

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Administrative Law

Course #: 2000 **Term:** 2017SP **Faculty:** Freeman, Jody **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 10:00 AM - 11:30 AM	LAN225
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Fri 10:00 AM - 11:30 AM	LAN225
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Course Description: Prerequisites: None
Exam: One Day Take-Home
This course will study the law governing federal administrative agencies, and related matters of policy and theory. Using the material covered in the first-year "Legislation and Regulation" course as a foundation, this class will cover a variety of more advanced topics, including the structure and function of administrative agencies; the role of agencies in interpreting statutes and regulations; the legal framework governing administrative adjudication as opposed to regulation; the presidents power to supervise the executive branch; congressional delegation and principal-agent problems; the theory and practice of statutory interpretation; and the appropriate role of private actors in the administrative process. The central theme of the course will be on the need to manage the tension between flexibility and constraint in the administrative state.

Administrative Law

Course #: 2000 **Term:** 2016FA **Faculty:** Sunstein, Cass **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Tue 10:20 AM - 11:50 AM	PND102
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Wed 10:20 AM - 11:50 AM	PND102
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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.

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Administrative Law

Course #: 2000 **Term:** 2017SP **Faculty:** Vermeule, Adrian **Credits:** 4.00
Type: Multisection **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Regulatory Law

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: In Class

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

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

A handful of class meetings will need to be rescheduled to Fridays from 1pm to 3pm. The following class sessions will be cancelled on Thursdays, February 2 and 16, March 9, and April 20 (tentative). The make-up sessions for these classes will be rescheduled to the following Fridays, February 24, March 3 & 31. Should the April 20th class meeting be cancelled, an additional make-up session will be scheduled.

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Advanced Antitrust Seminar

Course #: 2449 **Term:** 2017SP **Faculty:** Elhauge, Einer **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3009

Course Description: Prerequisites: None.
Exam Type: No exam.
This seminar will address current hotly debated topic of antitrust law and economics. Students will participate orally and write short response papers on the readings for 10 classes of their choosing out of the 12 weeks.

Advanced Clinical Practice

Course #: 2001 **Term:** 2016FS **Faculty:** Caramello, Esme; Whiting, Patricia **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM WCC3016

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 (4 fall clinical credits + 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: 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 2016-2017 will automatically be enrolled in this seminar.

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Advanced Con Law Seminar: "Constitutional Silences"

Course #: 2675 **Term:** 2016FA **Faculty:** Tribe, Laurence **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM WCC3012

Course Description: Prerequisites: By permission of instructor. No prior courses, but general familiarity with U.S. constitutional doctrine and/or history would be a big help.

Enrollment: Enrollment will be limited to 12 and will be by permission of the instructor, based on written applications that include (1) the applicant's CV and unofficial list of courses and instructors, including those the applicant plans to take concurrently with this seminar in Fall 2016, and (2) a brief (no more than 1 or 2 double-spaced pages) statement of interest. No auditors will be allowed.

All applications must be submitted electronically to Kathy McGillicuddy (kmcgill@law.harvard.edu), with copies to Professor Tribe (tribe@law.harvard.edu). Only students who are prepared to make a firm commitment to enroll in the seminar in the event they are admitted should apply. Students who have already applied this spring or summer without focusing on this requirement should either withdraw their applications or reapply by the deadline of Aug. 26, indicating acceptance of this condition.

Deadlines: Final seminar applications are due electronically no later than 4 PM on Friday, August 26. 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 Friday, September 2.

Exam type: No exam.

Required texts: None. All assigned materials will be posted online and/or available in hardcopy form at Hauser 418.

Other course requirements: In addition to attending and participating in every seminar meeting, each student will be responsible for writing four very short papers (5 double-spaced pages max for each paper) during the course of the seminar. The paper topics will be assigned a week before the papers are due. All papers will be due two days before the session in which they will be used to facilitate class discussion of the assigned materials.

No papers will be due on Monday Sept. 5 because the Sept. 7 class will be devoted to overview and introduction. Each paper must be paginated for ease of reference and must be submitted by email as a Word document circulated to every student in the class as well as to Professor Tribe and to Kathy at the email addresses listed in paragraph 4, above.

Course contents: In the beginning, there was silence. In the end, there will be silence. Without silence, there is no sound. Without sound, we can't define silence. Few fortune cookies reveal messages worth saving. An exception is one contained in a cookie at a much-frequented Chinese restaurant in Cambridge: "Everything that we see is a shadow cast by that which we do not see." It turns out that the author of that haunting image wasn't some anonymous writer laboring away in some fortune cookie factory and destined to remain permanently hidden from view, but none other than Dr. Martin Luther King Jr., in an early sermon reprinted in his 1958 book, *The Measure of a Man*.

In *Philosophical Investigations* §6, Wittgenstein said: "Uttering a word is like striking a note on the keyboard of the imagination." In that sense, silence is a musical rest.

The teacher of this seminar wrote in a 1982 article that, unlike legal texts, "silences resist convincing translation even with the generous aid of all available cultural and social cues to meaning." Yet, the article concluded, "silences enjoy a compensating feature: . . . their potential determinacy. On any given occasion and with respect to any given subject, after all, there are many ways to speak, and much that might be said, but only one way to be silent." This seminar is dedicated in part to refuting that conclusion by uncovering and exploring through our conversations the many respects in which that statement was off-target.

In studying several clusters of judicial decisions, mostly by the U.S. Supreme Court, and in examining

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occasional policy proposals framed in light of those decisions, we will be sketching an implicit syntax of the unspoken and the invisible — the "dark matter" and "dark energy" of constitutional (and, to a lesser degree, statutory) interpretation.

The topics we take up by investigating the assigned materials will hopefully enable seminar participants to bring their own sense of order to the cacophony of silences: the silences of ignoring or overlooking, the silences of supposing or taking for granted, the silences of deliberately or inadvertently omitting. But, to avoid having the seminar float off into unmoored theorizing, our conversations will be anchored around actual court decisions and the doctrines and principles they exemplify and help to define.

The substantive issues around which the twelve seminar sessions will be organized will include rulings and proposals about national v. state power; the rights and privileges of states and of individuals with respect to such matters as firearms ownership and gun safety (including the #NoFlyNoBuy controversy); the allocation of governmental powers over immigration; LGBT rights; freedom of speech and religion; the many dimensions of "privacy"; government's role with respect to medical treatment and health care coverage; and the role of the law and legal institutions with respect to race.

As we explore the types and meanings of silence in those disparate areas, we'll weave in such themes as levels of generality in the definitions of rights and powers; the principle of constitutional avoidance; relationships among silence, vagueness, and ambiguity; issues raised by the delegation of lawmaking and other governmental powers; questions posed by claims to deference on behalf of lawmaking and administrative bodies and of direct popular majorities; the asserted virtues and possible vices of judicial minimalism, incrementalism, restraint, and activism; and the many versions of originalism, living constitutionalism, and popular constitutionalism.

Detailed Syllabus: A full syllabus of the course assignments will be available by August 15 and will be circulated to all who have applied to enroll by then.

In broad overview, the first two sessions will provide an introduction to the course; the third will focus on incompletely specified structures and unlisted rights; the fourth and fifth will deal with links between and among rights; the sixth and seventh will address liberty, equality, and dignity; the eighth and ninth will focus on race; the tenth will be devoted to speech and religion; the eleventh, to guns; and the twelfth to immigration, naturalization, and the structure/rights interface.

Weekly Assignments: A separate document posted on the course website will lay out the assignments for each of the seminar's twelve sessions, specifying when each student's four papers will be due, when each will be the subject of seminar discussion, and what each will be asked to address.

Note: No class on Sept. 28 or Nov. 30. Makeup classes from 3 to 5 PM on Oct. 14 and 21.

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Advanced Corporate Transactions

Course #: 2833 **Term:** 2017SP **Faculty:** Sonenshine, Marshall **Credits:** 2.00

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 PND100

Course Description: Prerequisites: Registration for the course has two prerequisites: (1) Students must have taken Corporations or be taking it concurrently with ACT. (2) In addition, basic corporate financial accounting knowledge is required. The basic corporate financial accounting knowledge requirement is not onerous and can be met by having taken Accounting at the law school or in another graduate or undergraduate program or by having other demonstrable familiarity with reviewing basic corporate financial statement (income statement, balance sheet, and cash flow statement) from academic or work settings. Students with questions should be in touch with the instructor at 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.

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Advanced Legislation: Statutory Interpretation

Course #: 2231 **Term:** 2016FA **Faculty:** Rabb, Intisar **Credits:** 3.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory

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: For JD students, Legislation and Regulation is required. LLM students will need to seek the permission of the instructor to waive the prerequisite and enroll in this course.
Exam Type: No Exam
With the presence and passing of Justice Scalia from the Court, statutory interpretation has come to occupy - alongside constitutional law - the locus of arguments around theories of how to interpret law. Moreover, most modern law is contained in statutes and administrative regulations, which lawyers tend to confront alongside case law in almost every area of practice. Building on basic concepts of Legislation and Regulation, this course aims to further explore theories of the legislative process, judicial interpretation of statutes, and agency implementation of legislation. We will explore ongoing controversies about legislation, regulation, and interpretation, including deep debates about textualist, purposive and dynamic interpretation; about the use of legislative history and canons of construction; and about the constitutional foundations of statutory interpretation. Although there is no single subject matter focus of the course, a significant portion of the substantive areas of law will cover criminal law and anti-discrimination law.

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Advanced Skills Training for Human Rights Advocacy

Course #: 2399	Term: 2016FA	Faculty: Giannini, Tyler	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: 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: Prior semester of the IHRC. 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 April 29, 2016. Add/Drop Deadline: August 30, 2016. 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. Students also build 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.

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Advanced Topics in Anti-Discrimination Law

Course #: 2905 **Term:** 2017SP **Faculty:** Schwartztol, Larry **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Seminar

Days and Times: **Location**

Mon 7:00 PM - 9:00 PM WCC3008

Course Description: Prerequisites: Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment
Exam: No Exam
Anti-discrimination law is evolving in complex ways. This seminar explores some of those cross-currents across several areas, considering substantive statutory and constitutional law as well as developments in procedural doctrines. After a brief review of bedrock concepts (tiers of scrutiny, disparate treatment versus disparate impact), the seminar will consider several normative accounts of anti-discrimination law. It will then cover some contemporary strands of Supreme Court doctrine on substantive areas of anti-discrimination law. It will also consider the relationship between trans-substantive procedural doctrines - such as the standards for pleading and the rules governing class certification - and anti-discrimination norms. It will conclude with a discussion of recent lower-court cases involving racial profiling and discriminatory policing practices.

Advanced Topics in Civil Procedure

Course #: 2695 **Term:** 2017SP **Faculty:** Goldsmith, Jack **Credits:** 2.00

Type: Elective **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3034

Course Description: Prerequisites: A class in either federal courts (can be taken concurrently) or advanced civil procedure.
Exam Type: No Exam
This seminar will closely examine five chapters of Hart & Wechsler's federal courts casebook on the topics of the Supreme Court's original jurisdiction, the law to be applied in civil actions (i.e. Erie and related issues), federal question jurisdiction in all its guises, diversity jurisdiction, and finality in the federal court system. Grades will be based on class participation and an end-of-term paper that analyzes in depth several sections of the Hart & Wechsler casebook.

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Advanced Topics in Evidence

Course #: 2838 **Term:** 2017SP **Faculty:** Nesson, Charles **Credits:** 2.00

Type: Elective **Subject Areas:** Legal & Political Theory; Procedure & Practice

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3007

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 Jewish Law and Legal Theory: Antinomianism

Course #: 2437 **Term:** 2016FA **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 HAU105

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: 9/15, 9/22, 10/6, 10/27, 11/3 and 11/17.

Drop Deadline: September 16, 2016 by 11:59pm EST

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Advanced Topics in Jewish Law and Legal Theory: Temple Mount

Course #: 2437 **Term:** 2017SP **Faculty:** Feldman, Noah **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 7:00 PM - 9:00 PM WCC3016

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.

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: 2/7, 2/21, 2/28, 3/7, 3/21, 4/4. Drop Deadline: February 8, 2017 by 11:59pm EST

Advanced Topics in Statutory Interpretation

Course #: 2884 **Term:** 2016FA **Faculty:** Mendelson, Nina **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:30 PM - 7:30 PM HAU101

Course Description: Prerequisites: None

Exam: No Exam

In November, 2015, Justice Kagan told an HLS audience, "Were all textualists now." This group will read recent Supreme Court opinions and current statutory interpretation scholarship. Topics may include the remaining space, if any, for courts to consider congressional purpose or legal coherence, theoretical justifications for and critiques of text-focused analysis and tools such as interpretive canons and dictionaries, and recent empirical work on interpretive approaches.

Note: This reading group will meet on the following days: 9/7, 9/21, 10/5, 10/26, 11/9, 11/30.

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American Democracy

Course #: 2955 **Term:** 2017SP **Faculty:** Unger, Roberto Mangabeira; West, Cornel **Credits:** 2.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory

Delivery Mode: Course

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM

Course Description: American Democracy will meet on the FAS campus in Lowell Lecture Hall.

Prerequisites: None

Exam: Take-home exam, not administered by HLS

Democracy, inequality, and nationalism in America. The white working class and American politics. Class and race. Identities and interests. Conditions for socially inclusive economic growth. Alternative directions of institutional change, viewed in light of American history. Democratizing the market and deepening democracy. Self-reliance and solidarity.

Readings from classic and contemporary works on the United States. Take-home examination.

Note: This course is jointly-offered with FAS as AFRAMER 123z and HDS as 2733.

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American Indian Law

Course #: 2002 **Term:** 2017WI **Faculty:** Anderson, Robert **Credits:** 3.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCCB010
Tue 9:00 AM - 12:30 PM	WCCB010
Wed 9:00 AM - 12:30 PM	WCCB010
Thu 9:00 AM - 12:30 PM	WCCB010
Fri 9:00 AM - 12:30 PM	WCCB010

Course Description: Prerequisites: None
Exam: In-class exam.
This course covers the history and fundamentals of modern federal Indian law in the United States. Topics include the relative bounds of federal, tribal and state jurisdiction over Indian country; hunting, fishing and gathering rights; Indian gaming; and settlement of Alaska Native land claims. The casebook is Anderson, Berger, Krakoff & Frickey, American Indian Law, Third Edition (West 2015).

American Indian Religious Freedoms

Course #: 2900 **Term:** 2016FA **Faculty:** Carpenter, Kristen **Credits:** 1.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; International, Comparative & Foreign Law

Delivery Mode: Reading Group

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

Course Description: Prerequisites: None
Exam: No Exam
This reading group will study the topic of American Indian Religious Freedoms. Beginning with an interdisciplinary introduction into the religious practices and values of indigenous peoples in North America, we will next consider the suppression of these religions at various times in U.S. legal history. We will devote substantial time to the current situation of tribal religions under the 1st Amendment, Religious Freedom Restoration Act, and Religious Land Use and Institutionalized Persons Act, as well as tribal, state, and international human rights law. We will examine cases and readings on practices involving sacred sites, peyote, and eagle feathers, considering questions of contested access and use in federal public lands, controlled substances, and endangered species law.
Note: This reading group will meet on the following dates: TBD
Drop Deadline: TBD

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American Legal Education

Course #: 2164 **Term:** 2017SP **Faculty:** Coquillette, Daniel **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3016

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

Course #: 2004 **Term:** 2016FA **Faculty:** Mann, Bruce **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM HAU101

Course Description: Prerequisites: None.
Exam Type: No exam.
The seminar will examine the legal and constitutional history of late-colonial America and the early republic, an era that spans the middle of the eighteenth century to the first decades of the nineteenth. Reading for the seminar will include books, articles, amicus briefs, and some primary materials on topics such as the impact of law on the Revolution, the impact of the Revolution on law, crime and punishment, probing for original intent, the conservative and revolutionary roles of law in economy and society, and changing legal definitions of slavery, freedom, and dependence.
Each member of the seminar will prepare in advance of each class a two-page response to the reading assigned for that class. The final grade for the seminar will be based on class participation, the weekly written responses, and two other short papers.

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American Legal History 1776-1865

Course #: 2163 **Term:** 2017SP **Faculty:** Gordon-Reed, Annette **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Tue 3:20 PM - 4:50 PM	WCCB010
Wed 3:20 PM - 4:50 PM	WCCB010

Course Description: Prerequisites: None
Exam Type: One-Day Take-Home
This course will trace the development of the American legal and political system from 1776 to 1865. We will discuss the formation of state constitutions and the Federal Constitution , slavery and law, the development of American private law, the Revolution of 1800 and the Age of Jefferson , the mechanisms of westward expansion, the Age of Jackson, and the coming of the Civil War. Note: This course is jointly-listed with FAS as History 1405.

An Introduction to American Law

Course #: 2135 **Term:** 2016FA **Faculty:** McManus, Amy **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 3:00 PM - 5:00 PM	PND100

Course Description: Prerequisites: NoneExam Type: Any-Day Take-HomeThis course introduces the basic concepts, terminology, doctrines, and systems that form the foundation of American legal education. Condensing and explaining portions of the first-year curriculum - including civil procedure, contracts, torts, property, criminal law, and administrative law - An Introduction to American Law also addresses key concepts in constitutional law, criminal procedure, corporations, and the legal profession. Designed primarily for LL.M. students trained as lawyers outside of the United States, this course will supplement and help contextualize other courses at HLS. Throughout the course, students will be invited to share their experiences and compare the U.S. legal system with their home legal systems.
Note: Enrollment is limited to foreign-educated LL.M. students.

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Analytical Methods for Lawyers

Course #: 2006

Term: 2017SP

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

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.

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

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regression analysis, as well as issues that commonly arise when statistics are used in the courtroom.

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Analytical Methods for Lawyers

Course #: 2006 **Term:** 2016FA **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
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Mon 8:30 AM - 10:00 AM	WCC2009
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Tue 8:30 AM - 10:00 AM	WCC2009
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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.

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Animal Law

Course #: 2355 **Term:** 2017SP **Faculty:** Stilt, Kristen **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 1:30 PM - 3:00 PM	HAU102
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Tue 1:30 PM - 3:00 PM	HAU102
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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 ("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 & Economics - US

Course #: 2898 **Term:** 2017SP **Faculty:** Elhauge, Einer **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 3:20 PM - 4:40 PM	WCC1010
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Tue 3:20 PM - 4:40 PM	WCC1010
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Wed 3:20 PM - 4:40 PM	WCC1010
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Course Description: Prerequisites: None.
Exam Type: In-class exam.
This course covers U.S. antitrust law, which is the law that regulates the process of business competition, and the economic analysis that is relevant to understanding modern antitrust adjudication. Topics include horizontal agreements in restraint of trade, monopolization, vertical exclusionary agreements, vertical distributional restraints, price discrimination, and mergers.

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Appellate Courts and Advocacy Workshop

Course #: 2426 **Term:** 2017WI **Faculty:** Wolfman, Brian **Credits:** 2.00

Type: Elective **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	HAU101
Tue 9:00 AM - 12:30 PM	HAU101
Wed 9:00 AM - 12:30 PM	HAU101
Thu 9:00 AM - 12:30 PM	HAU101
Fri 9:00 AM - 12:30 PM	HAU101

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>. (This course description was posted in 2015, but it remains accurate.)

The instructor, Brian Wolfman, is a Professor of the Practice of Law at Georgetown Law School. Most recently, Mr. Wolfman taught at Stanford Law School and was co-director of Stanfords Surpreme 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. Students receive one grade that takes into account both winter and spring work.

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

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Note: Course meetings will be held from 1/3-1/12/2017. The meetings on 1/9 and 1/11 will take place from 5-7pm.

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Applied Theory Laboratory on Problem of Heightened Civil Pleading Requirements

Course #: 2888 **Term:** 2017WI **Faculty:** Rosenberg, David **Credits:** 2.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Course

Days and Times:	Location
Mon 10:00 AM - 12:30 PM	WCC4062
Tue 10:00 AM - 12:30 PM	WCC4062
Wed 10:00 AM - 12:30 PM	WCC4062
Thu 10:00 AM - 12:30 PM	WCC4062
Fri 10:00 AM - 12:30 PM	WCC4062

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).
Essentially the reform proposal for our research and development would start the pre-trial stage with complaint and answer pleadings followed directly by summary judgment; the motion to dismiss for failure to state a state a claim would be eliminated altogether.
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.

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Armed Conflict and Humanitarian Protection Clinical Seminar

Course #: 2509 **Term:** 2016FA **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**

Wed 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: International Human Rights Clinic (3-5 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.

Add/Drop Deadline: August 30, 2016.

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

Placement Site: HLS. Armed conflict causes physical, psychological, and socioeconomic suffering to civilians caught in its path. Militaries inevitably kill and injure bystanders due to their choice of weapons and/or tactics. Armed forces sometimes also intentionally harm noncombatants to advance their goals. Collectively these actions impose immediate and long-term harm on individuals and societies.

Minimizing this suffering presents many challenges for lawyers and advocates. This clinical seminar will explore ways to advance civilian protection during and after armed conflict. Following an introduction to the costs of conflict and the idea of limited war, the course will examine a wide spectrum of strategies, including naming and shaming, treaty negotiation, international criminal justice, victim assistance, diplomacy, peacekeeping, and humanitarian intervention. Students will assess the promises and limitations of each strategy and consider how to determine the most appropriate one for a specific situation. Through role-playing exercises, they will also learn practical skills needed to work in the field.

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

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Art of Social Change

Course #: 2011 **Term:** 2017SP **Faculty:** Bartholet, Elizabeth **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: None
Exam Type: No Exam
This course deals with strategies for changing law and policy, focusing on child welfare (abuse and neglect, foster care, adoption), education, and juvenile justice. We bring into the classroom as visiting lecturers leaders from the worlds of policy, practice, and academia—successful change agents representing different disciplines, career paths, and strategies for change. We explore significant reform initiatives, and debate with the speakers and each other how best to advance children’s interests. The emphasis is on different approaches to social change, inside and outside of the courtroom, with the goal of informing students’ future advocacy efforts.
Receptions 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 from previous semesters.](#)
Course requirements consist of brief questions/reactions related to the readings and class presentations, turned in weekly.
This course is part of the Child Advocacy Program (CAP), whose other courses are: Child, Family, and State (alternating years), Family Law (alternating years), the Child Advocacy Clinic, and the Future of the Family seminar. Enrollment in all CAP courses is encouraged but not required.
Cross-registrants are welcome.

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Aspects of 'Sovereignty'

Course #: 2911 **Term:** 2016FA **Faculty:** Levinson, Sanford **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC5048

Course Description: Prerequisites: None
Exam: No Exam

Sovereignty is one of the most loaded words in both political theory and law. Many contemporary analysts believe that the word has outlived its usefulness, assuming it was ever useful in the first place. Some, of course, disagree. But even those who might wish to junk the term must nonetheless confront the fact that it continues to play a prominent place in a variety of contexts--religious, political, and legal. Justices writing opinions for the United States Supreme Court certainly seem willing, for example, to offer the term with regard to assessing the prerogatives of states within the federal Union.

It is obvious that entire semester-long courses could (and certainly have) been offered on the topic; this will be only an introduction, within the format of the reading course program, to some of the many issues raised by the use of the term as an analytic construct. Although I don't yet have a full syllabus blocked out, I envision right now that we will begin by discussing imagine of divine sovereignty, including, for example, the command that Abraham kill his son Isaac. Paul Kahn has especially emphasized the linkage between sovereignty and sacrifice. Divine sovereignty is, of course, succeeded, ultimately, by notions of popular sovereignty, which serves as the justification for revolution, secession, or the foundation of a constitutional order. After spending some time on popular sovereignty (including the notion of popular ratification of proposed constitutions), we will almost certainly turn to the conception of the sovereignty of states within the American federal system; the residual sovereignty of American Indian tribes; and the sovereignty of states within the international political system.

The assignments will probably include some essays written by political theorists, a short recent book by former judge of the German Constitutional Court Dieter Grimm, and selected cases of the United States Supreme Court. The latter will probably be taken from a list that includes *Chisholm v. Georgia*; *Mayor of New York v. Miln*; *U.S. v. Arizona*; and *United States v. Lara*. We may also look at the Quebec Secession Reference Case from Canada and the International Court of Justice decision relating to the unilateral declaration of independence by Kosovo. I welcome any suggestions of potential readings by persons interested in taking this course.

Each student will be expected to write one reaction paper in the course of the semester, of about 760 words, and it is my hope that these papers will serve as the basis of vigorous discussion.

Note: This reading group will meet on the following dates: 9/7, 9/21, 10/5, 10/19, 11/2, 11/16

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Bankruptcy

Course #: 2013 **Term:** 2017WI **Faculty:** Triantis, George **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Tue 9:00 AM - 12:30 PM	AUS101
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Wed 9:00 AM - 12:30 PM	AUS101
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Thu 9:00 AM - 12:30 PM	AUS101
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Fri 9:00 AM - 12:30 PM	AUS101
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Mon 9:00 AM - 12:30 PM	AUS101
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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 debtors 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.

Bankruptcy

Course #: 2013 **Term:** 2016FA **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
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Mon 3:20 PM - 4:40 PM	WCC2012
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Tue 3:20 PM - 4:40 PM	WCC2012
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Wed 3:20 PM - 4:40 PM	WCC2012
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Course Description: Prerequisites: Students without prior exposure to business should normally take Corporations concurrently.
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 loan agreement, a prospectus, a complaint in a loan dispute, and SEC submissions. Students will ordinarily participate in a simulated Chapter 11 reorganization.

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Becoming a Law Professor

Course #: 2416 **Term:** 2017SP **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 WCC4062

Course Description: Prerequisites: Admission is by application via email to Susannah Barton Tobin at stobin@law.harvard.edu by October 15, 2016. Please include a paragraph expressing your interest in the reading group and a CV and transcript.
Exam: 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:** 2017SP **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 WCC3038

Course Description: Prerequisite: Instructor permission is required. Please send a statement of interest and your resume to Ashley Nahlen at (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.

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

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Boards of Directors and Corporate Governance

Course #: 2613 **Term:** 2016FA **Faculty:** Coates, John; Lorsch, Jay **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:15 PM - 2:35 PM

Thu 1:15 PM - 2:35 PM

Fri 1:15 PM - 2:35 PM

Course Description: Prerequisite: This course is open to 3Ls and LLMs only. For JD students, having taken (or taking concurrently) Corporations. No prerequisite required for LLM students.
Exam type: No exam.

Note: The first class session will meet on Thursday, September 1. The add/drop deadline is Wednesday, September 7.

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. This course is taught jointly with Harvard Business School Professor Jay Lorsch. Students who take this course will be required to meet at HBS, and to work together in teams with HBS students on joint projects. Grades will be based on participation and team-based paper projects. Students with questions on course format and content should direct them to Professor Coates.

Why This Course?

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

To even the most experienced leaders, corporate governance is complicated and dynamic. The responsibility and functioning of corporate boards are often unclear and misunderstood. The relationships among boards, shareholders, and senior executives, especially the CEOs, are varied and complex, and sometimes fraught with conflict. One goal of this course is to lift this foggy uncertainty and provide you a clear understanding of corporate governance: what boards do and why many are effective, while others fail, leading to problems for their company, its executives, and shareholders, as well as the board itself. A clear understanding of how boards function, is a prerequisite for being effective not only as a director, but as a senior executive and as a shareholder. Such understanding will also be helpful in a career as a consultant, investor, or corporate lawyer by providing you with tools that will allow you to be an effective advisor to top management and corporate boards.

Course Objectives

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

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appreciation of the costs and rewards of board service.

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

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

Course Content and Organization

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

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

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

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

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

Learning and Evaluation

The basic learning for the course takes place through preparation for and participation in class discussion.

Class participation – not just frequency, but also quality and your contribution to moving the discussion forward – will count for 50% of the grade. Written projects will account for the other 50% of the grade.

The course will meet on Thursdays, Fridays, and some Wednesdays from 1:15-2:35pm. This course will meet at HBS only. Please note that the last class session is expected to take place on November 10th.

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.

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Business Law and Ethics: American and Jewish Legal Perspectives

Course #: 2930 **Term:** 2017SP **Faculty:** Saiman, Chaim **Credits:** 2.00
Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; International, Comparative & Foreign Law; Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Seminar

Days and Times:	Location
Thu 3:00 PM - 5:00 PM	WCC3034

Course Description: Prerequisites: None, although a basic understanding of the nature and function of classical rabbinic texts is recommended.
Exam Type: No Exam
This seminar will explore topics in business and commercial law and ethics from a comparative perspective. In addition to comparing legal doctrines, we will explore the competing conceptions of commerce, markets and regulatory theory present in each legal system culture. Student papers will assimilate classical sources of Jewish law with contemporary legal materials and jurisprudential analysis.

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Business Strategy for Lawyers

Course #: 2015 **Term:** 2017SP **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 8:30 AM - 10:00 AM	WCC1010
Tue 8:30 AM - 10:00 AM	WCC1010

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.

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Business Valuation and Analysis

Course #: 2090 **Term:** 2017SP **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	GRS110
Fri 10:00 AM - 11:30 AM	GRS110

Course Description: Prerequisite: HLS courses "Introduction to Accounting" or "Analytical Methods for Lawyers", or equivalent prior graded coursework at other universities covering Accounting for at least 1 unit or credit. If you are claiming a prior accounting course other than one of the above two HLS courses to satisfy the accounting prerequisite, please email Prof. Dharan with details (e.g., when taken, where, title of the course, how many units or credits, taken for grade or not, etc.) 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 firms 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 firms 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.

Note: No auditors will be allowed.

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Capital Punishment Clinic

Course #: 8005

Term: 2017WS

Faculty: Steiker, Carol

Credits: 5.00

Type: Clinic

Subject Areas: Constitutional Law & Civil Rights; Criminal Law & Procedure; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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: None. By Permission: No. Add/Drop Deadline: Please note that this clinic has a drop deadline of August 30, 2016. 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).

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Capital Punishment in America

Course #: 2020 **Term:** 2016FA **Faculty:** Steiker, Carol **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:50 AM	LAN225
Tue 10:20 AM - 11:50 AM	LAN225

Course Description: Prerequisites: For JD students, Criminal Law is required. For LLM students, permission of the instructor is required to waive the requisite.

Exam Type: In-Class

This course will meet in Langdell North.

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 August 30, 2016.

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Capstone Seminar for the LL.M. Concentration in Comparative Law, Finance, and Corporate Governance

Course #: 2029 Term: 2016FS Faculty: Kraakman, Reinier Credits: 2.00
Type: Elective Subject Areas: International, Comparative & Foreign Law
Delivery Mode: Seminar
Days and Times: Location
Tue 5:00 PM - 7:00 PM

Course Description: Credits: 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.
Prerequisite: Enrollment by permission of the instructor.
Exam: No Exam.

This seminar will address basic issues in comparative corporate governance as well as alternative research methodologies. It is intended largely as a platform for LL.M. Concentrators in Corporate Governance to explore alternative paper topics and write a capstone seminar paper. Three rather than two units of credit may be available for students who choose to write "long papers." There will be four initial meetings in the fall and eight meetings in the spring.

Note: This seminar is available to LLM students only.

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Challenges in Public Leadership

Course #: 2162 **Term:** 2017SP **Faculty:** Mabus, Ray; Alford, William; Emery, Alonzo **Credits:** 1.00
Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Government Structure & Function; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 4:00 PM - 7:00 PM

Course Description: Prerequisites: By Permission. Students wishing to take this reading group should submit a short note with their reasons for wanting to do so to Professor Alford by Wednesday January 25.

Exam Type: No Exam

Ray Mabus, who has served as Secretary of the Navy in the Obama Administration and Ambassador to the Kingdom of Saudi Arabia in the Clinton Administration, will offer a spring term reading group on Challenges in Public Leadership. The class will be offered jointly by Professor Bill Alford with the participation of Mr. Alonzo Emery. The class will explore a range of issues, including tensions in the South China Sea, climate change, cyber incursions and NATO, gender equality in the military, and decisions about the future of the Navy.

Note: The reading group will meet on the following Mondays: February 6, March 6, April 3 and [to be confirmed April 17]. Meetings will be held in Morgan Courtroom.

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Child Advocacy Clinic

Course #: 8001 **Term:** 2017SP **Faculty:** Bartholet, Elizabeth **Credits:** 5.00

Type: Clinic **Subject Areas:** Family, Gender & Children's 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 5, 2016.

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 Child Advocacy Program (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 (16-20 hours/week for 4-5 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, 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

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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 CAPs mission to provide students with a broad spectrum of experiences. Visit the CAP Clinic webpage for a list of organizations where clinic students have been placed in prior years.

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Child Advocacy Clinic

Course #: 8001 **Term:** 2017WS **Faculty:** Bartholet, Elizabeth **Credits:** 7.00

Type: Clinic **Subject Areas:** Family, Gender & Children's 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 October 31, 2016.

LLM Students: LLM students are not eligible to apply.

Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 4-5 spring clinical credits).

Placement Site: Various externship placements. [Click here](#) for a master list of placement sites since CAPs inception.

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

Enrollment Options: The Child Advocacy Clinic offers two different clinical fieldwork options: a spring-only clinic and a winter-spring clinic. This offering is for the winter-spring Child Advocacy Clinic. Students engage in full-time work in the winter and part-time work (16-20 hours/week for 4-5 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.

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, winter-spring students 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, or 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.

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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 CAPs mission to provide students with a broad spectrum of experiences. Visit the CAP Clinic webpage for a list of organizations where clinic students have been placed in prior years.

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Child Advocacy Clinical Seminar

Course #: 2021 **Term:** 2017SP **Faculty:** Bartholet, Elizabeth **Credits:** 2.00

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

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: Child Advocacy Clinic, either during the winter-spring (2 winter clinical credits + 4-5 spring clinical credits) or spring (4-5 spring clinical credits). Students who enroll in either of the two clinic offerings (winter-spring or spring) will be enrolled in this required clinical course by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: Please note that this clinic has early drop deadlines - October 31, 2016 for winter-spring clinical students and December 5, 2016 for spring clinical students.

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

The CAP Clinic is designed to educate students about a range of social change strategies and to encourage critical thinking about the pros and cons of different approaches. 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 organizations larger vision for improving conditions for children and families. Students reflect on each others 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 students 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 CAPs 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.

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Childhood, Adolescence, Youth, and International Human Rights

Course #: 2533 **Term:** 2016FA **Faculty:** Bhabha, Jacqueline **Credits:** 2.00
Type: Elective **Subject Areas:** Family, Gender & Children's Law; Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: **Location**

Mon 10:15 AM - 11:30 AM
Wed 10:15 AM - 11:30 AM

Course Description: Prerequisites: None
Exam Type No Exam
Since ratification of the UN Convention on the Rights of the Child twenty years ago, considerable progress has been made in advancing young childrens enjoyment of basic social and economic rights including access to basic education and health care. These gains are not matched by corresponding advances for older children, particularly girls, minorities, and migrants: in many developing societies, secondary and tertiary education remains widely inaccessible, maternal mortality remains the largest cause of female teenage death, and youth unemployment and violence have reached epidemic proportions. What explains this differential performance, and how can the gap in realization of adolescent and youth human rights be addressed? The course will explore legal and other strategies for understanding and advancing the human rights of children, adolescents, and youth globally.

Note: This course is jointly-listed with HKS as IGA-305 and will meet on the HKS campus. The first class meeting is on August 31st.

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China and Hong Kong under the "One Country, Two Systems" Principle

Course #: 2702 **Term:** 2016FA **Faculty:** Lau, Ming Wai **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times:	Location
Tue 5:00 PM - 7:00 PM	WCC4057
Wed 5:00 PM - 7:00 PM	WCC4057

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

This Reading Group will study what the "One Country, Two Systems" principle means nineteen years after Hong Kongs handover back to Mainland China. 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: November 1 and 2, November 8 and 9, and November 15 and 16.

Drop Deadline: November 1, 2016 by 11:59pm EST

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City Use of Technology

Course #: 2813 **Term:** 2016FA **Faculty:** Crawford, Susan **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
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Mon 8:30 AM - 10:00 AM	HAU102
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Tue 8:30 AM - 10:00 AM	HAU102
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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:** 2017WI **Faculty:** Kennedy, Randall **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 9:00 AM - 12:30 PM	PND100
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Tue 9:00 AM - 12:30 PM	PND100
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Wed 9:00 AM - 12:30 PM	PND100
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Thu 9:00 AM - 12:30 PM	PND100
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Fri 9:00 AM - 12:30 PM	PND100
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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."

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Civil Procedure 1

Course #: 1000 **Term:** 2016FA **Faculty:** Greiner, D. James **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

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

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 2

Course #: 1000 **Term:** 2016FA **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	WCC1010
Fri 9:50 AM - 11:50 AM	WCC1010

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

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Civil Procedure 3

Course #: 1000 **Term:** 2016FA **Faculty:** Cohen, I. Glenn **Credits:** 4.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

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

Course Description:

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

Civil Procedure 4

Course #: 1000 **Term:** 2016FA **Faculty:** Hollander-Blumoff, Rebecca **Credits:** 4.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Wed 1:00 PM - 3:00 PM	WCC2004
Thu 1:00 PM - 3:00 PM	WCC2004

Course Description:

Exam Type: In-class exam.
This course examines the procedural rules that govern the litigation of civil suits, largely in the federal courts of the United States. Topics covered include jurisdiction, venue, service of process, pleading, discovery, motion practice, choice of law, and principles of finality. Throughout the course, attention is paid to the historical evolution of procedure and its relation to substantive law; to assumptions about the adversary system, federalism, and separation of powers; and to beliefs about efficiency and fairness that shape the design of process and attitudes toward it.

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Civil Procedure 5

Course #: 1000 Term: 2016FA Faculty: LaCroix, Alison Credits: 4.00
Type: 1lcourse Subject Areas: Not Applicable

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:

Exam: 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 (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.

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Civil Procedure 6

Course #: 1000 **Term:** 2016FA **Faculty:** Wasserman, Rhonda **Credits:** 4.00
Type: 1course **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 course examines the civil litigation process through which legal rights and responsibilities are enforced in court. Litigation is the traditional mechanism in a common law system for resolving disputes under the supervision of a judge and subject to the coercive power of the government. Topics include personal and subject matter jurisdiction; the Erie doctrine; pleadings; the preclusive effects of judgments; joinder of claims and parties; pretrial discovery; summary judgment; and judgment as a matter of law. Considerable attention will be paid to the goals, values, costs, and tensions underlying our adversarial system of adjudication. Just as important as the legal doctrine and theory that you will study are the skills that you will develop, including legal analysis and argumentation and the ability to think deeply and critically about how the law develops and changes.
Required Textbooks:

Richard L. Marcus, Martin H. Redish, Edward F. Sherman & James E. Pfander, Civil Procedure: A Modern Approach (6th ed. 2013), published by West, ISBN # 978-0-314-27899-9
Joseph W. Glannon, Civil Procedure: Examples and Explanations (7th ed. 2013), published by Aspen Publishers/Wolters Kluwer, ISBN # 978-1454815488
A. Benjamin Spencer, Federal Civil Rules Supplement (2016-17), West Academic Publishing, ISBN # 978-1-63460-741-4

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Civil Procedure 7

Course #: 1000 **Term:** 2016FA **Faculty:** Rubenstein, William **Credits:** 4.00

Type: 1course **Subject Areas:** Not Applicable

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:

Exam Type: In-class exam.

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 Rights Litigation

Course #: 2651 **Term:** 2017SP **Faculty:** Michelman, Scott **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:	Location
Thu 3:15 PM - 6:30 PM	WCCB015

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.

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Class Actions: Litigating Advanced Topics

Course #: 2024 **Term:** 2016FA **Faculty:** Clary, Richard **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 1:30 PM - 3:30 PM WCC5048

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.
Prerequisites: Civil Procedure

Exam: No Exam

This course will focus on current topics in class action litigation through an experiential lens. In addition to readings and classroom discussion, students will be asked to draft a client legal/strategy memo, two briefs (one on the plaintiff side, one on the defense side), and a judicial opinion over the course of the semester. This course will cover class actions through the various stages of litigation, from initiation and initial motion practice (jurisdiction, selecting plaintiffs, standing and class standing, etc.), to class certification standards, procedures and opt outs, to class settlements and fee awards.

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

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Climate Solutions Living Lab

Course #: 2921 **Term:** 2017SP **Faculty:** Jacobs, Wendy **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3019

Course Description: Note: Only two hours of this three-credit course are currently scheduled. Hours for the third credit will take place in small group meetings and in the field and will be scheduled at a later date.

Prerequisites: By Permission. Please send a statement of interest and CV to wjacobs@law.harvard.edu with a copy to jcalahong@law.harvard.edu. Cross-registrants are encouraged to apply.

Exam: No Exam.

There will be short written and oral exercises throughout the semester and, at the end of the semester, a short final paper that describes and analyzes the project development process. Grading will be based on the quality of class participation, team work, exercises and final paper.

This is a new course with a limited number of seats to be filled by students from multiple disciplines (law, business, engineering, policy, public health) who will together design and study practical solutions for reducing the use of fossil fuels in the U.S. and abroad. The course will focus on solutions that could potentially help low-income, under-served populations improve their living conditions with power generated by renewable sources of fuel as well as identifying innovative legal and financing pathways for such projects. Together, we will identify potential projects, analyze their feasibility from multiple perspectives (economic, technological, legal, health, etc), and select several projects for further scrutiny and development of implementation pathways. For example, we may consider innovative projects that may be of interest to Native American communities in the U.S., indigenous Mexican communities, and other low-income or isolated communities. We will also consider projects that could help Harvard and other institutions meet their greenhouse gas reduction goals. Together, we will develop the appropriate screening criteria to apply to projects we identify. For example, projects selected should be replicable and scalable and could include (1) mechanisms for innovative renewable energy solutions in inner-city public schools; (2) studying ways to create markets for displacing dirty, mined natural gas with captured biogas with a view to the use of biogas at Harvard's own steam plant; (3) using big data to redesign traffic flow around key intersections in Boston to optimize GHG emissions reductions and public health for nearby sensitive and underserved inner-city populations; and (4) studying the carbon offset and renewable energy procurement markets. We will break into teams for intensive analyses of and development of implementation pathways for projects that survive the screening process. Students in this class will learn how projects proceed from concept through screening, design, financing, environmental review, challenges, and permitting.

This course is practical, highly interactive, and hands-on. Faculty from other Harvard graduate schools, including Public Health and SEAS will be involved. In addition to lectures and regular team meetings, there will be field work (e.g., data collection, meetings with technology developers, discussions with government representatives). Lectures will provide background on pertinent topics including the science of greenhouse gases (GHG) and air pollution, atmospheric chemistry, the health impacts and other co-benefits of GHG emission reductions, the laws pertaining to air pollution, electricity markets and their regulation, the siting, permitting and financing of projects, and, data collection techniques (including chemistry, data analysis, and GIS methods). Law students will learn about key elements of the practice of environmental law, including mechanisms for raising and resolving controversies, identifying the environmental impacts of a project, parsing and applying relevant statutes and regulations, analyzing

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mechanisms for mitigating project impacts and managing controversies, identifying the permits and approvals needed for a project.

Commercial Law: Secured Transactions

Course #: 2026 **Term:** 2016FA **Faculty:** Kaufman, Andrew **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:30 AM - 12:00 PM	WCC2004
Tue 10:30 AM - 12:00 PM	WCC2004

Course Description: Prerequisites: None
Exam Type: In-class exam

 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 recent economic crisis. This course deals primarily with understanding what secured credit is all about -- the various aspects of the use of credit and collateral in sale and loan transactions, ranging from routine consumer purchases to complex business transactions. This is a course about commercial lawyering. It is a problem-based exploration of commercial deal-making that considers statutory interpretation and policy in meeting the needs, and reconciling the interests, of the various parties to secured transactions -- consumers, manufacturers, dealers, lenders, insurers, and the government. The focus is on developing legal strategies appropriate to specific situations. Grades will be based principally on the final exam, but also, to some extent, on class participation or assigned classroom exercises. Text: LoPucki and Warren, Secured Credit: A Systems Approach (8th ed. Aspen 2016); Warren, Bankruptcy and Article 9 Statutory Supplement (latest VisiLaw or regular version.)

