and teamwork. Students gain experience leading and working in teams, and we examine related challenges inside law firm. The final module focuses on succeeding and thriving as a professional and defining one’s own career success.

This course is especially well-suited for students who have some experience working in an organization (law firm or other), but that is not strictly essential. It is also appropriate for students in the JD-MBA program and cross-registrants from other graduate programs.

Note: In lieu of a casebook, students will be expected to pay a materials fee to HBS to cover the standard cost of cases we will read for the class.
Use of Force

Course #: 2853  
Term: 2015FA  
Faculty: Blum, Gabriella  
Credits: 4.00

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

Delivery Mode: Course

Days and Times:  
Mon 1:00 PM - 3:00 PM  
Tue 1:00 PM - 3:00 PM

Location:  
AUS111

Course Description: Prerequisites: None. There are no prerequisites for the course, but if you have not taken any classes in public international law, there will be some additional background readings on basic concepts in international law (e.g., treaties, customary law, state responsibility), which you must complete before the beginning of the course.

Note: If you have already taken International Humanitarian Law/Laws of War you may not take this course.

Exam Type: One-Day Take-Home

The world is experiencing a wave of armed conflicts, from the ongoing conflicts in Iraq and Afghanistan, worsening situations in Yemen, Syria, Ukraine and Nigeria, to the global "war on terror." Allegations and counter-allegations of violations of international law abound. This course is devoted to the international regulation of the use of force between, within, and across states. We will study both the jus ad bellum (the law that governs the initiation of hostilities) and the jus in bello (the law that governs the conduct of hostilities). We will inquire into the historical, ethical, and strategic assumptions behind these legal doctrines, whether rooted in classical Just War Theory or challenged by geopolitical developments and technological innovation. Finally, we will attempt to imagine possible alternatives to contemporary regulation, considering their political feasibility and probable effects.
Valuing and Modeling M&A and LBOs

Course #: 2678  Term: 2016SP  Faculty: Bosiljevac, Vladimir  Credits: 4.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance

Course Description: Prerequisite: Admission to the class will be by instructor’s permission only - prospective students should submit their resume and one-paragraph cover letter outlining the reasons why they wish to take the class to vbosiljevac@law.harvard.edu. The deadline for LLM and upper-level JD applications is November 5. The deadline for 1L applications is November 15.
Exam: No exam.
The goal of this Banker Bootcamp is to provide students with the investment banking toolkit for assessing and modeling M&A and leveraged buyout (LBO) transactions that is used in Wall Street investment banks. Students will learn how to model and evaluate mergers and LBOs in Excel as investment bankers do (background topics such as accounting will be covered). They will learn about the strategic reasons and tactics for mergers and acquisitions, LBOs, corporate divestiture, restructurings, and hostile takeovers from investment bankers’ perspective. Case studies of mergers, acquisitions and LBOs drawn from a variety of different industries throughout the world will be examined.
The class workload and assignments will be challenging, requiring students to apply learned concepts, tools and techniques to real-world problems. Active participation is required.
There is no final exam. Instead, there will be a final take-home project requiring students to build an advanced merger model and a pitchbook (40-50 hours workload) as one would do in an investment bank. Course materials will include textbooks, HBS cases, and modeling video tutorials.
No prior experience in finance is required. On contrary, the ideal student is highly motivated with no practical investment banking experience. Students who have worked in investment banking or private equity (either as analysts prior to law school or as summer interns) should not take this course.
This course is intended for students who want to embark on a career in finance or who will practice corporate law (mergers and acquisitions, capital markets, corporate transactions and other related fields).
Venture Law and Finance

Course #: 2252  Term: 2015FA  Faculty: Fried, Jesse  Credits: 3.00
Type: Elective  Subject Areas: Business Organization, Commercial Law, and Finance
Delivery Mode: Course

Days and Times:  Location
Wed 1:15 PM - 2:45 PM  PND102
Thu 1:15 PM - 2:45 PM  PND102

Course Description: Prerequisites: This course is open to students who have taken or are concurrently taking a basic course in Corporations, or by permission of the instructor. Students should be willing to think mathematically and solve algebraic problems. Exam Type: In-Class The course introduces students to U.S. venture capital (VC) contracting, focusing on the cash flow and control rights of investors. It also examines the legal framework in which such contracting takes place. Reading materials include VC financing documents, relevant California and Delaware caselaw, and academic and practitioner articles.
Veterans Law and Disability Benefits Clinic

Course #: 8039  Term: 2016SP  Faculty: Nagin, Daniel  Credits: 4.00

Type: Clinic  Subject Areas: Family, Gender & Children’s Law; Government Structure & Function; Health Law; Procedure & Practice