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Communication, Law and Social Justice

Course #: 2844 **Term:** 2017WI **Faculty:** Jenkins, Alan **Credits:** 3.00
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 1:00 PM - 4:30 PM	WCCB010
Tue 1:00 PM - 4:30 PM	WCCB010
Wed 1:00 PM - 4:30 PM	WCCB010
Thu 1:00 PM - 4:30 PM	WCCB010
Fri 1:00 PM - 4:30 PM	WCCB010

Course Description: Prerequisites: None
Exam: 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 equity, criminal justice reform, immigrant rights, and economic opportunity, 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 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.

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Communications and Internet Law and Policy

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:30 PM - 3:00 PM	WCC3019
Tue 1:30 PM - 3:00 PM	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.

Comparative Constitutional Law

Course #: 2028 **Term:** 2017WI **Faculty:** Greene, Jamal **Credits:** 3.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	PND102
Tue 9:00 AM - 12:30 PM	PND102
Wed 9:00 AM - 12:30 PM	PND102
Thu 9:00 AM - 12:30 PM	PND102
Fri 9:00 AM - 12:30 PM	PND102

Course Description: Prerequisites: None
Exam: One Day Take-Home
This course compares issues of constitutional structure, judicial review, separation of powers, federalism, interpretive method, and (especially) regimes of rights adjudication across different constitutional systems. The United States, Canada, Germany, India, and South Africa will be recurrent but non-exclusive models. We will consider how diverse systems have approached similar problems, with special attention given to the law of anti-discrimination (including issues of sexual privacy and reproductive freedom), freedom of expression, religious freedom, and the recognition and adjudication of social and economic rights. Throughout this course we will critically consider the enterprise of comparative constitutional law as a judicial practice and as a field of academic study.

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Comparative Constitutional Law

Course #: 1020

Term: 2017SP

Faculty: Jackson, Vicki

Credits: 4.00

Type: 1lintl

Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC1023

Wed 5:00 PM - 7:00 PM

WCC1023

Course Description:

Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students.

Prerequisites: None

Exam Type: Any Day Take-Home

The course will cover a series of topics arising in the comparative study of constitutional systems. Concentrating on constitutional structure and law in the United States and in such other countries as Australia, Canada, Colombia, France, Germany, Great Britain, India, Israel, Japan, and South Africa, it will examine selected problems of both constitutional design and constitutional adjudication. Early in the course we will consider the varying foundations and structures of judicial review of the constitutionality of laws (e.g., how are courts that engage in constitutional review structured, how are their judges appointed, what is the source of their authority to engage in constitutional review). We will also, early in the course, likely consider the constitutional law regulating availability of abortion in the United States, Germany, Canada, Colombia, and Ireland. Other likely topics include (1) the relationships between "popular" branches of government and courts under constitutional regimes that permit legislative override of constitutional decisions, (2) presidential compared to parliamentary systems of governance and whether/how constitutions should address emergency powers, (3) different forms of constitutional federalism, (4) approaches to protecting minority groups (for example, federalism, affirmative action for racial/ethnic/linguistic minorities, or group-based rights), (5) gender equality; (6) freedom of religion, (7) freedom of speech, and (8) positive social welfare rights.

Two overarching questions will be explored through these topics. First, we will be trying to improve our capacities to think systematically about constitutions, different structures for organizing governments and establishing just and efficacious governments, and about the role of constitutional law, and courts. How can governments be structured to both provide flexibility to respond to future needs and ensure appropriate degrees of ongoing stability? How can law and government structures help organize or manage responses to the tensions between majoritarian democracy and basic human rights? Between the human needs and demands of competing minorities? To do so, we will focus on a set of basic questions about constitutions, and constitutionalism: Why have constitutions? What is the relationship between a written constitution and constitutionalism? Can there be constitutionalism without a constitution? Does constitutionalism necessarily entail precommitment through entrenched law? Does constitutionalism necessarily require commitment to specific substantive norms?

Second, we will also critically examine what it is that can be learned from a comparative study of constitutions and constitutionalism. Can one draw conclusions for one country based on comparing constitutional experiences in others? Or is the possibility of drawing lessons from one polity to another always limited by the particularities of context and culture within which constitutions are formed and constitutional decisionmaking proceeds? Comparative constitutional study might yield insights into parts of ones own system that are (falsely) experienced as essential - when one learns that similar results are produced through different constitutional structures elsewhere, it is eye-opening. On the other hand, comparative study may also illuminate how difficult it is to distinguish "false necessities" from "true necessities," to the extent that each constitutional systems parts are integrally interrelated with others and bound up with a specific constitutional and political culture. Controversies over the U.S. Supreme

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Court’s references to foreign law (for example, in death penalty cases) raise important questions: can courts (or other domestic constitutional decision-makers) really benefit from the constitutional experiences of other countries? Is it legitimate for them to do so?

Comparative Corporate Law, Finance and Governance

Course #: 2714 **Term:** 2016FA **Faculty:** Kraakman, Reinier; Nicholls, Christopher **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 5:00 PM - 7:00 PM	HAU105

Course Description: Prerequisites: Any one of the following: A prior corporations or company law course, a parallel corporations course at HLS, prior experience in transactional legal work, or enrollment in the LL.M. Corporate Governance Concentration. In the event that the course is oversubscribed, LL.M. Corporate Governance Concentrators will be given priority.
Exam: Last Class Take-Home
This course surveys broad issues in corporate governance and finance ranging from the ownership structure of corporations to shareholder primacy, convergence in corporate law across jurisdictions, and the emergence of activist investment vehicles including hedge funds and PE firms. This course is required for LL.M. students who wish to enroll in the Corporate Governance Concentration. These student will also be given priority admission. Other students will be admitted as space permits.

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Comparative Criminal Law: Fair Trials and the Adversarial System

Course #: 2907 **Term:** 2016FA **Faculty:** Coffey, Ruth **Credits:** 1.00

Type: Elective **Subject Areas:** Criminal Law & Procedure; International, Comparative & Foreign Law; Legal & Political Theory

Delivery Mode: Reading Group

Days and Times: **Location**

Fri 1:00 PM - 3:00 PM WCC5052

Course Description: Prerequisites: None
Exam: No Exam
This reading group will explore changing ideas about the nature of a fair trial within an adversarial criminal justice system. What is a fair trial? Who is it fair to? How can it be achieved?

Over the past few decades, the criminal justice system in England and Wales has made a number of reforms that move it away from a pure' or traditional adversarial system. These changes, prompted in part by economic considerations and a desire for efficiency, have been accompanied by an intellectual and cultural shift in the concept of what is a fair trial.

The group will consider the people involved in a criminal trial, from the witnesses to the press reporters, the police and prosecutors, the defendants and the public. To what extent should a fair trial' be fair to each? What does fairness involve for these groups? And what responsibilities do they have to make a trial fair to others?

We will use examples from the UK and comparative material from the US and examine a selection of reforms, for example, innovations in the way in which vulnerable witnesses give evidence, or obligations of disclosure on the defence and the modified right to silence. We will critique these reforms, examine their contribution, or detraction, from the achievement of a fair trial, and consider whether similar measures could, or should, be introduced in the US. No knowledge of UK law is required.

The instructor is a UK-qualified criminal barrister, and was responsible for the re-drafting of the Criminal Practice Directions that were issued by the Lord Chief Justice in 2013.

Note: This reading group will meet on the following dates: 9/9, 9/23, 10/7, 10/21, 11/4, 11/18

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Comparative Law: Ancient Law

Course #: 2472 **Term:** 2016FA **Faculty:** Lanni, Adriaan **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 10:00 AM - 11:30 AM HAU102

Fri 10:00 AM - 11:30 AM HAU102

Course Description: Prerequisites: None.
Exam Type: In-class exam.
The focus of the class will be on comparing various ancient and modern approaches to problems faced by all legal systems. Topics covered include ancient approaches to crime and punishment, the regulation of sexuality, the trial jury, court procedure, international law, and commercial law. The main focus will be on the legal systems of classical Athens and Rome. We will also look to other ancient legal systems where relevant to a particular topic. Prior knowledge of ancient history or ancient languages is not required; the course is designed to be of interest to those without a background in the ancient world. Grades will be based on 2 short response papers, a 1-hour in class exam, and class participation. Students can register for an additional independent writing credit and write a research paper in lieu of the response papers. Research papers will compare ancient and modern approaches to a particular area of legal doctrine. Research papers will satisfy the law school writing requirement. Students looking to satisfy the law school writing requirement who do not want to write a research paper may write 3 additional short response papers (5 total) to satisfy half of Option 2 (“substantial course writing”) of the writing requirement.

Comparative Law: Foundations of Western Legal Thought

Course #: 2031 **Term:** 2016FA **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 1:30 PM - 3:00 PM HAU101

Tue 1:30 PM - 3:00 PM HAU101

Course Description: Prerequisites: None.
Exam type: No exam. Course requirements include weekly memos, two papers and an oral presentation. This course begins with the shared foundations of the civil law (Romano-Germanic) and common law (Anglo-American) legal systems in Athens (Greek philosophy), Rome (Roman law), and Jerusalem (Judaean-Christian religion). It then explores the somewhat different ways in which those systems were influenced at crucial stages of their development by different branches of modern political thought. It concludes with works from the dawn of post-modernity and a final session on the amalgam of ancient and modern themes in the Universal Declaration of Human Rights. A principal aim is to encourage close reading of foundational works.

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Comparative Online Privacy

Course #: 2615 **Term:** 2017SP **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 WCC5044

Course Description: Prerequisites: None.
Exam Type: No exam.
Digital privacy has become a major issue for Internet users, technology companies, online businesses, 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 and in the digital environment more broadly-targeting social networking sites, online advertising, data aggregators, IoT providers, 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 digital environment 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 digital 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 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 recent developments in the fields of Artificial Intelligence and Augmented Reality, as well as other instances of recent tensions between privacy and other values (autonomy, transparency, etc.). To conclude the seminar, we will host a small symposium that compiles our progress from the seminar. Students will have the opportunity to recommend and invite panelists for the symposium. Furthermore, you will be given the opportunity to prepare remarks for the panelists and play a leading role in the direction of the symposium.

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Complex Litigation: Legal Doctrines, Real World Practice

Course #: 2366 **Term:** 2016FA **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 to waive the prerequisite is required.

Exam Type: Any-Day Take Home

This course will study legal doctrines, litigation strategies (viewed from both the plaintiff and defendant perspectives) and current "best practices" relating to complex 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 in transferred cases; the impact of class actions on MDL proceedings; 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, but knowledge of substantive securities law is not required.

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Complex Mass Injury Litigation

Course #: 2032

Term: 2016FA

Faculty: Rosenberg, David

Credits: 3.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 8:30 AM - 10:00 AM

Tue 8:30 AM - 10:00 AM

Location

LEW214B

LEW214B

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

Prerequisites: None.

Exam Type: No exam.

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

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

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

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

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

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Conflict of Laws

Course #: 2033 **Term:** 2016FA **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
Thu 9:50 AM - 11:50 AM	WCCB010
Fri 9:50 AM - 11:50 AM	WCCB010

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Prerequisites: Open to upper-level JD students. For LLM students: this upper-level course assumes that students have prior knowledge of the basic principles of American law of contracts, torts, property, and procedure (including personal jurisdiction law), as well as knowledge of common law reasoning and argument. LLM students may take this course only if they concurrently take a course in contracts, torts, or property law in the fall semester of 2016.

Exam Type: No Exam. 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. Students will be required to write short, two-page single-spaced memoranda on five of the problem cases and to write a 5-page single-spaced proposed opinion on one of the moot court cases that will be due at the end of the semester.

Note: This course will satisfy half of Option 2 of the written work requirement.

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Constitutional History II: From Reconstruction to the Civil Rights Movement

Course #: 2453 **Term:** 2016FA **Faculty:** Klarman, Michael **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 2:00 PM	AUS100
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Thu 1:00 PM - 2:00 PM	AUS100
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Fri 1:00 PM - 2:00 PM	AUS100
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Course Description: Prerequisites: None.
Exam Type: Any-day take-home exam.
This course examines, from the perspective of social and political history, constitutional developments from the enactment of the post-Civil War constitutional amendments to the Supreme Court's decision in *Brown v. Board of Education* and its effect on the civil rights movement. The principal issues addressed include the enactment and early judicial interpretation of the 13th, 14th, and 15th amendments; the constitutional questions raised by segregation and disfranchisement during the Plessy era; economic regulation during the *Lochner* era; the birth of the modern first amendment during the interwar period; race issues during the interwar period; the constitutional crisis over the New Deal in the 1930s; first amendment issues raised during and after World War II; and, finally, the road to *Brown v. Board of Education* as well as an assessment of that decision's historical significance.

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2017SP **Faculty:** Parker, Richard **Credits:** 4.00

Type: Multisection **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	WCC1015
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Thu 1:00 PM - 3:00 PM	WCC1015
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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, and also with what lies beneath the surface--emotions, assumptions, and images that structure and animate argument. It will analyze the internal conflicts and the ebb and flow of constitutional law/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.

Harvard Law School Course Catalog

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Constitutional Law: First Amendment

Course #: 2035 **Term:** 2016FA **Faculty:** Fallon, Richard **Credits:** 4.00

Type: Multisection **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:	Location
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Mon 3:20 PM - 4:40 PM	LAN272
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Tue 3:20 PM - 4:40 PM	LAN272
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Wed 3:20 PM - 4:40 PM	LAN272
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Course Description: Prerequisites: None.
Exam Type: In-class exam.
This course will deal principally with the Free Speech Clause of the First Amendment. Free Exercise and Establishment Clause issues will also be discussed, though in less detail. Assigned materials will include readings in First Amendment theory as well as Supreme Court cases.

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2017SP **Faculty:** Feldman, Noah **Credits:** 4.00

Type: Multisection **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Course

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

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

Course #: 2036 **Term:** 2017SP **Faculty:** Feldman, Noah **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:00 AM - 12:00 PM	WCC1023
Tue 10:00 AM - 12:00 PM	WCC1023

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.

Note: This course is open to 1L students only.

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

Course #: 2036 **Term:** 2016FA **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.

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

Course #: 2036 **Term:** 2017SP **Faculty:** Fallon, Richard **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 3:20 PM - 4:40 PM	AUS101
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Tue 3:20 PM - 4:40 PM	AUS101
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Wed 3:20 PM - 4:40 PM	AUS101
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Course Description: Prerequisites: None.
Exam Type: In-class exam.
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.

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

Course #: 2036 **Term:** 2016FA **Faculty:** Parker, Richard **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Fri 1:20 PM - 2:40 PM	WCC1023
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Wed 1:20 PM - 2:40 PM	WCC1023
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Thu 1:20 PM - 2:40 PM	WCC1023
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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 Equal Protection, Due Process, & Federalism and the Separation of Powers. This section of the course will approach the law as an ongoing practice of argument. It will deal with decisions and doctrine, and also with what lies beneath the surface--emotions, assumptions, and images that structure and animate argument. It will analyze the internal conflicts and the ebb and flow of constitutional law/argument over time, concentrating on the modern period beginning with Brown v. Board of Education.
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 me in a sort of "reverse Socratic" dialogue.

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

Course #: 2036 **Term:** 2016FA **Faculty:** Fried, Charles **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 1:00 PM - 3:00 PM	WCC1019
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Tue 1:00 PM - 3:00 PM	WCC1019
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Course Description: Prerequisites: For LLM students only, instructor permission is required to enroll in this course.
Exam Type: In-Class
The course considers the structural provisions of the Constitution, but also the individual rights and liberties implicated by the due process and equal protection clauses of the Fourteenth Amendment. First Amendment liberties and constitutional criminal procedure are addressed in other courses. Sullivan and Feldman (Nineteenth edition) and its 2016 Supplement if any, and some supplementary materials.

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

Course #: 2036 **Term:** 2017SP **Faculty:** Klarman, Michael **Credits:** 4.00

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

Delivery Mode: Course

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

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Consumer Bankruptcy

Course #: 2699 **Term:** 2017SP **Faculty:** Bertling, Roger **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM HAU102

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

Course #: 2598 **Term:** 2017SP **Faculty:** Bar-Gill, Oren **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC5044

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.

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Contemporary Critical Legal Thought: Perspectives From the Periphery

Course #: 2940 Term: 2017SP Faculty: Alviar, Helena Credits: 2.00

Type: Elective Subject Areas: Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times:	Location
Wed 3:00 PM - 5:00 PM	LEW214B

Course Description: Prerequisites: None
Exam Type: No Exam
Critical thinking in law has a vibrant tradition in the Global South. From the antiformalist impulse of the early 20th century to more recent post-colonial insights, legal scholars have long grappled with the distributive dimensions of law. This seminar will have as its main goal to explore the work of academics writing about both the limitations and emancipatory possibilities of law. Readings will include the work of authors who have influenced critical thinking as well as a few examples of contemporary intellectual production by legal scholars from Latin America, Africa and Asia.

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Contemporary Developing Countries: Entrepreneurial Solutions to Intractable Problems

Course #: 2543 **Term:** 2016FA **Faculty:** Khanna, Tarun **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

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 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. This course begins on August 31st, the first day of classes for FAS. This class session will be taped and posted to the course website for any HLS students unable to attend.

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Contemporary Issues in Constitutional Law

Course #: 2897 **Term:** 2016FA **Faculty:** Liu, Goodwin **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Seminar

Days and Times:	Location
Mon 5:00 PM - 8:00 PM	GRS110
Tue 5:00 PM - 8:00 PM	GRS110
Wed 5:00 PM - 8:00 PM	GRS110
Thu 5:00 PM - 8:00 PM	GRS110

Course Description: Prerequisites: For JD students, Constitutional Law: Separation of Powers, Constitutional Law: First Amendment, or Separation of Powers. For LLM students, enrollment is by permission of the instructor.

Exam Type: No Exam

This is an advanced constitutional law seminar for students who have already taken the introductory Constitutional Law course. The seminar will provide an opportunity for in-depth discussion of competing theories of constitutional interpretation, the role of the Supreme Court in our political system, and analysis of the judicial process. Each week, these themes will be examined through the lens of a current hot topic in constitutional law-for example, the Affordable Care Act, affirmative action, union dues and free speech, the Second Amendment, electronic surveillance, voting rights, campaign finance, immigration, same-sex marriage, and other topics. This is not a spectator class; all students will be expected to participate actively in class discussion each week. This is a good seminar for students interested in clerking or pursuing academia.

Note: This seminar will take place over two weeks only, beginning on September 12th and ending September 22nd.

Drop Deadline: September 13, 2016 by 11:59pm EST in HELIOS

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Contemporary Issues in Intelligence Gathering

Course #: 2611 **Term:** 2017SP **Faculty:** Zittrain, Jonathan **Credits:** 2.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:	Location
Mon 5:00 PM - 7:00 PM	WCC4063

Course Description: Prerequisites: By Permission

Exam: No Exam

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

We will discuss how an intelligence communitys activities can be meaningfully communicated to the public while respecting its sources and methods; how agencies might internally reconcile their various missions to protect the public and protect public values; and what a set of authorities and limitations for intelligence collection might look like if a clean slate were available on which to develop them. Please visit <http://brk.mn/CIIG17> to access the application and read more about the course

Note: This course is jointly listed with FAS as CS 90nbr and HKS as IGA-245.

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Contemporary Issues in Oil and Gas Law: Fracking, Takings, Pipelines, and Regulation

Course #: 2717 **Term:** 2016FA **Faculty:** Konschnik, Kate **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3013

Course Description: Prerequisites: None, but familiarity with federal environmental or administrative law may be helpful.

Exam Type: No exam.

This seminar will explore hot legal issues in oil and gas law including property rights, chemical disclosure, air pollution, induced seismicity, regulation and valuation of public natural resources, and oil and gas pipeline siting. The goal of the seminar is to provide an overview of the issues and to demonstrate how this rich subject interacts with many other areas of law. We will also apply problem-solving skills in our discussions and group exercises, and think about how to represent clients in these settings or craft creative policy solutions and management strategies.

After a brief technical and legal introduction to oil and gas production in the United States, the group will tackle six issues in an informal, interactive setting. Students will be responsible for the readings, to ensure robust class discussions.

Short papers will be required over the course of the semester.

Contracts 1

Course #: 1001 **Term:** 2016FA **Faculty:** Bodie, Matthew **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-classexam.

Contracts are the cornerstone of our economic system. This course provides an introduction to the law of contract. Topics to be covered include consideration, formation, defenses, interpretation, performance, conditions, and remedies. Course materials will focus on the common law as well as Article 2 of the Uniform Commercial Code.

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Contracts 2

Course #: 1001 **Term:** 2016FA **Faculty:** Stone, Rebecca **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	WCC2004
Tue 1:00 PM - 3:00 PM	WCC2004

Course Description:

Exam: In Class

Contract law is the study of the law of private agreements and promises. We will discuss the criteria for determining whether or not a particular promise or agreement is legally enforceable and the major legal issues affecting enforceable agreements. These include the questions of when a contract becomes binding, how to interpret contracts, when performance is required or excused, what constitutes breach of contract, and what remedies are available for breach of contract.

Contracts 3

Course #: 1001 **Term:** 2016FA **Faculty:** Kennedy, Randall **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Thu 1:00 PM - 3:00 PM	WCC2009
Fri 1:00 PM - 3:00 PM	WCC2009

Course Description:

Exam; In Class.

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

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Contracts 4

Course #: 1001 **Term:** 2016FA **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 WCC2009

Fri 9:50 AM - 11:50 AM WCC2009

Course Description:

Exam Type: In-class exam.

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:** 2017SP **Faculty:** Brewer, Scott **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC2012

Thu 1:00 PM - 3:00 PM WCC2012

Course Description:

Exam: 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. Materials to be announced.

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Contracts 6

Course #: 1001 **Term:** 2016FA **Faculty:** Frug, Gerald **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	WCC1015
Tue 1:00 PM - 3:00 PM	WCC1015

Course Description:

Exam Type: One-day take-home exam.
This class introduces the nature of the obligation we call "contract." How are legally enforced obligations formed? How are they distinct from other obligations? How free are parties to craft the obligations they want to be bound by? How free should they be?

Contracts 7

Course #: 1001 **Term:** 2016FA **Faculty:** Elhauge, Einer **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:40 PM	WCC2009
Tue 3:20 PM - 4:40 PM	WCC2009
Wed 3:20 PM - 4:40 PM	WCC2009

Course Description:

Exam Type: In-class 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. Topics covered include: when a contractual promise exists and which are too indefinite; whether consideration should be required and what that means; whether there was offer and acceptance forming a contract; whether and when contracts should be voided because of duress, nondisclosure, a failure to read, unconscionability, or immorality; how to interpret contracts; implied and explicit contractual conditions; the material breach and perfect tender rules; whether performance is excused by mistake of fact, impossibility, impracticability, or frustration of contractual purpose; what remedies to reward and how to measure them; and whether and when damages should be limited because of failure to mitigate, unforeseeability, or use of penalty clauses.

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Copyright

Course #: 2042 **Term:** 2017SP **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
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Mon 10:20 AM - 11:40 AM	WCC2012
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Tue 10:20 AM - 11:40 AM	WCC2012
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Wed 10:20 AM - 11:40 AM	WCC2012
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Course Description: Prerequisites: None.

Exam type: In class.

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:** 2016FA **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
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Mon 1:00 PM - 3:00 PM	PND100
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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.

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Corporate and Capital Markets Law and Policy

Course #: 2362 Term: 2016FA Faculty: Bebchuk, Lucian; Hirst, Scott Credits: 3.00
Type: Elective Subject Areas: Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law

Delivery Mode: Course

Days and Times:	Location
Wed 1:00 PM - 3:00 PM	GRS110
Thu 1:00 PM - 3:00 PM	GRS110

Course Description: Prerequisites: There are no prerequisites for the course. However, it is recommended that students either (a) have taken (or are taking concurrently) the Corporations course at HLS, (b) have taken any course about corporations or business associations at another law school in the US or abroad, or (c) have had prior experience through which they have been exposed to corporate law and governance issues. Students who have questions regarding whether the course would be suitable for them should feel free to contact the instructors.

Exam Type: No Exam

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, hedge fund 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 sitting SEC Commissioner, a leading 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 Wednesdays and Thursdays during the semester; rather, it will meet for eighteen 2-hour sessions which will take place during the time slot of the course. There will be no examination. Instead, students will be asked to submit, before sessions, a brief memo on the assigned readings; grades will be based on these memos (primarily) and on participation in class discussion.

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Corporate Boards and Governance

Course #: 2046 **Term:** 2017SP **Faculty:** Sale, Hillary **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:50 AM - 11:50 AM WCC3018

Course Description: Prerequisites: Corporations is required for all students.
Exam: No Exam
This course will explore the theory and reality of corporate governance from the perspective of the Board of Directors. The class will read about and discuss various topics, including corporate governance and group dynamics and consider these topics in the context of boards of directors, their fiduciary duties, and how they operate. The class will feature guest speakers who both serve on and work with boards of directors. In lieu of an exam, students will complete short, team-based papers on governance topics and present their work to the class.

Corporate Finance

Course #: 2244 **Term:** 2017SP **Faculty:** Ferrell, Allen **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM PND101

Course Description: Prerequisites: No prerequisites but a corporations course is strongly advised.
Exam: In Class
This course addresses the fundamentals of financial economics and reviews applications in selected areas of corporate and securities law.

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Corporate Reorganization

Course #: 2047 **Term:** 2017SP **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 WCCB010

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 and impacts out-of-court resolutions. 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.

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Corporations

Course #: 2048 **Term:** 2017SP **Faculty:** Subramanian, Guhan **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 9:50 AM - 11:50 AM	AUS100
Fri 9:50 AM - 11:50 AM	AUS100

Course Description: Prerequisites: None.
Exam Type: In-class exam.
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:** 2016FA **Faculty:** Ramseyer, J. Mark **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 9:50 AM - 11:50 AM	LAN225
Fri 9:50 AM - 11:50 AM	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.

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Corporations

Course #: 2048

Term: 2017SP

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

Wed 1:10 PM - 2:30 PM

AUS101

Thu 1:10 PM - 2:30 PM

AUS101

Fri 1:10 PM - 2:30 PM

AUS101

Course Description: Prerequisites: None

Exam type: In class

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.

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Corporations

Course #: 2048 **Term:** 2017SP **Faculty:** Clark, Robert **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:55 AM	AUS100
Tue 10:20 AM - 11:55 AM	AUS100
Wed 10:20 AM - 11:55 AM	AUS100

Course Description: Prerequisites: None.

Exam Type: In-class exam.

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.

Note: For upper-level JD students, this course will be included in the Multi-Section round of registration.

Corporations

Course #: 2048 **Term:** 2016FA **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	WCCB015
Tue 3:20 PM - 4:40 PM	WCCB015
Wed 3:20 PM - 4:40 PM	WCCB015

Course Description: Prerequisites: None

Exam: 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.

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Corporations

Course #: 2048 **Term:** 2016FA **Faculty:** Coates, John **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	AUS111
Tue 1:00 PM - 3:00 PM	AUS111

Course Description: Prerequisites: Students should have a familiarity with rudimentary accounting and finance concepts at the level of Analytical Methods for Lawyers. Please consult the syllabus of Analytical Methods if you are unsure whether your background is sufficient.
Exam Type: In-class exam.
This course surveys the role of legal controls on business organizations. Topics include choice of legal entity, basics of agency and partnership, asset partitioning and creditor protection, fiduciary duties, shareholder voting, derivative suits, executive compensation, control transactions, and insider trading. Some of the course will draw on problems in transactional settings, as well as some work in groups (that will be randomly assigned) and in-class graded quizzes.

Note: For upper-level JD students, this course will be included in the Multi-Section round of registration.

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Counseling and Legal Strategy in the Digital Age

Course #: 2653 **Term:** 2016FA **Faculty:** Bavitz, Christopher; Krishnamurthy, Vivek **Credits:** 2.00
Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment;
Procedure & Practice

Delivery Mode: Seminar

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

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Criminal Justice Fellows Seminar

Course #: 2801 **Term:** 2016FS **Faculty:** Steiker, Carol; Whiting, Alex **Credits:** 4.00
Type: Elective **Subject Areas:** Criminal Law & Procedure

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Credits: 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/life experiences) relating to criminal justice issues to mworth@law.harvard.edu. The deadline for JD applications is May 20th, 2016. The deadline for LLM applications is August 1st, 2016.
Exam: 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 Program's Executive Director (Larry Schwartzol) and faculty Co-Directors (Professors Carol Steiker & Alex Whiting), in conjunction with partner organizations outside the law school. Last year the Program's projects focused on bail reform, criminal justice fines and fees, private probation, and police body cameras. The seminar hosts visiting lecturers from partner organizations and elsewhere to discuss strategies for reform and to provide necessary background and guidance on the seminars policy projects. Student fellows are 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 reform projects both to the seminar and to the broader law school community.

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Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002 **Term:** 2016FW **Faculty:** Umunna, Dehlia **Credits:** 5.00

Type: Clinic **Subject Areas:** Criminal Law & Procedure; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Note: Students participating in CJI during the 2016-2017 year (fall-winter and winter-spring students) who have not yet taken TAW must take the fall 2016 TAW. Students cannot take the winter 2017 TAW concurrently with CJI.
By Permission: No.
Add/Drop Deadline: August 30, 2016.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Multi-Semester: This is a fall-winter clinic (4 fall clinical credits + 1 winter clinical credit).
Placement Site: HLS.
Mandatory Meeting: All students enrolled in the clinic (either Fall-Winter or Winter-Spring) must attend mandatory orientation sessions on Wednesday, September 28, Thursday, September 29 AND Friday, September 30, 2016. Additionally, each student (enrolled in either Fall-Winter or Winter-Spring) is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 26) or Tuesday (Sept. 27).
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 26 - September 30, 2016. During this first

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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. 26) or Tuesday (Sept. 27) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 28) and Thursday (Sept. 29) from 2:00 PM - 5:00 PM as well as on Friday (Sept. 30) from 9:00 AM - 2:00 PM. Starting this first week and throughout the Fall, class will meet on Tuesdays and Thursdays from 5:00 PM - 7:00 PM. During the Winter, class will meet on Wednesdays and Thursdays from 12:00-2:00PM.

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 submit a reflection paper in mid-January. Those enrolled in the winter-spring clinic will be submitting their paper the first week of April.

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Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002 **Term:** 2017WS **Faculty:** Umunna, Dehlia **Credits:** 6.00

Type: Clinic **Subject Areas:** Criminal Law & Procedure; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Note: Students participating in CJI during the 2016-2017 year (fall-winter and winter-spring students) who have not yet taken TAW must take the fall 2016 TAW. Students cannot take the winter 2017 TAW concurrently with CJI.
By Permission: No.
Add/Drop Deadline: August 30, 2016.
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 + 5 spring clinical credits).
Placement Site: HLS.

Mandatory Meeting: All students enrolled in the clinic (either Fall-Winter or Winter-Spring) must attend mandatory orientation sessions on Wednesday, September 28, Thursday, September 29 AND Friday, September 30, 2016. Additionally, each student (enrolled in either Fall-Winter or Winter-Spring) is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 26) or Tuesday (Sept. 27).

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.

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The clinic and class will start the week after Fall TAW, September 26 - September 30, 2016. 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. 26) or Tuesday (Sept. 27) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 28) and Thursday (Sept. 29) from 2:00 PM - 5:00 PM as well as on Friday (Sept. 30) from 9:00 AM - 2:00 PM. Starting this first week and throughout the Fall, class will meet on Tuesdays and Thursdays from 5:00 PM - 7:00 PM. During the Winter, class will meet on Wednesdays and Thursdays from 12:00PM - 2:00PM.

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 submit a reflection paper in mid-January. Those enrolled in the winter-spring clinic will be submitting their paper the first week of April.

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Criminal Justice Institute: Defense Theory and Practice

Course #: 2261 **Term:** 2016FW **Faculty:** Umunna, Dehlia **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Tue 5:00 PM - 7:00 PM	PND101
Thu 5:00 PM - 7:00 PM	
Wed 12:00 PM - 2:00 PM	PND101
Thu 12:00 PM - 2:00 PM	PND101

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.
Open to 3Ls only
Required Clinic Component: Criminal Justice Institute: Criminal Defense Clinic, either fall-winter (4 fall clinical credits + 1 winter clinical credit) or winter-spring (1 winter clinical credit + 5 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. Note: Students participating in CJI during the 2016-2017 year (fall-winter and winter-spring students) who have not yet taken TAW must take the fall 2016 TAW. Students cannot take the winter 2017 TAW concurrently with CJI.
By Permission: No.
Add/Drop Deadline: August 30, 2016.
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).

Mandatory Meeting: All students enrolled in the clinic (either Fall-Winter or Winter-Spring) must attend mandatory orientation sessions on Wednesday, September 28, Thursday, September 29 AND Friday, September 30, 2016. Additionally, each student (enrolled in either Fall-Winter or Winter-Spring) is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 26) or Tuesday (Sept. 27).

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

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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 26 - September 30, 2016. 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. 26) or Tuesday (Sept. 27) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 28) and Thursday (Sept. 29) from 2:00 PM - 5:00 PM as well as on Friday (Sept. 30) from 9:00 AM - 2:00 PM. Starting this first week and throughout the Fall, class will meet on Tuesdays 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 submit a reflection paper in mid-January. Those enrolled in the winter-spring clinic will be submitting their paper the first week of April.

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Criminal Justice Workshop

Course #: 2314 **Term:** 2017SP **Faculty:** Lanni, Adriaan; Crespo, Andrew **Credits:** 2.00

Type: Elective **Subject Areas:** Criminal Law & Procedure

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3036

Course Description: Prerequisites: Enrollment by written application to the professors; limited to 20. JD and LLM applicants should submit a short (not more than a page) statement of interest to Professor Lanni's assistant, jminnich@law.harvard.edu by October 11th.
Exam: No Exam
This seminar is geared toward students interested in reading and discussing legal scholarship on issues related to criminal justice and will be especially useful to students interested in pursuing careers in legal academia in the broad field(s) of criminal justice. Weekly seminars will alternate between discussion based on assigned readings and workshops in which criminal justice scholars of varying methodologies will be invited by the professors to present their work to the seminar for discussion (and other members of the community will be invited to attend, as well). Students will be expected to write short weekly response papers.

Criminal Law 1

Course #: 1002 **Term:** 2017SP **Faculty:** Sullivan, Ronald **Credits:** 4.00

Type: 1course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCC1010

Tue 1:00 PM - 3:00 PM WCC1010

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 rationale of punishment. Doctrinal principles having to do with insanity, other defenses, attempts, and conspiracy are studied, as well as the law of homicide, theft, and rape. So far as time permits, the course will include a general overview of the criminal process.

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Criminal Law 2

Course #: 1002 **Term:** 2016FA **Faculty:** Crespo, Andrew **Credits:** 4.00

Type: 1lcourse **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: 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 criminal law and illustrative crimes are studied, including homicide, rape, and drug offenses, as well as inchoate crimes such as attempt and conspiracy. The course also considers some important issues in the administration of criminal justice, with special emphasis on the phenomenon of discretion-as manifested in prosecutorial charging decisions, plea bargaining, and sentencing. 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 3

Course #: 1002 **Term:** 2017SP **Faculty:** Yang, Crystal **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 8:00 AM - 10:00 AM	WCC1019
Tue 8:00 AM - 10:00 AM	WCC1019

Course Description:

Exam Type: In-class exam.

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.

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Criminal Law 4

Course #: 1002 **Term:** 2017SP **Faculty:** Suk Gersen, Jeannie **Credits:** 4.00

Type: 1course **Subject Areas:** Not Applicable

Delivery Mode: Course

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

Course Description: Exam type: One-day take-home.
This course considers doctrinal principles and theories of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationales of punishment. We study illustrative crimes with particular attention to homicide and sex offenses. Other subjects include attempt, complicity, conspiracy, and prosecutorial and sentencing discretion. Throughout, we explore distributional effects of criminal law doctrine. Laptops cannot be used in class. Class participation is required.

Criminal Law 5

Course #: 1002 **Term:** 2017SP **Faculty:** Whiting, Alex **Credits:** 4.00

Type: 1course **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: 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.

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Criminal Law 6

Course #: 1002 **Term:** 2017SP **Faculty:** Bridges, Khiara **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: In Class
This class explores the basic principles of substantive criminal law, including the justifications for punishment, the essential elements of offenses, mitigating and exculpating defenses and various forms of criminal liability.

Criminal Law 7

Course #: 1002 **Term:** 2016FA **Faculty:** Kamali, Elizabeth Papp **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Thu 9:50 AM - 11:50 AM	AUS111
Fri 9:50 AM - 11:50 AM	AUS111

Course Description: Exam Type: In-class exam.
This course considers the basic themes of substantive criminal law, including criminal responsibility, act and intent, causation and result, justification and excuse, and the rationales of punishment. The focus is on general doctrinal principles of the criminal law, usually including the following topics: defenses, insanity, conspiracy, attempts, and aspects of the law of homicide and rape. The course also considers some important issues in the administration of the criminal justice system, such as the scope of discretion. However, the focus is not on criminal procedure, but rather on the criteria according to which culpability and punishment are determined in the contemporary American criminal justice system.

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Criminal Procedure: Adjudication

Course #: 2049 **Term:** 2017SP **Faculty:** Lanni, Adriaan **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 2:30 PM	WCC2012
Tue 1:00 PM - 2:30 PM	WCC2012

Course Description: Prerequisites: None.
Exam Type: In-class exam.
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:** 2016FA **Faculty:** Gordon-Reed, Annette **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	LAN272
Tue 1:00 PM - 3:00 PM	LAN272

Course Description: Prerequisites: None
Exam: In Class

This course will examine the operation of the Fourth, Fifth, and to a lesser extent, the Sixth Amendments to the U.S. Constitution. We will discuss, among other topics, warrants, search and seizure, the exclusionary rule, and the right against self incrimination.

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Criminal Procedure: Investigations

Course #: 2050 Term: 2017SP Faculty: Maclin, Tracey Credits: 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:40 PM	AUS111
Tue 3:20 PM - 4:40 PM	AUS111
Wed 3:20 PM - 4:40 PM	AUS111

Course Description: Prerequisites:NoneExam: In ClassThis course covers the Supreme Court’s Fourth Amendment doctrine, the Court’s Fifth Amendment right against compelled self-incrimination (primarily focusing on the Miranda cases) doctrine and the Court’s Sixth Amendment Right to Counsel during police interrogation doctrine. In general, the course will examine the constitutional law cases involving the conflict between the government’s interest in law enforcement and the constitutional rights of citizens.

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Crimmigration Clinic

Course #: 8043 **Term:** 2017SP **Faculty:** Torrey, Philip **Credits:** 3.00

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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 16, 2016. Add/Drop Deadline: January 13, 2017. LLM Students: LLM students who have satisfied the required class component 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. The content of the clinical projects will depend on the legal landscape and political climate at the time of clinical enrollment. In the past, students have worked on amicus briefs concerning criminal bars to immigration relief, practice guidance for public defender offices around the country, and impact litigation concerning immigration detention. Clinical students will also work with the Harvard Criminal Justice Institute to provide advice to their case teams 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 the National Immigration Project of the National Lawyers Guild and the Immigrant Defense Project, 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 16, 2016). The fall 2016 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.

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Crimmigration: The Intersection of Criminal Law and Immigration Law

Course #: 2597 **Term:** 2016FA **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: **Location**

Mon 5:00 PM - 7:00 PM WCC3018

Course Description: Prerequisites: None.
Exam Type: In class.
The intersection of criminal law and immigration law is a growing field of law that has become a frequent topic in todays public policy debate. As immigration laws have become more "criminalized" and criminal laws have become more "immigrationized" it is increasingly important for immigration attorneys and criminal law attorneys alike to understand 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 to 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 potential avenues of reform.
This course is a prerequisite for the Crimmigration Clinic (by application) offered in the Spring 2017 semester. Students who enroll in this class during fall 2016 will be eligible to apply for the spring Crimmigration Clinic (applications to the clinic are due to Phil Torrey - ptorrey@law.harvard.edu - by December 16, 2016).

Critical Race Theory

Course #: 2279 **Term:** 2016FA **Faculty:** Bridges, Khiara **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM HAU105

Course Description: Prerequisites: None.
Exam: No Exam.
This seminar explores the utility of Critical Race Theory to the study of law. Specifically, this seminar analyzes the centrality of the law in constructing and maintaining - as well as dismantling - racism, racial inequalities, and race itself. Weekly seminar meetings will consist of discussion of a broad range of materials, including case law, scholarly writing in law, scholarly writing in anthropology, political theory, and journalism. The latter part of the seminar will consist of a sustained analysis of Critical Race Theory as it speaks to issues of gender and reproduction.

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Current Issues in Corporate Governance

Course #: 2053 **Term:** 2016FA **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: Admission to this seminar is by permission of the instructor. Students should send a short statement of their background and interest in corporate finance and corporate governance (including undergraduate major, relevant pre-HLS work experience, and courses taken in law school) to Professor Fried's assistant, Lauren Semrau [lsemrau@law.harvard.edu].

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 cases, transactions, and current policy issues in corporate governance.

Current Issues in Tax Law, Policy, and Practice

Course #: 2906 **Term:** 2016FA **Faculty:** Warren, Alvin **Credits:** 1.00

Type: Elective **Subject Areas:** Taxation

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC5050

Course Description: Prerequisites: Taxation or permission of the instructor to waive the prerequisite.

Exam Type: No Exam.

There is considerable discontent across the political spectrum with the current structure of U.S. corporate taxation. This reading group will examine the major proposals for reform, including integration of the corporate and individual taxes, corporate cash flow taxes, and an allowance for corporate equity.

Note: This reading group will meet on the following dates: 9/22, 10/6, 10/20, 11/3, 11/17, 12/1.

Drop Deadline: September 23, 2016 by 11:59pm EST

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Cyberlaw Clinic

Course #: 8004 **Term:** 2017SP **Faculty:** Bavitz, Christopher **Credits:** 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Add/Drop Deadline: January 13, 2017. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS (Berkman Center).
The Cyberlaw Clinic, based at Harvards 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 Clinics 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>.

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Cyberlaw Clinic

Course #: 8004 **Term:** 2016FA **Faculty:** Bavitz, Christopher **Credits:** 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Add/Drop Deadline: August 30, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS (Berkman Center).
The Cyberlaw Clinic, based at Harvards 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 Clinics 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>.

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Cyberlaw Clinic Seminar

Course #: 2674 **Term:** 2016FA **Faculty:** Bavitz, Christopher; Krishnamurthy, Vivek **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC3016

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Cyberlaw Clinic (3-5 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: August 30, 2016. 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 clinics course description for more information.

Cyberlaw Clinic Seminar

Course #: 2674 **Term:** 2017SP **Faculty:** Bavitz, Christopher; Krishnamurthy, Vivek **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC3016

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Cyberlaw Clinic (3-5 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 13, 2017. 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 clinics course description for more information.

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Delivery of Legal Services Clinic

Course #: 8037 Term: 2016FA Faculty: Charn, Jeanne Credits: 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono 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.
Add/Drop Deadline: August 30, 2016.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Greater Boston Legal Services (GBLS).
This clinic offers students the opportunity to work with Greater Boston Legal Services (GBLS) in downtown Boston. 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. Students are strongly encouraged 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).

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Delivery of Legal Services Clinic

Course #: 8037 Term: 2017SP Faculty: Charn, Jeanne Credits: 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono 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.
Add/Drop Deadline: January 13, 2017.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Greater Boston Legal Services (GBLS).
This clinic offers students the opportunity to work with Greater Boston Legal Services (GBLS) in downtown Boston. 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. Students are strongly encouraged 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).