Delivery Mode: Clinic  Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Veterans Law and Disability Benefits Clinical Seminar (2 spring classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: Due to Massachusetts court practice rules, LLM students are not eligible to apply. Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

Students in the Clinic work to protect the rights of veterans and their families and persons with disabilities. Students can select among (1) representing veterans in administrative and court appeals to challenge wrongful denials of federal and state veterans benefits; (2) representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) representing clients in administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The Clinic’s practice includes administrative, disability, mental health, probate, and constitutional law. Students gain in-depth experience with: client and witness interviewing; working with medical evidence and experts; drafting pleadings, motions, and briefs; drafting legal instruments; examining and cross-examining witnesses at hearings; judicial review of agency decisions; presenting oral argument, engaging in negotiation; and solving ethical dilemmas. Overall, the Clinic focuses its advocacy efforts on using the law to promote financial stability, access to healthcare, and dignity for veterans and their families and persons with disabilities.

For more information about the Clinic, please visit: Veterans Law and Disability Benefits Clinic.

This Clinic is part of the WilmerHale Legal Services Center (LSC), a general practice community law office in Jamaica Plain. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services.
Veterans Law and Disability Benefits Clinic

Course #: 8039  Term: 2015FA  Faculty: Nagin, Daniel  Credits: 4.00
Type: Clinic  Subject Areas: Family, Gender & Children's Law; Government Structure & Function; Health Law; Procedure & Practice

Delivery Mode: Clinic

Days and Times: Location

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: Veterans Law and Disability Benefits Clinical Seminar (2 fall classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: Due to Massachusetts court practice rules, LLM students are not eligible to apply. Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

Students in the Clinic work to protect the rights of veterans and their families and persons with disabilities. Students can select among (1) representing veterans in administrative and court appeals to challenge wrongful denials of federal and state veterans benefits; (2) representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) representing clients in administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The Clinics practice includes administrative, disability, mental health, probate, and constitutional law. Students gain in-depth experience with: client and witness interviewing; working with medical evidence and experts; drafting pleadings, motions, and briefs; drafting legal instruments; examining and cross-examining witnesses at hearings; judicial review of agency decisions; presenting oral argument, engaging in negotiation; and solving ethical dilemmas. Overall, the Clinic focuses its advocacy efforts on using the law to promote financial stability, access to healthcare, and dignity for veterans and their families and persons with disabilities.

For more information about the Clinic, please visit: Veterans Law and Disability Benefits Clinic.

This Clinic is part of the WilmerHale Legal Services Center (LSC), a general practice community law office in Jamaica Plain. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services.
Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520  
Term: 2015FA  
Faculty: Nagin, Daniel  
Credits: 2.00

Type: Elective  
Subject Areas: Family, Gender & Children’s Law; Government Structure & Function; Health Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times: Mon 5:00 PM - 7:00 PM
Location: WCC3036

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.

Required Clinic Component: Veterans Law and Disability Benefits Clinic (2-4 fall clinical credits). This clinic and course are bundled - your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: September 3, 2015. LLM Students: Due to Massachusetts state practice rules, LLM students are not eligible to apply.

This seminar is the companion course for students enrolled in the Veterans Law and Disability Benefits Clinic of the WilmerHale Legal Services Center.

Students in the Clinic: (1) represent veterans in federal and state administrative and court appeals to challenge wrongful denials of veterans benefits and in military discharge upgrade cases; (2) represent veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) represent clients, some of whom are veterans and others of whom are non-veterans, in federal administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The seminar provides students with a practical toolkit (including skills related to client and witness interviewing; fact investigation; working with experts; drafting pleadings, motions, and briefs; drafting legal instruments; examining and cross-examining witnesses at hearings; appellate advocacy; presenting oral argument; engaging in negotiation; and solving ethical dilemmas) for representing veterans, their families, and individuals with disabilities. Because of the complex array of legal issues veterans and persons with disabilities face, the substantive law covered in the seminar includes elements of administrative, mental health, probate, and constitutional law, among other relevant topics. The seminar will also provide students an opportunity to consider larger questions about the laws and policies affecting veterans and persons with disabilities and about the design of social welfare programs more generally. For more information about the Clinics docket and student learning opportunities, please visit: http://www.law.harvard.edu/academics/clinical/lsc/clinics/veteranslegal.htm.

There is no final examination or final paper for this course. Concurrent enrollment in the Veterans Law and Disability Benefits Clinic is required. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.
Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520  Term: 2016SP  Faculty: Nagin, Daniel  Credits: 2.00

Type: Elective  Subject Areas: Family, Gender & Children’s Law; Government Structure & Function; Health Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times: Location
Mon 5:00 PM - 7:00 PM  WCC3034

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Veterans Law and Disability Benefits Clinic (2 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 15, 2016. LLM Students: Due to Massachusetts state practice rules, LLM students are not eligible to apply.