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Democracy and Human Rights

Course #: 2878 **Term:** 2016FA **Faculty:** Sunstein, Cass; Sen, Amartya; Maskin, Eric **Credits:** 2.00

Type: Elective **Subject Areas:** Government Structure & Function; Human Rights; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM

Course Description: Prerequisites: For JD students, there are no formal prerequisites, however, students are expected to have a substantial background in democratic theory, the social sciences, or both. (Students who are uncertain about whether their preparation is sufficient should check with one of the instructors.) For LLM and transfer JDs only, acceptance is by permission of the instructor. Applications should be sent to Ashley Nahlen (anahlen@law.harvard.edu).
Exam: No Exam.
The course will analyze the theory and practice of democracy, and draw on law as well as the social sciences. Questions to be considered include: What are the advantages and drawbacks of democracy relative to other forms of government? What are the roles of fair elections and free public discussion? Can rights precede legislation? Are rights preconditions or constraints on democracy? What is the role of courts in a democratic society?

Note: This course is jointly listed with FAS as PHIL 273 and will be held on the FAS campus in Emerson 305.

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Democracy, the Incomplete Experiment

Course #: 2485 **Term:** 2017SP **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 LEW214B

Course Description: Prerequisites: None.
Exam Type: 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.

Designing Administration: Law, Politics, Governance

Course #: 2891 **Term:** 2017SP **Faculty:** Renan, Daphna **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC4062

Course Description: Prerequisites: Legislation and Regulation or Administrative Law
Exam: No Exam
Agencies are institutions at the crux of contemporary governance. Who designs agencies and their interactions? And how does the work of designing administration connect to public law goals-that is, to creating energetic, non-arbitrary, and accountable government? How should we design legal review inside the executive? Can we use administrative structures to help protect individual rights, even when they are under-enforced by courts? What is the relationship between agency design and the constitutional separation of powers? We will explore together some of the leading legal and interdisciplinary scholarship on agency design and develop analytic tools to address these core questions.
Note: This reading group will meet on the following dates: 1/30, 2/13, 2/27, 3/20, 3/27, 4/17.

Drop DeadlineJanuary 31, 2017 by 11:59 pm EST

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Digital Copyright: A Comparative Perspective

Course #: 2866 **Term:** 2017SP **Faculty:** Elkin-Koren, Niva **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	HAU102
Tue 8:40 AM - 10:10 AM	HAU102

Course Description: Prerequisite: Completion or enrollment in at least one of the following courses: Copyright Law, Intellectual Property Law: Advanced.
Exam Type: Any Day Take-Home
Digital technology is affecting every aspect of our lives, transforming work, trade, communities, politics and governance. Copyright law is called upon to respond to these challenges, by applying old doctrines to the new information environment. The law is among the many forces which are shaping the digital ecosystem, affecting technological innovation, business models, social relations and political structures. Copyright law shapes access to knowledge, affecting our ability to keep things private, to learn, to share ideas, to use and reuse works, to generate original works, to compete, collaborate and innovate. This course will demonstrate the interplay between law and digital technology. We will explore the challenges to law in the digital era and discuss contemporary controversies arising from digital distribution: the rise of the information society, the data industry, User-Generated Content, mass collaboration and the sharing economy.
Taking a comparative perspective, we will examine laws, regulatory responses and reform initiatives in different jurisdictions: the U.S. Europe and Israel. It is nevertheless a conceptual course, with the intention of providing students with tools to identify and address policy challenges related to digital technology. Issues covered will include: digital challenges to the incentives paradigm, User-Generated-Content and decentralized production of speech, legal challenges in collaborative production, enforcement challenges and online intermediaries, algorithmic governance, user rights, access to knowledge and the data industry, ownership in the sharing economy, private ordering and licensing schemes.

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Digital Privacy

Course #: 2684 **Term:** 2017SP **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
Tue 5:15 PM - 7:15 PM	WCC3012
Wed 5:15 PM - 7:15 PM	WCC3012
Thu 5:15 PM - 7:15 PM	WCC3012

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" -- 2027 -- 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.

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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: This reading group will meet over a two-week period on the following dates: 4/11, 4/12, 4/13, 4/18, 4/19, 4/20.
Drop Deadline: April 12, 2017 by 11:59 pm EST

Digital Storytelling and the Law

Course #: 2752	Term: 2016FA	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.

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Disability, Human Rights, and Development

Course #: 2712 **Term:** 2017SP **Faculty:** Stein, Michael Ashley **Credits:** 2.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Disciplinary Perspectives & Law; Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

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.

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Dispute Systems Design

Course #: 2059 **Term:** 2017SP **Faculty:** Viscomi, Rachel **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 1:00 PM - 3:00 PM WCC3018

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.

Prerequisite: For JD students, the Negotiation Workshop is required to enroll. For LLM students, faculty permission is required. Please email your resume and a statement of interest to rviscomi@law.harvard.edu.

Exam: Any Day Take-Home

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. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the spring Negotiation and Mediation Clinic. Once a student has enrolled in the spring clinic, the Office of Clinical and Pro Bono Programs will enroll them in this required course. Please see the clinic's description for more information or contact the Office of Clinical and Pro Bono Programs. Students enrolled in this course through reserved clinical seats have an early drop deadline of December 5, 2016.

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Diversity and Dispute Resolution

Course #: 2929 **Term:** 2017WI **Faculty:** Hoffman, David **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:00 AM - 12:30 PM	WCC5052
Tue 10:00 AM - 12:30 PM	WCC5052
Wed 10:00 AM - 12:30 PM	WCC5052
Thu 10:00 AM - 12:30 PM	WCC5052
Fri 10:00 AM - 12:30 PM	WCC5052

Course Description: Prerequisites: None
Exam: None
In this course, we will examine the ways in which various types of diversity -- such as age, class, culture, disability, ethnicity, gender, race, religion, and sexual orientation -- impact the way we negotiate and resolve conflict, including the effects of intersectionality and privilege. Although the main focus of the class will be on readings and discussion, we will often use experiential exercises, including role plays, to enhance our personal understanding of how diversity affects our experience of conflict and our ability to manage difficult conversations involving identity and diversity. Teaching Assistant Rabiya Akande (who is an S.J.D. candidate at HLS) will participate as a co-leader of discussions. Readings will include excerpts from Ian Ayres, Mahzarin Banaji, Kim Crenshaw, Richard Delgado, Carol Gilligan, Trina Grillo, Michele LeBaron, Carol Liebman, Jes Salacuse, and Larry Susskind. Enrollment in the course is limited to 24 students. There will be no final exam or research paper -- instead, students will write a 300-500 word reading response for each day of class.

Diversity and Social Justice in First Year Classes

Course #: 2954 **Term:** 2017SP **Faculty:** Tushnet, Mark **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Disciplinary Perspectives & Law

Delivery Mode: Seminar

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

Course Description: Prerequisite: NoneExam: NoneIn conjunction with a lecture series on this topic, this seminar will examine how issues of diversity and social justice can be integrated into the core first year classes. In addition to attending and discussing the lectures and discussing, students will be required to prepare a "unit" of materials dealing with some doctrinal topic in a first year course (of their choice) in which issues of diversity and social justice are incorporated. To the extent feasible, these "units" will be discussed in the seminar as well.
Note: Attendance at lectures on the following dates, 12- 1 pm, is a required part of the seminar: February 2, 9, 16, 22 and March 1, 9, 23, 3. Class sessions will be held on most but not all Wednesdays.

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Diversity and US Legal History

Course #: 2942 **Term:** 2016FA **Faculty:** Tushnet, Mark **Credits:** 1.00

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

Delivery Mode: Reading Group

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

Course Description: Prerequisites: None
Exam: None

Attendance at the lecture series is required, because in the Reading Group meetings we will discuss commonalities and differences in the encounters of different ethnic and social groups with the legal system over the course of U.S. history. Is it helpful to create a category, "diversity," or, in contrast, are the experiences so diverse that each encounter must be examined and understood on its own terms?

Students will be required to attend both the discussion sections and lectures for this reading group. The discussion sections will be held on 9/21, 9/28, 10/26, 11/2 and 11/16.

The lectures are as follows:

"567 Nations: The History of Federal Indian LawDiversity and US Legal History Series talk: Joseph Singer, Bussey Professor of LawWednesday, September 7 at 12pm, WCC 1010

Title TBDiversity and US Legal History Series talk: Randall Kennedy, Michael R. Klein Professor of LawWednesday, September 14 at 12pm, WCC 1010

Coming Into an Awareness: Unlawful Children in American Law and Society"
Diversity and US Legal History Series talk: Professor John S.W. Park, UC Santa Barbara
Wednesday, September 21 at 12pm, WCC 1010

Liminal Latinos: Contested Categories, Coming Challenges
Diversity and US Legal History: Professor and Dean Emerita Rachel Moran, UCLA Law School
Wednesday, September 28 at 12pm, WCC 1010

Race in American History
Diversity and US Legal History talk: Michael Klarman, Kirkland & Ellis Professor of Law
Monday, October 3 at 12pm, WCC 1010

Title TBD
Diversity and US Legal History: Diana L. Eck, Professor of Comparative Religion and Indian Studies, Harvard Divinity School
Wednesday, October 5 at 12pm, WCC 1010

Title TBD
Diversity and US Legal History: Katherine Frank, Isidor and Seville Sulzbacher Professor of Law, Columbia Law School
Wednesday, October 19 at 12pm, WCC 1019

Title TBD
Diversity and US Legal History: Annette Gordon-Reed, Charles Warren Professor of American Legal History
Wednesday, October 26 at 12pm, WCC 1010

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Title TBD
Diversity and US Legal History: Tomiko Brown-Nagin, Daniel P.S. Paul Professor of Constitutional Law
Wednesday, November 2 at 12pm, WCC 1010

Title TBD
Diversity and US Legal History: Ken Mack, Lawrence D. Biele Professor of Law
Wednesday, November 16 at 12pm, WCC 1010

Does Water Belong to the Public?

Course #: 2912 **Term:** 2016FA **Faculty:** Rudolph, Duane **Credits:** 1.00
Type: Elective **Subject Areas:** Environmental Law; Regulatory Law

Delivery Mode: Reading Group

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

Course Description: Prerequisites: None
Exam: No Exam
As water-related issues become even more salient, a recurring question probes the extent to which water can be regarded and regulated as a public resource. What does public mean when it comes to water law, and what might amount to a private right to use or own water? These questions are highly-contested both in the courts and in the scholarship. We will focus on cases and scholarship examining the public/private tension in state water laws in the United States. How do competing approaches to water at the state level in the United States address questions of public and private ownership of water? How effective are they?
Note: This reading group will meet on the following dates: 9/6, 9/20, 10/4, 10/18, 11/1, 11/15.

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Drafting and Negotiating Cross-Border Merger & Acquisition Transactions

Course #: 2933 Term: 2017SP Faculty: Presser, Mitchell Credits: 2.00
Type: Elective Subject Areas: Business Organization, Commercial Law, and Finance; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:	Location
Thu 3:00 PM - 5:00 PM	HAU104

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Prerequisites: Corporations. For LLM students with applicable experience or courses, permission of the instructor to waive the requisite is required.
Exam Type: No Exam
In today’s economy, transactions are becoming increasingly global in nature, often crossing more than one border and implicating the laws and market practices of more than one jurisdiction. Cross-border transactions present unique challenges from both the seller’s and buyer’s perspective that require an in-depth understanding and appreciation of the key theoretical issues they present. This course will familiarize students with these types of transactions and the unique challenges they present in order to aid them in their transition into the practice of modern-day corporate counsel.

The course will be divided into two segments. The first segment will focus on the fundamental building blocks of cross-border M&A transactions and will expose students to the basic purpose and structure of a purchase agreement and what it is designed to achieve. The second segment will allow students to actively participate as parties to a transaction and engage in a simulated auction process of the sale of a business division of an international company. With the assistance and advice from their attorney advisors, student groups will negotiate and mark-up an auction draft purchase agreement. At the end of the course, each of the student teams will be asked to give a simulated board presentation that provides their client with an overview of the final asset purchase agreement and the key terms of the transaction, and an explanation of the risks and benefits associated with the negotiated terms.

This course is designed for students interested in transactional work and those with a desire to understand the real-world implications of today’s global economy.

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Drug Product Liability Litigation

Course #: 2293

Term: 2016FA

Faculty: Grossi, Peter

Credits: 3.00

Type: Elective

Subject Areas: Health Law

Delivery Mode: Course

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC3018

Wed 5:00 PM - 7:00 PM

WCC3018

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

Prerequisites: None.

Exam Type: Any-Day Take-Home

Class participation (5%); mid-term (20%); final exam (25%); jury presentation (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 after the Supreme Courts 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; jury selection strategies; and the problems in structuring mass tort settlements. 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: There is also a two-credit version of this course. See the description in the course catalog. The three-credit version of the course will include all of the classes and materials in the two-credit version. In addition, the 15 students who elect to take the three-credit version will review, in detail, the transcript of an actual trial of a drug product liability case. They will then each prepare a 4-5 page (with Powerpoints) section of competing statements they will present, in teams, to a jury composed of Cambridge residents (not members of the HLS community). The jurors, in turn, will provide their reactions, much as the jury research most sophisticated practitioners conduct prior to major product liability actions. The three-credit version will include additional class time to work as a team on the presentation. The presentation to the jurors will be a final (3 hour) class.

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Drug Product Liability Litigation

Course #: 2293 **Term:** 2016FA **Faculty:** Grossi, Peter **Credits:** 2.00
Type: Elective **Subject Areas:** Health Law

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Wed 5:00 PM - 7:00 PM

Course Description: Location: WCC 3018
Prerequisites: None.
Exam Type: Any-Day Take-Home
Class participation (10%); short mid-term "bench memorandum" in mid-October (40%); final exam (open book) in 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 practioner with 25 years of experience trying such cases, will consider the theory and practice of such litigation before and after the Supreme Courts 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; jury selection strategies; and the problems in structuring mass tort settlements. 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 two-credit version of the course will meet on the following dates: September 6, 7, 13, 14, 20, 21, 27, 28 and October 4, 5, 18 and 25. In each of these classes, we will discuss the legal and scientfic materials governing those doctrinal and practical issues in this type of litigation. There is also a three-credit version of this course. You can view the details under a separate offering in the course catalog.

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Economic Analysis of Law

Course #: 2062 **Term:** 2016FA **Faculty:** Shavell, Steven **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 8:40 AM - 10:10 AM	WCC2004
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Tue 8:40 AM - 10:10 AM	WCC2004
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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.

Economics of Litigation

Course #: 2917 **Term:** 2016FA **Faculty:** Hay, Bruce **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times:	Location
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Mon 5:00 PM - 7:00 PM	WCC4061
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Course Description: Prerequisites: None.
Exam Type: No exam.
This reading group will examine topics in the economics of litigation, including settlement, principal-agent issues, litigation finance, and class actions. No background in economics is needed.
Note: This reading group will meet on the following dates: TBD.

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Education Law and Policy

Course #: 2064 **Term:** 2017SP **Faculty:** Gregory, Michael **Credits:** 3.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Family, Gender & Children's Law; Government Structure & Function

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:50 PM	LEW214A
Tue 3:20 PM - 4:50 PM	LEW214A

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.
Prerequisites: None.
Exam type: Last-class take-home.
A major part of the grade for this course will be a small-group project and presentation that will be assigned at the beginning of the semester. There will also be a last-class take home exam.
This course will survey several contemporary legal and policy issues in American elementary and secondary education, including school finance litigation; school discipline and the rise of "Zero Tolerance" policies; bullying prevention and intervention; the reauthorization of No Child Left Behind and the Obama administrations waiver program and Race to the Top initiative; 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.
Some seats are reserved for students in the fall Education Law clinic. Students who enroll in the fall Education Law clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the fall Education Law clinic, they will also lose their reserved seat in this course. Please note that there is an early drop deadline of August 30, 2016 for students in this course enrolled in reserved clinical seats.

Note: This course is jointly listed with GSE as A-210F.

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Education Law Clinic

Course #: 8006	Term: 2016FA	Faculty: Cole, Susan	Credits: 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Education Law and Policy (3 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: Please note that this clinic has an early drop deadline of August 5, 2016.LLM Students: LLM students are not eligible to enroll. Placement Site: Various education law externship placements in government and in non-profit education rights organizations.The Education Law Clinic focuses on the educational rights of students with an emphasis on the educational success of at-risk, low income students, particularly those who have been traumatized by exposure to adverse experiences, have disabilities, have been or are homeless, or have experienced other barriers to success such as the achievement gap, bullying, truancy, suspensions and expulsions. Many are caught in the school to jail pipeline. Law students will intern with organizations that are addressing these issues. Each student will be placed in either a non-profit organization (such as Massachusetts Advocates for Children, Lawyers’ Committee for Civil Rights Under Law, and Appleseed) or a government agency (such as the Massachusetts Legislature, the Bureau of Special Education Appeals, Juvenile Court).

Placements: Students who enroll in this clinic will be contacted by Liz Solar in the Office of Clinical and Pro Bono Programs to begin the placement process of matching students with externship organizations. Some of the placement organizations ask for a minimum of 15 hours of work. Students will have occasional check-ins with the clinic supervisor throughout the semester. The clinic participants will also come together four times over the course of the semester for 1-hour lunch discussions (lunch provided) on themes relevant to the landscape of Massachusetts education law from the perspective of advocates and the government as well the Trauma and Learning Policy Initiative’s Massachusetts agenda to create safe and supportive schools. Students doing externship opportunities through the Graduate School of Education may join in these interdisciplinary discussions and supervisors will be invited. The dates of the lunch time meetings are: September 22, October 20, November 10, and December 1.

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Education Law Clinic

Course #: 8006	Term: 2017SP	Faculty: Gregory, Michael; Cole, Susan	Credits: 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Add/Drop Deadline: Please note that this clinic has an early drop deadline of December 2, 2016. LLM Students: LLM students are not eligible to enroll. Placement Site: HLS.

Students must attend a mandatory orientation session before the beginning of spring classes. 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 TLPIs ongoing multi-strategic advocacy campaign. Students will learn by doing state-level legislative and administrative lawyering work that furthers the mission of TLPI. Specific activities will vary depending on the semester, but they can include: drafting legislation; meeting with members of the legislature, the education bureaucracy, and their staff; drafting and distributing media advisories, op-eds and press releases; communicating with and rallying constituents to put pressure on their lawmakers; organizing an agenda for and participating in a coalition meeting; using branding and media as strategies for effectively conveying a message; and using empirical research as part of an advocacy strategy. Students will have the opportunity to develop their writing skills by working on a variety of documents that are important in the law- and policy-making process; again, this will vary by semester but can include statutes, regulatory comments and language, briefing materials, talking points, correspondence, and communications to the media. Students will gain an understanding of roles that are critical to executing effectively a legislative and/or administrative campaign: strategist, policy researcher, legislative lawyer, lobby manager, outreach strategist, and communications director.

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Election Law

Course #: 2928 **Term:** 2016FA **Faculty:** Ansolabehere, Stephen **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM LAN225

Course Description: Prerequisites: None
Exam: No Exam
The course will focus on points of contact between legal scholarship on voting rights and election law and the political science literature on redistricting, voting behavior, and elections. Emphasis will be placed on how observed data can be, and should be, used as evidence.
Note: This course is jointly-listed with FAS as Gov 2453.

Emerging Issues in Refugee Protection: The Representation of Child Asylum Seekers

Course #: 2926 **Term:** 2017SP **Faculty:** Kelly, Nancy; Willshire, John **Credits:** 1.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Family, Gender & Children's Law; Human Rights; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC4057

Course Description: Prerequisites: Prior exposure to asylum or immigration law is helpful but not required.
Exam Type: No Exam
According to the latest statistics from the United Nations High Commissioner for Refugees (UNHCR), children, including those who are unaccompanied by an adult, comprise 51% of the total global refugee population. In recent years, the U.S. government has recorded a dramatic rise in the number of unaccompanied children fleeing from the so-called Northern Triangle countries of El Salvador, Guatemala, and Honduras to the United States: 51,705 in FY 2014, compared with 3,304 in FY 2011. This surge of children arriving in the United States is due in large part to the rise of powerful maras or gangs, which focus much of their violence on young people, whom they seek to recruit into their ranks.
The reading group will focus on the growing body of law governing procedural protections and related rights for children in asylum hearings, as well as the application of substantive law to the particular circumstances of children. We will draw on examples from the Clinic's experience successfully preparing and presenting children's asylum claims, including the First Circuit case, Mejilla-Romero V. Holder. We will explore the historical background to the current conflict in Central America and examine questions related to credibility and corroboration in children's asylum claims, including the use of country conditions evidence to support the testimony presented. We will also consider comparative perspectives, studying other conflicts in which children have become particular targets. Students enrolled in the reading group will analyze treaties, regulations and secondary sources as well the experiences of child migrants through their narratives and case affidavits.
Note: This reading group will meet on the following dates: 2/7, 2/21, 3/7, 3/21, 4/4, 4/18

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Empirical Approaches to International Law

Course #: 2904 **Term:** 2017SP **Faculty:** Verdier, Pierre-Hugues **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM ARE120

Course Description: Prerequisites: Public International Law or Foreign Relations Law, or at least one course in a specialized substantive area of international law (International Criminal Law, International Environmental Law, International Human Rights, International Intellectual Property, International Trade Law, or Use of Force). Students who have not taken any of these courses but possess relevant background in international law or international affairs should contact the instructor to request permission to waive the prerequisite.

Exam: No Exam

This seminar is an introduction to the analysis of the rules and institutions of international law using empirical methods. It will begin with an introduction to the principal schools of international relations theory that inform empirical studies, as well as to some of the methodological issues involved in assessing empirical research. We will then examine recent scholarship on topics such as international trade and investment, international courts and tribunals, international criminal law, the laws of war, human rights, and environmental regulation. In addition to assessing these studies, we will discuss their implications for substantive debates in international law and politics, such as compliance with treaties, the role of reciprocity and sanctions, the relationship of domestic and international politics, and the design of effective institutions. There will be no examination. The evaluation will be based on a series of response papers on the assigned readings, student presentations, and class discussion.

Empirical Criminal Law

Course #: 2802 **Term:** 2017SP **Faculty:** Yang, Crystal **Credits:** 2.00

Type: Elective **Subject Areas:** Criminal Law & Procedure

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM LEW214A

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 seminar 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.

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Empirical Law and Economics

Course #: 2811 **Term:** 2017SP **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
Thu 1:00 PM - 3:00 PM	HAU101
Wed 1:00 PM - 3:00 PM	HAU101

Course Description: Prerequisites: None
Exam: No Exam
This course will consider a range of issues in empirical law and economics. Empirical methods are increasingly used in legal practice and policy. The aim of this course will be to give students a sense of the empirical methods that have been applied to the study of legal issues, the 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 empirical work on policing and crime, judges’ decision, discrimination, corporate governance, and securities litigation. Special attention will be given to efforts to identify causality. Some session will feature speakers who do current empirical research.

Readings will be mainly from articles in law reviews and economics or finance journals.

Note:The course will not meet on all Wednesdays and Thursdays during the semester. Rather, it will meet for twelve 2-hour sessions which will take place during the first two months of the semester and take place during the time slot of the course.

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Employment Discrimination

Course #: 2068 **Term:** 2017SP **Faculty:** Churchill, Steve **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Employment & Labor Law

Delivery Mode: Course

Days and Times: **Location**

Course Description: Prerequisites: None.
Exam Type: One-day take-home exam.
This course will examine civil rights law in the workplace, one of the most hotly litigated bodies of law in recent decades. Although employers have great latitude when making employment decisions under common law, a variety of statutes regulate decisions that are based on protected characteristics, such as race, gender, age, religion, national origin, or disability. On the federal level, those statutes include Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Equal Pay Act, the Family & Medical Leave Act, and more. Over time, those statutory protections have been subject to constant review and revision, both by courts called upon to resolve conflicting values and norms and by legislatures responding to competing political pressures. In studying core aspects of the doctrine that have remained relatively stable, as well as aspects that have changed over time, we will examine the forces that have influenced the ongoing development of this area of law. The course will cover various topics related to rights and procedures, including the increased prevalence of mandatory arbitration agreements and the role of class action litigation. This course will be taught in an accelerated manner, with coursework to be completed during the first half of the semester.

Employment Law

Course #: 2069 **Term:** 2016FA **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 AUS101

Fri 9:50 AM - 11:50 AM AUS101

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

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Employment Law Clinic

Course #: 8012	Term: 2017SP	Faculty: Churchill, Steve	Credits: 5.00
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. Enrollment in this clinic may fulfill the HLS JD pro bono requirement depending on project assignment. Please contact the Office of Clinical and Pro Bono Programs (clinical@law.harvard.edu) for more information. Required Class Component: Employment Law Workshop: Strategies for Social Change (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 13, 2017. 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.

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Employment Law Clinic

Course #: 8012 **Term:** 2016FA **Faculty:** Churchill, Steve **Credits:** 5.00

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. Enrollment in this clinic may fulfill the HLS JD pro bono requirement depending on project assignment. Please contact the Office of Clinical and Pro Bono Programs (clinical@law.harvard.edu) for more information. 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: August 30, 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.

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Employment Law Workshop: Advocacy Skills

Course #: 2070

Term: 2016FA

Faculty: Churchill, Steve

Credits: 2.00

Type: Elective

Subject Areas: Employment & Labor Law; Procedure & Practice

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 (3-5 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: August 30, 2016.LLM Students: LLM students may apply to the clinic by submitting an application.

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

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

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Employment Law Workshop: Strategies for Social Change

Course #: 2071

Term: 2017SP

Faculty: Churchill, Steve

Credits: 2.00

Type: Elective

Subject Areas: Employment & Labor Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Location

Tue 7:00 PM - 9:00 PM

WCC3036

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Employment Law Clinic (3-5 spring 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: January 13, 2017. 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.

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Energy and Climate Law and Policy

Course #: 2025 **Term:** 2017SP **Faculty:** Freeman, Jody **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Wed 1:10 PM - 2:40 PM	WCCB015
Thu 1:10 PM - 2:40 PM	WCCB015

Course Description: Prerequisites: None for JD students. LLM students need to have taken at least one environmental law or energy law course (including Environmental Law, Natural Resources Law, or Contemporary Issues in Oil and Gas Law: Fracking, Takings, Pipelines, and Regulation) or Administrative Law.

Exam: No Exam

This course provides an introduction to U.S. energy law and climate policy. The first portion of the course will focus on regulation of the electricity sector, including an overview of different sources of electricity (e.g., coal, natural gas, and renewables), the division of federal and state regulatory authority over this sector, and the consideration of environmental factors in traditional utility sector regulation. The second portion of the course focuses more directly on the environmental impacts of energy policy, particularly its impact on climate change. This part covers federal environmental regulation of power plants (e.g., the Obama administration’s Clean Power Plan), federal and state regulation of the transportation sector (e.g., efficiency standards for cars and trucks), and other policies to reduce demand for oil. We will also address environmental concerns raised by relatively clean sources of energy, such as nuclear power, and natural gas produced through hydraulic fracturing. Finally, the third portion of the course explores case studies of emerging topics in energy law and policy that highlight the complex transitions taking place in the energy system. These topics may include barriers to state implementation of renewable energy policies, the divestment movement and pipelines protests, the relationship between energy policy, climate change and national security, and energy and climate policy under President Trump.

Evaluation: Evaluation will be in the form of 9 short but substantive and analytically rigorous comment papers of 750 words each on the assigned materials (students may choose 9 of the 13 weeks, with some limitations to ensure coverage for the entire course). Students will also be required to be lead discussants for at least one class session, and are expected to participate in discussion on a regular basis.

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Engaging China

Course #: 2650 **Term:** 2016FA **Faculty:** Alford, William; Emery, Alonzo **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 WCC5048

Course Description: Prerequisites: 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.
Exam Type: No Exam.
Scheduling Note: This course will meet from 8-10pm in September and October, and 7-9pm in November to accommodate meeting electronically with colleagues at Renmin University of China.
This one unit course 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 all but one of our likely six 2-hour sessions of the class 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, corporate social responsibility, corporate governance, the Foreign Corrupt Practices Act, rights (through the prism of disability), trade, law and development, climate change and the roles of the US and China in Africa - with the precise configuration for 2016 to be determined closer to the start of the semester. We conclude the semester with a mock negotiation done jointly with students from Renmin University School of Law.
Note: The first meeting will take place on Thursday, September 15th. The class will likely meet twice a month in September, October and November, with precise dates to be specified.
Drop Deadline: September 16th, 2016 by 11:59pm EST

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English Legal History

Course #: 2370 **Term:** 2017SP **Faculty:** Kamali, Elizabeth Papp **Credits:** 3.00

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

Delivery Mode: Course

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

Course Description: Prerequisites: None.
Exam type: Any Day Take-Home.
This class provides an introduction to the legal and constitutional history of England from the Anglo Saxons to the end of the Tudor period, essentially 600-1600. We will cover the development of both private (e.g., contract, torts, property) and public law (e.g., criminal and constitutional law). No previous background in English legal history is assumed. Students will develop an historically informed perspective on early developments in the English common law system, gain a comparative perspective on issues of continuing relevance to lawyers today, and build a set of critical reading skills that are essential to the work of legal historians and practicing lawyers alike. The class will cover a broad sweep of a thousand years, which means we cannot devote much class time to basic political history. For optional contextual reading, see the list at the end of the syllabus.

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Entertainment and Media Law

Course #: 2072 **Term:** 2017WI **Faculty:** Brotman, Stuart; Basin, Kenneth **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:30 AM - 1:00 PM	LEW102
Tue 10:30 AM - 1:00 PM	LEW102
Wed 10:30 AM - 1:00 PM	LEW102
Thu 10:30 AM - 1:00 PM	LEW102
Fri 10:30 AM - 1:00 PM	LEW102

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, Intellectual Property Theory, or Intellectual Property Law: Advanced. If you do not meet the prerequisite, you will need to seek permission from the faculty member (kbasin@law.harvard.edu) to waive it.

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.

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Entrepreneurial Agreements and Startup Decisions

Course #: 2939 **Term:** 2017SP **Faculty:** Fertik, Michael **Credits:** 1.00

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

Delivery Mode: Course

Days and Times:	Location
Wed 1:00 PM - 3:00 PM	WCC4059
Thu 1:00 PM - 3:00 PM	WCC4059
Fri 1:00 PM - 3:00 PM	WCC4059

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.
Prerequisites: None
Exam Type: No Exam
What key agreements do entrepreneurs have to make in the chrysalis stages of their venture? What seminal decisions do they take in the earliest days that can have outsized downstream consequences? How do you give them the best possible legal _and_ business counsel?

This Simulation Course will examine critical moments of decision-making in relation to essential, dynamic topics such as co-founder agreements, corporate structure, venture capital, valuations, IP protection, relations with early employees, vesting schedules, contractor collaboration, temp-to-perm hires, business development partnerships, strategic investors, compensation, NDAs, board membership, advisory boards, key vendors, domiciling, for-profit or otherwise, strike prices, alternative capital formation terms such as PIK dividends, and incentive plans for fast-growing teams.

Students should be prepared to simulate key moments in corporate formation and growth. Special attention will be given to the realities of advising early stage, high-velocity startups, which must often deal with uncertainties and risk profiles that are dissimilar from those faced by larger-scale, mature corporations.

Note: This course will meet over a two week period beginning on April 12th and ending on April 21st.

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Entrepreneurship and Venture Capital

Course #: 2073 **Term:** 2017SP **Faculty:** Hornik, David **Credits:** 1.00

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

Delivery Mode: Course

Days and Times:	Location
Tue 5:00 PM - 7:00 PM	WCCB010
Wed 5:00 PM - 7:00 PM	WCCB010
Thu 5:00 PM - 7:00 PM	WCCB010

Course Description: Prerequisites: None
Exam: No Exam
This course focuses on the entrepreneurial process--from company creation and formation to business planning and finance. The course will cover a range of topics following the life-cycle of a company and will engage students in hands-on activities to reinforce key learnings about entrepreneurship, including executive summary writing and term sheet negotiation (there will be no written exam). Students will learn about the startup process from entrepreneurs and venture capitalists with decades of company building experience.

Note: Course to be taught over a two-week period during the spring term. It will meet on the following dates: 3/28, 3/29, 3/30, 4/4, 4/5, 4/6.
Drop Deadline: March 29, 2017 by 11:59 pm EST

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Entrepreneurship, Venture Capital and Law in China

Course #: 2894 **Term:** 2016FA **Faculty:** Lin, James; Leung, Nisa **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
Wed 1:00 PM - 3:00 PM	WCC5044
Thu 1:00 PM - 3:00 PM	WCC5044
Fri 1:00 PM - 3:00 PM	WCC5044

Course Description: Prerequisites: None.
Exam Type: No exam.
In the past 25 years, China has undergone dramatic changes from a centrally planned economy to the world’s second largest economy in which venture-backed entrepreneurs have started some of the most interesting and dynamic private companies in the world. This reading course has four objectives. First, discuss how successful entrepreneurs in China identify and execute business opportunities. Second, introduce the framework through which entrepreneurs in China think about business and legal risks. Third, develop an understanding of the structure in which foreign capital is invested in start-ups and emerging growth companies in China. Fourth, understand how value is created through successful mergers and acquisitions or initial public offerings.
Note: This reading group will meet on the following dates: 10/5, 10/6, 10/7, 10/12, 10/13 and 10/14.

Drop Deadline: October 6th, 2016 by 11:59pm

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Environmental Law

Course #: 2074 **Term:** 2016FA **Faculty:** Lazarus, Richard **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Wed 10:20 AM - 11:50 AM	LAN272
Tue 10:20 AM - 11:50 AM	LAN272

Course Description: Prerequisites: None.
Exam Type: One-day take-home exam.

This course will meet in Langdell South.

This course surveys federal environmental law and serves as a useful introduction both to environmental law’s particular complexities as well as to the skills necessary in mastering any complex area of regulation. The first part of the course considers the character of environmental disputes, the problems inherent in fashioning legal rules for their resolution, and the history of the emergence of modern environmental law in the United States. The second part of the course reviews several specific federal environmental statutes. The statutory review combines a close examination of several statutes – including the Clean Air Act and Clean Water Act – with a more general review of the basic operation of other laws, such as the National Environmental Policy Act and the Comprehensive Environmental Response, Compensation, and Liability Act. All the statutes serve as illustrations of different regulatory approaches to environmental problems: "command and control," information disclosure, and market-based instruments. The class includes more extended consideration climate change law, and class discussion frequently extends beyond court rulings to include the underlying litigation strategies of the parties that led to those rulings.

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Environmental Law and Policy Clinic

Course #: 8008	Term: 2016FA	Faculty: Jacobs, Wendy	Credits: 5.00
Type: Clinic	Subject Areas: Environmental 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. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Environmental Law and Policy Clinical Course (1 fall classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required one-credit course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Please note that this clinic has an early drop deadline of August 10, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. 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 approximately 4 weeks in advance of the semester. Certain projects and placements have a longer lead time. The Clinic Director speaks with each enrolled student to determine the appropriate project or placement. This clinic is available for 4 or 5 clinical credits, plus 1 credit for the required class component. Students wishing to take the clinic for 3 clinical credits must apply to the Clinic Director to receive an exception and waiver; students approved to take the clinic for 3 clinical credits will still be required to take the 1 credit class component. The Emmett Environmental Law and Policy Clinic (ELPC) offers students an opportunity to do hands-on, meaningful, real-life, and real-time environmental/energy regulatory, policy and advocacy work. Clinic offerings include local, national, and international projects covering the spectrum of environmental, energy and administrative law 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 often includes climate change mitigation and adaptation, offshore drilling and water protection, sustainable agriculture/aquaculture, ethics in the study of human exposure to environmental contaminants, development of legal frameworks for emerging technologies such as carbon capture and sequestration, extraction of natural gas by hydraulic fracturing, "green" infrastructure for management of storm water, and aiding environmental protection and advocacy groups to identify opportunities and strategies for participating in the review and permitting processes for significant energy infrastructure projects.

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Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2017WI **Faculty:** Jacobs, Wendy **Credits:** 2.00

Type: Clinic **Subject Areas:** Environmental 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. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Environmental Law and Policy Clinical Course (1 winter classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required one-credit course. Additional Co-/Pre-Requisites: None.
By Permission: Yes. Applications should include a resume, transcript, and one-page statement of interest. Applications should be sent directly to Clinic Director Wendy Jacobs (wjacobs@law.harvard.edu) and Jacqueline Calahong (jcalahong@law.harvard.edu) by October 31, 2016.
Add/Drop Deadline: Please note that this clinic has an early drop deadline of November 28, 2016.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: HLS. Students are carefully matched to their projects/placements by the Clinic Director approximately 4 weeks in advance of the semester. Certain projects and placements have a longer lead time. The Clinic Director speaks with each enrolled student to determine the appropriate project or placement.
Please Note: Off-site clinical placements over the winter 2017 term will only be available to continuing clinical students who have completed the fall 2016 semester of the clinic and clinical course.

The Emmett Environmental Law and Policy Clinic (ELPC) offers students an opportunity to do hands-on, meaningful, real-life, and real-time environmental/energy regulatory, policy and advocacy work. Clinic offerings include local, national, and international projects covering the spectrum of environmental, energy and administrative law 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 often includes climate change mitigation and adaptation, offshore drilling and water protection, sustainable agriculture/aquaculture, ethics in the study of human exposure to environmental contaminants, development of legal frameworks for emerging technologies such as carbon capture and sequestration, extraction of natural gas by hydraulic fracturing, "green" infrastructure for management of storm water, and aiding environmental protection and advocacy groups to identify opportunities and strategies for participating in the review and permitting processes for significant energy infrastructure projects.

This winter term clinic is limited to 10 students and is by application only.

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Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2017SP **Faculty:** Jacobs, Wendy **Credits:** 5.00

Type: Clinic **Subject Areas:** Environmental 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. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Environmental Law and Policy Clinical Course (1 spring classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required one-credit course. Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: Please note that this clinic has an early drop deadline of January 6, 2017.
LLM Students: LLM students may apply to this clinic by submitting an application.
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 approximately 4 weeks in advance of the semester. Certain projects and placements have a longer lead time. The Clinic Director speaks with each enrolled student to determine the appropriate project or placement.
This clinic is available for 4 or 5 clinical credits, plus 1 credit for the required class component. Students wishing to take the clinic for 3 clinical credits must apply to the Clinic Director to receive an exception and waiver; students approved to take the clinic for 3 clinical credits will still be required to take the 1 credit class component.
The Emmett Environmental Law and Policy Clinic (ELPC) offers students an opportunity to do hands-on, meaningful, real-life, and real-time environmental/energy regulatory, policy and advocacy work. Clinic offerings include local, national, and international projects covering the spectrum of environmental, energy and administrative law 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 often includes climate change mitigation and adaptation, offshore drilling and water protection, sustainable agriculture/aquaculture, ethics in the study of human exposure to environmental contaminants, development of legal frameworks for emerging technologies such as carbon capture and sequestration, extraction of natural gas by hydraulic fracturing, "green" infrastructure for management of storm water, and aiding environmental protection and advocacy groups to identify opportunities and strategies for participating in the review and permitting processes for significant energy infrastructure projects.

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Environmental Law and Policy Clinical Course

Course #: 2842 **Term:** 2016FA **Faculty:** Jacobs, Wendy **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 2:00 PM WCC4059

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Environmental Law and Policy Clinic (4-5 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: Please note that this clinic has an early drop deadline of August 10, 2016.
LLM Students: LLM students may apply to this clinic by submitting an application to Clinic Director Wendy Jacobs (wjacobs@law.harvard.edu) and Jacqueline Calahong (jcalahong@law.harvard.edu). Applications should include a resume, transcript, and one-page statement of interest.
In this clinical course students will participate actively in a variety of classroom instruction activities designed to focus on substantive and administrative/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.

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Environmental Law and Policy Clinical Course

Course #: 2842 **Term:** 2017SP **Faculty:** Jacobs, Wendy; Joroff, Aladdine **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 6:00 PM WCC3008

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Environmental Law and Policy Clinic (4-5 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: Please note that this clinic has an early drop deadline of January 6, 2017. LLM Students: LLM students may apply to this clinic by submitting an application to Clinic Director Wendy Jacobs (wjacobs@law.harvard.edu) and Jacqueline Calahong (jcalahong@law.harvard.edu). Applications should include a resume, transcript, and one-page statement of interest. In this clinical course students will participate actively in a variety of classroom instruction activities designed to focus on substantive and administrative/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.

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Environmental Law and Policy Clinical Course

Course #: 2842 **Term:** 2017WI **Faculty:** Jacobs, Wendy; Goho, Shaun **Credits:** 1.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 5:00 PM - 6:05 PM	WCC3016
Tue 5:00 PM - 6:05 PM	WCC3016
Wed 5:00 PM - 6:05 PM	WCC3016
Thu 5:00 PM - 6:05 PM	WCC3016
Fri 5:00 PM - 6:05 PM	WCC3016

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Environmental Law and Policy Clinic (2 winter clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. PLEASE NOTE: Only students who have taken this clinic during Fall 2016 and are continuing into the winter term will be eligible for off-site placements during the winter term. Additional Co-/Pre-Requisites: None. By Permission: Yes. Applications should include a resume, transcript, and one-page statement of interest. Applications should be sent directly to Clinic Director Wendy Jacobs (wjacobs@law.harvard.edu) and Jacqueline Calahong (jcalahong@law.harvard.edu) by October 31, 2016. Add/Drop Deadline: Please note that this clinic has an early drop deadline of November 28, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. In this clinical course students will participate actively in a variety of classroom instruction activities designed to focus on substantive and administrative/procedural law, ethical issues, practice skills and the clinical experience generally. The activities will be scheduled throughout the term and include team meetings, case rounds and tutorials, written clinic reflection exercises, and discrete "on-call" assignments. Each of these activities is described in the Clinic Manual.

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Estate Planning

Course #: 2592 **Term:** 2017SP **Faculty:** Bloostein, Marc **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3038

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:** 2016FA **Faculty:** Sandel, Michael **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM WCC4059

Course Description: Prerequisites: By Permission. The seminar is intended for students with strong backgrounds in philosophy, economics, or political theory. Students interested in applying should send a CV, a list of the courses they have taken in these fields, and a brief statement of interest (200 words max.) to Professor Sandel at msandel@gov.harvard.edu.

Exam Type: No Exam.

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.

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

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European Legal History Workshop

Course #: 2876 Term: 2016FA Faculty: Lanni, Adriaan; Herzog, Tamar Credits: 2.00

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

Delivery Mode: Seminar

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

Course Description: Prerequisites: None.
Exam Type: No exam.
Offered jointly with the History Department, this workshop will examine some of the most innovative research in European Legal history, conducted by both historians and legal scholars. Classes will alternate between in-group discussions of certain fields, questions or methodologies, and presentations by leading scholars. Students who have taken or plan to take the Legal History Workshop may also take this course. Students will choose between writing several short response papers or a substantial final paper. Law students who choose to write a substantial paper will receive three credits upon successful completion of the course; law students who choose to write short response papers will receive two credits.
Note: This course is jointly listed with FAS as History 2485.

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European Legal World

Course #: 1023 **Term:** 2017SP **Faculty:** Scheppele, Kim **Credits:** 4.00

Type: 1lintl **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: Prerequisites: None
Exam: Last Class Take-Home
This course will examine the development of multi-level constitutionalism’ in Europe by tracing the constitutional history of the European Union (EU), the development of European human rights law through the European Court of Human Rights, and the evolution of the national constitutional law of EU Member States in the post-World-War-II period. We will consider how the rise of European Union law and European human rights law has influenced the development of national constitutional law - and vice versa. Many of the crises we now see in Europe - the euro crisis, the refugee crisis, threats of secession both from the EU and from individual Member States, the creation of populist semi-authoritarian governments within the EU - can trace their origins back to centrifugal tendencies among EU Member States in the way that they understand legality, sovereignty and history. At the same time, the rise of human rights universalism has played a major role in creating a common European identity. We will focus on Germany, the UK, France, selected Nordic states and selected post-communist states to track very different histories of constitutionalism and judicial review within Europe and the very different ways that European law has been brought into their domestic legal systems. Examining the many levels of European public law at once will allow us to see how transnational and national law can both support and undermine each other. We will keep a close eye on current events and bring the relevant headlines into the class as they emerge. The course is designed to be welcoming to both students with specific background in the topics under examination as well as complete newcomers to the field.