This seminar is the companion course for students enrolled in the Veterans Law and Disability Benefits Clinic of the WilmerHale Legal Services Center. Students in the Clinic: (1) represent veterans in federal and state administrative and court appeals to challenge wrongful denials of veterans benefits and in military discharge upgrade cases; (2) represent veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) represent clients, some of whom are veterans and others of whom are non-veterans, in federal administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The seminar provides students with a practical toolkit (including skills related to client and witness interviewing; fact investigation; working with experts; drafting pleadings, motions, and briefs; drafting legal instruments; examining and cross-examining witnesses at hearings; appellate advocacy; presenting oral argument; engaging in negotiation; and solving ethical dilemmas) for representing veterans, their families, and individuals with disabilities. Because of the complex array of legal issues veterans and persons with disabilities face, the substantive law covered in the seminar includes elements of administrative, mental health, probate, and constitutional law, among other relevant topics. The seminar will also provide students an opportunity to consider larger questions about the laws and policies affecting veterans and persons with disabilities and about the design of social welfare programs more generally. For more information about the Clinics docket and student learning opportunities, please visit: http://www.law.harvard.edu/academics/clinical/lsc/clinics/veteranslegal.htm.

There is no final examination or final paper for this course. Concurrent enrollment in the Veterans Law and Disability Benefits Clinic is required. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.
Virtue and Law

Course #: 2745  
Term: 2016SP  
Faculty: Brewer, Scott; George, Robert  
Credits: 1.00

Type: Elective  
Subject Areas: Legal & Political Theory; Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Reading Group

Days and Times:  
Tue 1:00 PM - 3:00 PM

Location: WCC3034

Course Description:  
Prerequisites: None.
Exam type: No Exam.
What might it be to lead a virtuous life in the law, as a lawyer, as a law student, as a legal academic, as a judge, as a legal regulator (legislative or administrative)? Does (or how does) one’s understanding of the nature and purposes of law and legal systems shape one’s understanding of law as a vocation? How do the virtues that inform and help to constitute a morally successful life in the law relate to the other aspects of one’s life and the virtues pertaining to those aspects? These are central questions we shall consider in this course. To explore them, we shall seek to develop workable, manageable answers to the questions: what exactly is "virtue," what is "law," what is "the life of the law," what is it to have a vocation in the law? Readings will be from philosophers, legal theorists, and some Anglo-American cases.
No background in philosophy or legal theory is required, only an interest in careful analysis and willingness to bring articulate attentiveness to our class meetings.
Note: Class meetings will be on the following dates, all from 1-3 pm: February 2, February 16, March 1, March 8, March 29, April 12.
Drop Deadline: February 3rd, 2016 at 11:59pm EST

Visual Justice: Documentary Film and Human Rights

Course #: 2407  
Term: 2016SP  
Faculty: Cohen, Rebecca Richman  
Credits: 1.00

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

Delivery Mode: Reading Group

Days and Times:  
Tue 5:00 PM - 8:00 PM

Location: WCC3013

Course Description:  
Prerequisites: None.
Exam Type: No exam.
This course will examine how visual representations affect the theory and practice of human rights advocacy. Using both film screenings and written texts, we will examine the role of documentary storytelling and imagery in the human rights movement and the continued interconnectedness of media and advocacy in some of today’s most pressing human rights issues. How have representations of human suffering simultaneously informed and reformed the social meanings we ascribe to them? This course will explore the visual representations that directly affect public recognition of rights and wrongs.
Note: This reading group will meet on six Tuesdays within the first seven weeks of the semester. The first meeting will be held on 1/26, and the last on 3/8.
Water Law
Course #: 2292  Term: 2016SP  Faculty: Anderson, Robert  Credits: 2.00
Type: Elective  Subject Areas: Environmental Law; Regulatory Law
Delivery Mode: Course
Days and Times: Location
Mon 1:00 PM - 3:00 PM  WCCB010

Course Description: Prerequisites: None.
Exam Type: In-class exam.
Course coverage includes: origin, development, and current status of prior appropriation and riparian water law systems; ground water controls; U.S. water pollution control law; the public trust doctrine; federal/state relations in water use regulation and delivery; and interstate allocations. Indian and other federally reserved water rights are also covered.