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Evidence

Course #: 2079 **Term:** 2016FA **Faculty:** Murray, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Fri 1:00 PM - 3:00 PM	LAN225
Tue 5:00 PM - 7:00 PM	LAN225
Wed 1:00 PM - 3:00 PM	LAN225
Thu 1:00 PM - 3:00 PM	LAN225

Course Description: Prerequisites: None

Exam: 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.

The course will be taught in three weeks at the beginning of the semester. Class will be held on the following days: Tuesdays, September 13, 20, and 27 - 5-7 pm
Wednesdays, September 14, 21 and 28 - 1-3 pm
Thursdays, September 15, 22 and 29 - 1-3 pm
Fridays, September 16, 23 and 30 - 1-3 pm
Students will be able to drop this course after the first class meeting. The drop deadline will be September 14 by 11:59pm.

There will be a takehome and an in class exam. The takehome will be distributed on the last day of class, and will be due Friday, October 14th, by the start of the 1pm in-class exam.

Assignments will be posted on the Course Web Site at the beginning of each week and will be updated daily. Students will be expected to be prepared to participate in class discussion and solution of the assigned problems.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can support certification for student practice in 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). The problems that will be assigned are available in Green, Nesson & Murray, Problems in Evidence. A current paperback copy of the restyled Federal Rules of Evidence will also be a convenience.

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Evidence

Course #: 2079 **Term:** 2016FA **Faculty:** Green, Eric **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 10:00 AM - 11:30 AM	AUS100
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Fri 10:00 AM - 11:30 AM	AUS100
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Course Description: Prerequisites: None
Exam: In Class
Conceptual and practical application of the Federal Rules of Evidence and theoretical foundations of proof.

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Evidence

Course #: 2079 **Term:** 2016FA **Faculty:** Whiting, Alex **Credits:** 3.00

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

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: None.
Exam: 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.
Note: 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:** 2017SP **Faculty:** Hay, Bruce **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 10:00 AM - 11:30 AM WCC1015

Fri 10:00 AM - 11:30 AM WCC1015

Course Description: Prerequisites: None.
Exam Type: In-class exam.
This course examines the law governing proof of disputed facts in criminal and civil trials, including relevance, character evidence, hearsay and other rules of exclusion, and examination and privileges of witnesses.

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Evidence

Course #: 2079 **Term:** 2016FA **Faculty:** Schulman, Emily **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:10 AM - 10:10 AM WCC1023

Tue 8:10 AM - 10:10 AM WCC1023

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:** 2017SP **Faculty:** Rubin, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCCB010

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.

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Evidence*

Course #: 2079 **Term:** 2016FA **Faculty:** Whiting, Alex **Credits:** 3.00
Type: Multisection **Subject Areas:** Not Applicable

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:

Experimentation in the Law: Randomized Control Trials

Course #: 2881 **Term:** 2016FA **Faculty:** Greiner, D. James **Credits:** 1.00
Type: Elective **Subject Areas:** Health Law

Delivery Mode: Reading Group

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

Course Description: Prerequisites: None.
Exam Type: No exam.
This reading group will address the question of why the randomized field experiment, the gold standard for causal inquiry outside of law and a foundational tool that helped turn medicine from an art into a science, has engendered resistance and contempt among legal practitioners and judges. We will review the history of the randomized control trial, read studies that have taken place in the law, discuss why law (in contrast to medicine) chose not to transform itself into an evidence-based field, argue whether this situation is undesirable, and (if so) speculate about what might be done to change it.
Note: This reading group will meet on the following dates: 9/12, 9/19, 9/26, 10/3, 10/17, 10/24.

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Expertise and Rulership in Law and Science

Course #: 2082 **Term:** 2017SP **Faculty:** Kennedy, David; Jasanoff, Sheila **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3015

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

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Fair Trial 2017

Course #: 2312 **Term:** 2017SP **Faculty:** Nesson, Charles **Credits:** 3.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:50 AM	LAN272
Tue 10:20 AM - 11:50 AM	LAN272

Course Description: Prerequisites: None.
Exam: Any Day Take-Home.

This course is taught with Fern Nesson.

No jury exists without bias or context. The American jury is designed as a black box that we push facts into and expect a fair decision from. But what makes a trial, and thus a jury’s decision, fair? Fairness of presentation, of courtroom etiquette, and of evidence submission are merely the tips of a much larger iceberg of fairness. What about the means by which a group communicates? What if the discussion were anonymous? What if jury members were each required to write down all their thoughts in advance? What if at the end of the trial, we could look back as if watching 12 Angry Men? What effect would that have on the outcome of the outcome of trials, and would they be more or less fair? In this class we will expand this concept outside the courtroom. Consider how important Facebook was to removing the old HLS crest under Royall Must Fall. How would these discussions have gone in other contexts, like small groups or if town halls were better attended? What if the conversation happened anonymously online? Would the end result have been different, or would different opinions have come out? These are deep and interesting questions, which we will explore.

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

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Family Law

Course #: 2084 **Term:** 2017SP **Faculty:** Halley, Janet **Credits:** 4.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Family, Gender & Children's Law; Regulatory Law

Delivery Mode: Course

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

Course Description: Prerequisites: None.
Exam Type: Last-class take-home exam and there will be a paper option by permission of the instructor. We will study the increasingly complex "marriage system," in which new forms of adult relationship join marriage in the legal order; the rules making marriage a significant distributive institution both in the larger political economy and amongst family members; and the role of criminal law and administrative law in governing conflict among family members. Throughout we will compare marriage with the alternative forms and with informal relationships, and will seek to understand how the family law system complements market labor and public welfare provision in distributing social welfare. The course closes with a comparison of the operation of family law among middle class and poor families using contemporary sociological writings. Students will engage in a divorce negotiation exercise involving short writing assignments. Participation on panels discussing reading assignments will be a course requirement.

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Fashion Law Lab

Course #: 2936 **Term:** 2017WI **Faculty:** Suk Gersen, Jeannie; Sarian, Nana **Credits:** 2.00
Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:50 PM	WCC2009
Tue 1:00 PM - 3:50 PM	WCC2009
Wed 1:00 PM - 3:50 PM	WCC2009
Thu 1:00 PM - 3:50 PM	WCC2009
Fri 1:00 PM - 3:50 PM	WCC2009

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.
Prerequisites: None
Exam Type: No Exam
This experiential course meets January 3 to 13, and is co-taught by Prof. Jeannie Suk Gersen and Nana Sarian, General Counsel of Stella McCartney. The course will consist of interactive workshops featuring case studies on fashion law. Students will put themselves in the shoes of a lawyer advising a brand, working in small groups to tackle real legal challenges and scenarios faced by in-house fashion counsels on a daily basis from the office and atelier to the runway, with a particular focus on legal analysis and problem solving. Topics will range from intellectual property, franchise law, real estate, commercial law (including commercial arrangements to license the IP of a brand to third parties for the manufacture and sale of products which traditionally are not produced in-house by a brand (e.g. fragrance, sportswear), contracts for sale (to wholesale and retail customers) as well as the laws relevant to fashion shows/presentations (covering matters as broad as design rights and labour law) and supply chains (with a focus on sustainability in fashion). There will also be interactive workshops on real life scenarios faced by in house fashion lawyers who are advising on matters as broad as customer data collection, the protection of fashion designs (with a focus on the differences between the US and EU), the licensing of music for shows, advising on laws relevant to social media, agreements with fashion photographers, and beyond.

Note: This course will meet from January 3rd to 13th.

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Federal Budget Policy

Course #: 2566 **Term:** 2017WI **Faculty:** Jackson, Howell **Credits:** 2.00
Type: Elective **Subject Areas:** Government Structure & Function

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	HAU104
Tue 9:00 AM - 12:30 PM	HAU104
Wed 9:00 AM - 12:30 PM	HAU104
Thu 9:00 AM - 12:30 PM	HAU104
Fri 9:00 AM - 12:30 PM	HAU104

Course Description:

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, some of which will be team reaction papers.
The goal of this course is to introduce students to the law and practice of government 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 President’s 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 to write such a paper for independent credit in the Spring semester. Research paper topics can 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>.
Readings will be from Fiscal Challenges: An Interdisciplinary Approach to Budget Policy (2007) (Howell Jackson, et al., eds.) and additional distributed materials.
There will be at least two luncheon speakers during the semester at dates that will be announced before the semester begins.

Note: This course is jointly-listed with HKS as MLD-420M. Class meetings will run through January 20th.

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Federal Courts and the Federal System

Course #: 2086 **Term:** 2016FA **Faculty:** Jackson, Vicki **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Wed 8:10 AM - 10:10 AM	PND100
Thu 9:50 AM - 11:50 AM	PND100

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:Any-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.

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Federal Courts and the Federal System

Course #: 2086 **Term:** 2016FA **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	WCCB010
Tue 10:20 AM - 12:00 PM	WCCB010
Wed 10:20 AM - 12:00 PM	WCCB010

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

Text: Low and Jeffries, Federal Courts and Federal-State Relations, 7th edition, and the most recent Supplement.

Federal Courts and the Federal System

Course #: 2086 **Term:** 2017SP **Faculty:** Manning, John **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	AUS101
Fri 9:50 AM - 11:50 AM	AUS101

Course Description: Prerequisite: Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment; students who have not completed that pre-requisite may enroll only with the permission of the instructor.

Exam Type: In-class exam.

This course studies the role of the federal courts in the federal system. The course will cover the following topics: the case or controversy requirement and justiciability, congressional authority to regulate the jurisdiction of the federal courts, federal habeas corpus, federal common law, and sovereign immunity.

Note: For upper-level JD students, this course will be included in the Multi-Section round of registration.

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Federal Litigation-Civil

Course #: 2089 **Term:** 2017SP **Faculty:** Rosenberg, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:00 AM - 10:00 AM WCC1015

Tue 8:00 AM - 10:00 AM WCC1015

Course Description: Prerequisites: None. This course is available to all interested students.
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.

Federal Tax Clinic

Course #: 8045 **Term:** 2016FA **Faculty:** Fogg, Keith **Credits:** 5.00

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

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. Enrollment in this clinic will fulfill the HLS JD pro bono 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: August 30, 2016.LLM Students: LLM students may apply to this clinic by submitting an application. 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.

Harvard Law School Course Catalog

2016-2017 Academic Year
March 22, 2019 2:07 AM

Federal Tax Clinic

Course #: 8045

Term: 2017SP

Faculty: Fogg, Keith

Credits: 5.00

Type: Clinic

Subject Areas: Not Applicable

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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 13, 2017. LLM Students: LLM students may apply to this clinic by submitting an application.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.

Harvard Law School Course Catalog

2016-2017 Academic Year
March 22, 2019 2:07 AM

Federal Tax Clinical Seminar

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

Type: Elective **Subject Areas:** Procedure & Practice; 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 (3-5 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: August 30, 2016.LLM Students: LLM students may apply to the clinic by submitting an application. 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.

Harvard Law School Course Catalog

2016-2017 Academic Year
March 22, 2019 2:07 AM

Federal Tax Clinical Seminar

Course #: 2822 **Term:** 2017SP **Faculty:** Fogg, Keith **Credits:** 2.00

Type: Elective **Subject Areas:** Procedure & Practice; 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 (3-5 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 13, 2017. LLM Students: LLM students may apply to the clinic by submitting an application. 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.

Harvard Law School Course Catalog

2016-2017 Academic Year
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Feminist Legal Theory

Course #: 2301 **Term:** 2017SP **Faculty:** Halley, Janet **Credits:** 3.00
Type: Elective **Subject Areas:** Family, Gender & Children's Law; International, Comparative & Foreign Law; Legal & Political Theory

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:50 AM	WCCB015
Tue 10:20 AM - 11:50 AM	WCCB015

Course Description: Prerequisites: None.
Exam Type: Last Class Take Home exam; there will also be a paper option.
This course will survey the most important sources of feminist thinking in the North Atlantic, including the US. 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 other social movements that often operate outside of a feminist framework for envisioning emancipation: racial minorities, sexual minorities, immigrants, the poor. No prior knowledge of feminism will be presupposed. LLMs are welcomed to enroll.

Harvard Law School Course Catalog

2016-2017 Academic Year

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Financial and Legal Needs of Low and Moderate Income Households

Course #: 2176

Term: 2017SP

Faculty: Charn, Jeanne

Credits: 2.00

Type: Elective

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

Delivery Mode: Seminar

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

LEW202

Course Description:

Prerequisites: None

Exam: 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

First Year Legal Research and Writing 1A

Course #: 1006 **Term:** 2017SP **Faculty:** Nitze, Jane **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC2009

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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:** 2016FA **Faculty:** Nitze, Jane **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

First Year Legal Research and Writing 1B

Course #: 1006 **Term:** 2016FA **Faculty:** Seligman, Matthew **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM AUS111

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 1B

Course #: 1006 **Term:** 2017SP **Faculty:** Seligman, Matthew **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

First Year Legal Research and Writing 2A

Course #: 1006 **Term:** 2017SP **Faculty:** Bell, Monica **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 2A

Course #: 1006 **Term:** 2016FA **Faculty:** Bell, Monica **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

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First Year Legal Research and Writing 2B

Course #: 1006 **Term:** 2016FA **Faculty:** Samuel, Ian **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 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 2B

Course #: 1006 **Term:** 2017SP **Faculty:** Samuel, Ian **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

Harvard Law School Course Catalog

2016-2017 Academic Year

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First Year Legal Research and Writing 3A

Course #: 1006 **Term:** 2017SP **Faculty:** Encarnacion, Erik **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC1015

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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:** 2016FA **Faculty:** Encarnacion, Erik **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

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First Year Legal Research and Writing 3B

Course #: 1006 **Term:** 2016FA **Faculty:** Hopkins, Brook **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM 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 3B

Course #: 1006 **Term:** 2017SP **Faculty:** Hopkins, Brook **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC1019

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

Harvard Law School Course Catalog

2016-2017 Academic Year

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First Year Legal Research and Writing 4A

Course #: 1006 **Term:** 2017SP **Faculty:** Levin, Benjamin **Credits:** 2.00

Type: 1course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC2009

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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:** 2016FA **Faculty:** Levin, Benjamin **Credits:** 2.00

Type: 1course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

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First Year Legal Research and Writing 4B

Course #: 1006 **Term:** 2016FA **Faculty:** Farbman, Daniel **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCC2009

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 4B

Course #: 1006 **Term:** 2017SP **Faculty:** Farbman, Daniel **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: Students who enroll in this course may count the credits towards the JD experiential learning requirement. The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

Harvard Law School Course Catalog

2016-2017 Academic Year

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First Year Legal Research and Writing 5A

Course #: 1006 **Term:** 2017SP **Faculty:** Bruno, Jonathan **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: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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:** 2016FA **Faculty:** Bruno, Jonathan **Credits:** 2.00

Type: 1course **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.

Harvard Law School Course Catalog

2016-2017 Academic Year

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First Year Legal Research and Writing 5B

Course #: 1006 **Term:** 2016FA **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 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 5B

Course #: 1006 **Term:** 2017SP **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: Students who enroll in this course may count the credits towards the JD experiential learning requirement. The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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First Year Legal Research and Writing 6A

Course #: 1006 **Term:** 2017SP **Faculty:** Hornstine, Adam **Credits:** 2.00

Type: 1course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC1023

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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:** 2016FA **Faculty:** Bates, Jason **Credits:** 2.00

Type: 1course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM HAU102

Course Description: The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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First Year Legal Research and Writing 6B

Course #: 1006 **Term:** 2016FA **Faculty:** McKinley, Maggie **Credits:** 2.00

Type: 1lcourse **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 6B

Course #: 1006 **Term:** 2017SP **Faculty:** McKinley, Maggie **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC2004

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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First Year Legal Research and Writing 7A

Course #: 1006 **Term:** 2017SP **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 WCC2004

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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:** 2016FA **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.

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First Year Legal Research and Writing 7B

Course #: 1006 **Term:** 2016FA **Faculty:** Lin, Da **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.

First Year Legal Research and Writing 7B

Course #: 1006 **Term:** 2017SP **Faculty:** Lin, Da **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC1010

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

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Food and Drug Law

Course #: 2091 **Term:** 2017WI **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 - 12:30 PM	GRS110
Tue 9:00 AM - 12:30 PM	GRS110
Wed 9:00 AM - 12:30 PM	GRS110
Thu 9:00 AM - 12:30 PM	GRS110
Fri 9:00 AM - 12:30 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. Text: Hutt, Merrill, and Grossman, Food and Drug Law (4th ed. 2013) and Statutory Supplement (2014).

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Food Law and Policy

Course #: 2359

Term: 2016FA

Faculty: Broad Leib, Emily

Credits: 2.00

Type: Elective

Subject Areas: Health Law; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Location

Wed 3:00 PM - 5:00 PM

HAU101

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: No prerequisites for JD students. LLM students must seek faculty 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, rising rates of obesity and type 2 diabetes, 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. Each class will begin with ensuring a shared understanding of the relevant sources of law before delving into policy considerations and discussions of what the law could and should. We will concentrate on food law in the United States, but will also include comparative global perspectives when helpful.

We begin the course by looking at the basic regulation of food, focusing on the history and current issues in rules regarding food safety. We then analyze federal agricultural policy and farm subsidies, and the environmental, health, and safety implications of our agricultural system. The course will cover issues in food labeling, including nutrition information, health claims, GMO labeling, and organic labeling. Students will also examine the role the government plays in determining what foods are consumed, through its Dietary Guidelines, food assistance programs, and other attempts to increase healthy food access or consumption. 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 discussion board; prepare for and participate in in-class role play debates; and write one policy brief that explains a food law problem and recommends 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.

Enrollment in the seminar is limited to 20 students and it is open to LLM students by permission.

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 August 30, 2016 for students in this course enrolled in reserved clinical seats.

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Food Law and Policy

Course #: 2359

Term: 2017SP

Faculty: Broad Leib, Emily

Credits: 2.00

Type: Elective

Subject Areas: Health Law; Regulatory Law

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 if they also enroll in the associated clinic.

Prerequisites: No prerequisites for JD students. LLM students must seek faculty 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, rising rates of obesity and type 2 diabetes, and the misleading and unregulated terrain of expiration dates.

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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 discussion board; prepare for and participate in in-class role play debates; and write one policy brief that explains a food law problem and recommends 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.

Enrollment in the seminar is limited to 20 students and it is open to LLM students by permission.

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 13, 2017 for students in this course enrolled in reserved clinical seats.

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Food Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8038 **Term:** 2017SP **Faculty:** Broad Leib, Emily **Credits:** 5.00

Type: Clinic **Subject Areas:** 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Add/Drop Deadline: January 13, 2017. 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, assist small farmers and producers in participating in food markets, and reduce the waste of healthy, wholesome food.

Students enrolled in the Clinic 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 draft legislation 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 action; conduct interviews and fact-finding; 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.

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Food Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8038

Term: 2017WI

Faculty: Broad Leib, Emily

Credits: 2.00

Type: Clinic

Subject Areas: 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 August 30, 2016. 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, assist small farmers and producers in participating in food markets, and reduce the waste of healthy, wholesome food.

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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.

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Food Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8038

Term: 2016FA

Faculty: Broad Leib, Emily

Credits: 5.00

Type: Clinic

Subject Areas: 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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: August 30, 2016. 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, assist small farmers and producers in participating in food markets, and reduce the waste of healthy, wholesome food.

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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.

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Fraud

Course #: 2765 **Term:** 2017SP **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 WCC3036

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.

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Free Speech and Economic Regulation

Course #: 2922 **Term:** 2017WI **Faculty:** Kendrick, Leslie **Credits:** 2.00
Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Constitutional Law & Civil Rights; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
Tue 1:00 PM - 4:35 PM	WCC2004
Wed 1:00 PM - 4:35 PM	WCC2004
Thu 1:00 PM - 4:35 PM	WCC2004
Fri 1:00 PM - 4:35 PM	WCC2004
Mon 1:00 PM - 4:35 PM	WCC2004

Course Description: Prerequisites: Constitutional Law or, for students with relevant background, permission from the instructor to waive the prerequisite.
Exam Type: No Exam
This course will explore the relationship between First Amendment freedom of speech and economic regulation. The expanding universe of free speech protection has led some commentators to argue that Lochernism has returned under the guise of the First Amendment. This course will explore this contention. We will examine the primary arguments for a free speech right, the historical and normative underpinnings of economic due process, and contemporary areas of conflict between the two.

This 7-day course will be structured in three 2-day units, plus a final capstone session. On the first day of each unit, we will discuss a scholarly article and related excerpts from a case or set of cases. On the second day, students will receive litigation materials relating to a recent or ongoing dispute. Divided into groups, students will represent different stakeholders in the dispute and will prepare arguments for their side. Next, each group will represent its side in a structured discussion. Finally, students will step away from their assigned roles to debrief and reflect..

At the end of the course, students will be asked to write a 10-page paper on one article and one recent case.

Evaluation will be based equally upon: 1) Class attendance and participation and 2) the final paper.
Note: This course will run from January 9th to January 18th, 2017.

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From Colonial to Post-Colonial: International Financial Institutions, Access to Justice and Human Rights

Course #: 2879 **Term:** 2016FA **Faculty:** Siddique, Osama **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 3:20 PM - 4:50 PM WCCB010

Wed 3:20 PM - 4:50 PM WCCB010

Course Description: Prerequisites: None.
Exam: One Day Take-Home.
This course will look at evolving World Bank, European Union, USAID, UK Department for International Aid (DFID), Asian Development Bank (ADB) and other multilateral and bilateral IFI approaches to access to justice, human rights protection and legal empowerment of the poor reforms in selected international jurisdictions, with a particular focus on complex post-colonial contexts like that of South Asia, and in particular Pakistan. The course would explore persistent contestations between free market mechanism strengthening imperatives of the IFIs and the protection of often conflicting (and at times residual, despite the contrary rhetoric) sets of rights such as labor rights, rights of the disempowered and the poor, environmental rights, tribal rights, land rights etc. The course will also examine the nature and continuities of colonial frameworks of governance in South Asia and their influence on post-colonial formal legal systems and experiments with law reform - both indigenous as well as foreign aid funded. It will also discuss recent scholarly and policy literature on ROL reform experiences in the selected jurisdictions as well as a variety of materials from different disciplinary perspectives, including political economy, development, sociology, anthropology, public policy, legal history, and of course law.

From Protest to Law: Triumphs and Defeats of the Civil Rights Revolution, 1950-1970

Course #: 2697 **Term:** 2016FA **Faculty:** Kennedy, Randall **Credits:** 3.00

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

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: 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.

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Frontiers of Cyberlaw: Artificial Intelligence, Automation and Information Security

Course #: 2795 Term: 2017WI 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 - 12:30 PM	LEW202
Tue 10:00 AM - 12:30 PM	LEW202
Wed 10:00 AM - 12:30 PM	LEW202
Thu 10:00 AM - 12:30 PM	LEW202
Fri 10:00 AM - 12:30 PM	LEW202

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 for individuals, organizations, and public institutions. This seminar explores how the legal system and its persistent dilemmas are being affected by emerging technological developments involving the (in)security of networked information systems, the means through which humans and computers interact, and as changes in automation and "artificial intelligence." Specific topics include cybersecurity risks; the promise and limitations of regulatory, criminal, and international law in addressing those risks; automation’s consequences for labor markets and their regulation; the difficulty of apportioning responsibility for decisions between humans and computers as the nature of human-computer interaction changes; and the evolving role of expert systems and decision support technologies in how governments and societies make decisions about health, criminal enforcement, and 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.

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Gender Violence Legal Policy Workshop

Course #: 2513 **Term:** 2017SP **Faculty:** Rosenfeld, Diane **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Wed 1:00 PM - 3:00 PM	WCC3034

Course Description: Pre/Co-requisite: 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: 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.

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Gender Violence, Law and Social Justice

Course #: 2098 **Term:** 2017SP **Faculty:** Rosenfeld, Diane **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:50 PM	WCC1015
Tue 3:20 PM - 4:50 PM	WCC1015

Course Description: Prerequisites: None.

Exam: 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.

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Gender, Race, Context and Judging

Course #: 2608 **Term:** 2017SP **Faculty:** Gertner, Nancy **Credits:** 1.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Disciplinary Perspectives & Law; Family, Gender & Children's Law

Delivery Mode: Reading Group

Days and Times:	Location
Tue 5:00 PM - 7:00 PM	WCC4056

Course Description: Prerequisites: None
Exam Type: No Exam
This reading group will address judging in general, with a special emphasis on diversity and judging. We will consider the literature on judging, from judicial philosophers, on the one hand (Holmes, Bickel) , to social scientists, on the other. We will examine the forces that shape judicial decisionmaking, both intrinsic and extrinsic to the judiciary, at all levels (trial, appellate, Supreme Court), and the extent to which those forces are consistent or inconsistent with the normative model of judging, what we expect judges to say and do. And we will consider the impact of diversity of all kinds, particularly on the federal bench.

Note: This reading group will meet on the following dates: 2/21, 2/28, 3/7, 3/21, 3/28, 4/4.
Drop Deadline: February 22, 2017, by 11:59 pm EST

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Global Anticorruption Lab

Course #: 2646 **Term:** 2016FA **Faculty:** Stephenson, Matthew **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM LEW301

Course Description: Prerequisites: Enrollment is limited to 12, and is by permission of the instructor. Students interested in enrolling should email Professor Stephenson (mstephen@law.harvard.edu) and his assistant Jennifer Minnich (jminnich@law.harvard.edu). The application 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. There is not a conventional syllabus or assigned readings. Instead, students will select one or more topics of interest (on the general subject of corruption and anticorruption) to explore independently during the semester. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute four substantive posts (approximately 900-1300 words each) to the Global Anticorruption Blog (<http://globalanticorruptionblog.com/>). In our weekly meetings, we will discuss one another's drafts and topic ideas. 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.

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Global Anticorruption Lab

Course #: 2646 **Term:** 2017SP **Faculty:** Stephenson, Matthew **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM LEW102

Course Description: Prerequisites: Enrollment is limited to 12, and is by permission of the instructor. Students interested in enrolling should email Professor Stephenson (mstephen@law.harvard.edu) and his assistant Jennifer Minnich (jminnich@law.harvard.edu). The application 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. There is not a conventional syllabus or assigned readings. Instead, students will select one or more topics of interest (on the general subject of corruption and anticorruption) to explore independently during the semester. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute four substantive posts (approximately 900-1300 words each) to the Global Anticorruption Blog (<http://globalanticorruptionblog.com/>). In our weekly meetings, we will discuss one another's drafts and topic ideas. 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.

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Global Governance

Course #: 2100 **Term:** 2016FA **Faculty:** Ruggie, John **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: Prerequisites: None
Exam Type: No Exam
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 will be held on the HKS campus. The first class meeting is on August 31st.

Global Law and Governance

Course #: 2101 **Term:** 2016FA **Faculty:** Kennedy, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM GRS110

Tue 1:00 PM - 3:00 PM GRS110

Course Description: Prerequisites: None
Exam Type: Last-class take-home exam.
This course explores ideas about how we are governed globally and projects to improve global governance through law. We will focus on the field of international law and organization, examining the history of ideas, legal doctrines, institutional and administrative structures developed over the last century to organize and legalize international economic and political life. The readings will focus on various ways to think about the legal organization of global order, and on the history of legal efforts to organize and institutionalize international affairs.

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Globalization, Development and the Law

Course #: 2877 **Term:** 2017SP **Faculty:** Tung, Ko-Yung **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	WCC3012
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Thu 1:00 PM - 3:00 PM	WCC3012
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Course Description: Prerequisites: None
Exam: No Exam
Globalization is a turbo-engine for development, economically and socially, but it has produced winners as well as losers. Countries have promoted foreign trade, international investments and other economic drivers to provide jobs, gain intellectual property, increase taxes, and generally a better livelihood for its people, through such international regimes as the World Trade Organization, the North American Free Trade Agreement, the Trans-Pacific Partnership and the Transatlantic Trade and Investment Partnership. However, there are critiques that such regimes have compromised state sovereign power, polluted the environment and impoverished certain segments of the population.

This Reading Group will examine the various drivers of development, and analyze the role that laws and legal institutions, including international organizations such as the World Bank, play in promoting and regulating these drivers. Particular attention will be paid to international arbitral awards pitting the interests of the foreign investors against those of the host countries. In addition to the readings, the lecturer will share his personal experiences and perspectives as the former General Counsel of the World Bank and the former Secretary General of the International Centre for the Settlement of Investment Disputes and as a private practitioner of international law.

Note: This reading group will meet over a three-week period beginning on 2/1/17 and ending on 2/16/17.
Drop Deadline: February 2nd, 2017 by 11:59pm EST

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Globalization: Business, Legal and Public Policy Issues

Course #: 2696 **Term:** 2017WI **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:	Location
Wed 9:00 AM - 12:30 PM	WCC3007
Thu 9:00 AM - 12:30 PM	WCC3007
Fri 9:00 AM - 12:30 PM	WCC3007
Mon 9:00 AM - 12:30 PM	WCC3007

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.

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Government Lawyer

Course #: 2103 Term: 2016FA Faculty: Whiting, Alex Credits: 3.00

Type: Elective Subject Areas: Government Structure & Function; Procedure & Practice

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: 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 if they also enroll in the associated clinic.
Prerequisites: None
Exam: 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 10, 2016; the drop deadline for spring clinical students is August 30, 2016.

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Government Lawyer: Attorney General Clinic

Course #: 8015 **Term:** 2016FA **Faculty:** Tierney, James **Credits:** 5.00

Type: Clinic **Subject Areas:** Government Structure & Function; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 5, 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).

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Government Lawyer: Attorney General Clinic

Course #: 8015 **Term:** 2017SP **Faculty:** Tierney, James **Credits:** 5.00

Type: Clinic **Subject Areas:** Government Structure & Function; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 6, 2017. 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).

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Government Lawyer: Attorney General Clinic

Course #: 8015

Term: 2017WI

Faculty: Tierney, James

Credits: 2.00

Type: Clinic

Subject Areas: 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 18, 2016. 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 2016 were involved in various divisions of State AG offices: environment, criminal trials and appeals, human trafficking, civil defense, opinions and consumer protection. Students are placed in offices across the country 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).

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Government Lawyer: Semester in Washington Clinic

Course #: 8016 **Term:** 2017WS **Faculty:** Wroblewski, Jonathan **Credits:** 10.00

Type: Clinic **Subject Areas:** Government Structure & Function; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 19, 2016. Add/Drop Deadline: December 2, 2016. LLM Students: LLM students are not eligible to enroll. Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 8 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. Students are required to work full-time over winter term and at least 32 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 iSite, 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.

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Government Lawyer: Semester in Washington Clinic

Course #: 8016 **Term:** 2017SP **Faculty:** Wroblewski, Jonathan **Credits:** 8.00

Type: Clinic **Subject Areas:** Government Structure & Function; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 19, 2016. Add/Drop Deadline: January 13, 2017. 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 32 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 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 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 iSite, 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.

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Government Lawyer: Semester in Washington Clinical Seminar

Course #: 2104 **Term:** 2017SP **Faculty:** Wroblewski, Jonathan **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Seminar

Days and Times: **Location**

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: Government Lawyer: Semester in Washington Clinic, either during winter-spring (2 winter clinical credits + 8 spring clinical credits) or spring clinic (8 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 19, 2016. Add/Drop Deadline: December 2, 2016 for winter-spring clinic students. January 13, 2017 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 full-time over the Winter term, and at least 32 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 iSite, 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

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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.

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Government Lawyer: United States Attorney Clinic

Course #: 8017 **Term:** 2016FA **Faculty:** Whiting, Alex **Credits:** 5.00

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. Enrollment in this clinic will fulfill the HLS JD pro bono 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, 2016.

Add/Drop Deadline: June 10, 2016.

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 5 clinical credits (20 hours per week).

Students must attend a mandatory training session during the week of September 6 (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, 2016 to Maureen Worth (mworth@law.harvard.edu). Applications should

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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.

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Government Lawyer: United States Attorney Clinic

Course #: 8017

Term: 2017SP

Faculty: Whiting, Alex

Credits: 5.00

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. Enrollment in this clinic will fulfill the HLS JD pro bono 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, 2016.

Add/Drop Deadline: August 30, 2016.

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 5 clinical credits (20 hours per week).

Students must attend a mandatory training session during the week of January 23 (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, 2016 to Maureen Worth (mworth@law.harvard.edu). Applications should

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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 Secrecy

Course #: 2875 **Term:** 2017SP **Faculty:** Deeks, Ashley **Credits:** 1.00
Type: Elective **Subject Areas:** Government Structure & Function; International, Comparative & Foreign Law;
Legal & Political Theory

Delivery Mode: Reading Group

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

Course Description: Prerequisites: None
Exam: No Exam
There is a tension inherent in the idea of keeping secrets in a democracy. In democratic systems, governments act on behalf of and are answerable to the people, and are subject to oversight by citizens and the media. But not all of what the government does is - or can be - publicly revealed. How do we strike the proper balance between allowing the government to effectively provide security to its citizens using methods that cannot be revealed publicly, and ensuring that the government operates consistent with the law?

This reading group will explore the ways in which each branch of government keeps secrets and whether structural and statutorily-created tools to check secret actions have proven effective. In the Executive Branch context, we will look at the role of classification and the ways in which external actors employ litigation to force the Executive to disgorge secrets. We then will study Congress’s role in enacting secret laws and overseeing secret Executive acts. Here we will use the recent Senate Intelligence Committee report on CIA interrogation as a case study. Courts, too, are called on to adjudicate cases that implicate government secrets; we will ask whether systems such as the Foreign Intelligence Surveillance Court serve their intended goals of providing effective but non-public oversight. Finally, we will examine the role of unauthorized disclosures of government secrets (that is, leaks) in altering the government secrecy ecosystem. Our materials include the Constitution, statutes, case law, and law review articles.

Note: This reading group will meet on the following dates: 2/1, 2/8, 2/15, 2/22, 3/1, and 3/8.
Drop Deadline: February 2nd, 2017 by 11:59 pm EST

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Harvard Immigration and Refugee Clinic

Course #: 8020 **Term:** 2016FA **Faculty:** Anker, Deborah **Credits:** 5.00
Type: Clinic **Subject Areas:** Constitutional Law & Civil Rights; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Add/Drop Deadline: August 30, 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 sixteen and twenty hours per week (4-5 clinical credits).

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Harvard Immigration and Refugee Clinic

Course #: 8020 **Term:** 2017SP **Faculty:** Ardalan, Sabrineh **Credits:** 5.00
Type: Clinic **Subject Areas:** Constitutional Law & Civil Rights; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 13, 2017. 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 sixteen and twenty hours per week (4-5 clinical credits).

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Harvard Legal Aid Bureau 2L

Course #: 8000	Term: 2016FS	Faculty: Caramello, Esme	Credits: 8.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 22, 2016. Add/Drop Deadline: May 10, 2016. LLM Students: LLM students are not eligible to enroll. Multi-Semester: This is a fall-spring clinic (4 fall clinical credits + 4 spring clinical credits). Placement Site: HLS.

This clinic has a mandatory orientation from August 21 - August 27.

The Harvard Legal Aid Bureau is a student-run organization composed of approximately 50 second and third year Harvard Law School students who provide free civil legal services to a diverse population of low-income clients in the Greater Boston area. Students are supervised by practicing attorneys, each with extensive public interest and private practice experience, who train students, accompany them to court, provide strategic advice, and assist in case management. The Bureau specializes in four major areas of practice: housing law, including evictions from public and private apartments; family law, including divorce, child custody, paternity, visitation, and support issues; government benefits law, including appeals of the denial or termination of unemployment or social security disability benefits; and fair wage law, including nonpayment or underpayment of wages. Because the Bureau is student-run, students take the lead in setting organizational policy and exploring new potential practice areas. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.

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Harvard Legal Aid Bureau 3L

Course #: 8010

Term: 2016FS

Faculty: Caramello, Esme

Credits: 8.00

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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 (4 fall clinical credits + 4 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.

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Harvard Negotiation and Mediation Clinic

Course #: 8019 **Term:** 2017SP **Faculty:** Bordone, Robert **Credits:** 5.00

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. Enrollment in this clinic may fulfill the HLS JD pro bono requirement depending on project assignment. Please contact the Office of Clinical and Pro Bono Programs (clinical@law.harvard.edu) for more information. 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-requisite by the clinics add/drop deadline will result in the student being dropped from this clinic and the required course. Students enrolled in the winter-spring 2017 Negotiation Workshop will qualify for meeting this pre-requisite.

Add/Drop Deadline: Please note this clinic has an early drop deadline of December 2, 2016.

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 2017 Negotiation Workshop to keep their clinical enrollment. Enrollment in the winter-spring 2017 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.

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Harvard Negotiation and Mediation Clinic

Course #: 8019 **Term:** 2016FA **Faculty:** Bordone, Robert **Credits:** 5.00

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. Enrollment in this clinic may fulfill the HLS JD pro bono requirement depending on project assignment. Please contact the Office of Clinical and Pro Bono Programs (clinical@law.harvard.edu) for more information. 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 have completed the Negotiation Workshop to enroll in this fall clinic.

By Permission: No.

Add/Drop Deadline: Please note this clinic has an early drop deadline of August 5, 2016.

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.

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Health Care Reform and the Constitution

Course #: 2892	Term: 2017SP	Faculty: Moncrieff, Abigail	Credits: 2.00
Type: Elective	Subject Areas: Constitutional Law & Civil Rights; Health Law		
Delivery Mode: Seminar			
Days and Times:		Location	
Fri 1:00 PM - 3:00 PM		WCC3012	

Course Description: Prerequisites: Any basic course in Health Law (Health Law previously or concurrently taken; Food and Drug Law; Drug Product Liability Litigation; Food Law and Policy; Public Health Law and Policy; Health Law, Policy, Bioethics, and Biotechnology Workshop; or Medical Malpractice) AND Constitutional Law (either First Amendment or Separation of Powers, Federalism, and Fourteenth Amendment). Students who have not taken one of the above courses but have relevant work experience may contact the instructor for permission to waive the requisite.
Exam: No Exam

This seminar is a class in applied comparative institutional competence analysis, focused on the complex web of federal and state regulations governing American healthcare. The goal for the semester will be to assess the balance of federal and state governance (federalism) and the balance of legislative, executive, and judicial governance (separation of powers) for healthcare policy. The first half of the course will center on functional federalism (considering uniformity interests, political diversity, state experimentation, interstate competition, and regulatory success), and the second half of the course will center on federal separation of powers (considering expertise, political accountability, agency capture, and individual justice). We will also discuss the role that private markets can, do, and should play in distributing scarce healthcare resources.

Health Law

Course #: 2107	Term: 2017SP	Faculty: Moncrieff, Abigail	Credits: 3.00
Type: Elective	Subject Areas: Health Law		
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: Any-day Take-home
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.

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Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8033 **Term:** 2017SP **Faculty:** Rosenberg, Amy **Credits:** 5.00

Type: Clinic **Subject Areas:** 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 13, 2017. 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 participate in a broad range of national and state law and policy initiatives aimed at achieving more equitable and just health care systems in the United States. To this end, students engage in law and policy work to promote legal, regulatory, and other reforms that expand access to high-quality health care, reduce health disparities, and support community education and advocacy capacity.

Through the Clinic, students work to develop, inform, and implement cutting-edge health law and policy at the state and national levels through regulatory and legislative advocacy and impact-oriented litigation. Student projects involve:

- Promoting sound implementation of the Affordable Care Act and other health reforms that support access to high-quality and affordable health care at the state and federal levels in collaboration with community-based partners;
- Developing and implementing a national litigation strategy to address unfair and discriminatory insurance practices with a focus on addressing health disparities and reducing barriers to health care for our most vulnerable populations; and
- Providing law and policy research, analysis and technical assistance to state and national health advocacy leaders, health and social service providers and government to protect and promote health and public health program best practices.

Students enrolled in the Clinic work closely with clinical faculty to become skilled, innovative, and thoughtful practitioners, gaining a wealth of hands-on experience in health and public health law and policy development. This Clinic experience helps students to develop a range of lawyering skills, including problem-solving, policy analysis, research and writing, oral communication, case and litigation strategy development, legislation and regulation drafting, and group facilitation.

Students who would like to participate in the clinic must enroll through clinical registration. Clinical placements are available for 3, 4, or 5 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).

See the clinic website at www.chlpi.org for a more in-depth description of current clinic projects. For more information about the clinic please email Professor Robert Greenwald at rgreenwa@law.harvard.edu or visit the clinical suite in the WCC 3130.

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Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

Course #: 8033 **Term:** 2016FA **Faculty:** Greenwald, Robert **Credits:** 5.00

Type: Clinic **Subject Areas:** 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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: August, 30 2106. 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 participate in a broad range of national and state law and policy initiatives aimed at achieving more equitable and just health care systems in the United States. To this end, students engage in law and policy work to promote legal, regulatory, and other reforms that expand access to high-quality healthcare, reduce health disparities, and support community education and advocacy capacity.

Through the Clinic, students work to develop, inform, and implement cutting-edge health law and policy at the state and national levels through regulatory and legislative advocacy and impact-oriented litigation. Student projects involve:

- Promoting sound implementation of the Affordable Care Act and other health reforms that support access to high-quality and affordable health care at the state and federal levels in collaboration with community-based partners;
- Developing and implementing a national litigation strategy to address unfair and discriminatory insurance practices with a focus on addressing health disparities and reducing barriers to health care for our most vulnerable populations; and
- Providing law and policy research, analysis and technical assistance to state and national health advocacy leaders, health and social service providers and government to protect and promote health and public health program best practices.

Students work closely with clinical faculty to become skilled, innovative, and thoughtful practitioners, gaining a wealth of hands-on experience in health and public health law and policy development. This Clinic experience helps students to develop a range of lawyering skills, including problem-solving, policy analysis, research and writing, oral communication, case and litigation strategy development, legislation and regulation drafting, and group facilitation.

Students who would like to participate in the clinic must enroll through clinical registration. Clinical placements are available for 3, 4, or 5 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).

See the clinic website at www.chlpi.org for a more in-depth description of current clinic projects. 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Health Law, Policy, Bioethics, and Biotechnology Workshop

Course #: 2652

Term: 2016FS

Faculty: Cohen, I. Glenn

Credits: 2.00

Type: Elective

Subject Areas: Health Law

Delivery Mode: Seminar

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

HAU104

Course Description: Credits: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring. The course **MUST** be taken for both semesters.

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:

<http://petrieflom.law.harvard.edu/events/by-type/category/workshops>

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Hedge Fund Law and Policy

Course #: 2768 **Term:** 2017SP **Faculty:** Spamann, Holger; Mital, Manish **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM PND100

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 take-home exam.

Grading will be based 50% on a short research paper (5-15 pages) and 50% upon a Last-Class Take-Home exam.

This class will introduce hedge funds from the practitioners perspective, and discuss the foundational issues of corporate, securities, and tax law that they raise. The first part of the class will examine hedge funds internal structure and the main regulatory issues relating to their organization, particularly in tax and securities law. The second part of the class will survey core legal relationships between hedge funds and their investors, beneficiaries, and counterparties, and among the management team. The third part of the class will scrutinize legal issues raised by particular investment strategies such as activist or distressed debt investment, with particular attention to the role of internal and external counsel. The fourth part will conclude with a macro perspective on hedge funds, including financial stability.

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. Sessions will be a mix of lectures and class discussions, and a number of sessions will feature guests with particular industry expertise.

Note: Two class meetings will be cancelled and two others will be extended to 9pm in order to make up the necessary class time. The cancelled class sessions are as follows: Thursday, March 9 and 23. The following class sessions will meet from 5pm to 9pm: Thursday, February 9 and April 6.

Harvard Law School Course Catalog

2016-2017 Academic Year
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Housing Law and Policy

Course #: 2270 **Term:** 2017SP **Faculty:** Caramello, Esme; Lawrence, Eloise **Credits:** 2.00

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

Delivery Mode: Course

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

Course Description: Prerequisite: None

Exam Type: No Exam. A final paper will be required in lieu of an examination.

This course will provide an introduction to U.S. housing law and policy with a focus on low- and moderate-income tenants and homeowners. We will examine the state of public housing and federal housing subsidies; code enforcement; foreclosures and neighborhood stabilization; gentrification and displacement; affordable housing development; fair housing and racial segregation; and evictions and access to justice. The class will draw on students experiences in clinical placements and other professional settings as well as the perspectives of a variety of players in the housing market -- among them developers, tenants, organizers, lobbyists, judges, government officials, and practicing lawyers -- who will appear as guest panelists. Through this course, students will develop the background necessary to understand and evaluate the various strategies that housing advocates and activists are using - or might use - to address America’s affordable housing crisis.

The impact of housing law and policy on real people and communities is best understood through a combination of classroom work and practice in the field. Students are therefore encouraged, before or during this course, to apply for membership in the Harvard Legal Aid Bureau (during the Spring of 1L year) or to enroll in the Housing Law Clinic or the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. The course is appropriate for students pursuing graduate work in other disciplines, including government, design, education, and business, and cross-registrants are welcome.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Housing Law Clinic

Course #: 8034 **Term:** 2017SP **Faculty:** McDonagh, Maureen **Credits:** 5.00
Type: Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; Family, Gender & Children's 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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: January 13, 2017. 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 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Housing Law Clinic

Course #: 8034 **Term:** 2016FA **Faculty:** McDonagh, Maureen **Credits:** 5.00
Type: Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; Family, Gender & Children's 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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: August 30, 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.

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Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Housing Law Clinical Workshop

Course #: 2199 **Term:** 2017SP **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 WCC5052

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Housing Law Clinic (3-5 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 13, 2017. 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. 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 in Court. For more information on the Clinic, contact Lecturer/Clinical Instructor Maureen McDonagh, mcdonagh@law.harvard.edu

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Housing Law Clinical Workshop

Course #: 2199 **Term:** 2016FA **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 LEW302

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Housing Law Clinic (3-5 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: August 30, 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. 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 in Court. For more information on the Clinic, contact Lecturer/Clinical Instructor Maureen McDonagh, mcdonagh@law.harvard.edu

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

How To Do Things with Arguments

Course #: 2920

Term: 2016FA

Faculty: Brewer, Scott

Credits: 3.00

Type: Elective

Subject Areas: Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Course

Days and Times:

Location

Mon 11:00 AM - 12:00 PM

PND101

Tue 11:00 AM - 12:00 PM

PND101

Wed 11:00 AM - 12:00 PM

PND101

Course Description:

Prerequisites: None

Exam Type: Any Day Take-Home

In 1955 Oxford philosopher J.L. Austin delivered a set of lectures at Harvard that was soon published as a classic of contemporary philosophy, *How To Do Things With Words*. In that work Austin offered a theory to show that we use words not only to mean things, but in a great variety of ways we also use words to do things, to perform actions (such as, in the right circumstances, naming something, getting married, or, for a judge, officially resolving a case with use of the phrase "so ordered").

This course follows the core idea of Austin (and other philosophers) who find significant explanatory value in treating words, concepts, and arguments - arguments are the special focus of this course - as tools for achieving certain tasks. We shall focus closely on three types of tasks that people perform by means of arguments. First, they use them to show that one set of propositions (argument premises) licenses the inference of other propositions (argument conclusions). Second, they seek to compare and evaluate arguments that are in competition with one another. A paradigm for competitions among arguments is the process of formal litigation, with competitions between the litigants and, not infrequently, competitions among judges on a multi-member court, such as a supreme court. A great deal of philosophical work also proceeds by philosophers offering arguments in competition with those of other philosophers or, for some, by displaying competing arguments within him or herself. Third, they often use arguments to persuade members of some specifically targeted audience or audiences to believe something, or to do something, or to feel something.

The twin emphases of the course are theoretical and practical. We learn the theory of arguments and we also cultivate the capacity to evaluate our own and others arguments as a practical skill, a skill that can serve powerfully the interests of a citizen, a lawyer, a student, a philosopher - indeed anyone for whom arguments are valuable in some domain of life or reflection.

Material in the course will include basic formal logic, argumentation theory (developed by linguists, philosophers, and artificial intelligence scholars), as well as works by jurisprudence theorists, philosophers of language, and epistemologists. We encounter and assess a great many examples of arguments, drawn from legal arguments (in judicial opinions and lawyers' briefs), philosophical arguments (including moral arguments - we pay special attention to the argument structure of "reflective equilibrium"), and arguments in science, religion, and politics.

The three-credit course meets for a total of three hours a week, with two lectures by the professor and an additional hour devoted to teaching the skill of argument in a "workshop" setting. A central goal is to make this material accessible to anyone who has an interest in and energy for mastering arguments. The course is open to both law students and students from the philosophy department. The course meets Monday, Tuesday, and Wednesday, 11:00 - 12:00. The meeting on Tuesday is a section with the professor for law students and, by permission, for philosophy undergraduate or graduate students. There will be an additional section meeting with a TF for philosophy undergraduates who are not in the professor's section. Written work for the class consists of (i) a midterm writing project and (ii) a take-home exam in which students can opt to do a detailed analysis, in light of the skills developed during the course, of arguments in either a judicial decision or a short work of philosophy (both works to be provided by the Professor).

Harvard Law School Course Catalog

2016-2017 Academic Year

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Human Rights Advocacy

Course #: 2510 **Term:** 2016FA **Faculty:** Delgado, Fernando **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM WCC3009

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 (3-5 fall clinical credits). Students enrolled in the fall clinic must enroll in either this clinical seminar or the Armed Conflict and Humanitarian Protection 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: August 30, 2016. 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.

Harvard Law School Course Catalog

2016-2017 Academic Year
March 22, 2019 2:07 AM

Human Rights Advocacy

Course #: 2510	Term: 2017SP	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		WCC3034	

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 (3-5 spring clinical credits). Students enrolled in the spring clinic must enroll in one of the two available sections of this clinical seminar. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 13, 2017. 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 -- corporate accountability in South Africa, transitional justice in Myanmar, 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.

Harvard Law School Course Catalog

2016-2017 Academic Year
March 22, 2019 2:07 AM

Human Rights Advocacy

Course #: 2510 **Term:** 2017SP **Faculty:** Crowe, Anna **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights

Delivery Mode: Seminar

Days and Times:	Location
Thu 3:00 PM - 5:00 PM	WCC3013

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 (3-5 spring clinical credits). Students enrolled in the spring clinic must enroll in one of the two available sections of this clinical seminar. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: January 13, 2017. 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 -- corporate accountability in South Africa, transitional justice in Myanmar, 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Human Rights and International Law

Course #: 1016 **Term:** 2017SP **Faculty:** Neuman, Gerald **Credits:** 4.00

Type: 1lintl **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: Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students.
Prerequisites: None. Students who have taken the International Human Rights course may not take this course.
Exam Type: In-class.
This course examines critically what it means to embody human rights conceptions in law at the international level, and how human rights law can be implemented through cooperation among national and international institutions. Topics will include the historical origins of modern human rights law; background international law rules that structure human rights law; connections between civil, political, social, and economic rights; comparative discussion of some specific human rights; and global and regional methods of oversight and enforcement. The course will pay particular attention to the UN Human Rights Committee and to the relationship between the United States and the international human rights system.

Human Rights Religious Freedom Research Seminar

Course #: 2482 **Term:** 2017SP **Faculty:** Glendon, Mary Ann **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM WCC3012

Course Description: Prerequisites: None.
Exam Type: No exam.
This course will be assisted by Mark Rienzi, Senior Counsel at the Becket Fund for Religious Liberty.
This seminar is an intensive writing course devoted to developing, researching, and producing a substantial paper on current issues in religious freedom law, domestic or international.

Harvard Law School Course Catalog

2016-2017 Academic Year
March 22, 2019 2:07 AM

Immigration and Refugee Advocacy

Course #: 2115 **Term:** 2016FA **Faculty:** Anker, Deborah **Credits:** 2.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Human Rights; International, Comparative & Foreign Law; Procedure & Practice

Delivery Mode: Seminar

Days and Times:	Location
Wed 5:00 PM - 7:00 PM	WCC4063

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 (3-5 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: August 30, 2016. LLM Students: LLM students may apply to the clinic by submitting an application. This seminar is for participants in the fall Immigration and Refugee Clinic 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.

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2016-2017 Academic Year

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Immigration and Refugee Advocacy

Course #: 2115 **Term:** 2017SP **Faculty:** Ardalan, Sabrineh **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 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. Required Clinic Component: Harvard Immigration and Refugee Clinic (3-5 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 13, 2017 LLM Students: LLM students may apply to the clinic by submitting an application. This seminar addresses U.S. asylum and international refugee law, as well as advocacy skills relevant to students work at the clinic. Specific topics covered include: persecution and the human rights paradigm; credibility and corroboration; and gender- and gang-based asylum claims. The skills component of the seminar addresses such areas as effective client interviewing, affidavit writing, cross-cultural lawyering, conducting immigration and human rights research, and preparing cases and testimony for trial. In order to cultivate best practices in student advocacy, this seminar draws heavily for instructional examples on students clinical experiences. It also allows 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: Policy and Social Change

Course #: 2116 **Term:** 2017SP **Faculty:** Anker, Deborah **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC1019

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.

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Innovation in Legal Education and Practice

Course #: 2689 **Term:** 2016FA **Faculty:** Westfahl, Scott; Walczewski, Erin **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM HAU104

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

Inside Government: Making Public Policy

Course #: 2623 **Term:** 2017SP **Faculty:** Sunstein, Cass; Summers, Lawrence **Credits:** 2.00

Type: Elective **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM AUS100

Course Description: Prerequisite:None.
Exam Type: In-Class with paper option
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 ECON 2510.

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Institutional Investors and Alternative Investment Forms: Private Equity, Venture Capital, and Hedge Funds

Course #: 2847 **Term:** 2017SP **Faculty:** Kraakman, Reinier **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 LEW214B

Course Description: Prerequisites: The co- or pre- requisite is either a course in corporate law (at Harvard or elsewhere) or employment experience related to alternative investment forms, which need not have been specifically legal. If you have not taken the HLS course, you must contact the instructor for permission to waive the prerequisite.
Exam: No Exam
The course will examine the relationship between institutional investors and each of the principal forms of alternative investment: private equity, venture capital, and hedge funds. The course will compare the legal forms of alternative investment in these areas and review the role of alternative investments in the portfolios of institutional investors. It will also address trends in investment forms initiated by both institutional investors and the PE, VC, or Hedge Fund general partners. These include changes to the terms of limited partnerships that serve as investment vehicles, the phenomenon of "evergreen" funds without fixed terms, and the difficulty of contracting over heterogeneous forms of investment. Examples include co-investing and other special arrangements with favored investors. The course will address recent regulatory and enforcement initiatives for the protection of investors in these alternative forms. Finally, it will touch on the problems of assessing the financial performance of alternative investment vehicle relative conventional investments in the public equity markets.

Students will be asked to submit reaction memos on most weeks.

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Insurance Law

Course #: 2356 **Term:** 2016FA **Faculty:** Hay, Bruce **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Fri 1:30 PM - 3:00 PM	WCC3036
Thu 1:30 PM - 3:00 PM	WCC3036

Course Description: Prerequisites: None
Exam 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. Students have the option of either writing a paper or taking an exam.

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Intellectual Property Law: Advanced

Course #: 2119 **Term:** 2016FA **Faculty:** Fisher, William **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 1:30 PM - 3:00 PM	LEW102
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Tue 1:30 PM - 3:00 PM	LEW102
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Course Description: Prerequisites: For JD students, completion of at least two of the following courses: Copyright Law; Patent Law; and Trademark Law - or completion of one of those courses plus the permission of the instructor. For LLM students, instructor permission to waive the requisite is required.

Exam Type: No exam.

This course is intended for students who are already familiar with the main contours of intellectual-property law and would like to explore the subject further. We will examine in depth a series of topics that, in recent years, have proven especially controversial or troublesome: traditional knowledge; the right of publicity; intellectual-property protection for fashion; fair use; possible solutions to the crisis in the entertainment industry; patent pools and standard-setting organizations; reverse-payment settlement agreements; the relationship between copyright and freedom of speech; how legal reform might help address the health crisis in the developing world; exhaustion; extralegal IP norms; IP litigation; and the relationship between IP and business strategy.

Each student will be expected to participate in the discussion of these issues (both in the classroom and online) and to write a short research paper addressing an aspect of one of them. Group projects are encouraged. There will be no exam. The tentative syllabus is available at http://cyber.law.harvard.edu/people/tfisher/Advanced_IP_2012.html.

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Intellectual Property Theory

Course #: 2916 **Term:** 2016FA **Faculty:** Sichelman, Ted **Credits:** 2.00
Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Legal & Political Theory

Delivery Mode: Seminar

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

Course Description: Prerequisites: No background in philosophy, humanities, or economics is necessary, but it is recommended that students have taken a course (or have work experience) in IP.
Exam: No Exam.
Grades will be based on a final paper.
What justifies intellectual property? The seminar will attempt to answer this question by examining the theoretical foundations and related critiques of intellectual property (IP) law-including patent, copyright, trademark, and trade secret law-as well as alternatives to IP, such as private contracts, prizes, grants, and tax credits.

The seminar will begin by exploring a variety of philosophical and economic theories of intellectual property and then will examine the explanatory power of these theories in a variety of applied contexts. Examples of specific topics include (1) utilitarian-based, reward and commercialization theories of patent, copyright, and trade secret law; (2) consumer search-cost and branding theories of trademark law (3) alternatives to utilitarian theories of IP, such as Lockean-labor, libertarian, and sociological theories; (4) IP & information theory; (5) the role of institutions in IP; (6) IP & constitutional values; (7) the role IP plays in innovation and creativity; (8) alternatives to IP; and (9) IP, global development & access to knowledge.

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International Commercial Arbitration

Course #: 2122 **Term:** 2017WI **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:	Location
Mon 9:00 AM - 12:30 PM	LAN272
Tue 9:00 AM - 12:30 PM	LAN272
Wed 9:00 AM - 12:30 PM	LAN272
Thu 9:00 AM - 12:30 PM	LAN272
Fri 9:00 AM - 12:30 PM	LAN272

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.

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International Criminal Law

Course #: 2455 **Term:** 2017WI **Faculty:** Whiting, Alex **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:00 AM - 12:30 PM	HAU102
Tue 10:00 AM - 12:30 PM	HAU102
Wed 10:00 AM - 12:30 PM	HAU102
Thu 10:00 AM - 12:30 PM	HAU102
Fri 10:00 AM - 12:30 PM	HAU102

Course Description: Prerequisites: Public international law is helpful but is not a prerequisite.
Exam Type: No Exam
This course will focus on the prosecution of international crimes (genocide, crimes against humanity, war crimes, aggression, torture, and terrorism) by international and national courts. We will study the development of the law of these crimes -- including the elements of crimes, modes of liability, and defenses -- as well as the institutional, political, strategic, logistical and procedural challenges faced by prosecutors, defense lawyers, and judges who adjudicate these crimes. The ambition of the course will be to understand the law and its development, as well as the dynamic application of the law in the courts that pursue these cases.

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International Finance

Course #: 2124 **Term:** 2017SP **Faculty:** Verdier, Pierre-Hugues **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 10:00 AM - 11:30 AM	PND100
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Fri 10:00 AM - 11:30 AM	PND100
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Course Description: Prerequisites: None
Exam: In Class
This course will examine the regulation of international finance, and how that regulation affects cross-border financial activities and transactions. After an introduction to the emergence of modern international finance and regulatory cooperation efforts, it will cover U.S. and European policies and regulation affecting cross-border banking and securities transactions. The course will then address selected substantive topics, including: international capital adequacy rules (the Basel Accord); financial derivatives regulation; cross-border resolution of failed financial firms; the Euro crisis; sovereign debt restructurings and litigation; and financial market development in China. The course will also examine how international financial transactions are negotiated and documented and the interaction between regulation and market practice.

International Human Rights

Course #: 2126 **Term:** 2016FA **Faculty:** Moyn, Samuel **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 8:30 AM - 10:00 AM	WCC1010
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Tue 8:30 AM - 10:00 AM	WCC1010
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Course Description: Prerequisites: None.
Exam Type: Any-day take-home exam.
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.

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International Human Rights Clinic

Course #: 8021	Term: 2016FA	Faculty: Giannini, Tyler	Credits: 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Students in the fall clinic must enroll in either Human Rights Advocacy (2 fall classroom credits) or Armed Conflict and Humanitarian Protection 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: August 30, 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; 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 Armed Conflict and Humanitarian Protection 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 handled by the Office of Clinical and Pro Bono Programs.

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International Human Rights Clinic

Course #: 8021	Term: 2017SP	Faculty: Farbstein, Susan; Giannini, Tyler	Credits: 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Students in this spring clinic must enroll in one of the Human Rights Advocacy sections (2 spring classroom credits). Students who enroll in the spring 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 13, 2017. 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; 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.

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International Human Rights Clinic - Advanced

Course #: 8040	Term: 2016FA	Faculty: Giannini, Tyler	Credits: 5.00
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: 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: August 30, 2016. 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.

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International Humanitarian Law/Laws of War

Course #: 2296 **Term:** 2016FA **Faculty:** Modirzadeh, Naz **Credits:** 3.00

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

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: Public International Law is recommended
Exam Type: Any Day Take-Home
The law of war is one of the oldest branches of international law, but whether its centuries-old norms align with modern conflicts remains a contested area of legal practice and interpretation. This course will explore the primary branch of international law applicable to situations of armed conflict, often referred to as international humanitarian law (IHL) or the law of armed conflict (LOAC). We will examine foundational doctrines and concepts and then explore some of the foremost contemporary challenges. We will consider, for example, direct participation of civilians in hostilities; the geographic, temporal, material, and personal scope of armed conflict; the interplay between international human rights law, international criminal law, and IHL; and the relationship between the legal framework governing terrorism and IHL. We will investigate such questions as how does international law regulate the means and methods of warfare, protection of civilians, and humanitarian access in situations of armed conflict? How does international law classify and regulate different categories of armed conflict, and how does it distinguish armed conflicts from other situations of organized armed violence? How does the law seek to balance principles of military necessity and humanity? And how does the law address emergent technologies?
Note: Students cannot enroll in this offering, if they have already enrolled in Prof. Blums Use of Force.

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International Law in the US Legal System

Course #: 1021 **Term:** 2017SP **Faculty:** Goldsmith, Jack **Credits:** 4.00

Type: 1lintl **Subject Areas:** Not Applicable

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: Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students.
Prerequisite: For LLM students only, Legislation and Regulation is required to enroll.
Exam type: Any-day take-home.
This course is an introduction to (1) international law (treaties and customary international law), (2) how international law operates in the U.S. legal system, and (3) how the Constitution allocates power to make and break international law, and to conduct foreign relations, among the three branches of the federal government. The course will also veer into other topics, including Executive branch lawyering (most notably, the role of the Office of Legal Counsel) and civil procedure (e.g., the Erie doctrine and federal common law). And we will discuss current events related to these topics in most classes.

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International Law, Policy and Decision-Making in War: Advanced Seminar

Course #: 2764 **Term:** 2017SP **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	WCC3034

Course Description: Prerequisites: International Humanitarian Law (or Law of Armed Conflict) or Public International Law. LLMs with significant experience in this arena (but without prerequisites) may be enrolled with permission of the instructor.

Exam Type: No Exam.

This seminar explores a series of advanced topics related to how international law does and does not regulate, shape, and inform the decisions, policies, and approaches of states, non-state armed actors, and others in war. Building on the general survey course of international humanitarian law/laws of war, this seminar delves deeper into what the law of armed conflict means in practice; who decides how international law should be interpreted and implemented in relation to armed conflict; and how, in principle and in practice, this body of law relates to others (including the jus ad bellum, international human rights law, the law of state responsibility, and international criminal law). Moreover, as legal regulations and ethical guidelines for how and when wars are fought seem to be increasingly expressed as policy, we will also examine how this framing might affect the law and its normative force. Together, we will explore these questions by reference to contemporary armed conflicts, with a focus on how international law is expressed as law and as policy and the role it plays in the decisions of various actors in armed conflict. Students will have an opportunity to conduct original research, to engage critically with a variety of materials (military manuals; government policies issued in the midst of conflict; normative statements and codes of conduct, including from non-state armed actors; UN documents; detainee policies; etc.), and to think through significant and complex contemporary dilemmas through concrete examples.

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International Trade Law

Course #: 2132 **Term:** 2017SP **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:	Location
Mon 1:00 PM - 3:00 PM	LAN272
Tue 1:00 PM - 3:00 PM	LAN272

Course Description: Prerequisites: None
Exam: 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, subsidies, trade remedy measures, 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). Finally, depending on political developments, the course will engage with new trade rules as shaped in mega-regional agreements such as the Trans-Pacific Partnership.

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Internet & Society: The Technologies and Politics of Control

Course #: 2728 Term: 2017WI Faculty: Zittrain, Jonathan Credits: 2.00
Type: Elective Subject Areas: Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Legal & Political Theory

Delivery Mode: Course

Days and Times: Location

Wed 10:30 AM - 12:00 PM
Wed 12:45 PM - 2:00 PM
Thu 10:30 AM - 12:00 PM
Thu 12:45 PM - 2:00 PM
Fri 10:30 AM - 12:00 PM
Fri 12:45 PM - 2:00 PM
Mon 10:30 AM - 12:00 PM
Mon 12:45 PM - 2:00 PM
Tue 10:30 AM - 12:00 PM
Tue 12:45 PM - 2:00 PM

Course Description: This course will be held in WCC, Milstein West AB.
Prerequisites: By Permission
Exam: No Exam
This course offers a rigorous introduction to the field of cyberlaw. We will investigate the evolving nature of online architecture and activities, and the ways in which, law has been, and will be, leveraged to influence them.

Course themes include the complex interaction between Internet governance organizations and sovereign states, the search for balance between the ease of disseminating information online and the interest of copyright holders, privacy advocates, and others in controlling that dissemination, and the roles of intermediaries and platforms in shaping what people can and cannot do online. The course will entail an intense array of learning and teaching methods. Students will be expected to participate in a variety of activities. May include Berkman Center fellows and affiliates. Please visit <http://brk.mn/IS17> to access the application and read more about the course. The course will meet daily from January 3rd - January 13th.

Note: This course will take place at HLS in Winter 2017. It is jointly listed with HKS as DPI-687M.

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Interpretation in Law, Literature, Music, and Religion

Course #: 2893 **Term:** 2016FA **Faculty:** Fried, Charles **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**

Wed 5:00 PM - 7:00 PM WCC3012

Course Description: Prerequisites: None.
Exam Type: No Exam.
We will consider and compare interpretation in law (constitutions, statutes, contracts, perhaps patents and wills), literature, music and sacred texts (the Bible, the Koran). The group will meet for two hours during the first six weeks of the semester, but students are asked to keep the block free throughout the semester as we may have visitors who are experts in the fields outside of the law and it may be necessary to accommodate their schedules.
Note: The first meeting will be a short (15-30 minutes) organizational meeting at 5pm on September 7, which all interested in the reading group should attend. Thereafter we will have six substantive sessions on September 14, 21, 28, October 5, 12 and 19. The last session may be on October 26, if need be and the group can accommodate, instead of the 19th.
Drop Deadline: September 15th, 2016 by 11:59 pm EST

Introduction to Accounting

Course #: 2133 **Term:** 2016FA **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: None
Exam Type: In-Class
This 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.

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Introduction to Advocacy: Skills and Ethics in Clinical Practice

Course #: 2134 **Term:** 2016FS **Faculty:** Caramello, Esme; Goldenhersh, Stephanie; Rossi, Patricio **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 3:20 PM - 4:50 PM WCC3019

Tue 3:20 PM - 4:50 PM

Mon 3:20 PM - 4:50 PM

Tue 3:20 PM - 4:50 PM WCC3019

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 (4 fall clinical credits + 4 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 and TAW. Students must enroll in Evidence and TAW separately from clinic enrollment. By Permission: Yes. Applications are due to the clinic by March 22, 2016. Add/Drop Deadline: May 10, 2016. LLM Students: LLM students are not eligible to enroll.
Multi-Semester: This is a fall-spring course (2 fall classroom credits + 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 are expected to attend all class sessions and complete a final project or paper that addresses an ethical or professional issue related to their casework, the course readings, or other aspects of the legal profession.
Enrollment in this course is restricted to 2L Harvard Legal Aid Bureau members. HLAB members in their 2L year in 2016-2017 will automatically be enrolled in this course once HLAB membership is finalized.

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Introduction to Empirical Methods

Course #: 2708 Term: 2017WI 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 - 4:30 PM	HAU101
Tue 1:00 PM - 4:30 PM	HAU101
Wed 1:00 PM - 4:30 PM	HAU101
Thu 1:00 PM - 4:30 PM	HAU101
Fri 1:00 PM - 4:30 PM	HAU101

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.

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Introduction to Finance Concepts 3-Day Section

Course #: 2537 **Term:** 2016FA **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	PND101
Thu 1:00 PM - 5:00 PM	PND101
Fri 10:00 AM - 2:00 PM	PND101

Course Description: Drop Deadline: Thursday, September 1, 2016 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 August 31, Thursday September 1, and Friday September 2) 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, capital asset pricing model, 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 Wednesday August 31 from 1 pm to 5 pm, Thursday September 1 from 1 pm to 5 pm, and Friday September 2 from 10 am to 2 pm.

Note: No auditors will be allowed.

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Introduction to Finance Concepts 3-Week Section

Course #: 2537 Term: 2016FA 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	PND100
Tue 5:00 PM - 7:00 PM	PND100

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 course will meet over three weeks at the beginning of the term 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, capital asset pricing model, 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 Mondays and Tuesdays from 5 pm to 7 pm during the first three weeks of the semester.
Note: No auditors will be allowed.

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Introduction to Finance Concepts 3-Week Section

Course #: 2537 **Term:** 2017SP **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	GRS110
Fri 1:00 PM - 3:00 PM	GRS110

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.
Note: No auditors will be allowed.

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Introduction to Social Entrepreneurship

Course #: 2137 **Term:** 2017WS **Faculty:** Westaway, Kyle; Klahr, Suzanne **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 4:30 PM	GRS110
Tue 1:00 PM - 4:30 PM	GRS110
Wed 1:00 PM - 4:30 PM	GRS110
Thu 1:00 PM - 4:30 PM	GRS110
Fri 1:00 PM - 4:30 PM	GRS110

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

Prerequisites: None.
Exam Type: No exam.
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.

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Investment Management Law: Private Funds, Money Market Funds and Other Issues

Course #: 2323 **Term:** 2016FA **Faculty:** Champ, Norm **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 3:15 PM - 6:15 PM	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.

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Investments Workshop: Public and Private Equity

Course #: 2923

Term: 2017SP

Faculty: Bosiljevac, Vladimir

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

WCC3038

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Prerequisites: Sound understanding of financial statements and valuation topics/models. The admission is by permission only and interested students should send a resume and a cover letter to the instructor at vbosiljevac@law.harvard.edu. In the cover letter interested students should explain why they want to take the class and outline their experience with financial statements, valuation and modeling. The deadline for upper-level JD and LLM applications is November 5. The deadline for 1L applications is November 15. Exam: No Exam

This class (designed as a workshop) is intended for students who want to deepen and expand their knowledge of applied finance topics and concepts with a focus on equity investments in private and public markets. Students will explore these topics through case studies where they are asked to analyze potential investments using private equity and hedge fund tools and strategies. These case studies will span across different industries (e.g. technology/internet, retail, consumer goods, healthcare, industrials, etc.) and different geographies (developed and emerging markets). However, the primary focus will be the US. After learning various investment methodologies in the first part of the course, each student will be required to independently develop and pitch an investment thesis/idea in his or her industry of choice. That investment thesis will be thoroughly discussed (and challenged) in class. Active class participation is required. There will be no final exam. Instead, students will have a take home project where they will need to analyze an investment opportunity and produce an investment recommendation.

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Islamic Law: Human Rights Advocacy in the Muslim World

Course #: 2517

Term: 2017SP

Faculty: Stilt, Kristen

Credits: 2.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

WCC3013

Course Description: Pre/Co-requisites: For upper-level students, this course is open to those who have taken or are concurrently taking International Law and Human Rights, International Human Rights, or Human Rights Advocacy. For 1L students, this seminar is by permission. If interested, send Marina Apostol (mapostol@law.harvard.edu) a detailed background of your studies, including course work that would be equivalent to the human rights law class at HLS.

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.

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ITA Prosecution Perspectives Clinic

Course #: 8003

Term: 2016FW

Faculty: Corrigan, John

Credits: 5.00

Type: Clinic

Subject Areas: Criminal Law & Procedure; 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.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Open to 3Ls only

This is a fall-winter clinic (4 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: August 30, 2016.

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

Multi-Semester: This is a fall-winter clinic (4 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.

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.

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ITA: Prosecution Perspectives

Course #: 2328

Term: 2016FW

Faculty: Corrigan, John

Credits: 4.00

Type: Elective

Subject Areas: Criminal Law & Procedure; Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Location

Thu 5:00 PM - 7:00 PM

WCC4063

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.
Open to 3Ls only
This is a 4-credit course (3 fall classroom credits + 1 winter classroom credit).
Required Clinic Component: ITA Prosecution Perspectives (4 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: August 30, 2016.
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. 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.

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Jewish Identity in Contemporary America

Course #: 2705 **Term:** 2016FA **Faculty:** Mnookin, Robert; Sher, Gilead **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM LEW214B

Course Description: Prerequisites: None
Exam: No Exam
Today in America what does it mean to be Jewish? Does it require a religious or spiritual commitment? Or some notion of cultural solidarity? In contemporary America is one's religious or ethnic identity simply a matter of individual choice? Today Jews are broadly accepted to an unprecedented degree in all facets of American life. Inter marriage is commonplace. All of this contrasts with the situation even in the recent past.
Through a set of readings we will explore: (1) To what extent is being Jewish in America different from being Jewish in Israel or in Europe? (2) Within America, how has the treatment and circumstances of Jews changed over time? In what ways, because of the First Amendment, has the experience of Jews in America always been different than in Europe and other parts of the world? (3) To what extent does the existence of Israel and its policies have an impact on the Jewish identity of Americans? (4) What are the choices faced by young people today in terms of religious identity? (5) What are the challenges facing the American Jewish community?
Any interested student, irrespective of his or her own religious commitments or ethnic background - is welcome.
In addition to attendance, class participation is a requirement and during the course of the semester each student will be given special responsibility for helping lead the discussion on one topic. The course will require three brief response papers (about two pages each), on the assigned readings and a 10-15 page term paper on a topic approved by the instructor.
Lecturer Gilead Sher will participate during the first five seminar sessions.

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Jewish Law: The Rabbinic Idea of Law

Course #: 2868 **Term:** 2017SP **Faculty:** Saiman, Chaim **Credits:** 3.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law; Legal & Political Theory

Delivery Mode: Course

Days and Times: **Location**

Tue 3:20 PM - 4:50 PM HAU101

Wed 3:20 PM - 4:50 PM HAU101

Course Description: Prerequisites: None
Exam: No Exam.
Law is pervasive in Judaism, as it regulates everything from conception to burial rituals. Yet the Jewish conception of law is far broader than things that happen in court, rules imposed by the state, or even rules mandated by God. Though it embraces each of these categories, law simultaneously serves as a literary medium through which rabbinic thinkers express their ideas about life's greatest questions: the nature of God, love, justice, morality and community and more. The goal of this course is to provide a conceptual introduction to the multi-faceted nature of the Jewish legal tradition by demonstrating that what other cultures assess in terms of law, philosophy, ethics, politics, and theology are approached through the study of the Talmud and its legal doctrines.

Judgment and Decision-Making

Course #: 2582 **Term:** 2017SP **Faculty:** Hay, Bruce **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 2:30 PM WCC1023

Tue 1:00 PM - 2:30 PM WCC1023

Course Description: Prerequisites: None.
Exam Type: No Exam.
This course examines human judgment and decision making, with emphasis on the ways in which people's depart from rational and/or ethical standards, particularly in groups and organizational settings. The course combines insights from multiple disciplines, including cognitive psychology, behavioral economics, and negotiation theory.

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Judicial Process in the Trial Courts Clinical Seminar

Course #: 2139 **Term:** 2017SP **Faculty:** Cratsley, John **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM 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 (2-5 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 13, 2017. LLM Students: LLM students may apply to the clinic by submitting an application.

This weekly seminar examines through participant observation the functioning of the judicial process in our trial courts with special attention to different judicial roles in different trial 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 setting. 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 eight 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 (Retired); cratsley@socialaw.com or jcratsley@law.harvard.edu.

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Judicial Process in Trial Courts Clinic

Course #: 8022 **Term:** 2017SP **Faculty:** Cratsley, John **Credits:** 5.00

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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. strong>By Permission: No. Add/Drop Deadline: January 13, 2017. 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 eight 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 (Retired); cratsley@socialaw.com or jcratsley@law.harvard.edu.

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Jurisprudence: Legal Ideals

Course #: 2140 **Term:** 2016FA **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 exam.
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.

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JuryX Workshop

Course #: 2762 **Term:** 2017WI **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:	Location
Mon 9:00 AM - 12:30 PM	AUS111
Tue 9:00 AM - 12:30 PM	AUS111
Wed 9:00 AM - 12:30 PM	AUS111
Thu 9:00 AM - 12:30 PM	AUS111
Fri 9:00 AM - 12:30 PM	AUS111

Course Description: Prerequisites: None.
Exam: Any-day take home.
Course Canvas Page: <https://canvas.harvard.edu/courses/20237>
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:** 2016FA **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	WCC3034

Course Description: Prerequisites: None.
Exam Type: No exam.
King Lear, Othello, The Merchant of Venice, Measure for Measure, As You Like It and Hamlet (Texts, Commentary and Films).
The students will be expected to write and present four response papers in the course of the seminar. In addition there will be other classroom activities including a mock trial.

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Labor & Employment Lab

Course #: 2845 **Term:** 2017SP **Faculty:** Sachs, Benjamin **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC4057

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:** 2017SP **Faculty:** Sachs, Benjamin **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM LAN225

Tue 1:00 PM - 3:00 PM LAN225

Course Description: Prerequisites: None

Exam: 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.

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Law and Development in Contemporary Africa: Property and Land-use Regulation, Myths And Realities

Course #: 2914 **Term:** 2016FA **Faculty:** Ayano, Mekonnen Firew **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3012

Course Description: Prerequisites: None

Exam: No Exam

Property and land use in the Sub-Saharan Africa involve pressing policy issues and complex legal questions. Land is the mainstay of national economies and source (often the sole source) of income for the poor and subsistence farmers. With the market economic policies that are being implemented in the region and the concomitant socioeconomic changes, issues of land have become high in the policy agenda touching on multiple themes and fields, including economic growth, social inequality, food security, gender and human rights of traditional communities, ethnicity and ethnic conflict, urbanization, transnational trade and investment, and the environment.

While local factors as well as national and transnational forces, especially the steadily intensifying presence of capital and labor from global actors in the region, have accentuated competitions and conflict over land and land related resources, national policymakers and development agencies prescribe a number of law and policy interventions. These include land titling, land and agrarian reforms, and alienable land rights that are often generated by the World Bank and other development agencies based on best-models/practices imitated from laws and institutions of industrialized countries.

In this reading group we will identify main issues and perspectives on land and rural poverty as well as the legal and institutional interventions prescribed to address those issues and interrogate the ideas and assumptions behind the interventions. With texts on the leading theories of law and African development in the background, we will examine issues and perspectives on property and land use regulation in Africa by situating them within broader contemporary thinking on law and economic development. The main questions that we will be asking include, how rural poverty is understood; how it relates to land and land use regulation; what sort of legal and institutional interventions have been prescribed; how those prescriptions are implemented; and, what are their outcomes on the rural economy and society in light of empirical land registration and agrarian reform programs in select countries. Professor William Alford will join us from time to time. In addition, we will have a session with a senior expert at the United States Agency for International Development who will share insights and experience from the field based on projects and program implemented in various African countries.

Note: This reading group will meet on the following dates: 9/8, 9/22, 10/6, 10/20, 11/3, 11/17.

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Law and Economic Development

Course #: 2145 **Term:** 2016FA **Faculty:** Kennedy, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 5:00 PM - 7:00 PM	WCCB015
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Tue 5:00 PM - 7:00 PM	WCCB015
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Course Description: Prerequisites: None.

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 Seminar

Course #: 2146 **Term:** 2016FA **Faculty:** Shavell, Steven; Kaplow, Louis **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times:	Location
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Tue 5:00 PM - 7:00 PM	HAU102
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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.

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Law and Economics Seminar

Course #: 2146 **Term:** 2017SP **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.
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 Film: Kieslowski and Tykwer

Course #: 2633 **Term:** 2017SP **Faculty:** Tushnet, Mark **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 WCC3013

Course Description: Prerequisites: None
Exam: No Exam
This seminar is devoted to several films by Kieslowski and Tykwer. Students will be expected to view the films before the class meetings, and to write at least eight reaction memos over the course of the semester. The first five sessions will be devoted to Kieslowski's Decalogue, a series of short (under one hour each) films about morality. Then we will view and discuss the three full-length films in Kieslowski's Color series. The final session on Kieslowski will discuss his film Heaven. The seminar will conclude by viewing and discussing several of Tom Tykwer's early films, including Winter Sleepers and The Princess and the Warrior. During the seminar meetings, we will discuss the films' treatment of morality and, when relevant, law. Active participation in the conversation is an important part of the group's work.

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Law and Neuroscience

Course #: 2707 **Term:** 2017SP **Faculty:** Gertner, Nancy **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:15 PM - 7:15 PM WCC3036

Course Description: Prerequisites: By permission of the instructor.
Exam: 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 Colloquium

Course #: 2470 **Term:** 2017SP **Faculty:** Goldberg, John **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM GRS110

Course Description: Prerequisite: Admission into this seminar is by permission of the instructor. Please send applications to Jan Qashat (qashat@law.harvard.edu) by Friday, November 18.
Exam: 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, with a special focus on moral issues involving law and government policy. Students in the seminar will write frequent short papers, focused on weekly readings, as well as a longer paper at the end. For roughly half of the weeks, the readings will be drafts of works-in-progress by philosophers, political theorists, and law professors who will present their work in the seminar.

Note: This course is jointly-listed with FAS as Phil 277 and HKS as DPI-260.

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Law and Psychology: The Emotions

Course #: 2151 **Term:** 2016FA **Faculty:** Cope, David **Credits:** 2.00

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

Delivery Mode: Seminar

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

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 Sexuality

Course #: 2682 **Term:** 2017SP **Faculty:** NeJaime, Douglas **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Tue 5:00 PM - 7:00 PM	AUS111

Course Description: Prerequisites: None
Exam: In Class
This course explores the ways in which the law constructs and regulates sex, sexuality, and gender identity. Topics covered include: criminal and civil prohibitions on sex; constitutional equality based on sex and sexual orientation; employment discrimination based on sex (including sexual harassment), gender identity, and sexual orientation; and family law, including marital and nonmarital relationships and parent-child relationships. Class materials include case law, case documents, press accounts, legal scholarship, and sources from other academic disciplines.

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Law and the International Economy

Course #: 1009 **Term:** 2017SP **Faculty:** Wu, Mark **Credits:** 4.00

Type: 1lintl **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Thu 9:50 AM - 11:50 AM	PND102
Fri 9:50 AM - 11:50 AM	PND102

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

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Law and U.S.-China Economic Relations

Course #: 2890 **Term:** 2016FA **Faculty:** Wu, 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 WCC4059

Course Description: Prerequisites: Students are expected to be familiar with either WTO law or have extensive experience with China.
Exam: No Exam
This course will examine a series of topics that have been the source of tension between the two largest economies in the world, the United States and China, when it comes to their bilateral economic relationship. Topics will include the regulation of foreign investment, the protection of intellectual property rights, the imposition of antidumping and countervailing duties, and cyberespionage. The course will examine the different policy options available to each side and the role to be played by domestic and international law in mitigating /resolving these tensions. Students are expected to write regular discussion papers for class and a policy memo or research paper.
Note: 2-3 sessions will occur later in the evening (either 7-9 pm or 8-10 pm) in order to allow for videoconference sessions with students at Tsinghua University School of Law who have taken a similar course.

Law, Economics and Psychology

Course #: 2669 **Term:** 2017SP **Faculty:** Bar-Gill, Oren **Credits:** 4.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM PND102

Thu 1:00 PM - 3:00 PM PND102

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.

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Law, Psychology, and Morality: An Exploration through Film

Course #: 2158 **Term:** 2017SP **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 WCC3013

Course Description: Prerequisites: None.
Exam type: No exam. Students must view John Sayless film Lone Star and submit a brief review before the first class. Requirements include regular class attendance and active participation in discussion. Students must write five short papers to be shared with other members of the seminar.
This seminar will deal with subjects at the intersection of law, psychology, and morality using film as text. Subjects include: responsibility and community, love and redemption, reconstructing the claims of family, gender and sexual identity, narratives of justice and injustice, the lawyers identity, patriarchy and misogyny, and race and the subculture of poverty. Films shown in the past years include (director and title): Gorris, Antonias Line; Mikhalkov, Burnt by the Sun; Fassbinder, The Marriage of Maria Braun; Coppola, Apocalypse Now; Resnais, Hiroshima Mon Amour; Verhoeven, The Nasty Girl; Tarantino, Pulp Fiction; Hrebejk, Divided We Fall; van Diem, Character; Vidor, The Crowd; Visconti, Rocco and His Brothers; Zhang, The Story of Qui Ju; Zwick, Glory; Leigh, Secrets and Lies; Fellini, 8 1/2; Allen, Crimes and Misdemeanors; Lee, Do the Right Thing; Fears, My Beautiful Laundrette, and Sautet, Un Coeur en Hiver.

Laws, Markets, and Religions

Course #: 2159 **Term:** 2017SP **Faculty:** Clark, Robert **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC4063

Course Description: Prerequisites: None.
Exam Type: No exam.
This spring semester reading group will explore articles and books that help to illuminate the characteristic attributes and the relative advantages and disadvantages of four major systems of social control: legal systems, markets, social groups, and the world religions. The readings may also provide comparative insight into the scope and the historical development of these differing systems. Readings may be chosen from a broad array of social-science disciplines, including sociology, psychology, evolutionary theory, and behavioral law and economics.
Students will be asked to write a short response paper about the readings for each session. The six two-hour sessions will usually be scheduled on an every-other-week basis.
Note: The reading group will meet on the following dates: 1/24, 2/7, 2/21, 3/7, 3/28, 4/11

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Lawyer as Facilitator Workshop

Course #: 2591

Term: 2016FA

Faculty: Bordone, Robert; Viscomi, Rachel

Credits: 4.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Location

Wed 1:30 PM - 5:30 PM

LEW301

Course Description:

Prerequisites: Negotiation Workshop and permission of instructors.

Exam Type: No exam.

Lawyers facilitate. In contemporary practice, lawyers constantly work on matters that require groups of people to work together in order to solve problems, reach decisions, and resolve conflicts. This group work can include collaborating with lawyers and clients to develop complex legal strategies and coordinating with colleagues around duties and responsibilities. Lawyers may work with corporate and non-profit boards to make a decision or improve the decision-making process. Facilitation may include working with community stakeholders, multiple family members, or local officials to increase understanding, resolve a dilemma, or re-build trust. The typical lawyer in the U.S. will spend at least 10,000 hours in meetings during her/his professional career. And yet, few lawyers receive training in how to organize, run, and facilitate gatherings of people.