White Collar Criminal Law and Procedure
Course #: 2254  Term: 2015FA  Faculty: Savarese, John  Credits: 1.00
Type: Elective  Subject Areas: Criminal Law & Procedure
Delivery Mode: Course
Days and Times: Location
Wed 5:00 PM - 7:00 PM  WCC2012

Course Description: Prerequisites: None
Exam Type: No Exam
The past year has witnessed a staggering array of massive financial settlements in white collar prosecutions, including several in which federal prosecutors have sought indictments of corporate entities and demanded guilty pleas as part of the resolution. While the government has continued to focus on financial fraud and misconduct related to the financial crisis and mortgage meltdown, the breadth of recent enforcement cases remains remarkable: violations of the Foreign Corrupt Practices Act, Ponzi schemes, tax fraud and insider trading, to name a few. And investigations that were once limited to the United States now frequently involve regulators and prosecutors across the globe.

This course will examine those developments and will focus on (1) case studies in corporate criminal law enforcement, including how federal law, emerging prosecutorial practices, and corporate cooperation guide and shape the resolution of white collar investigations; (2) evolving government expectations about the role of corporations and corporate counsel; (3) ethical and legal dilemmas in conducting a corporate investigation; (4) the emergence of the deferred prosecution agreement and efforts to regulate it; (5) prosecutors’ recent willingness to indict corporations; and (6) the black-letter law of corporate criminal liability, including the challenges posed by this standard for companies in light of the collateral consequences of indictment.

Note: This course will not meet for the entire term. It will meet on the following dates: Sept. 9, Sept.16, Sept. 30, Oct. 7, Oct. 21 and Oct. 28.
Wildlife Law

Course #: 2829  Term: 2015FA  Faculty: Lovvorn, Jonathan  Credits: 2.00
Type: Elective  Subject Areas: Environmental Law; Regulatory Law
Delivery Mode: Seminar

Days and Times:  Location
Mon 5:00 PM - 7:00 PM  WCC3018

Course Description: Prerequisites: There are no formal prerequisites for the class, although an environmental law or animal law survey course is recommended.

Exam Type: No exam.
Students will be evaluated on the basis of class participation and either a research paper or two research memos.

This seminar will explore wildlife law and policy, with a focus on high-profile wildlife conservation disputes, including current controversies surrounding international whaling, captive marine mammals, endangered wolves, and dwindling polar bear populations. The seminar will examine the history and evolution of wildlife conservation law, and highlight the major constitutional, ecological, political, and economic issues that shape wildlife resource protection in the 21st century. The seminar will include an overview of key domestic and international laws protecting wildlife, including the Endangered Species Act, the Marine Mammal Protection Act, the Convention on International Trade in Endangered Species, and the International Convention on the Regulation of Whaling. The seminar will also touch on the World Trade Organization and the role of international free trade agreements in both fostering and inhibiting global wildlife conservation.
Working in the Law Firm of Today and Tomorrow: Shifts, Strategies and Success

Course #: 2692  
Term: 2015FA  
Faculty: Gardner, Heidi  
Credits: 1.00

Type: Elective  
Subject Areas: Procedure & Practice

Delivery Mode: Reading Group

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

Location:  
WCC4061

Course Description:  
Prerequisites: None.
Exam Type: No exam.

Lawyers face a dilemma: they must collaborate with colleagues to meet increasingly complex client demands, but are usually rewarded and promoted based on their individual achievement. This tension is one of several core themes that our Reading Group will explore as we examine how work is changing for attorneys, how well law firms are keeping up with those shifts, and how lawyers can equip themselves to be successful at different stages in their careers.

Collaboration is one area we will explore in depth. A recent HLS study revealed that today’s law firms view teamwork as more important than ever. With an emphasis on developing practical understanding, our activities will include the following:

- Read articles based on empirical research and theory, including classic publications and cutting-edge, not-yet-released work.
- Dig into analyses, trying to explain why the results emerged and developing insights about how teamwork and collaboration do - and don’t - affect important outcomes for lawyers, their firms and their clients.
- Consider the impact of technology such as social media, along with trends related to shifting demographics, multicultural clients, and workforce diversity.
- Uncover gaps in our understanding of collaboration and point the way toward future research that is needed.
- Discuss concrete, practical ways that lawyers gain from collaboration and avoid costly mistakes.

We will also focus on the changing shape of legal careers and the associated choices facing today’s lawyers. Finally, we will study the ways that contemporary law firms - and other types of legal service providers - attempt to shape attorneys’ behaviors and choices through their talent management processes (hiring, promotion, compensation, etc.).

Note: This reading group will meet on the following dates: 9/23, 10/7, 10/21, 11/4, 11/18, 12/2.
Drop Deadline: September 24, 2015 by 11:59pm EST