This 4-credit workshop introduces students to the theory and practice of facilitation, both in traditional legal as well as non-legal contexts. It also provides opportunities for students to develop the skills necessary for their role as a facilitator, whether a facilitator of meetings, with people in conflict, or with groups problem-solving together. Through simulations, exercises, readings, discussions, and videos, students will practice facilitation and will explore some of the challenges and dilemmas of this important, but often neglected, lawyering skill.

The Lawyer as Facilitator Workshop is scheduled for 1:30 -- 5:30 p.m. on Wednesdays. Enrollment will be limited to 12 students, selected by application (see more information on the application procedure below). A full schedule will be made available during the first week of class. Attendance at all sessions is mandatory in order to accommodate various group exercises and simulations.

Application Instructions:

To be considered for admission to the Facilitation Workshop, we ask you to submit a resume and a narrative statement of interest, no longer than one page, by April 1, 2016, to Tracy Blanchard . You will be notified by April 8, 2016 (before the elective registration begins), if you have been admitted into the Workshop.

The statement of interest should succinctly explain:

why you are interested in participating in the Facilitation Workshop;

what you hope to learn;

what you hope to contribute; and

how you hope engaging in the Facilitation Workshop material will advance your professional interests.

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Lawyers on the Campaign Trail: An Overview on Running for Office

Course #: 2982 Term: 2017SP Faculty: Davies, Susan Credits: 1.00

Type: Elective Subject Areas: Not Applicable

Delivery Mode: Reading Group

Days and Times: Location

Wed 3:00 PM - 5:00 PM WCC3016

Course Description: If you are interested in enrolling in this reading group, please log on to HELIOS to place yourself on the waitlist. The deadline to do this is 11:59pm on Sunday, February 26. Enrollment will be processed by random lottery of waitlisted students on Monday, February 27. Please note: by requesting enrollment in this class, you are indicating your commitment to participate. Drop requests after 2/27 will incur a WD grade notation on your transcript.

Prerequisite: None

Exam: None

This reading group will meet for six weeks and will consider the legal aspects as well as the practical and policy issues that confront a candidate for elected office and her campaign advisers. Through a series of guest speakers who have grappled with these projects and problems in their professional lives, we will consider such issues as: raising human and financial support, complying with the campaign finance law and FEC requirements, developing policy positions, legal questions peculiar to campaign efforts, and presenting the candidate to the public eye and ear.

Note: The group will meet on the following Wednesdays: March 1, 8, 22 and April 5, 12, 19.

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Legal Education and the Legal Profession

Course #: 2839 **Term:** 2017SP **Faculty:** Moran, Rachel **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC5051

Course Description: Prerequisites: None.
Exam: No Exam
This course will explore contemporary debates about legal education and the legal profession. Today, there is considerable controversy over the purpose and operation of law schools and the mission and structure of the practicing bar. For example, some critics argue that law schools are doing too much, that is, there are too many law graduates and too many years of law study. Others contend that law schools are not doing enough, for example, because they are not graduating enough students from diverse backgrounds and are not offering enough skills training to prepare students for practice. These debates come against a backdrop of steep declines in law school applications, a drop that may necessitate rethinking the law school business model. That model has been blamed for steadily rising tuition, although in fairness, there have been sharp increases in the cost of attendance throughout higher education. The American Bar Association recently has taken some steps to make the accreditation process less regulatory, allowing legal educators more leeway to innovate in response to emerging challenges.

At the same time, there are many concerns about the legal profession and its future. There has been restructuring in big law as corporate clients seek to reduce legal costs by relying on in-house counsel and by negotiating new billing arrangements with outside counsel. In the years since the Great Recession, there is evidence that not all sectors of the large law firm world have rebounded equally. As a result, stratification may be intensifying among the biggest American law firms. Across all sectors of the profession, new technologies and outsourcing are displacing lawyers, putting a squeeze on solo and small firms that serve clients with relatively modest means. For the most vulnerable, the access to justice gap persists, and it is now being addressed by offering self-help programs and new kinds of paraprofessional assistance. All of this restructuring has taken place without much in the way of revision to the formal processes that the legal profession has used to constitute itself. As a result, it is not clear how the organized bar will respond to forces over which it so far has had little control, including the rise of new technologies, globalization, and declining government support for the justice system.

We will discuss some of the most important transformations that are facing legal education and the legal profession. We will put these issues into historical perspective and try to discern what is new about today's debates. We will think creatively and strategically about what this means for our collective future as law students, legal educators, and practicing lawyers with an eye to preserving the values that define us as a profession.

Note: This reading group will meet on the following dates: 2/2, 2/16, 3/2, 3/23, 4/6, 4/20.

Drop Deadline: February 3rd, 2017 by 11:59 pm EST

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Legal History: English Legal History

Course #: 2371

Term: 2017SP

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

WCC3034

Course Description:

Prerequisites: None.

Co-requisite: Concurrent registration in the English Legal History course, or the equivalent preparation, is required. Some materials in Latin and French will be studied, but neither language is required.

Exam Type: No exam.

An exploration of the sources of English legal history for those who wish to study the high medieval and early modern periods (roughly 1100-1600) in more depth than is possible in the introductory course.

J.H. Baker, An Introduction to English Legal History (4th ed. 2002) and multilithed materials.

Note: This seminar is jointly-listed with the Faculty of Arts and Sciences as History 2080. 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.

This seminar is expected to be omitted in 2017-2018.

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Legal Profession

Course #: 2169 **Term:** 2016FA **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	WCC1019
Tue 8:30 AM - 10:00 AM	WCC1019

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: None
Exam Type: In Class

 This course considers three categories of materials. First, we will study the nature of professionalism in American society with readings and problems dealing with practical issues of professional responsibility faced by lawyers in the daily routine of private practice. Second, we will deal with issues faced by the profession as a whole, including the ways of providing effective legal services to all members of the community, regulation of competition, and the imposition of professional discipline. Third, we will also look at the organization and demographics of the profession, its units of practice, and what professional life is like in the twenty-first century. The course also invites students to address the questions: What kind of lawyer do I want to be, and to what kind of profession do I wish to belong?

 Grades will be based principally on a final in-class examination (or, alternatively, a 5000-word paper on an approved topic) but also, to some extent, on class participation or assigned classroom exercises.

 The materials will be Kaufman and Wilkins, Problems in Professional Responsibility for a Changing Profession (5th edition and supplementary materials)), and Professional Responsibility Standards, Rules & Statutes (Dzienkowski, latest abridged edition).

Note: This course is only available to JD 3Ls and LLM students.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Legal Profession

Course #: 2169

Term: 2017SP

Faculty: Kaufman, Andrew

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

WCC2009

Tue 10:20 AM - 11:50 AM

WCC2009

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None.

Exam Type: In-class exam.

 This course considers three categories of materials. First, we will study the nature of professionalism in American society with readings and problems dealing with practical issues of professional responsibility faced by lawyers in the daily routine of private practice. Second, we will deal with issues faced by the profession as a whole, including the ways of providing effective legal services to all members of the community, regulation of competition, and the imposition of professional discipline. Third, we will also look at the organization and demographics of the profession, its units of practice, and what professional life is like in the twenty-first century. The course also invites students to address the questions: What kind of lawyer do I want to be, and to what kind of profession do I wish to belong?

 Grades will be based principally on a final in-class examination (or, alternatively, a 5000-word paper on an approved topic) but also, to some extent, on class participation or assigned classroom exercises.

 The materials will be Kaufman and Wilkins, Problems in Professional Responsibility for a Changing Profession (5th edition)(and supplementary materials), and Professional Responsibility Standards, Rules & Statutes (Dzienkowski, latest abridged edition).

Note: This course is only available to JD 3Ls and LLM students.

Harvard Law School Course Catalog

2016-2017 Academic Year

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Legal Profession

Course #: 2169 **Term:** 2017SP **Faculty:** NeJaime, Douglas **Credits:** 3.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:	Location
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Tue 1:30 PM - 3:00 PM	WCC1019
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Mon 1:30 PM - 3:00 PM	WCC1019
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Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: None
Exam: In Class
This course focuses on the law and ethics of lawyering -- that is, the standards set by the law and by the codes of professional conduct, and at least suggested by commonly shared ethical boundaries.

Legal Profession

Course #: 2169 **Term:** 2016FA **Faculty:** Dacey, Timothy **Credits:** 3.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:	Location
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Thu 10:00 AM - 11:30 AM	WCC1023
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Fri 10:00 AM - 11:30 AM	WCC1023
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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 lawyers 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 is only available to JD 3Ls and LLM students.

Harvard Law School Course Catalog

2016-2017 Academic Year
March 22, 2019 2:07 AM

Legal Profession

Course #: 2169 **Term:** 2016FA **Faculty:** Wilkins, David **Credits:** 4.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	WCC2012
Tue 1:00 PM - 3:00 PM	WCC2012

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: None
Exam: Any Day Take-Home
This course offers a look at the organization, economics, operation, and ideology of the legal profession. We will discuss history, current trends and recent developments in the organization and operation of law firms, legal services offices, government legal offices, and corporate legal departments. We will consider professional autonomy, commercialism, and regulation (by clients, by the courts, and by regulatory agencies). We will contrast US legal practice and regulation with other professions in the US (e.g., medicine, accounting, engineering), as well as with legal practice and regulation in other countries, and the prospect for changes driven by globalization and cross-border trade in legal services. We will consider the effects of increasing demographic diversity on the profession. We will discuss ethical problems most often encountered in legal practice, and the effects of the regulation of legal practice on the organizations and institutions that deliver legal services. We will focus on issues and problems faced by entrepreneurs considering whether to start-up a new legal services organization.
Note: This course is only available to JD 3Ls and LLM students.

Harvard Law School Course Catalog

2016-2017 Academic Year
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Legal Profession - The New Market for Personal Legal Services: Ethical and Professional Challenges

Course #: 2169 Term: 2016FA 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	PND101
Tue 3:20 PM - 4:50 PM	PND101

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: None
Exam: 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. In addition to a focus on the law and ethics of the profession, we will consider the implications of a rapidly changing profession for legal education, law practice management, the response of the organized bar to less lawyer-centric services, assuring assuring service quality, assessing the outcome and cost-effectiveness of different approaches to service delivery, understanding the legal needs of people of modest means, and assuring that prospective 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, develop a research project that reports on and analyzes the ethics, efficacy, and feasibility of new approaches to service delivery.

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 August 30, 2016 for students enrolled in reserved clinical seats.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Legal Profession - The New Market for Personal Legal Services: Ethical and Professional Challenges

Course #: 2169 **Term:** 2017SP **Faculty:** Charn, Jeanne **Credits:** 3.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:	Location
Wed 1:30 PM - 3:00 PM	WCCB010
Thu 1:30 PM - 3:00 PM	WCCB010

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: None
Exam: 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. In addition to a focus on the law and ethics of the profession, we will consider the implications of a rapidly changing profession for legal education, law practice management, the response of the organized bar to less lawyer-centric services, assuring assuring service quality, assessing the outcome and cost-effectiveness of different approaches to service delivery, understanding the legal needs of people of modest means, and assuring that prospective 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, develop a research project that reports on and analyzes the ethics, efficacy, and feasibility of new approaches to service delivery.

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 13, 2017 for students enrolled in reserved clinical seats.

Harvard Law School Course Catalog

2016-2017 Academic Year

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Legal Profession Seminar

Course #: 2170 **Term:** 2017SP **Faculty:** Wilkins, David; Fong, Bryon **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM HAU105

Course Description:

Prerequisites: None

Exam: No Exam

This seminar examines the changing nature of the legal profession. For the 2017 spring seminar, the seminar will focus on three main themes: legal careers, disruptive innovation in the market for legal services, and globalization of the profession, and will feature presentations by a number of leading scholars in these fields. Structured akin to a reading group, each session will revolve around an original piece of research on the legal profession relating to one of the themes. For the legal careers sessions, we will consider topics such as the increasing demographic diversity within the profession, the rise of non-legal careers paths, and issues of work/life integration. For the disruptive innovation sessions, we will consider how changes in regulatory structures, technology, and market forces are disrupting the traditional model of the delivery of professional services, both as it relates to the corporate sector as well as the consumer market. For the globalization sessions, we will consider how globalization is reshaping the market for legal services in important emerging economies and the potential for these changes to affect the nature and role of the legal profession in these countries and throughout the world. Students are required to write short response papers (around 2-pages) for each session, actively participate in the discussion, and to write a 10-page final paper on a topic relating to one of the seminar's themes.

Note: This seminar will not satisfy the Professional Responsibility requirement.

Harvard Law School Course Catalog

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Legal Profession: Collaborative Law

Course #: 2169 **Term:** 2016FA **Faculty:** Hoffman, David **Credits:** 3.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times:	Location
Thu 4:00 PM - 7:00 PM	WCC3019

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: This course is only available to JD 3Ls and LLM students.
Exam: Last Class Take-Home
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.

Harvard Law School Course Catalog

2016-2017 Academic Year

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Legal Profession: Government Ethics - Scandal and Reform

Course #: 2169 **Term:** 2017WI **Faculty:** Rizzi, Robert; Borden, Charles **Credits:** 3.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

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: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
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 is only available to JD 3Ls and LLM students.

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Legal Realism

Course #: 2944 **Term:** 2017SP **Faculty:** Farbman, Daniel **Credits:** 2.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM WCC3036

Course Description: Prerequisites: None
Exam Type: No Exam
Legal Realism looms large over American legal thought. It has been described both as the foundation for modern American law and used as a dismissive epithet for the idea that law is just politics. But what is Legal Realism and why does it matter? Although the ideas of the Realists structure much of the law school curriculum, the core texts of the movement are rarely studied. By reading those texts, this seminar will examine Legal Realism both as a historical movement and as a present influence on the legal academy, legal education, and legal practice.
The course will be divided into three sections. We will begin by tracing the roots and precursors of Legal Realism. Emerging out of the philosophical movement of Pragmatism, a set of legal thinkers pushed back against legal Formalism to create the foundations for what would come to be called Realism in the early twentieth century. The second part of the course will focus on the core great works of the Realists. Here we will both seek to define through lines for the movement while also trying to understand what has made Realism an epithet in some circles. The third part of the course will examine the present manifestations of Legal Realism in American legal thought and education. Here we will trace the paths of Pragmatist and Realist thought into the seemingly diverse realms of Critical Legal Studies, Law and Economics, and empirical legal studies.

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2016-2017 Academic Year

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Legal Research, Writing and Analysis I

Course #: 2541 **Term:** 2016FA **Faculty:** Taggart, Christopher **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

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 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: avoiding plagiarism, how to read a case, the hierarchy of legal authorities, holdings vs. dicta, analogizing and distinguishing cases, American Legal Realism, and traditional American issue-spotting exams. 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:** 2016FA **Faculty:** McManus, Amy **Credits:** 2.00

Type: Lrwa **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

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.

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Legal Research, Writing and Analysis II

Course #: 2541 Term: 2016FS Faculty: McManus, Amy Credits: 2.00

Type: Lrwa Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times: Location

Wed 7:15 PM - 9:15 PM LEW301

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.

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Legal Writing: Advanced

Course #: 2178 **Term:** 2016FA **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: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Prerequisites: Open to 2nd and 3rd year JD students. For LLM students, 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.

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Legal Writing: Advanced

Course #: 2178 **Term:** 2017SP **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	LEW301
Wed 3:20 PM - 4:20 PM	LEW301

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Prerequisites: Open to 2nd and 3rd year JD students. For LLM students, 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.

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Legislation and Regulation 1

Course #: 1003 **Term:** 2016FA **Faculty:** Davies, Susan **Credits:** 4.00

Type: 1course **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: 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.

Note: This course is open to JD 1Ls only.

Legislation and Regulation 2

Course #: 1003 **Term:** 2017SP **Faculty:** Renan, Daphna **Credits:** 4.00

Type: 1course **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: 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.

Note: This course is open to JD 1Ls only.

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Legislation and Regulation 3

Course #: 1003 **Term:** 2016FA **Faculty:** Mendelson, Nina **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Fri 9:50 AM - 11:50 AM	WCC1015
Thu 9:50 AM - 11:50 AM	WCC1015

Course Description:

Exam: 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 structure of the modern administrative state and the legal rules that help to structure the relationships among Congress, the agencies, and the courts, as well as exploring the justifications for modern regulation and the virtues and vices of administrative governance.

Legislation and Regulation 4

Course #: 1003 **Term:** 2017SP **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 exam.
This course is an introduction to lawmaking in the modern administrative state. It will examine how Congress and executive agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and agencies -- interpret and apply these rules. The course will consider theories and tools of statutory interpretation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the laws that structure the relationships among Congress, the agencies, and the courts.

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Legislation and Regulation 5

Course #: 1003 **Term:** 2016FA **Faculty:** Freeman, Jody **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 10:00 AM - 12:00 PM	WCC1015
Tue 10:00 AM - 12:00 PM	WCC1015

Course Description: Exam: One Day Take-Home

This course is an introduction to lawmaking in the modern administrative state. It will examine the legislative process by which Congress passes statutes; theories of statutory interpretation (including purposivism and textualism); tools and techniques of statutory construction (including semantic canons, substantive canons and the use of legislative history); the structural position of administrative agencies in the constitutional system; the process of agency rulemaking; and judicial review of agency action.

Note: This course is open to JD 1Ls only.

Legislation and Regulation 6

Course #: 1003 **Term:** 2016FA **Faculty:** Stephenson, Matthew **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Wed 8:20 AM - 9:40 AM	WCC1019
Thu 8:20 AM - 9:40 AM	WCC1019
Fri 8:20 AM - 9:40 AM	WCC1019

Course Description:

Exam Type: One-day take-home exam.
This course is an introduction to lawmaking in the modern administrative state. It will examine how Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the ways that implementing institutions – courts and administrative agencies – interpret and apply these rules. The course will consider 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. The text for the course is MANNING & STEPHENSON EDS., LEGISLATION AND REGULATION, 2D EDITION (Foundation Press 2013).

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Legislation and Regulation 7

Course #: 1003 Term: 2016FA Faculty: Rakoff, Todd Credits: 4.00

Type: 1course Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:	Location
Wed 8:20 AM - 9:40 AM	WCC1010
Thu 8:20 AM - 9:40 AM	WCC1010
Fri 8:20 AM - 9:40 AM	WCC1010

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.

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Legislative Lawyering in Education

Course #: 2774 **Term:** 2017SP **Faculty:** Gregory, Michael; Cole, Susan **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times:	Location
Thu 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: Education Law Clinic (3-5 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 13, 2017. 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. In this seminar, which is associated with the Education Law Clinics 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.

Harvard Law School Course Catalog

2016-2017 Academic Year
March 22, 2019 2:07 AM

LGBT Flashpoints - Litigation, Policy and Persuasion

Course #: 2494 Term: 2017SP Faculty: Bonauto, Mary Credits: 1.00

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

Delivery Mode: Reading Group

Days and Times: Location

Wed 5:00 PM - 7:00 PM LEW301

Course Description: Prerequisites: None.
Exam: No Exam.
This reading group addresses substantive and strategic issues affecting efforts to obtain and retain legal equality for LGBTQ people in the U.S. The materials will encompass efforts in courts, in legislative bodies (all levels) and public opinion as they are connected. Students will learn the trajectory of progress and opportunities and roadblocks going forward at the state and national levels. Topically, we will address: liberty issues, including autonomy around sexuality; non-discrimination paradigms; offensive and defensive First Amendment issues, including religious exemption/free exercise issues; issues around the standard of review for laws classifying based on sex, sexual orientation and gender identity; family formation, and issues facing youth in schools and in their families; and other current topics.

Note: This reading group will meet on the following dates: January 25, February 8, March 1, 8 and 29, and April 12.

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2016-2017 Academic Year

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Litigating in the Family Courts: Domestic Violence and Family Law Clinic

Course #: 8032

Term: 2017SP

Faculty: Odim, Nnena

Credits: 5.00

Type: Clinic

Subject Areas: Family, Gender & Children's 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 13, 2017. 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 4 or 5 clinical credits, however, students who can only enroll for 3 credits will be accommodated.

Please keep in mind that most court hearings and trials take place starting at 8:30 or 9am. Its 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.

Harvard Law School Course Catalog

2016-2017 Academic Year
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Litigating in the Family Courts: Domestic Violence and Family Law Clinic

Course #: 8032	Term: 2016FA	Faculty: Odim, Nnena	Credits: 5.00
Type: Clinic	Subject Areas: Family, Gender & Children's 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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: August 30, 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 4 or 5 clinical credits, however, students who can only enroll for 3 credits will be accommodated.

Please keep in mind that most court hearings and trials take place starting at 8:30 or 9am. It is 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

March 22, 2019 2:07 AM

Litigating in the Family Courts: Domestic Violence and Family Law Clinical Seminar

Course #: 2085 **Term:** 2017SP **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 WCC4057

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 (3-5 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 13, 2017. 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 clients 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 4 or 5 clinical credits, however, students who can only enroll for 3 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

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Litigating in the Family Courts: Domestic Violence and Family Law Clinical Seminar

Course #: 2085 **Term:** 2016FA **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 WCC5050

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 (3-5 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: August 30, 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 clients 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 4 or 5 clinical credits, however, students who can only enroll for 3 credits will be accommodated.

Please keep in mind that most court hearings and trials take place starting at 8:30 or 9am. It is 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.

Harvard Law School Course Catalog

2016-2017 Academic Year
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Litigation and Legislative Strategies for Latino Civil Rights Advocacy

Course #: 2903 Term: 2016FA Faculty: Ramirez, Nancy Credits: 1.00

Type: Elective Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Reading Group

Days and Times:	Location
Wed 1:00 PM - 3:00 PM	WCC5050
Thu 1:00 PM - 3:00 PM	WCC5050
Fri 1:00 PM - 3:00 PM	WCC5050

Course Description: Prerequisites: None

Exam: No Exam

This 2-week, 2-hour group seminar (three times per week) will explore how states such as California have addressed gaps in federal civil rights and immigration law by adopting their own laws through legislative proposals and voter-sponsored initiatives. Selected topics include voting rights and redistricting, undocumented students and public education, and unaccompanied minors. The class will also address some of the practical realities of being a civil rights attorney such as how to use the media for effective messaging and representing undocumented clients.

Note: This course will meet during the weeks of 10/24-11/4/16.
Drop Deadline:October 25th, 2016 by 11:59pm EST.

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Local Government Law

Course #: 2181 **Term:** 2017SP **Faculty:** Barron, David **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 3:00 PM - 5:00 PM	WCC3018

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.
Text: Frug, Ford and Barron, Local Government Law (6th ed. 2015).

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Making Legal History

Course #: 2666 **Term:** 2016FS **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: Credits: 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.
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 Teys 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 Holmes 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 Holmes 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.

Harvard Law School Course Catalog

2016-2017 Academic Year

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Making Rights Real: The Ghana Project

Course #: 2326 **Term:** 2016FS **Faculty:** White, Lucie **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 7:00 PM - 9:00 PM WCC4057

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 (2 winter 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 clinic are due by 5:00pm on August 15, 2016. Add/Drop Deadline: August 30, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 15, 2016. Multi-Semester: This is a fall-winter-spring course (1 fall credit + 1 winter credit + 1 spring credit). This course is an academic workshop that wraps around and is concurrent with an on-going field-based clinical project in which students work with Ghanaian partners on economic and social rights realization on the ground. The course -- both the theoretical and practical dimensions -- are situated at the intersection of economic and social rights, development, and, human rights advocacy. Consult the clinical description for a more elaborate account of the partnership, the projects evolution, and the specific health rights which the 2017 partnership is likely to target. The workshop, which awards 3 academic credits -- 1F/ 1W / 1S -- is designed to offer the theoretical frame for the 2016-17 theory/practice experience. Thus, the workshop will focus on Ghana in the context of its history, geography, religion and culture, socioeconomic profile, and development trajectory. It will also enable students to prepare for the interpersonal and cultural challenges of North/South lawyering partnerships. The fall and spring term workshop will include readings, group presentations, academic writing, and jointly produced background and follow-up documents anchored in the practical work . While in Ghana during the winter Term, the workshop will be centered on seminars, group discussions, consultations with public officials, and site visits that address the theoretical, doctrinal, policy, and sociocultural dimensions of their field-based engagements. There will also be time to visit Ghanas cultural sites and nature reserves. Admission to the academic and clinical components is determined together, by permission of the instructor. Students should apply by submitting 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, 2016. Accepted candidates will be enrolled in the clinic and clinical course by the Office of Clinical and Pro Bono Programs.

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2016-2017 Academic Year

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Making Rights Real: The Ghana Project Clinic

Course #: 8025

Term: 2017WI

Faculty: White, Lucie

Credits: 2.00

Type: Clinic

Subject Areas: 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. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Making Rights Real: The Ghana Project (1 fall classroom credit + 1 winter 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 Pre-/Co-Requisites: None. By Permission: Yes. Applications are due by August 15, 2016. Add/Drop Deadline: August 30, 2016. LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 15, 2016. Placement Site: Ghana. The Making Rights Real clinic will build on a partnership between Professor White, Harvard law students, and a network of Ghanaian Human Rights / Development organizations which began in 2002. Each year this team plans and implements the winters activities, which focus on a dimension of economic and social rights implementation on the ground. Thus the team might focus on the negative impact of mining or similar development issues that are exploitive to communities, on the ground. Within such a broad issue, the work will address a range of human rights, such as access to education, health care, securing a livelihood, and having a voice in policy formation. Specific clinical activities include the full range of conventional and community lawyering strategies, such as legal research and analysis; reviewing and drafting legislation and regulations; strategy mapping; human rights documentation; participatory action research; partner briefings; designing and facilitating grassroots education and empowerment workshops; conducting community meetings; and working with media. In January of 2017, the work will take place primarily in Ghanas high poverty Western Region, with some activities taking place in the Accra region. Admission to the academic and clinical components is determined together, by permission of the instructor. To apply, students should submit 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, 2016. Accepted candidates will be enrolled in the clinic and clinical course by the Office of Clinical and Pro Bono Programs.

Harvard Law School Course Catalog

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Management and Leadership Skills for Lawyers

Course #: 2547 **Term:** 2017SP **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: **Location**

Mon 7:00 PM - 9:00 PM WCC3034

Course Description: Prerequisites: None.

Exam: 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 -- experienced women and men who have held important management and leadership roles and who will share their own stories and experiences of managing and leading in different settings.

Note:The reading group will meet on the following dates: 1/23, 1/30, 2/6, 2/27, 3/6, 3/27.

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Mass Incarceration: Its Causes, its Impact, Its Elimination and Prevention

Course #: 2918 **Term:** 2016FA **Faculty:** Gertner, Nancy; Western, Bruce; Schiraldi, Vincent **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCC3016

Course Description: Prerequisites: None

Exam Type: No Exam

The course will be co-taught by Professor Bruce Western, Professor of Sociology, director of the Malcolm Wiener Center for Social Policy and Faculty Chair of the Program in Criminal Justice at the Kennedy School. The course will examine the causes of the growth in the US penal population and the historical roots of that growth from the mid 20th century to the present. It will examine the legal framework that enabled the policies- the war on drugs, the emphasis on retribution over rehabilitation, the structure of sentencing (mandatory minimums and mandatory guidelines). It will consider the bureaucratization and federalization of crime, together with profound changes correctional policy and politics. In addition, it will examine the economic inequality on which sentencing and correctional policies were superimposed and which they exacerbated, as well as their specific impact on communities of color. In addition to the sociological and legal background of the issue, we will highlight particular areas for special practical focus- drug policy and addiction, juvenile justice, the workings of the criminal justice system in high poverty communities.

Note: This course is jointly-listed with HKS as SUP-705 and FAS as SOC 246.

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2016-2017 Academic Year

March 22, 2019 2:07 AM

Mediation

Course #: 2183

Term: 2017SP

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 13, 2017 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 (Fall training: October 1, 2, 15 & 16; February training: dates TBD). For more information, contact Prill Ellis, Clinical Supervisor at prillellis@gmail.com, call the HMP office at 617-494-1854, or stop by HMP located in Pound Hall, Room 521.

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Mediation Clinic

Course #: 8026 **Term:** 2017SP **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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Add/Drop Deadline: January 13, 2017. 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 (October 1, 2, 15 & 16) or February (February 11, 12, 25 & 26). 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 and February. For more information about this clinic, including scheduling information, please visit the Harvard Mediation Program website.

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Medical Malpractice

Course #: 2867 **Term:** 2016FA **Faculty:** Stein, Alexander **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM WCC3012

Course Description: Prerequisites: For JD students, Torts is required. For LLM students, by permission of the instructor to waive the prerequisite.
Exam: No Exam
This seminar will focus on the liability of medical practitioners and institutions for patients' injuries. We will examine both doctrine and policy, including the connection between medical malpractice laws and access to healthcare. Students will be evaluated based on their performance in class and independently researched papers that they will submit.

Medieval English Law

Course #: 2882 **Term:** 2016FA **Faculty:** Kamali, Elizabeth Papp **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM WCC3009

Course Description: Prerequisites: None.
Exam Type: No exam.
This reading group offers a brief introduction to the historiography of the medieval English common law. Topics may include: the shift from ordeal to trial by jury, the design of English feudalism, cataclysmic versus evolutionary legal change, the rise of the legal profession, and the nature of local customary law.
Note: This reading group will meet on the following dates: 9/14, 9/28, 10/12, 10/26, 11/9, 11/30.
Drop Deadline: September 15, 2016 by 11:59 pm EST

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Mergers and Acquisitions

Course #: 2184 **Term:** 2016FA **Faculty:** Strine Jr., Leo **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC1019

Course Description: Location: WCC 1019 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. Even students concurrently enrolled in Corporations should consider carefully whether to enroll in this class. The class assumes a knowledge of the fundamentals of American corporate law and without that, a student will be at a profound disadvantage. LLM students who have the relevant background but are not concurrently enrolled in Corporations should seek permission to enroll by emailing Chief Justice Strines HLS assistant, Kathy Goldstein at kgoldstein@law.harvard.edu. Cross-registering Business School students (whom the teacher very much welcomes) need not have taken Corporations; cross-registrants from other parts of Harvard should seek permission to enroll by emailing his HLS assistant.

Exam type: In Class.

This course, taught by the Chief Justice of the Delaware Supreme Court and former Chancellor of the Delaware Court of Chancery, will focus on the law affecting corporate mergers and acquisitions including both third-party and going-private deals. Though state corporate law will be heavily emphasized, it will also address laws affecting cross border M&A and expose students to key recurring issues of comparative law relevant to M&A practice. The course will also deal substantially with merger agreements, considered as contracts, and the important contractual principles and issues that are relevant in almost every M&A transaction. The course will have a practical bent and will address the real-world problems faced by parties contemplating, attempting, or resisting acquisitions, as well as the policy dilemmas faced by courts called upon to assess such transactions. To further this goal, several key classes will involve the participation of leading practitioners.

Note: This course overlaps with Professor Coates Mergers and Acquisitions Processes and Structures offering; students may only enroll in one of these courses.

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Mergers and Acquisitions Processes and Structures

Course #: 2184

Term: 2017SP

Faculty: Coates, John

Credits: 3.00

Type: Elective

Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:

Location

Wed 1:15 PM - 3:15 PM

Thu 1:15 PM - 3:15 PM

Fri 1:15 PM - 3:15 PM

Course Description:

Prerequisite: Corporations. For LLM students with the relevant background but who have not taken Corporations at HLS, contact Prof. Coates's assistant, Anna Kim Reilly (anreilly@law.harvard.edu) for permission to waive the requisite.

Exam type: In-class.

A merger or large acquisition is often the most significant event in the life of a firm, and can have dramatic consequences for all of a firm's constituencies--from shareholders, directors, and managers to employees, customers, and communities. The process through which mergers and acquisitions are evaluated, structured, and implemented is bound up with the law in many respects. The course covers contract, corporate, and securities law issues relevant to mergers and acquisitions of large companies, both public and private, including the Williams Act, proxy rules, state case law, and important forms of private ordering (such as letters of intent, poison pills, lockups, earn-outs and side agreements). It also touches on basics of antitrust procedure relevant to such transactions. The approach is practical rather than theoretical. Students will work in assigned teams of 4 or 5, and grades will be based on team projects, including a jointly written final paper, as well as a 1-hour in-class exam completed individually.

Note: This course is jointly-listed with HBS and will meet on the HBS campus in Hawes Hall, room 202. It will meet on Thursdays, Fridays, and some Wednesdays.

This course overlaps with Justice Strines Mergers and Acquisitions offering; students may only enroll in one of these courses.

Note: Due to the HBS schedule, during the first week of classes this course will meet on Tuesday, January 24th and Thursday, January 26th. The course will resume regular scheduling the week of January 30th.

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Mergers and Acquisitions Workshop: Boardroom Strategies and Deal Tactics

Course #: 2185 Term: 2017WI 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	WCC1015
Tue 1:00 PM - 4:30 PM	WCC1015
Wed 1:00 PM - 4:30 PM	WCC1015
Thu 1:00 PM - 4:30 PM	WCC1015
Fri 1:00 PM - 4:30 PM	WCC1015

Course Description: Prerequisites: Corporations or permission to waive the requisite.
Exam Type: TBD.
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 com-petition; 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.

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Mind and Criminal Responsibility in the Anglo-American Tradition

Course #: 2831 **Term:** 2017SP **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: **Location**

Wed 3:00 PM - 5:00 PM WCC3013

Course Description: Prerequisites: None.
Exam type: No exam. Grades will be based upon short responses to each week's readings and class participation.
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. Our goal will be to understand the role of mind in defining the bounds of criminal responsibility at various points in time over the long duration of common-law history, relying upon secondary literature as well as close readings of primary source texts. Students will develop a comparative perspective on issues of mind that continue to perplex lawyers today, while also building a set of critical reading skills that are essential to the work of legal historians and practicing lawyers alike.

Modernization, Development and Revolution in Latin America: Legal Experiments

Course #: 2941 **Term:** 2017SP **Faculty:** Alviar, Helena **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM HAU101

Course Description: Prerequisites: None Exam: None The objective of this seminar will be to analyze major political, social and economic topics that have been discussed in the region and to relate them to relevant legal debates. It will also explore continuities and discontinuities in the description of the problems faced by the hemisphere and the legal solutions provided. The underlying thread of the course will be to debate how the issue of resource and power distribution has been confronted, masked or avoided. The background for some of the topics will be provided by literature and movies. Law and legal institutions will be discussed through the reading of laws and law review articles.

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Monetary Reform: A Seminar in Just Design

Course #: 2932 **Term:** 2017SP **Faculty:** Desan, Christine **Credits:** 2.00
Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Constitutional Law & Civil Rights; Regulatory Law

Delivery Mode: Seminar

Days and Times:	Location
Thu 5:00 PM - 7:00 PM	WCC3009

Course Description: Prerequisites: Previous courses in the monetary system or design are helpful but not required.
Exam Type: No Exam
A series of events in the last decade suggests that our monetary system requires profound reform: the financial crisis of 2008 exposed the structural instability of shadow banking, existing approaches to monetary policy and credit creation have contributed to increasing inequality or left it unremedied, and the challenge of creating monetary institutions that are accountable within democratic systems looms larger than ever as their roles expand. The effort at reform compels our attention as lawyers concerned about building institutions that operate fairly and effectively in modern democracies, supporting an engaged politics, and contributing to justice at the level of economic exchange.

The seminar will be organized to include introductory sessions on basic money design and vocabulary. We will then consider a set of recent reform proposals by scholars, political officials, or others from a variety of viewpoints. The seminar will host, whenever possible, those authors to present their own reform proposals. Representative examples include proposals to create postal banking, efforts to restructure, insure, or abolish money creation by shadow banks, narrow banking arguments, and micro-financing projects. In each case, we will spend one session educating ourselves about a reform area and another session considering a contemporary reform proposal. Seminar requirements include weekly issues sheets (1-2 ds pages) that comment on or raise questions about the readings. In addition, students will pick one reform proposal from those studied in the seminar. They will help lead discussion about that reform proposal and will write a review of that proposal (15-20 ds pages) for their final assignment.

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Music and Digital Media

Course #: 2189 **Term:** 2017SP **Faculty:** Bavitz, Christopher **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	HAU105

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.

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National Security Law

Course #: 2190 **Term:** 2016FA **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	WCC3036

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 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: 9/7, 9/28, 10/19, 11/2, 11/16, 11/30.

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National Security Law and Practice

Course #: 2671

Term: 2017SP

Faculty: Olsen, Matthew

Credits: 2.00

Type: Elective

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

Delivery Mode: Seminar

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC5052

Course Description: Prerequisites: Enrollment in this seminar is by permission of the instructor. A prior course related to national security law or a background in national security or law enforcement is encouraged. Please send a short statement of interest and resume, as well as your year and program information, to Matt Olsen at molsen@law.harvard.edu by October 31, 2016.

Exam Type: No exam.

This seminar will examine a series of current 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; foreign intelligence surveillance law and policy; counterterrorism operations and lethal targeting; the detention and interrogation of suspected terrorists; the investigation and prosecution of terrorism cases; national security secrecy and the press; 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.

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National Security Law Lab

Course #: 2908 **Term:** 2016FA **Faculty:** Goldsmith, Jack **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3034

Course Description: Prerequisites: There is no prerequisite for the course, but a course in or related to national security law is helpful. Enrollment is limited to 12 and is by permission of the instructor. Interested students should email Professor Goldsmith's assistant Jan Qashat (qashat@law.harvard.edu) with a resume, transcript, and brief statement of interest, which may include your background in the subject area and/or topics you may be interested in pursuing.

Exam: No exam.

Description: In this course students will generate writing on national security law and policy that will be published on Lawfare (www.lawfareblog.com). Class meetings will be highly interactive and collaborative. Part of each class session will be dedicated to developing research topics (and learning how to develop such topics), and part will be dedicated to discussing each others work. This course will meet for six two-hour sessions over the course of the term, and outside of those class sessions we will communicate with one another through other means.

Students will be required to write at least four substantive posts of approximately 750-1000 words each, for possible publication on Lawfare. The course will provide students interested in national security law and policy with the opportunity to research and write on important contemporary issues and to publish their work for a live and extensive audience. It might also lead to opportunities to write and publish on Lawfare after the course is over.

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National Security Law: Legal Frameworks and National Security Decision-making

Course #: 2191 Term: 2017SP Faculty: Zarate, Juan Credits: 1.00
Type: Elective Subject Areas: Criminal Law & Procedure; Government Structure & Function; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:	Location
Tue 7:00 PM - 9:00 PM	HAU102
Wed 7:00 PM - 9:00 PM	HAU102
Thu 7:00 PM - 9:00 PM	HAU102

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 over two weeks only on the following dates: 2/28, 3/1, 3/2, 3/7, 3/8, 3/9.

Drop Deadline: March 1, 2017 by 11:59pm EST

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Natural Law and Positive Law

Course #: 2192 **Term:** 2017SP **Faculty:** Sargentich, Lewis **Credits:** 1.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Reading Group

Days and Times:	Location
Thu 5:00 PM - 7:00 PM	HAU101

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: 1/26, 2/9, 2/23, 3/9, 3/23, 4/6.

Natural Resources Law

Course #: 2193 **Term:** 2017WI **Faculty:** Salzman, James **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCCB015
Tue 9:00 AM - 12:30 PM	WCCB015
Wed 9:00 AM - 12:30 PM	WCCB015
Thu 9:00 AM - 12:30 PM	WCCB015
Fri 9:00 AM - 12:30 PM	WCCB015

Course Description: Prerequisites: None,
Exam: In Class
This course is a survey course on Natural Resources Law. Topics covered include Wildlife and Biodiversity, Living Marine Resources, Rangelands, Protected Lands, Water, Forests, Ecosystem Services and Energy Resources. The course also addresses international regimes for management of natural resources and issues raised by regulation of natural resources on private lands (focusing on constitutional takings doctrine).

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Negotiation and Diplomacy

Course #: 2733 **Term:** 2017SP **Faculty:** Mnookin, Robert; Sebenius, James; Burns, R Nicholas **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Course Description: Prerequisite: A prior or concurrent negotiation course is a course prerequisite unless, based on his or her background, a student obtains written permission from one of the instructors.

Exam Type: One-day take-home with paper option.

This course will be co-taught by Professor Robert Mnookin (HLS), Professor James Sebenius (HBS), and Professor R. Nicholas Burns (HKS).

What can we learn from studying great negotiators and diplomats grappling with some of the worlds most challenging problems? This course explores how modern diplomacy and negotiation can effectively address seemingly "intractable" international conflicts and overcome barriers to agreement in civil wars, interstate conflicts, as well as in trade and finance. Drawing on in-depth cases, the course will develop diagnostic and prescriptive characteristics of effective negotiation and diplomacy as tools of political, military, economic and financial statecraft.

The course will pay close attention to the "how" of negotiation and diplomacy. How do officials conduct diplomacy at the highest levels? How can leaders most effectively use negotiation, diplomacy and economic and/or military pressure? How can these tools overcome daunting barriers to desired agreements? We will study examples where negotiation and diplomacy succeeded and where they failed. To advance these objectives, the course will draw on case studies about and videotaped interviews with some of recent historys greatest negotiators. In particular, as part of Harvard's American Secretaries of State Project, course faculty have held hours of videotaped discussions with living former Secretaries of State (Henry Kissinger, George Shultz, James Baker, Madeleine Albright, Colin Powell, and Condoleezza Rice) about their most challenging negotiations. Through discussion and debate, we will draw out key lessons from this experience.

We also expect to make a number of small events featuring high-level visitors (optionally) available to class members.

This course will help students develop and practice negotiation-related skills critical to success in public service as well as in the private sector: deep knowledge of the core issues of our time, analytical thinking, cogent discussion, and effective writing.

Active class participation with cold calling will be the norm. Course readings beyond the case studies will be eclectic and interdisciplinary. Students should attend all classes having done all readings and prepared to engage in discussion and debate. Beyond full class participation, course requirements include two short paper assignments (1,000 words maximum per paper), and a final exam. With the advance permission of an instructor, each student may choose submit a 4,000-6,000-word term paper on an approved topic in lieu of the final exam. Grading will be on the basis of the quality and frequency of class participation, the short paper assignments, and the final exam or paper. For Law, Business, and Kennedy School students, the final course grade will be the responsibility of the professor from that school and will be based on the standards of that school.

Note: This course is jointly listed with HBS as 2218 and HKS as IGA-109. It will be held at HBS in Aldrich 012. The class will be limited to 90 students with the initial expectation of equal numbers of students from

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the each of the Law, Kennedy, and Business Schools; a few students from other schools, including Harvard College, may be admitted. Cross-registrants should submit petitions only for the HBS offering of this course; petitions for the HLS and HKS offerings will not be addressed.

Negotiation and Mediation Clinical Seminar

Course #: 2194 **Term:** 2016FA **Faculty:** Kulp, Heather **Credits:** 1.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM LEW302

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 (2-5 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 clinics add/drop deadline will result in the student being dropped from the clinic and this required course. By Permission: No. Add/Drop Deadline: Please note that this clinic has an early drop deadline of August 5, 2015. 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 2016. Students will read and discuss works related to the various models for conducting conflict assessments, designing dispute systems, and working as a lawyer to be an effective deal-design architect. In addition, readings and discussions will focus on the practical and ethical quandaries and special challenges faced by professionals in conflict resolution, mediation, and dispute systems design. Some sessions will require students to present problems related to the clinical work in which they are currently engaged to the members of the class for discussion and brainstorming. The 1-credit class will be front-loaded with weekly meeting times for the first part of the semester and fewer or no class sessions in the second half of the semester in order to allow students to focus more intently on their clinical work.

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Negotiation Workshop

Course #: 2195 **Term:** 2017WS **Faculty:** Mnookin, Robert **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Special drop deadline: Friday, November 4, 2016. 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 noon on Friday, October 7, 2016. For more information please visit the course website: <http://hnmcp.law.harvard.edu/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 am sharp on Tuesday, January 3, 2017. 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. Please also note that the Workshop will have class on saturday, January 7, 2017. The Workshop will meet for its final class on Friday, January 20, 2017. 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

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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 Friday, November 4, 2016. The course may not be dropped after this date without the written permission of the instructor. Students who drop after this date will receive a WD on their transcript.

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Negotiation Workshop

Course #: 2195 **Term:** 2017SP **Faculty:** Bordone, Robert **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 3:10 PM - 7:20 PM	AUS100
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Thu 3:10 PM - 7:20 PM	AUS100
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Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.

Prerequisites: None.

Exam Type: No exam.

Note - Early Drop Deadline: The Workshop has an early drop deadline of December 2, 2016. The course may not be dropped after December 2, 2016 without the written permission of the instructor and students who drop after this date will receive a WD on their transcript.*Cross-Registrants: Please note that students interested in cross-registering must participate in the application process (see below for more information on how to apply). The deadline to apply is noon on Friday, October 7, 2016. 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 168 students who will be divided into seven 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 35 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. LL.M. and cross-registrant students may apply online for the workshop. The deadline to apply is noon on Friday, October 7, 2016. For more information please visit the course website: <http://hnmcp.law.harvard.edu/negotiation-workshop/>.

In addition to participating in the daily activities, students will be expected to keep a journal and write a short paper. The journal is submitted weekly. This course has no final examination.

During the first week of the Workshop, upperclass and LL.M. students will be given an opportunity to elect to take the Workshop on a credit/fail basis. For cross-registrants, the availability of the credit/fail option is dependent on the policies of their home school.

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Nietzsche For Lawyers

Course #: 2834 **Term:** 2017SP **Faculty:** Parker, Richard **Credits:** 2.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM HAU101

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.

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Overcriminalization and the Limits of Criminal Law

Course #: 2852 **Term:** 2017SP **Faculty:** Levin, Benjamin **Credits:** 1.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Government Structure & Function

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC4061

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.

Patent Law

Course #: 2754 **Term:** 2016FA **Faculty:** Sichelman, Ted **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:30 AM - 10:00 AM PND102

Tue 8:30 AM - 10:00 AM PND102

Course Description: Prerequisites: There are no prerequisites. The course is designed for students with or without a technical background.
Exam: Any Day Take-Home
Patent law generally concerns the provision and enforcement of rights for novel, non-obvious, and useful technological inventions. Over the last ten to fifteen years, patent law has played an increasingly important role, with the U.S. Supreme Court deciding numerous patent cases and Congress enacting the most significant changes to the patent laws since 1952 in the America Invents Act of 2011.

This course will cover (1) the legal requirements and process to obtain a U.S. patent (i.e., patent prosecution); (2) patent litigation; (3) methods of valuing, selling, and licensing patent rights; (4) public policy issues, particularly recent efforts to "reform" the patent laws; and (5) the history, theory, and economics of patent law.

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Patent Trial Advocacy

Course #: 2934 **Term:** 2017SP **Faculty:** Tompros, Louis **Credits:** 3.00
Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment;
Procedure & Practice

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 2:40 PM	WCC3007
Tue 1:00 PM - 2:40 PM	WCC3007

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Prerequisites: For JD students there are no formal prerequisites, although a basic understanding of the rules of evidence and the Federal Rules of Civil Procedure is assumed throughout the course. For LLM students, permission of the instructor is required. No technical background or prior experience with patent law is required.

Exam Type: No Exam

This three-credit simulation course will allow students to act as trial counsel in a federal civil action, from the initiation of litigation through trial and judgment, in the unique context of a patent case. Patent trials present particular challenges for lawyers. Effective patent litigators must be strong courtroom advocates, but must also be able to teach technical concepts effectively to both judges and juries, all the while navigating the doctrinally complex and policy-driven world of patent law.

Students will prepare briefs, argue motions, take depositions, develop and deliver presentations, and present and cross-examine witnesses. The course will follow a patent-focused hypothetical case through a motion to dismiss, a claim construction hearing, depositions, and trial. The first two thirds of the course will cover the pretrial and trial preparation period, and the last third will be a student-litigated simulated patent trial.

The course will focus on a patent case as an example of a challenging civil trial, and students will get some grounding in patent doctrine as part of the simulation. The focus of the course will, however, be on teaching the broader litigation skills necessary to present technically and legally complex cases to judges and juries.

The instructor for this simulation course is Louis Tompros, a partner at WilmerHale, who has thirteen years of experience litigating patent infringement cases in federal courts throughout the United States.

Note: This course overlaps with Mr. Porcellis Patent Litigation Workshop offering; students may only enroll in one of these courses for credit.

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Patents

Course #: 2754 **Term:** 2017SP **Faculty:** Meurer, Michael **Credits:** 3.00
Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Legal & Political Theory

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:50 PM	WCC1019
Tue 3:20 PM - 4:50 PM	WCC1019

Course Description: Prerequisites: None
Exam: In Class
The basic questions in patent law are: why should society grant an exclusionary right in information relating to an invention? Who should be given the right? What is the scope of the right? How should the right be enforced? What disclosure duties should be imposed on a patent applicant? We will concentrate on these legal issues without getting mired in discussions of the technical details of particular inventions. Students without a technical background are welcome and encouraged to enroll.

Philosophy of Contract Law

Course #: 2278 **Term:** 2016FA **Faculty:** Stone, Rebecca **Credits:** 1.00
Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Legal & Political Theory

Delivery Mode: Reading Group

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

Course Description: Prerequisites: None
Exam: No Exam
In this reading group we will address theoretical questions about contract law by discussing recent contributions to the contract theory literature. Topics will include the relationship of contracts to promises, corrective justice theories of contract, economic theories of contract, and the extent to which considerations of fairness should be part of our contract law.
Note: The reading group will meet on the following dates: 9/7, 9/21, 10/5, 10/19, 11/2, 11/16

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Policing in America

Course #: 2870 Term: 2017SP Faculty: Gordon-Reed, Annette Credits: 1.00

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

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 consider the origins and contours of an entity that we take for granted: the modern police force. What are the strengths and weaknesses of law enforcement as it is done throughout the United States ? What, if anything, can we learn from the experiences of other countries? Writings about class, race, federalism, and the Fourth Amendment to the U. S. Constitution will comprise the readings for the group.
Note: This reading group will meet on the following dates: 1/24, 2/7, 2/21, 3/7, 3/28, 4/11.

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Policing the Police

Course #: 2925 **Term:** 2017SP **Faculty:** Schwartz, Joanna **Credits:** 2.00

Type: Elective **Subject Areas:** Criminal Law & Procedure; Government Structure & Function

Delivery Mode: Seminar

Days and Times:	Location
Mon 5:00 PM - 8:00 PM	WCC3011
Tue 5:00 PM - 8:00 PM	WCC3011
Wed 5:00 PM - 8:00 PM	WCC3011
Thu 5:00 PM - 8:00 PM	WCC3011

Course Description: Prerequisites: None

Exam Type: No Exam

Several high-profile police killings have focused national attention on longstanding concerns about police bias, police violence, and the lack of police accountability. There appears to be a growing consensus that police need to change and that most are not going to change themselves. The questions, then, are what reforms are needed and who can help advance them. This seminar focuses primarily on the second question-which actors can most effectively pursue police reforms. We will explore the work of multiple entities that endeavor to oversee, regulate and/or influence the police including the Department of Justice, legislatures, civilian overseers, criminal prosecutors, civil plaintiffs, criminal defendants, advocacy groups, and liability insurers. We will consider each reformer’s work, their structural strengths and limitations, and ways in which reformers collaborate. The final grade for the seminar will be based on class participation, daily reflections submitted about the readings, and a final paper (due during the exam period).

Note: Class sessions will take place over two weeks only, beginning March 20th and ending March 30th.

Drop Deadline: March 21, 2017 by 11:59pm EST

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Political Dialogue in Polarizing Times: Election 2016

Course #: 2938 **Term:** 2016FA **Faculty:** Bordone, Robert; Viscomi, Rachel **Credits:** 1.00

Type: Elective **Subject Areas:** Government Structure & Function; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM LEW202

Course Description: Prerequisites: This reading group is by permission only. The deadline for applications is Friday, August 19 at noon. Students will be informed about the status of their application by the end of business on Wednesday, August 24, 2016. Please follow this link to submit an application.

Exam Type: No Exam

"With an open heart, we can learn to stand in each others shoes, and see through each others eyes... we can embark on the hard work of negotiation, and reconciliation... we can worry less about which side has been wronged, and worry more about joining sides to do right." - President Barack Obama, July 12, 2016, Dallas, Texas

Despite the encouragement from U.S. President Barack Obama above, commentators, scholars, and casual observers alike have been calling the 2016 Presidential election one of the most polarizing and divisive in recent memory. Genuine dialogue between those with differing and competing views on contentious political issues is in decline in both public and private spaces. In place of civil dialogue, conflicts seem to escalate through use of social media on Twitter, Facebook, and anonymous blogging that is often demonizing and dehumanizing. This reading group will provide participants with an opportunity to explore the possibilities, benefits, and limits of sustained, civil dialogue on the most contentious political issues of the day. We will also explore some of the reasons for the decline of civil conversation in contemporary American life.

Meetings of the Reading Group will be devoted to reading and discussion on the purposes, shape, form, methods, limits, and critiques of political dialogue. In addition, there will be four optional sessions devoted to providing participants a chance to engage in challenging, political dialogue on issues related to the 2016 Presidential election. These issues may include U.S. immigration policy, race & criminal justice reform, gun control, the Supreme Court, and U.S. counterterrorism policy at home and abroad. The elective sessions on political dialogue will be facilitated by students enrolled in The Lawyer as Facilitator Workshop. Though there are no pre-requisites required for this Reading Group beside a willingness to engage openly and bravely with classmates on political issues that may touch on identity, emotions, perceptions, privilege, and perception, attendance at all sessions will be required.

Note: This reading group will meet on the following dates: September 22, October 6, October 13, October 27, November 10, November 17.

Drop Deadline: September 23, 2016 by 11:59pm EST

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Political Economy After the Crisis

Course #: 2390 **Term:** 2017SP **Faculty:** Unger, Roberto Mangabeira; Rodrik, Dani **Credits:** 2.00
Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; International, Comparative & Foreign Law; Legal & Political Theory

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	HAU104

Course Description: Prerequisites: None
Exam: Takehome, not administered by HLS
The world’s economic and political order reels under mounting challenges: the global financial crisis, the austerity debacle, a slowdown in economic growth and productivity, the aggravation of inequality and the inadequacy of conventional responses to it, the discrediting of the Washington Consensus, the globalization backlash, the re-emergence of nationalist politics in Europe and the United States, and a contest over the meaning, value, and requirements of democracy. We examine connections among these phenomena and explore alternative ways of thinking about contemporary market economies and their reconstruction. We organize the course around four related themes: the worldwide financial and economic crisis and its management; the effort to promote socially inclusive economic growth in richer as well as in poorer countries; the nature, fate, and dissemination of the new knowledge-intensive style of production; and the past, present, and future of globalization.
Students should have some previous acquaintance with economics but no advanced economic training is required. The course is open to undergraduate and graduate students outside as well as within economics. Readings will be drawn from the classic and contemporary literatures of economics, political science, philosophy, and social theory.
Extended take-home examination/Writing assignments. Jointly offered by FAS, the Kennedy School, and the Law School.

Note: This course is jointly-listed with FAS as Societies of the World 31 and HKS as PED-233.

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Politics, Social Life and Law in Jeffersonian America

Course #: 2308 **Term:** 2016FA **Faculty:** Gordon-Reed, Annette **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3012

Course Description: Prerequisites: None
Exam: No Exam
This course will trace the development of American Society from the end of the Colonial period in North America to the Age of Jackson. We will discuss the revolutionary crisis, the formation of state constitutions and the Federal Constitution, the development of American law, slavery, the status of women, the political battles of the 1790s, the "Revolution of 1800, and westward expansion.

Note: This course is jointly listed with FAS as History 2405.

Poverty Law

Course #: 2201 **Term:** 2016FA **Faculty:** White, Lucie **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM HAU104

Tue 1:30 PM - 3:00 PM HAU104

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 laws intersections, both historical and contemporary, with the socioeconomic status and lived experience of Americas most resource-limited groups.
We will begin with an overview of federal programs that provide a "safety net" for all citizens. We will then turn to the groups enumerated above, and consider where they have stood with respect to the distribution of the nations wealth, its "universal" safety net, and the particular laws and policies that have been directed at them. The course will be taught as a workshop with the objective of giving students a solid grounding in both the content and differential impact of US "poverty law." In addition to readings, short reponse papers, and oral exercises, the course will require each student to do a longer paper or group presentation on a course theme.

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Poverty, Human Rights, and Development

Course #: 2202 **Term:** 2017SP **Faculty:** White, Lucie **Credits:** 3.00
Type: Elective **Subject Areas:** Family, Gender & Children's Law; Human Rights; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:	Location
Tue 1:30 PM - 3:00 PM	WCC3011
Mon 1:30 PM - 3:00 PM	WCC3011

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: January 31, 2017

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Powering the U.S. Electric Grid

Course #: 2931 **Term:** 2016FA **Faculty:** Peskoe, Ari **Credits:** 1.00
Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Environmental Law; Government Structure & Function

Delivery Mode: Reading Group

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

Course Description: Prerequisites: None
Exam: No Exam
In this reading group, we will explore historic and ongoing legal and policy debates over the fuels that power the U.S. electric grid. We will begin with proposals by the federal government to construct mega-dams in the first half of the twentieth century and continue to current controversies about rooftop solar. The fuels that generate electricity have implications for economic growth and environmental quality (including climate change), and they have unfolded in a complex political environment. To provide context, we will read about the utility industry’s business model, the electric grid’s operations, and the tradeoffs among different energy sources, including fossil fuels like coal and emission-free energy sources like nuclear and wind. Through these debates, we’ll watch an industry evolve and speculate on where it may be headed.
Note: This reading group will meet on the following dates: 9/22, 9/29, 10/13, 10/20, 10/27, 11/10.
Drop Deadline: September 23, 2016 by 11:59 pm EST

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Predatory Lending and Consumer Protection Clinic

Course #: 8035 **Term:** 2016FA **Faculty:** Bertling, Roger; Merrill, Toby **Credits:** 5.00

Type: Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Add/Drop Deadline: August 30, 2016.LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Predatory Lending/Consumer Protection Clinic focuses its advocacy efforts on combating abuses of consumers by the financial services industry and sellers of consumer goods, and fighting back against the negative consequences that can result from those abuses. The Clinic's practice consists of a robust general consumer protection and bankruptcy practice focused on debt collection, bankruptcy, car financing, utility and credit card debt, bankruptcy, and mortgage servicing, and a project attacking predatory lending by for-profit colleges.

Our practice is primarily litigation and involves consumer, bankruptcy, administrative, and tort law.

The Clinic:

commences litigation in federal and state court against predatory mortgage lenders and other high cost lenders, abusive debt collectors, car dealers and others who prey upon our clients.

represents borrowers who have been harmed by predatory practices of for-profit colleges through its Project on Predatory Student Lending.

defends against unlawful debt collection practices in state court.

represent consumers seeking a fresh start through petitions for bankruptcy.

We enforce the rights of our clients using the Massachusetts Consumer Protection Act, federal and state debt collection laws, the Fair Credit Reporting Act, the Telephone Consumer Protection Act, the Electronic Funds Transfer Act, the Higher Education Act, the Administrative Procedures Act, the Equal Credit Opportunity Act, and federal and state credit repair organization laws.

Students in the Clinic gain extensive experience interviewing clients, analyzing financial documents, drafting complaints, drafting and responding to discovery requests, and engaging in long-term case strategizing. Students who participate in the Project on Predatory Student Lending will also gain experience in the administrative processes related to federal student loans. Students may also have the opportunity to conduct and defend depositions, negotiate with opposing counsel, argue motions, engage in bankruptcy and transactional work, and, on occasion, to work on legislative initiatives and impact litigation.

Students will work either in the general consumer practice or the Project on Predatory Student Lending, and may express a preference between the two practice areas. We will assign students to their preferred practice area subject to clinic needs.

For more information on the Predatory Lending / Consumer Protection Clinic, please contact Roger

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Bertling, (617) 390-2572. For more information on the Project on Predatory Student Lending, contact Toby Merrill, (617) 390-2576.

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Predatory Lending and Consumer Protection Clinic

Course #: 8035 **Term:** 2017SP **Faculty:** Bertling, Roger; Merrill, Toby **Credits:** 5.00

Type: Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; 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. Enrollment in this clinic will fulfill the HLS JD pro bono 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. Add/Drop Deadline: January 13, 2017. LLM Students: LLM students may apply to this clinic by submitting an application.Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Predatory Lending/Consumer Protection Clinic focuses its advocacy efforts on combating abuses of consumers by the financial services industry and sellers of consumer goods, and fighting back against the negative consequences that can result from those abuses. The Clinic's practice consists of a robust general consumer protection and bankruptcy practice focused on debt collection, bankruptcy, car financing, utility and credit card debt, bankruptcy, and mortgage servicing, and a project attacking predatory lending by for-profit colleges.

Our practice is primarily litigation and involves consumer, bankruptcy, administrative, and tort law.

The Clinic:

commences litigation in federal and state court against predatory mortgage lenders and other high cost lenders, abusive debt collectors, car dealers and others who prey upon our clients.

represents borrowers who have been harmed by predatory practices of for-profit colleges through its Project on Predatory Student Lending.

defends against unlawful debt collection practices in state court.

represent consumers seeking a fresh start through petitions for bankruptcy.

We enforce the rights of our clients using the Massachusetts Consumer Protection Act, federal and state debt collection laws, the Fair Credit Reporting Act, the Telephone Consumer Protection Act, the Electronic Funds Transfer Act, the Higher Education Act, the Administrative Procedures Act, the Equal Credit Opportunity Act, and federal and state credit repair organization laws.

Students in the Clinic gain extensive experience interviewing clients, analyzing financial documents, drafting complaints, drafting and responding to discovery requests, and engaging in long-term case strategizing. Students who participate in the Project on Predatory Student Lending will also gain experience in the administrative processes related to federal student loans. Students may also have the opportunity to conduct and defend depositions, negotiate with opposing counsel, argue motions, engage in bankruptcy and transactional work, and, on occasion, to work on legislative initiatives and impact litigation.

Students will work either in the general consumer practice or the Project on Predatory Student Lending, and may express a preference between the two practice areas. We will assign students to their preferred practice area subject to clinic needs.

For more information on the Predatory Lending / Consumer Protection Clinic, please contact Roger

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Bertling, (617) 390-2572. For more information on the Project on Predatory Student Lending, contact Toby Merrill, (617) 390-2576.

Predatory Lending and Consumer Protection Clinical Seminar

Course #: 2204 **Term:** 2016FA **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 LEW301

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 (3-5 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: August 30, 2016. LLM Students: LLM students may apply to the clinic by submitting an application. 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.

This workshop is the required classroom component that complements the work of combating abuses of consumers by the financial services industry and fighting back against the negative consequences that can result from those abuses. Specifically, our clinical work focuses on consumer debt collection, for-profit colleges, car financing, utility and credit card debt, bankruptcy, and mortgage servicing.

The seminar introduces students to the substantive law germane to the clinics areas of practice, trains students in the skills needed to litigate effectively, such as depositions, motion drafting and oral argument, and provides the opportunity for students to think strategically about their cases and to consider larger policy frameworks.

Students are graded based upon their participation in class, their completion of written work assigned for class, and performance of in-class exercises.

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.

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Predatory Lending and Consumer Protection Clinical Seminar

Course #: 2204 **Term:** 2017SP **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 LEW302

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 (3-5 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: August 30, 2016. LLM Students: LLM students may apply to the clinic by submitting an application. 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.

This workshop is the required classroom component that complements the work of combating abuses of consumers by the financial services industry and fighting back against the negative consequences that can result from those abuses. Specifically, our clinical work focuses on consumer debt collection, for-profit colleges, car financing, utility and credit card debt, bankruptcy, and mortgage servicing.

The seminar introduces students to the substantive law germane to the clinics areas of practice, trains students in the skills needed to litigate effectively, such as depositions, motion drafting and oral argument, and provides the opportunity for students to think strategically about their cases and to consider larger policy frameworks.

Students are graded based upon their participation in class, their completion of written work assigned for class, and performance of in-class exercises.

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.

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Presidential Power in an Era of Conflict

Course #: 2949 **Term:** 2017SP **Faculty:** Eggleston, Warren Neil **Credits:** 2.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory

Delivery Mode: Seminar

Days and Times:	Location
Thu 5:00 PM - 7:00 PM	WCC3038

Course Description: Prerequisites: None
Exam Type: No Exam
This course will explore the modern exercise of presidential power in foreign affairs, military and covert actions, domestic affairs, and executive actions. We will consider the Necessary and Proper Clause and the Take Care Clause; the Presidents war powers, treaties and other diplomacy; the appointment and confirmation of judges and other officials; and the power to grant pardons and commutations. Throughout, the course will examine the ways in which executive branch conflicts with the other two branches of government are addressed and resolved, and we will also examine recent efforts by the states to use judicial processes to register objections to executive branch policy actions. While focusing on contemporary issues and recent disputes, the course will draw on historical precedent to give students a grounded and contextual understanding of presidential power.

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Preventing Mass Atrocities: The Security Council and the International Criminal Court

Course #: 2945 **Term:** 2017WI **Faculty:** Sikkink, Kathryn; Ocampo, Luis Gabriel Moreno **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Fri 10:00 AM - 1:00 PM

Mon 10:00 AM - 1:00 PM

Tue 10:00 AM - 1:00 PM

Wed 10:00 AM - 1:00 PM

Thu 10:00 AM - 1:00 PM

Course Description: Prerequisite: None
Exam Type: No Exam
The establishment of the permanent International Criminal Court (ICC) by the Rome Statute was an unprecedented development in international politics and in international law. This course will explore the origins, functioning and effectiveness of the ICC, with particular emphasis on its interactions with the UN Security Council. In only 13 years, the system established by the Rome Statute was set in motion. States parties have been financing the operations of the Court, cooperating with investigations, protecting witnesses and executing arrest warrants. Overall, the Court opened investigations in ten different situations, indicted 39 people including three heads of state and concluded its first trials. In addition, without changing the UN Charter, the Rome Statute system has contributed to development of international law by the UN Security Council. The Court’s intervention was imposed in Darfur and Libya but there was no agreement to do the same in relation to Palestine or Syria. This course will first provide a brief introduction into international law on the use of force, international criminal law and to the politics of the United Nations Security Council. It will explore the emergence of doctrine of Responsibility to Protect (R2P) and its impact on the emerging Security Council action in these cases. The course will use a series of cases simulate discussions involving the students on international political and legal developments. It will explore unresolved crisis like Libya, Syria, Ukraine and Palestine.
Note: This course is jointly-listed with HKS as IGA 367M. It will be held at HKS in L130 during their January term, beginning on January 3rd and ending January 13th.

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Private Law Workshop

Course #: 2206 Term: 2016FA Faculty: Goldberg, John; Smith, Henry Credits: 2.00

Type: Elective Subject Areas: Business Organization, Commercial Law, and Finance; Legal & Political Theory

Delivery Mode: Seminar

Days and Times:	Location
Wed 3:00 PM - 5:00 PM	HAU105

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). Recommended deadline for consideration is Friday, July 29th, however, applications will be considered on a rolling basis.
Exam Type: No exam.
This workshop will explore the foundations of private law -- property, contracts, torts, and restitution. Emphasis will be on theories that offer explanations, justifications, and criticisms of architectural features of these areas of law and of their connections to one another. Sessions will be devoted to paper presentations by outside speakers and to discussions of classic and contemporary works reflecting philosophical, historical, and economic approaches to private law topics.
Paper required.

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Problem Solving Workshop A

Course #: 1007 **Term:** 2017WI **Faculty:** Crawford, Susan **Credits:** 2.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCC1023
Tue 9:00 AM - 12:30 PM	WCC1023
Wed 9:00 AM - 12:30 PM	WCC1023
Thu 9:00 AM - 12:30 PM	WCC1023
Fri 9:00 AM - 12:30 PM	WCC1023

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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 exercise on the evening of January 19th presenting to practitioners. The final class will be held on January 20th.

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Problem Solving Workshop B

Course #: 1007 **Term:** 2017WI **Faculty:** Lee, William; Fletcher, Lauren **Credits:** 2.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCC2004
Tue 9:00 AM - 12:30 PM	WCC2004
Wed 9:00 AM - 12:30 PM	WCC2004
Thu 9:00 AM - 12:30 PM	WCC2004
Fri 9:00 AM - 12:30 PM	WCC2004

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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 exercise on the evening of January 19th presenting to practitioners. The final class will be held on January 20th.

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Problem Solving Workshop C

Course #: 1007 **Term:** 2017WI **Faculty:** Wilkins, David; Walczewski, Erin **Credits:** 2.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCC1019
Tue 9:00 AM - 12:30 PM	WCC1019
Wed 9:00 AM - 12:30 PM	WCC1019
Thu 9:00 AM - 12:30 PM	WCC1019
Fri 9:00 AM - 12:30 PM	WCC1019

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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 exercise on the evening of January 19th presenting to practitioners. The final class will be held on January 20th.

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Problem Solving Workshop D

Course #: 1007 **Term:** 2017WI **Faculty:** Westfahl, Scott; Boak, Meredith **Credits:** 2.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCC1015
Tue 9:00 AM - 12:30 PM	WCC1015
Wed 9:00 AM - 12:30 PM	WCC1015
Thu 9:00 AM - 12:30 PM	WCC1015
Fri 9:00 AM - 12:30 PM	WCC1015

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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 exercise on the evening of January 19th presenting to practitioners. The final class will be held on January 20th.

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Problem Solving Workshop E

Course #: 1007 **Term:** 2017WI **Faculty:** Rakoff, Todd; Wacks, Jamie **Credits:** 2.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCC2009
Tue 9:00 AM - 12:30 PM	WCC2009
Wed 9:00 AM - 12:30 PM	WCC2009
Thu 9:00 AM - 12:30 PM	WCC2009
Fri 9:00 AM - 12:30 PM	WCC2009

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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 exercise on the evening of January 19th presenting to practitioners. The final class will be held on January 20th.

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Problem Solving Workshop F

Course #: 1007 **Term:** 2017WI **Faculty:** Berkman, Ellen; Gershengorn, Ara **Credits:** 2.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCC2012
Tue 9:00 AM - 12:30 PM	WCC2012
Wed 9:00 AM - 12:30 PM	WCC2012
Thu 9:00 AM - 12:30 PM	WCC2012
Fri 9:00 AM - 12:30 PM	WCC2012

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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 exercise on the evening of January 19th presenting to practitioners. The final class will be held on January 20th.

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Problem Solving Workshop G

Course #: 1007 **Term:** 2017WI **Faculty:** Shay, Stephen; Caffrey, Andrew **Credits:** 2.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCC1010
Tue 9:00 AM - 12:30 PM	WCC1010
Wed 9:00 AM - 12:30 PM	WCC1010
Thu 9:00 AM - 12:30 PM	WCC1010
Fri 9:00 AM - 12:30 PM	WCC1010

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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 exercise on the evening of January 19th presenting to practitioners. The final class will be held on January 20th.

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Programming for Lawyers

Course #: 2951 **Term:** 2017SP **Faculty:** Cushman, John **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Tue 5:00 PM - 7:00 PM	WCC3019

Course Description: Prerequisite: None

Exam: No Exam

Modern legal practice requires deep understanding of technology. Advocates must understand what it means at a technical level to "speak" online, to "sign" a digital contract, to "search" a computer, or to "delete" evidence. And law firms must understand what tasks can be most efficiently done by custom software and what are best left to human beings.

This course teaches students to be effective computer programmers, and therefore to deconstruct and understand the technologies they might encounter throughout their careers. During the first half of the semester we will cover basic computer programming skills using the programming language Python. Then we will apply those skills to real-life legal scenarios drawn from the instructors own experience, such as caselaw and docket searching, data analysis of government websites, and statutory interpretation based on complex damage calculations.

This course is intended solely for students without any computer programming experience.

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Progressive Alternatives: Institutional Reconstruction Today

Course #: 2391 **Term:** 2017SP **Faculty:** Unger, Roberto Mangabeira **Credits:** 2.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Course

Days and Times: **Location**

Tue 1:00 PM - 3:00 PM HAU104

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.

Property 1

Course #: 1004 **Term:** 2016FA **Faculty:** Stilt, Kristen **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM WCC1019

Fri 1:00 PM - 3:00 PM WCC1019

Course Description: Exam Type: One-day take-home exam.
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.

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Property 2

Course #: 1004 **Term:** 2017SP **Faculty:** Donahue, Charles **Credits:** 4.00

Type: 1course **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 exam.
Basic introduction to property and the role of law in the construction of social relations and markets; an introduction to transfers of property both between living persons and across generations; and initial development of skills in institutional design and critical examination of the effects of different legal arrangements on the social and economic relations they regulate.

Property 3

Course #: 1004 **Term:** 2016FA **Faculty:** Mann, Bruce **Credits:** 4.00

Type: 1course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:40 PM	WCC1019
Tue 3:20 PM - 4:40 PM	WCC1019
Wed 3:20 PM - 4:40 PM	WCC1019

Course Description: Exam Type: One-day take-home exam.
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.

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Property 4

Course #: 1004 **Term:** 2016FA **Faculty:** Carpenter, Kristen **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	WCC1010
Tue 1:00 PM - 3:00 PM	WCC1010

Course Description:

Exam: 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 5

Course #: 1004 **Term:** 2016FA **Faculty:** Smith, Henry **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 exam.

This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

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Property 6

Course #: 1004 **Term:** 2017SP **Faculty:** Glendon, Mary Ann **Credits:** 4.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	WCC2004
Tue 1:00 PM - 3:00 PM	WCC2004

Course Description: Exam Type: One-day take-home exam.
This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

Property 7

Course #: 1004 **Term:** 2017SP **Faculty:** Singer, Joseph **Credits:** 4.00
Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 3:00 PM	WCC1015
Tue 1:00 PM - 3:00 PM	WCC1015

Course Description: Exam Type: One-day take-home exam.
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.

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Property and Democracy

Course #: 2909 **Term:** 2017SP **Faculty:** Singer, Joseph **Credits:** 1.00
Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory

Delivery Mode: Reading Group

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

Course Description: Prerequisites: None.
Exam Type: No exam.
What is the role of property in a free and democratic society? The school of thought known as Progressive Property seeks to understand property law as a means to promote social relationships consistent with the fundamental values of freedom, equality, and human dignity in the context of democratic government of the people, by the people, and for the people. Property law often serves the interests of the powerful, but it also often protects the rights of those who are vulnerable and disempowered. What resources does property law provide for promoting equal opportunity and social justice? What forms of property are appropriate if our goal is to treat each person with equal concern and respect?

This reading group will consider a number of topics. Examples of potential topics include property and the state action doctrine, racial discrimination in retail stores and in the housing market, claims for religious exemptions from state laws prohibiting sexual orientation discrimination in public accommodations, efforts to abolish homelessness and promote housing that is both decent and affordable for low-income persons.

Note: This reading group will meet on the following dates: Jan. 25, Feb. 8, Feb. 22, Mar. 8, Mar. 29, Apr. 12. Meetings on 1/25 and 4/12 will take place in WCC 3011.

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Psychology, Markets, and Law

Course #: 2902 Term: 2016FA Faculty: Hollander-Blumoff, Rebecca Credits: 1.00
Type: Elective Subject Areas: Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law

Delivery Mode: Reading Group

Days and Times:	Location
Wed 5:00 PM - 7:00 PM	LEW102

Course Description: Prerequisites: None.
Exam Type: No exam.
Legal systems carry implicit assumptions about markets and market behavior. In this class, we explore those implicit assumptions in light of psychology research that relates to market behavior. We will consider, among other things, the role of negotiation behavior, procedural justice, and social value orientation in guiding both market behavior and market regulation.
Note: This reading group will meet on the following dates: 9/14, 9/28, 10/5, 10/19, 11/2, 11/16

Drop Deadline: September 15th, 2016 by 11:59pm EST

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Public Education Policy and Consulting Clinic

Course #: 8046

Term: 2016FA

Faculty: Liebman, James

Credits: 8.00

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. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. This clinic is offered in Fall 2016 and Spring 2017. Students should indicate which semester they are applying for in their application. Applications are due by 5pm on April 8, 2016 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 by 5pm on April 8, 2016. Interviews will be held between April 8 and April 19. Add/Drop Deadline: Students will be notified of acceptances on April 25, 2016 and will be asked to make a firm commitment to the Clinic by May 9, 2016. LLM Students: LLM students are not eligible to enroll. Placement Site: 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, Michigan, NYU, Penn, Stanford, Vanderbilt, Yale and other universities 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.

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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 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 13 or 14 credits total (5 classroom credits + 8 clinical credits + option to register for 1 writing credit, in addition to the culminating paper, sponsored by an HLS faculty member);

Approximately 37 hours/week on average of course, preparation, and project work, including: approximately 50 seminar hours and 27 hours in classroom-based skills training for 5 classroom credits over the course of the 14-week semester;

average of 27.5+ clinical hours/week working on consulting teams for K-12 organizations under the guidance of experienced engagement managers for 8 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. 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 cpri@law.columbia.edu by 5pm on April 8, 2016. CPRL will notify students who have been invited for a video interview with Professor Liebman and the CPRL team. Notification of decisions will be sent via email by April 25, 2016. CPRL offers a limited number of highly competitive Scholars Awards of up to \$25,000 to students to apply to their tuition during their semester in the program in return for an enforceable commitment to spend three of their first five years after graduation and judicial clerkships in a public or nonprofit job in the education sector. Students interested in an Award should include an additional 400-word statement discussing their interest in public education policy, their career goals, and how this financial support would affect their ability to work in the education sector after graduation.

Feel free to contact CPRL at cpri@law.columbia.edu with any questions. You also may contact spring 2016 HLS participant John Wheeler (jwheeler@jd16.law.harvard.edu) and fall 2015 HLS participant Jonathan Wall (jwall@jd16.law.harvard.edu) for more information. Accepted students will be enrolled in the clinic and associated course component by the Office of Clinical and Pro Bono Programs.

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Public Education Policy and Consulting Clinic

Course #: 8046 **Term:** 2017SP **Faculty:** Liebman, James **Credits:** 8.00

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. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Public-Sector Structural Change in K-12 Education (5 spring classroom credits). Additional Co-/Pre-Requisites: None. By Permission: Yes. Applications are due by 5pm on November 1, 2016. Students will be notified of acceptances by November 21, 2016.

LLM Students: LLM students are not eligible to enroll.

Placement Site: 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, Michigan, NYU, Penn, Stanford, Vanderbilt, Yale and other universities 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 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

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A load of 13 or 14 credits total (5 classroom credits + 8 clinical credits + option to register for 1 writing credit, in addition to the culminating paper, sponsored by an HLS faculty member);

Approximately 37 hours/week on average of course, preparation, and project work, including:
approximately 50 seminar hours and 27 hours in classroom-based skills training for 5 classroom credits over the course of the 14-week semester;

average of 27.5+ clinical hours/week working on consulting teams for K-12 organizations under the guidance of experienced engagement managers for 8 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. 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 cpri@law.columbia.edu by 5pm on November 1, 2016. CPRL will notify students who have been invited for a video interview with Professor Liebman and the CPRL team. Notification of decisions will be sent via email by November 21, 2016. CPRL offers a limited number of highly competitive Scholars Awards of up to \$20,000 to students to apply to their tuition during their semester in the program in return for an enforceable commitment to spend three of their first five years after graduation and judicial clerkships in a public or nonprofit job in the education sector. Students interested in an Award should include an additional 400-word statement discussing their interest in public education policy, their career goals, and how this financial support would affect their ability to work in the education sector after graduation.

Feel free to contact CPRL at cpri@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.

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Public Health Law and Policy

Course #: 2497

Term: 2016FA

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

WCC3012

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 Health Law and Policy clinic. Students who enroll in the fall 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 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 August 30, 2016 for students in this course enrolled in reserved clinical seats.

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Public Health Law and Policy

Course #: 2497 **Term:** 2017SP **Faculty:** Rosenberg, Amy **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times:	Location
Tue 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 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 13, 2016 for students in this course enrolled in reserved clinical seats.

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Public Interest Litigation and Constitutional Protection of Human Rights: The South Asian Experience

Course #: 2880 **Term:** 2016FA **Faculty:** Siddique, Osama **Credits:** 2.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Human Rights; International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:	Location
Thu 3:00 PM - 5:00 PM	WCC3036

Course Description: Prerequisites: None
Exam: No Exam

This Seminar would start with an overview of the phenomenon of public interest litigation (PIL) in general and a broad mapping of PIL techniques in selected geographical contexts, while comparing and contrasting it with its counterpart in the U.S.A. The focus would then shift to the structure and nature of constitutionally enshrined Fundamental Rights in South Asian Constitutions (while comparing it with the U.S. Bill of Rights) and the special frameworks and mechanisms for such constitutionally entrenched human rights — particularly in Pakistan, India and Bangladesh — explored and established through the PIL phenomenon. It will continue with an exploration of the different trajectories followed in these countries over the decades as PIL became more politically contested and judges realized the limitations of getting involved in political, policy and governance arenas. It will generate discussions over the increasing use of informal, relaxed and special procedures for rights protection in PIL as well as growing use of controversial features such as the suo motu jurisdiction. Additional themes of discussion will include the deliberate as well as inadvertent embroilment of courts in mega-politics, the consequent phenomenon of judicialization of politics and its consequences for the actual and perceived protection of Fundamental Rights by the courts as well as the sustainability of constitutional democracies. Also examined will be the experiences of individual and NGO led human rights activism in key areas of rights protection given the aforementioned history, politics, sociology and framework of judge driven PIL (which ought to be of interest to anyone analyzing and/or contemplating activism in other contexts).

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Public International Law

Course #: 2212 **Term:** 2017SP **Faculty:** Modirzadeh, Naz **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	PND100
Tue 10:20 AM - 11:50 AM	PND100

Course Description: Prerequisites: None
Exam Type: Any Day Take-Home
This is an upper-level introductory course to public international law. The first part of the course provides a classical foundation to the sources and subjects, as well as key tenets and core concepts, of international law. We will also discuss the role of public international organizations such as the United Nations in developing, interpreting, and shaping the international legal system. The second part of the course will focus on selected topics, including the use of force, space law, trade law, international humanitarian law, and international human rights law. These topics may change based on contemporary events and debates. We will also explore critical perspectives from within the field, as well as external challenges to the legitimacy of public international law.

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Public International Law

Course #: 1008 **Term:** 2017SP **Faculty:** Deeks, Ashley **Credits:** 4.00
Type: 1lintl **Subject Areas:** Not Applicable

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: Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students.
Prerequisites: None
Exam:In Class
This is a general survey course in public international law. It is designed to introduce students to the basic concepts of the international legal system, including its fundamental principles and its main institutional structures and actors. Among other topics, we will study the traditional sources of international law (treaties and custom), the subjects of international law (states, international organizations, and individuals), dispute settlement mechanisms, and universal jurisdiction. Against that foundation, we will study several substantive areas of international law, including the use of force, human rights, international law enforcement, and arms control. We also will consider how the international legal system is changing in light of globalization and the emerging post-9/11 world order. There will be some emphasis on how states (particularly the United States) incorporate international law into their domestic legal systems.

No previous courses in international law, international relations, or political science are required for this course.

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Public International Law

Course #: 1008 **Term:** 2017SP **Faculty:** Blum, Gabriella **Credits:** 4.00

Type: 1lintl **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: Note: This is one of the 1L required international or comparative courses and is only available to HLS first-year and LLM students.
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.

Public Law Workshop

Course #: 2213 **Term:** 2017SP **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: **Location**

Wed 3:00 PM - 5:00 PM WCC3007

Course Description: Prerequisite: Instructor permission is required for enrollment. Applicants should send a statement of interest and resume to Kelsey Ryan at keryan@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.

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Public Problems: Advice, Strategy and Analysis

Course #: 2398 **Term:** 2016FA **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: **Location**

Thu 4:15 PM - 6:15 PM WCC4059

Course Description: 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 August 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.

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Race & Politics: Post Racial? A 21st Century Query

Course #: 2484 **Term:** 2016FA **Faculty:** Robinson, Stephanie **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC5052

Course Description: Prerequisites: None.
Exam: 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.

Racial Justice Reading Group

Course #: 2953 **Term:** 2017SP **Faculty:** Goldstein, Lee **Credits:** 1.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM

Course Description: Please Note: This by-permission reading group is available only to current HLAB students.

The group will address considerations of how our aspirations to seek racial justice affect our legal practice, relations with our clients, among ourselves and also at HLS.

Meetings: Alternate Thursdays from 3:00-5:00 PM in the Grossman Seminar Room at HLAB.

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Reading the Federalist in the 21st Century: What does Publius have to teach us today about politics and constitutions?

Course #: 2792 **Term:** 2016FA **Faculty:** Levinson, Sanford **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC5050

Course Description: Prerequisites: None.

Exam Type: No exam.

Although The Federalist is clearly the most oft-cited work of American political thought, especially by the United States Supreme Court, I have come to the conclusion that it is in fact rarely read or truly analyzed. It is, I have discovered, rarely assigned anymore in undergraduate courses, nor is it part of most constitutional law classes, save, perhaps, for a few greatest hits from the collection of 85 essays, particularly Federalist ## 10, 51, and 78. The purpose of this course will be intensive analysis of approximately 20-25 of the essays; if we had more than twelve hours together, we would, of course, read more, but I think that's the practical maximum for the kind of discussion I hope the course will elicit. So each week will be devoted to between two and, in one week, perhaps six, of the essays, together with my own commentaries on those essays. Those can be found in a recently published book An Argument Open to All: Reading the Federalist in the 21st Century (Yale University Press, 2015).

The first class, for example, will be devoted to Federalists 1, 49, and 63, with regard to the images they present of what might be called active democracy (or what Justice Breyer has called active liberty), especially in the context of the ideology of popular sovereignty. The second class will focus on Federalist 2 and 10 and their respective depictions of homogeneity and heterogeneity in American society. Our discussions will in no way focus on constitutional interpretation, that is, the use of The Federalist to decide what the 1787 Constitution means today (the purpose for which it is usually cited by the Supreme Court). Instead, we will be asking whether there is any good reason for persons interested in the broader subject of constitutionalism (or constitutional design) to read the essays today, in the 21st century.

Each participant in the course will be asked to prepare one reaction paper of approximately 750 words in the course of the semester, and it is my hope that these papers will serve as the basis of vigorous discussion. Given that the U.S. State Department and American Bar Association are prone to distributing The Federalist abroad to persons interested in the project of constitutionalism (and constitutional design), an obvious question is what foreign readers, in the 21st century, do in fact get from reading the various essays. I personally think there is much of interest in them, but that the lessons taught by Publius to foreign readers might not serve narrow American political interests. For this reason, I especially welcome the participation of Harvard LLM or SJD candidates who think they might be interested in the course.

Note: The first class is Tuesday, September 13th. This reading group will meet on the following dates: TBD

Drop Deadline: Wednesday, September 14 by 11:59pm EST

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Real Estate Law

Course #: 2218 **Term:** 2017SP **Faculty:** Mechanic, Jonathan **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Fri 1:15 PM - 3:15 PM HAU104

Course Description: Prerequisites: None
Exam: Last Class Take-Home

This course will provide a practical introduction to the exciting world of real estate law. It will canvas a broad range of sophisticated real estate transactions and explore issues relating to sales, purchases, mortgage financing, mezzanine financing, commercial leasing, ground leasing, joint ventures, "air rights" transactions, land use and private/public partnerships.

The course is designed to give students, who are interested in practicing real estate law, insight into the practical lawyering experiences of real estate attorneys practicing in major urban centers and to provide them with a head-start in pursuing their career interests. We will use documentation from actual deals to study each type of transaction. Some sessions will feature guest speakers, including leading developers and other industry experts.

Class size will be limited, so attendance is mandatory and class participation will be a component of final grades.

Note: The first class meeting will be on Friday, February 3, 2017.Drop Deadline: February 4, 2017 by 11:59pm EST

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Regulation and Litigation in Japan: Advanced Readings

Course #: 2910

Term: 2016FA

Faculty: Ramseyer, J. Mark

Credits: 2.00

Type: Elective

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

Delivery Mode: Seminar

Days and Times:

Location

Thu 5:00 PM - 7:00 PM

WCC5052

Course Description:

Prerequisites: None.

Exam Type: No exam.

In this seminar, students will read a wide range of legal materials on these issues. They will read them in Japanese, so students should come with two or more years of Japanese language training (or the equivalent). If students bring a wide range of language facility, I will split the class. Native-speakers of Japanese are welcome to attend the class, but may not take it for credit.

Japanese are welcome to attend the class, but may not take it for credit.

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Regulation of Financial Institutions

Course #: 2219 **Term:** 2016FA **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
Mon 10:20 AM - 11:50 AM	PND100
Tue 10:20 AM - 11:50 AM	PND100
Wed 10:20 AM - 11:50 AM	PND100

Course Description: Prerequisites: None
Exam Type: In-Class
This course explores the regulation of financial institutions in the United States, covering a range of firms including banks, insurance companies, securities firms, and assets managers, 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. Emphasis will be given to the changes in financial regulation that have taken place since the Financial Crisis of 2007/2008 and the enactment of the Dodd-Frank Act in 2010. While the primary focus of the course will be on financial regulation in the United States, readings and class discussion will frequently extend to comparative, cross-border, and multi-lateral aspects of financial regulation. Students enrolled in the course will be expected to prepare one short research paper on a topic of current interest. There will also be an in-class, open-book final examination. 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. Readings will primarily be from Barr, Jackson & Tahyar, Financial Regulation: Law and Policy (Foundation Press 2016) though some supplemental materials will be posted to the courses Canvas website, including several case studies posing issues of current policy concern. The course will meet for thirty-two ninety-minute sessions. The meeting dates will be posted on Canvas before the start of the semester; all sessions will take place within the time block assigned to the course.

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Reproductive Justice

Course #: 2540 **Term:** 2017SP **Faculty:** Bridges, Khiara **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times:	Location
Mon 5:00 PM - 7:00 PM	WCC3038

Course Description: Prerequisites: None
Exam: No Exam
This seminar explores Reproductive Justice (RJ) as a paradigm for understanding reproductive oppression - that is, the subordination of individuals through their bodies, sexualities, and abilities to reproduce. The RJ paradigm picks up where a reproductive rights framework ends. It contends that the fight for equality and dignity in matters relating to reproduction continues beyond a successful argument that the Constitution ought to protect a right to privacy, right to access contraception, or right to an abortion. An RJ framework observes that rights are given meaning - and lose meaning - according to the race, class, age, sexual orientation, gender identity, immigration status, and physical and mental ability (among other attributes) of the rights bearer. As such, RJ analyzes reproductive experiences within a complex context and with respect to the multiple statuses of the persons involved. This seminar will explore RJ as it speaks to assisted reproductive technologies, health care policy, immigration, incarceration, disability, environmental justice, and economic inequality, among other topics.

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Reproductive Technology and Genetics: Legal and Ethical Issues

Course #: 2222

Term: 2017SP

Faculty: Cohen, I. Glenn

Credits: 2.00

Type: Elective

Subject Areas: Health Law

Delivery Mode: Seminar

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC3009

Course Description:

Prerequisites: None

Exam: No Exam.

Evaluation will be by written work and participation.

Should individuals be able to sell reproductive materials like sperm and ova, or reproductive services like surrogacy? Should the law require individuals diagnosed with diseases like Huntingtons diseases to disclose to family members that they too are at risk for the disease? Should prenatal sex selection be a crime? Should federal funds be used for stem cell research? Should law enforcement be able to bank DNA samples collected from suspects and perpetrators? Should doctors be able to patent cell lines developed from their patients bodies?

Since Watson and Cricks discovery of the double helix structure of DNA in 1953, and the 1978 birth of Louis Brown, the first child conceived through in vitro fertilization, pressing questions like these have propagated. In this course we will cut across doctrinal categories to examine how well the law and medical ethics have kept up, and plot directions for fruitful development.

Topics covered may include:

* Prenatal genetic screening and sex selection * Genetic enhancement * The sale of sperm and ova and access to reproductive technology * Surrogacy * Cloning * Preembryo disposition disputes * Wrongful birth, wrongful conception, and wrongful life torts * The parentage and anonymity of gamete donors. * Imposition of criminal liability on mothers and third parties for harm to fetuses * The use of genetic information by insurers and employers * The collection of genetic information by the state and the criminal justice system * Biobanking * Chimeras (human-animal hybrids) * The stem cell controversy * The patenting of genes and their derivatives * Research ethics issues involving fetuses and embryos * Pharmacogenomics and Race

Note: The course reading will consist primarily of law review, philosophy, and medical journal articles with a few cases mixed in. Students will be expected to participate and attend every session of the course. No prior background is necessary (certainly not a science background), but much of the reading will be philosophical in nature so students should be prepared for that (and to do some provided background reading in moral and political philosophy if they have not had exposure to these subjects before). Students should expect 60-100 pages of reading per week of the course.

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Research Seminar in Law, Economics, and Organizations

Course #: 2157 **Term:** 2016FA **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.

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Research Seminar in Law, Economics, and Organizations

Course #: 2157 **Term:** 2017SP **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: Theory of the Administrative State

Course #: 2676 **Term:** 2016FA **Faculty:** Vermeule, Adrian **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC4059

Course Description: Prerequisite: None
Exam: No Exam

We will address the place of the administrative state in the constitutional order, the design and operation of its institutions, and its relationship to law and the rule of law. Readings will include classic and contemporary academic theory in law and adjacent disciplines, caselaw, and other materials.

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

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Responsive Communities Lab

Course #: 2927 **Term:** 2016FA **Faculty:** Crawford, Susan; Warner, Waide **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Government Structure & Function; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3019

Course Description: Prerequisites: Admission is at the discretion of the instructors, Susan Crawford and Waide Warner. If you are interested in participating, please send a very brief statement of interest to scrawford@law.harvard.edu and msmith@law.harvard.edu (and include the words Responsive Communities Lab in the subject line) so we can give you further details and make you eligible for enrollment. Some students may want to register for both the Responsive Communities Lab and the City Use of Technology course; by being in the lab, they will be able to explore more deeply the topics that are surveyed in the City Use of Technology class.

Exam Type: No Exam

The Responsive Communities Lab is designed to give students, both graduate and undergraduate, meaningful opportunities to work on policy papers, research reports, recommendations and other deliverables aimed at (1) achieving universal high speed Internet connectivity, (2) assisting government officials in adopting responsible data governance practices and (3) strengthening the responsiveness of governments to the needs of citizens. Students will learn from a combination of class lectures and hands-on research and interaction with stakeholders. The course is two credits at Harvard Law School. Students can receive one or two written work credits for work that satisfies the written work credit requirements, should a student so elect.

Rule of Law

Course #: 2913 **Term:** 2017SP **Faculty:** Scheppele, Kim **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC4059

Course Description: Prerequisites: None

Exam: No Exam. This is a reading course without written assignments.

The rule of law has become all things to all people. It is universally praised by people who otherwise very different political and legal views, which points to the fact that the rule of law has no single, stable and agreed upon meaning. In this reading course, we will examine the different conceptions of the rule of law and the ways that they have been deployed in different settings - from post-conflict reconstruction, to transitional constitutionalism, to the critique of established constitutional democracies. Along the way, our inquiry will take us through American, comparative and international law examples. We will work through theoretical treatments, historical case studies and current challenges together to think through what work the idea of the rule of law can reasonably do and what the role of lawyers should be in developing its contours.

Note: This reading group will meet on the following dates: 1/31, 2/7, 2/21, 3/7, 3/28, 4/4.

Drop Deadline: February 1, 2017 by 11:59 pm EST

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Securities Litigation

Course #: 2443 **Term:** 2017WI **Faculty:** Ferrell, Allen **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 4:30 PM	WCC3016
Tue 1:00 PM - 4:30 PM	WCC3016
Wed 1:00 PM - 4:30 PM	WCC3016
Thu 1:00 PM - 4:30 PM	WCC3016
Fri 1:00 PM - 4:30 PM	WCC3016

Course Description: Prerequisites: None.
Exam: In Class.
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.

Securities Regulation

Course #: 2224 **Term:** 2016FA **Faculty:** Ferrell, Allen **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:30 PM - 3:00 PM	PND101
Tue 1:30 PM - 3:00 PM	PND101

Course Description: Prerequisites: Most students find it helpful to have completed or to take concurrently a course in Corporations before taking Securities Regulation.
Exam: In Class

This course offers an introduction to the two most important federal securities laws: the Securities Act of 1933 and the Securities Exchange Act of 1934. The course explores the elaborate disclosure obligations these statutes impose on the distribution and trading of investment securities. Topics to be covered include the preparation of disclosure documents, exemptions from disclosure requirements, the relationship between disclosure obligations and anti-fraud rules, the duties of participants in securities transactions, and the applicability of federal securities laws to transnational transactions. The course will also explore the public and private enforcement of securities laws in the United States.

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Semester in Human Rights

Course #: 8042 **Term:** 2016FA **Faculty:** Giannini, Tyler **Credits:** 8.00

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: 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 April 29, 2016. Add/Drop Deadline: August 30, 2016. 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 2016. Students will enroll in 11-12 credits total with the Clinic for the semester (see breakdown below), with requirements as follows:

By application (Deadline: April 29, 2016).

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 (7-8 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 11-12 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 Farbstien, 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?

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How will the different components (advanced class, clinical projects, independent writing) complement each other and form a coherent and intensive term?

Seminar: Human Rights in the UN Treaty Bodies

Course #: 2343 **Term:** 2016FS **Faculty:** Neuman, Gerald **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 WCC3036

Course Description: Credits: 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.

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.

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Sex Equality

Course #: 2226 **Term:** 2016FA **Faculty:** MacKinnon, Catharine **Credits:** 3.00
Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Family, Gender & Children's Law

Delivery Mode: Course

Days and Times:	Location
Fri 1:00 PM - 3:00 PM	AUS101
Wed 1:00 PM - 3:00 PM	AUS101
Thu 1:00 PM - 3:00 PM	AUS101

Course Description: Prerequisites: None
Exam: Any Day Take-Home, with the possibility of a paper option in lieu of the exam
The relation between sex equality under law and sex inequality in society is interrogated in theory and practice in the context of relevant social science, history, and international and comparative law. Mainstream equality doctrine is probed on its own terms and through an alternative. Cases on concrete issues--including work, family, rape, sexual harassment, lesbian and gay rights, abortion, prostitution, pornography--structure the inquiry. Race, economic class, and transsexuality are considered throughout. The purpose of the course is to understand, criticize, and expand the law toward equality between women and men. The new edition of the casebook is updated to 2016.

Note: This course will meet for the first six weeks of the term.

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Sports and the Law: Examining the Legal History and Evolution of America's Three "Major League" Sports: MLB, NFL and NBA

Course #: 2229 **Term:** 2016FA **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: **Location**

Thu 1:00 PM - 3:00 PM WCC3019

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 2-credit fall 2016 "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.

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Sports and the Law: Representing the Professional Athlete

Course #: 2230 **Term:** 2017WI **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:	Location
Mon 1:30 PM - 4:15 PM	WCC3018
Tue 1:30 PM - 4:15 PM	WCC3018
Wed 1:30 PM - 4:15 PM	WCC3018
Thu 1:30 PM - 4:15 PM	WCC3018
Fri 1:30 PM - 4:15 PM	WCC3018

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.
Note: Class meetings will take place during the first 9 days of the winter term, from 1/3 to 1/13. The last class meeting on 1/13 will be four hours long.

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Sports Law Clinic

Course #: 8028 **Term:** 2017SP **Faculty:** Carfagna, Peter **Credits:** 5.00

Type: Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Enrollment in this clinic will not fulfill the HLS JD pro bono requirement. Required Class Component: This clinic requires that students have taken 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 2016); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (fall 2016); Sports and the Law: Representing the Professional Athlete (winter 2017).
By Permission: Yes. The deadline to apply is Thursday, October 17, 2016. Please see below for additional instructions.
Add/Drop Deadline: January 13, 2017.
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 October 17, 2016. 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.

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Sports Law Clinic

Course #: 8028 **Term:** 2017WI **Faculty:** Carfagna, Peter **Credits:** 2.00

Type: Clinic **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Enrollment in this clinic will not fulfill the HLS JD pro bono requirement. Required Class Component: This clinic requires that students have taken 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 2016); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (fall 2016); Sports and the Law: Representing the Professional Athlete (winter 2017).
By Permission: Yes. The deadline to apply is Thursday, October 17, 2016. Please see below for additional instructions.
Add/Drop Deadline: December 2, 2016.
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 October 17, 2016. 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.

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Sports Law: Advanced Contract Drafting

Course #: 2349 **Term:** 2016FA **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; Procedure & Practice

Delivery Mode: Course

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

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.
Prerequisites: None
Exam Type: Last-Class Take-Home
This course will provide students the opportunity to negotiate and draft agreements that a lawyer advising a sports team would encounter. Students in the course will learn about the various components of complex deal documents and have the opportunity to then draft these documents. Students in the course will also explore and experiment with negotiating strategies. Overall, the goal of the course 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 clinics description or review the Sports Law Clinic Guide for more information.

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State Constitutional Law

Course #: 2507 **Term:** 2017WI **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 - 12:30 PM	WCC3016
Tue 10:00 AM - 12:30 PM	WCC3016
Wed 10:00 AM - 12:30 PM	WCC3016
Thu 10:00 AM - 12:30 PM	WCC3016
Fri 10:00 AM - 12:30 PM	WCC3016

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.

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Supreme Court Litigation

Course #: 2233 **Term:** 2017WI **Faculty:** Goldstein, Thomas; Russell, Kevin **Credits:** 1.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; 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 17, 2016.
Add/Drop Deadline: December 2, 2016.
LLM Students: LLM students may apply by submitting an application.
Placement Site: Washington D.C. This course is co-taught by Tom Goldstein, Kevin Russell, Jonathan Massey, Tejinder Singh and Eric Citron.
This winter-term class is taken concurrently with the Supreme Court Litigation Clinic. Students are immersed in the intensive practice of law before the United States Supreme Court. Both the class and clinic will take place in Washington, D.C. to facilitate greater interaction between students, instructors and the litigation process at the Supreme Court.
The clinic and course will consist of intensive work on actual cases before the Court, as well as a series of lectures and classroom discussions on Supreme Court practice -- including strategy, procedure, brief writing, and oral advocacy. Students will be assigned to small teams, each working closely with an instructor to write and file a petition for certiorari, brief in opposition to certiorari, merits brief, amicus brief and/or to prepare for oral argument in a pending case. In addition, students will attend arguments at the Supreme Court, 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 17, 2016. Enrollment is limited to 10 students.

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Supreme Court Litigation Clinic

Course #: 8030 **Term:** 2017WI **Faculty:** Goldstein, Thomas; Russell, Kevin **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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 17, 2016.
Add/Drop Deadline: December 2, 2016.
LLM Students: LLM students may apply by submitting an application.
Placement Site: Washington D.C. This course is co-taught by Tom Goldstein, Kevin Russell, Jonathan Massey, Tejinder Singh and Eric Citron.
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 17, 2016.
Enrollment is limited to 10 students.

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Systemic Justice

Course #: 2747 **Term:** 2017SP **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	PND100
Thu 1:20 PM - 2:40 PM	PND100
Fri 1:20 PM - 2:40 PM	PND100

Course Description: Prerequisites: None.
This class serves as a prerequisite or corequisite for The Justice Lab.
Exam:No Exam
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:** 2017SP **Faculty:** Brennan, Thomas **Credits:** 2.00

Type: Elective **Subject Areas:** Taxation

Delivery Mode: Seminar

Days and Times:	Location
Wed 5:15 PM - 7:15 PM	WCC3007

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.

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Taxation

Course #: 2234 **Term:** 2016FA **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:	Location
Mon 10:40 AM - 12:00 PM	AUS101
Tue 10:40 AM - 12:00 PM	AUS101
Wed 10:40 AM - 12:00 PM	AUS101

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:** 2016FA **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	LAN272
Thu 1:00 PM - 3:00 PM	LAN272

Course Description: Prerequisites: NoneExam Type: In-ClassThis 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.

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Taxation

Course #: 2234 **Term:** 2017SP **Faculty:** Kaplow, Louis **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 8:10 AM - 10:10 AM	WCC2004
Tue 8:10 AM - 10:10 AM	WCC2004

Course Description: Prerequisites: None.
Exam Type: In-class exam.
This course is an introductory study of federal income taxation covering inclusion and exclusion of items in computing gross income; deductions from gross income; tax accounting; capital gains and losses; and the treatment of the family and trusts. Consideration will be given to the interaction of legislative, executive, and judicial agencies in the making, administering, and interpreting of the tax law; to the goals of the tax law and possibilities for future development of it; to the private lawyers professional role with respect to administration of the tax law; and to the impact of the tax law on private property transfers and other transactions.
Note: For upper-level JD students, this course will be included in the Multi-Section round of registration.

Taxation

Course #: 2234 **Term:** 2016FA **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:	Location
Wed 8:15 AM - 9:40 AM	AUS111
Thu 8:15 AM - 9:40 AM	AUS111
Fri 8:15 AM - 9:40 AM	AUS111

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.
The materials for the course are Graetz, and Schenk, Federal Income Taxation (7th edition, 2013), and CCH Federal Income Tax, Code and Regulations, Selected Sections (2016-2017 edition).

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Taxation of Businesses

Course #: 2274 **Term:** 2017SP **Faculty:** Brennan, Thomas **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 10:40 AM - 12:00 PM	WCC2004
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Tue 10:40 AM - 12:00 PM	WCC2004
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Wed 10:40 AM - 12:00 PM	WCC2004
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Course Description: Prerequisite: Taxation is a prerequisite for this course. To waive the prerequisite, you must seek permission from the instructor. Corporations is a recommended preparation.
Exam Type: In-class 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:** 2016FA **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
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Tue 8:10 AM - 10:10 AM	HAU104
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Course Description: Prerequisite: Taxation. Permission of the instructor is required to waive the prerequisite.

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.

The materials for the course are Doernberg, Abrams & Leatherman, Federal Income Taxation of Corporations and Partnerships (5th ed., 2014) and CCH, Federal Income Tax Code and Regulations -- Selected Sections (2016-2017 edition).

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Teaching Copyright

Course #: 2636 **Term:** 2017SP **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 - 9:00 PM WCC4059

Course Description: Note: The credit breakdown for this course is as follows: three total credits -- two classroom credits and one writing credit. Enrolling in this course will automatically enroll you in one spring writing credit. 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 2017. Harvard Law School students who satisfy these requirements may enroll by emailing Kathy Curley at curley@law.harvard.edu by November 21. 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 discuss 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 on a weekday evening.

Additional information concerning CopyrightX and the role of the Teaching Fellows can be found by visiting copyx.org or by emailing copyrightx@cyber.law.harvard.edu.

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The Art and Science of Financial Regulation

Course #: 2723 **Term:** 2016FA **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**

Thu 5:00 PM - 7:00 PM WCC4061

Course Description: 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: This reading group will meet on the following dates: 9/22, 9/29, 10/6, 10/13, 10/27, and 11/3.

Drop Deadline: September 23, 2016 by 11:59pm

The Conduct of Life in Western and Eastern Philosophy

Course #: 2392 **Term:** 2017SP **Faculty:** Unger, Roberto Mangabeira; Puett, Michael **Credits:** 2.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM HAU102

Course Description: Prerequisites: None

Exam: Takehome, not administered by HLS

How should we live our lives? A study and discussion of some of the answers that great Western and Eastern philosophers have given to this question. There are no prerequisites other than a willingness to consider and take seriously a wide range of problems and materials.

Note: This course is jointly-listed with FAS as ETHRSO 20.

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The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624

Term: 2016FA

Faculty: Umunna, Dehlia

Credits: 1.00

Type: Elective

Subject Areas: Criminal Law & Procedure

Delivery Mode: Reading Group

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

WCC4063

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.

Students numbered 1-5 on the waitlist who plan to enroll if the opportunity arises should attend the first class, as long as other course scheduling permits.

Note: The reading group will meet on the following dates: 9/12, 9/26, 10/24, 11/7, 11/14 & 11/28.

Drop Deadline: September 13th, 2016 by 11:59pm EST

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The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624 **Term:** 2017SP **Faculty:** Umunna, Dehlia **Credits:** 2.00

Type: Elective **Subject Areas:** Criminal Law & Procedure

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC4059

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 seminar 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.
Students numbered 1-5 on the waitlist who plan to enroll if the opportunity arises should attend the first class, as long as other course scheduling permits.

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The Evolving Architecture of International Income Taxation

Course #: 2915 **Term:** 2016FA **Faculty:** Shay, Stephen **Credits:** 1.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law; Legal & Political Theory; Taxation

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3008

Course Description: Prerequisites: None
Exam: No Exam
The reading group will examine the evolving standards for taxing cross-border income reflected in international proposals aimed at protecting tax revenues, including those in (i) the G20/OECD base erosion and profit shifting (BEPS) action plans, (ii) EU tax directives, (iii) UN tax work, and (iv) U.S. international tax reform plans. The reading group will prioritize proposals that have been adopted by countries, highlight areas of convergence and divergence in approaches and consider how these changes will affect international business tax structuring, tax disputes and government revenue.
Note: This reading group will meet on the following dates: 9/7, 9/21, 10/5, 10/19, 11/2, 11/16.

The Fiction and Biography of Philip Roth: A Meditation on American Identity

Course #: 2690 **Term:** 2016FA **Faculty:** Stone, Alan; MacCourt, Duncan **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC5044

Course Description: Prerequisites: None.
Exam Type: No exam.
Readings include Five Short Stories (1959), The Ghost Writer (1979), The Counterlife (1986), American Pastoral (1997), The Human Stain (2000) and Roth Unbound: A Writer and His Books by Claudia Roth Pierpont (2013).
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, 2016 at 11:59 pm EST

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The Fulfilled Life and the Life of the Law

Course #: 2382 **Term:** 2016FA **Faculty:** Brewer, Scott **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Disciplinary Perspectives & Law

Delivery Mode: Course

Days and Times:	Location
Thu 1:30 PM - 3:00 PM	WCC4063
Fri 1:30 PM - 3:00 PM	WCC4063

Course Description: Prerequisites: None

Exam: No Exam

What is it to lead a fulfilled life? This was the central question for ancient philosophers, in both the east and the west, for whom philosophy was not only theory. It was a method designed to achieve both rigorous conceptual analysis and a fulfilled human life. In this course we will explore several of the methods philosophers have proposed for leading a fulfilled life and consider some of the rich suggestions or implications of these methods for leading a fulfilled life of the law, the life led by law students, lawyers, judges, and others interested in administering, shaping, or living according to law. Among the methods or philosophical ways of life we will explore are: use of the Socratic method (and the closely related methods of reflective equilibrium and casuistry) to lead an examined life (Socrates and Plato), use of the dialectical method to achieve a transcendent conceptual clarity (Plato), use of skeptical therapy to achieve a life of serenity (Pyrrhonian skepticism), use of meditative techniques designed to enable a life of equanimity and awareness (Buddhist philosophy), cultivation of joyful wisdom (Nietzsche), and a life of enlivened awareness (Modernist artists, art theorists and philosophers). Readings are from a variety of legal theorists and ancient, modern, and contemporary philosophers, and art theorists.

The class meets for a total of three classroom hours a week, divided into two hours (Thursday) plus one hour (Friday). The Thursday meeting is a seminar-style discussion of assigned readings. The Friday meeting is a workshop devoted to practicing the different philosophical methods that we are studying; we will, for example, not only learn what the Socratic method is, but we will also practice doing the Socratic method (and the other philosophical methods noted above).

Course work consists of ten one-to-two page response papers based on the weekly reading and class participation. Cross-registrants are welcome. Anyone seeking information about this course should feel free to contact Professor Scott Brewer at sbrewer@law.harvard.edu.

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The Future of Employment

Course #: 2899

Term: 2016FA

Faculty: Bodie, Matthew

Credits: 1.00

Type: Elective

Subject Areas: Disciplinary Perspectives & Law; Employment & Labor Law

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 once-stable employment relationship is increasingly fracturing. Internal labor markets are breaking down, as employers fire with more frequency and employees are quicker to jump to new opportunities. Private-sector unionization is at its lowest percentage in a century and falling. Platform services like Uber and Freelancer seemingly bring the market to areas of the economy that were the domain of firms. This reading group will explore the changing nature of employment from an economic and legal perspective. Readings will be taken from the legal academic literature, economic explorations on the theory of the firm, and non-fiction accounts of jobs in a variety of contexts. We will ask whether the employment relationship is a relic of the 20th Century or an enduring facet of our economic pursuits. And if the employment relationship is obsolete, or at least undergoing significant change, what's next?

Note: This reading group will meet on the following dates: 9/13, 9/20, 9/27, 10/18, 11/1, 11/15

Drop Deadline: September 14th, 2016 by 11:59 pm EST

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The Future of Europe: Key Challenges and the Restructuring of the European Project

Course #: 2937 **Term:** 2017SP **Faculty:** Beneyto, Jose Maria **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 8:45 AM - 10:00 AM

Thu 8:45 AM - 10:00 AM

Course Description: Prerequisites: None
Exam Type: TBD
Is the European Union facing an existential crisis? A significant number of political leaders and analysts have expressed their concern about the current status and projects of the European Union. What started off as a very promising process towards European unity after WWII, and continued for many years as such, is today facing a wide range of serious challenges, from the economic to the political, and from the social to the cultural. The European Union remains, however, a cornerstone of European stability and economic prosperity, and its legacy is undisputed. This course examines such key issues for the future of the Continent as the underlying cultural changes in European societies, the difficulties Europe faces in combining sustained economic growth with reforms and technological adjustment, the challenge of populism from right and left, and how Europe can achieve its ambitions of becoming an effective geopolitical actor in the face of Russias assertiveness and the threat of terrorism. The course will also discuss proposals for institutional reform and social and political innovation. It will appeal to all those who wish to acquire a comprehensive understanding of the crossroads at which Europe now finds itself.
Note: This course is jointly listed with HKS as IGA-662 and with FAS as GOV 1152. It will be held on the HKS campus in Littauer Bldg 140.

The Interbellum Constitution: 1815-1861

Course #: 2883 **Term:** 2016FA **Faculty:** LaCroix, Alison **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC5044

Course Description: Prerequisites: None
Exam: No Exam
This reading group examines the legal and intellectual history of debates concerning American constitutional law and politics between the War of 1812 and the Civil War, approximately 1815 to 1861. Topics to be discussed include internal improvements, the market revolution, federal regulation of slavery in the territories, the role of the federal courts, and the development of a national culture.
Note: This reading group will meet on the following dates: 9/7, 9/21, 10/5, 10/19, 11/2, 11/16.

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The International and Comparative Law Workshop

Course #: 2129 **Term:** 2016FA **Faculty:** Alford, William; Rabb, Intisar **Credits:** 2.00

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

Delivery Mode: Course

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

Course Description: Prerequisites: There are no prerequisites for this workshop, but it is generally intended for students with a strong academic interest.

Exam Type: No Exam

This workshop is intended to provide students with the opportunity to enmesh themselves in scholarly writing in the areas of comparative and international law (with more emphasis on the former), by exploring challenges scholars in these fields face and bringing to the workshop a range of scholars engaged in some of the most interesting new work in them. 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 fields rather than hands-on practice. Students in the class will be required to submit four brief "reflection" pieces commenting on the papers 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.

Note: Enrollment is limited to 35 students. All students wishing to take the class -- including those on the waitlist or considering adding it -- should be sure to attend the first session. Please direct any questions to Professor Alford or Professor Rabb.

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The Justice Lab

Course #: 2748 **Term:** 2017SP **Faculty:** Hanson, Jon **Credits:** 2.00

Type: Elective **Subject Areas:** Legal & Political Theory

Delivery Mode: Course

Days and Times:	Location
Wed 5:15 PM - 7:15 PM	HAU104

Course Description: Prerequisites: By Permission. Students who have not previously taken a course with Professor Hanson are encouraged, but not required, to simultaneously register in Systemic Justice. If you are interested in participating, please email hanson@law.harvard.edu and jlipon@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. The Justice Lab takes a cross-disciplinary approach, and we also encourage cross-registrants.

Exam Type: No Exam

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.

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The Law of Nonprofit Organizations

Course #: 2156 **Term:** 2017SP **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: Prerequisites: None.
Exam: 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 class will meet on the following dates: 1/30, 1/31, 2/6, 2/7, 2/27, 2/28, 3/6, 3/7, 3/20, 3/21, 3/27, 3/28.

Drop Deadline: January 31, 2017 by 11:59pm EST

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The Legal Architecture of Globalization: Money, Debt, and Development

Course #: 2896 Term: 2017SP Faculty: Desan, Christine Credits: 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:30 PM - 3:00 PM	WCC3015
Tue 1:30 PM - 3:00 PM	WCC3015

Course Description: Prerequisites: None
Exam: In Class

An integrated political economy now covers much of the globe. This course focuses on the monetary structure of that phenomenon as a matter created and contested in law. Trade, extraction, exchange, debt, and economic development - for centuries, all have depended on money as their medium. By examining the changing legal design of money, we will study globalization as a material, ideological, and distributive event of enormous significance.

Early sovereigns prioritized domestic law, both public and private, in developing the rules that provide the basic matrix for exchange. Those rules created the mediums that carry value - including money, credit, and circulating capital. Nation-states today still claim sovereignty over those decisions; they are basic to self-determination and economic development. But the latitude for those decisions had changed. New monetary and financial relations now bind states, individuals, and other entities together and reconfigure the possibilities for their interaction.

We consider the way that political communities assert sovereignty in money and finance, the challenges that occur as different sovereign projects collide, interact, or compete with one another, and the character of the international orders that have resulted, including those of early Europe, the era of the Gold Standard, the Bretton Woods period, and the contemporary system. We will focus, in particular, on the advent and development of finance-based money, a form of liquidity based on sovereign debt and expanded by commercial banks and capital markets. We discuss how that finance-based form defines value, authority, and markets in the modern world, with attention to its influence shaping international law and international financial institutions, its role as the medium for much of modern globalization, and its implications for global and domestic inequality.

Cross-registrants are welcome.

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The Making of the U.S. Constitution

Course #: 2901

Term: 2017SP

Faculty: Klarman, Michael

Credits: 1.00

Type: Elective

Subject Areas: Constitutional Law & Civil Rights; Legal & Political Theory; Legal History

Delivery Mode: Reading Group

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

LEW202

Course Description:

Prerequisites: None.

Exam Type: No exam.

This upper-level reading group will read and discuss Professor Klarman's then-recently-published book, "Prejudices, Passions, Errors, and Interests: The Making of the United States Constitution." For each session we will read a chapter of the book. The six sessions will be on the following six topics: The flaws in the Articles of Confederation, the economic conflicts in the states in the mid-1780s that directly contributed to the making of the Constitution, the Philadelphia convention, slavery at the Philadelphia convention, ratification, and the Bill of Rights. There is no exam. Students will be asked to write one short (four-to-six pages) reaction paper and to do the reading and contribute to class discussion. Some of the chapters will take only an hour or two to read, but a couple of them could take as long as four or five hours; please don't sign up for the course unless you are certain you want to do this much reading.

Note: This reading group will meet on the following dates: January 30, February 6, 13 and 20, March 27, and April 10. Drop Deadline: January 31, 2017 by 11:59pm

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The Operations and Ethics of the State Attorney General

Course #: 2924 **Term:** 2016FA **Faculty:** Tierney, James **Credits:** 1.00
Type: Elective **Subject Areas:** Government Structure & Function; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:	Location
Mon 5:00 PM - 7:00 PM	WCC4068

Course Description: Prerequisite: Students who have participated in the State Attorney General clinic or the two credit Role of the State Attorney General course are not eligible to participate in this reading group.Exam Type: No Exam.
State attorneys general and their staff have become increasingly important actors in American jurisprudence. Attorneys general continue to make their mark in consumer protection, antitrust, civil rights, education, food policy, immigration, labor law, political corruption and environmental protection even as they tender daily legal advice to 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 one credit reading group will examine the core duties of attorneys general and reviews and critique 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 who have participated in the State Attorney General Clinic or the two-credit "Role of the State Attorney General" course are not eligible to participate in this reading group.

Note: This reading group will meet biweekly for six two-hour sessions beginning on September 12th.

Drop Deadline: September 13, 2016 by 11:59pm EST in HELIOS

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The Role of the State Attorney General

Course #: 2237 **Term:** 2017SP **Faculty:** Tierney, James; Brann, Peter **Credits:** 2.00

Type: Elective **Subject Areas:** Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM GRS110

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.
Exam Type: Any Day Take-Home, with paper option by permission

The role of state attorneys general has dramatically expanded as these elected officials and their staff have become increasingly important actors in American jurisprudence and 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 or opposed to 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 at least 16 hours per week (4 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 5, 2016; the drop deadline for winter clinical students is November 18, 2016; the drop deadline for spring clinical students is January 6, 2017.

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The Short Stories of Alice Munro: A Woman's Voice in a Changing World

Course #: 2817 **Term:** 2017SP **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 WCC5051

Course Description: Prerequisites: None.
Exam: 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: 2/7, 2/14, 3/7, 3/21, 4/4, 4/11.

Drop Deadline: February 8, 2017 at 11:59pm EST

The Supreme Court 2005-2016

Course #: 2722 **Term:** 2017SP **Faculty:** Kavanaugh, Brett **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 8:00 PM WCC3016

Course Description: Prerequisites: None

Exam Type: No Exam. There will be a paper requirement of approximately 20-25 pages.

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 12 particular areas of the Courts post-2005 jurisprudence: war powers, campaign finance, religion, the health care law, equal protection/race, Second Amendment, Fourth Amendment, environmental law, marriage, federalism, separation of powers, 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 33 students.

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The Supreme Court's 2015 Term

Course #: 2515 **Term:** 2016FA **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
Thu 5:00 PM - 8:00 PM	WCC3016
Fri 3:00 PM - 6:00 PM	WCC3016
Wed 5:00 PM - 8:00 PM	WCC3016
Tue 5:00 PM - 8:00 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 6th, 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. Please forward all application materials to Kelsey Ryan at keryan@law.harvard.edu

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The Two-Way Mirror: Media Imaging in the 21st Century

Course #: 2612 **Term:** 2017SP **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: **Location**

Wed 5:00 PM - 7:00 PM WCC4056

Course Description: Prerequisites: None.
Exam: 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: 2/1, 2/15, 3/1, 3/8, 4/5, 4/12.

Drop Deadline: February 2, 2017 by 11:59 pm EST

The U.S. Congress and Law Making

Course #: 2251 **Term:** 2017SP **Faculty:** King, David **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 2:45 PM - 4:00 PM

Wed 2:45 PM - 4:00 PM

Course Description: Prerequisites: None
Exam: No Exam
The United States Congress is the "board of directors" for the Federal Government, and it plays the central role in most national policy decisions. Yet how it works - the real story of how it works - is largely unknown, even among people who have worked in policymaking for a long time. Taught by the faculty chair of Harvards Bipartisan Program for Newly Elected Members of Congress, this course puts students in the midst of legislative politics through academic readings and real-world cases. The course begins with the theory and history of legislatures and ends with a simulation involving lobbyists, journalists, and would-be legislators. It is ideal for anyone considering working with the Congress or state legislatures.

Note: This course is jointly listed with HKS as DPI-120. It will be held on the HKS campus in Belfer 200.

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Theories About Law

Course #: 2319 **Term:** 2016FA **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.

This course begins with a survey of positions in American legal thought, from the time of the Legal Realists to the contemporary period. Then the course looks at law from the standpoint of a number of larger theories, considering law in relation to social theory, literary understanding, moral psychology, and the critique of liberalism. The last two sessions ask how law might go forward on premises of critical jurisprudence.

Readings are selected as exemplary texts, displaying core theoretical positions. After the initial survey, each session restricts its focus to a close look at basic ideas of one or two major theorists. There will be one or two short papers in lieu of an examination.

Title IX: Sports, Sex and Equality on Campus

Course #: 2242 **Term:** 2016FA **Faculty:** Rosenfeld, Diane **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3015

Course Description: Prerequisites: None.

Exam: 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.

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Tocqueville

Course #: 2243 **Term:** 2016FA **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 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 in Prof. Glendons office, Hauser 504, on the following dates: 9/13, 9/27, 10/4, 10/18, 10/25, 11/1.
Drop Deadline: September 14, 2016 by 11:59pm EST

Tocqueville

Course #: 2243 **Term:** 2016FA **Faculty:** Glendon, Mary Ann **Credits:** 1.00

Type: Elective **Subject Areas:** Legal & Political Theory; Legal History

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

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 in Prof. Glendons office, Hauser 504, on the following dates: 9/12, 9/26, 10/3, 10/17, 10/24, 10/31.

Drop Deadline: September 13, 2016 by 11:59pm EST

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Topics in Mergers and Acquisitions

Course #: 2493 **Term:** 2017SP **Faculty:** Coates, John **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC5047

Course Description: Prerequisites: None.
Exam Type: No exam.
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.).
Note: The reading group will meet on the following dates: 2/2, 2/16, 3/2, 3/23, 4/6, 4/20.

Drop Deadline: February 3, 2017 by 11:59 pm EST

Torts 1

Course #: 1005 **Term:** 2017SP **Faculty:** Sargentich, Lewis **Credits:** 4.00

Type: 1course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Wed 1:40 PM - 3:00 PM PND101

Thu 1:40 PM - 3:00 PM PND101

Fri 1:40 PM - 3:00 PM PND101

Course Description: Exam Type: In-class exam.
This course concerns the legal protection afforded in civil proceedings against interference by others with security of ones 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).

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Torts 2

Course #: 1005 **Term:** 2016FA **Faculty:** Stein, Alexander **Credits:** 4.00
Type: 1course **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: In Class

This course will focus primarily on liability for accidental harm: physical, proprietary, emotional, and economic. We will start by examining the two fundamental and potentially conflicting goals of the torts system: corrective justice and minimization of the total costs of accidents. We will then proceed to analyze the legal doctrines employed to assign liability: negligence, strict liability, causation, and damage. Afterwards, we will explore a number of specific issues that include medical malpractice, products liability, and governmental liability.

Torts 3

Course #: 1005 **Term:** 2017SP **Faculty:** Gersen, Jacob **Credits:** 4.00
Type: 1course **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Wed 1:00 PM - 3:00 PM	WCC2009
Thu 1:00 PM - 3:00 PM	WCC2009

Course Description: Exam Type: One-day take-home exam.
This course concerns the legal protection afforded in civil proceedings against interference by others with security of ones 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.

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Torts 4

Course #: 1005 **Term:** 2016FA **Faculty:** Goldberg, John **Credits:** 4.00

Type: 1course **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: In-class exam.
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 wrong, what a plaintiff must prove to obtain recourse, the defenses by which a defendant can avoid liability, and the remedies available to successful plaintiffs. Examining negligence, medical malpractice, products liability, battery, assault, trespass, nuisance, and other torts, this course will explore tort law and larger theoretical questions that it raises.

Torts 5

Course #: 1005 **Term:** 2016FA **Faculty:** Lazarus, Richard **Credits:** 4.00

Type: 1course **Subject Areas:** Not Applicable

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:

Exam Type: One Day Take-Home
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.

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Torts 6

Course #: 1005 Term: 2016FA 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	WCC2012
Thu 1:15 PM - 2:45 PM	WCC2012
Fri 1:15 PM - 2:45 PM	WCC2012

Course Description:

Exam: 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.

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Torts 7

Course #: 1005 **Term:** 2017SP **Faculty:** Moran, Rachel **Credits:** 4.00

Type: 1lcourse **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times:	Location
Wed 1:10 PM - 2:30 PM	WCC2004
Thu 1:10 PM - 2:30 PM	WCC2004
Fri 1:10 PM - 2:30 PM	WCC2004

Course Description: Exam: In Class.

Tort law defines the parameters of civil liability for infliction of bodily injury, property damage, emotional distress, or economic harm. In a tort action, the plaintiff seeks redress for harm from the defendant, typically in the form of monetary compensation. To succeed, the victim must satisfy all of the key elements of a tort action by establishing that a duty was owed and breached, that the breach caused the victim’s harm, that the harm has produced measurable damages, and that there is no affirmative defense that would bar or reduce recovery.

With respect to duty, the class will examine when a duty is owed, what the nature of the duty is, and whether the duty was breached. In defining the nature of the duty, we will consider claims for both negligence and strict liability. In analyzing causation, we will look at but-for and proximate cause as distinct ways to limit legal responsibility for the consequences of a tortfeasor’s actions. We will evaluate different kinds of damages, both compensatory and punitive, that can be awarded, and we will consider the challenges of attaching a value to a wide range of harms, both tangible and intangible. Finally, with respect to defenses, we will analyze contributory negligence, comparative negligence, and assumption of risk as ways to argue that the victim’s own behavior should bar or reduce recovery. As we explore these doctrinal questions, we will link them systematically to the objectives of deterring tortious behavior, compensating victims, and reaching morally equitable results.

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Torts in the Supreme Court

Course #: 2570 **Term:** 2017SP **Faculty:** Goldberg, John **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCC2009

Course Description: Prerequisite: Torts is required for all students.
Exam: In Class
The U.S. Supreme Court long ago ruled that it lacks authority to fashion a general common law of torts. As a result, state courts and legislatures have for the last 75 years been the primary expositors of tort doctrine. And yet the Supreme Court has nonetheless found ways to control and influence the development of tort law though its articulation of federal common law, its interpretation of federal tort statutes such as the Federal Tort Claims Act and the Federal Employers Liability Act, its development of the doctrine of federal preemption, and its recognition of federal constitutional limits on liability for defamation, infliction of emotional distress, and punitive damages. This course will examine the Court’s major interventions in tort law, and will seek to assess their legal and practical validity. Students will be required to write several short papers explicating and critiquing aspects of the Court’s tort-law jurisprudence.

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Trade, Development, and Entrepreneurship

Course #: 2943 **Term:** 2016FA **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: **Location**

Wed 5:00 PM - 7:00 PM WCC4061

Course Description: Prerequisites: None

Exam type: No Exam

Legal and regulatory frameworks governing all aspects of economic activity are increasingly viewed from a development perspective, both within international institutions and among entrepreneurs and policymakers seeking to expand economic opportunity. This reading group will examine the connection between different areas of international economic and trade law (WTO disciplines, 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 and short case studies linking broader legal frameworks and policy debates with actual challenges facing social entrepreneurs in developing markets.

Note: This reading group will meet on the following dates: 9/14, 9/28, 10/19, 10/26, 11/9, 11/30.
Drop Deadline: September 15, 2016 by 11:59 pm EST

Trademark

Course #: 2462 **Term:** 2016FA **Faculty:** Fisher, William **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 10:15 AM - 11:45 AM LAN272

Fri 10:15 AM - 11:45 AM LAN272

Course Description: Prerequisites: None.

Exam Type: In-class exam.

This course will examine trademark law and the law of unfair competition in the United States and in other countries. Substantial attention will be paid to efforts by economic and cultural theorists to justify, reform, or abolish the trademark system.

Materials will consist of cases and secondary materials available online.

A preliminary version of the syllabus is available at

http://cyber.law.harvard.edu/people/tfisher/Trademark_Syllabus_2012.htm.

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Trans--

Course #: 2864 Term: 2016FA Faculty: MacKinnon, Catharine Credits: 1.00

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

Delivery Mode: Reading Group

Days and Times: Location

Thu 5:00 PM - 7:00 PM WCC5051

Course Description: Prerequisites: None
Exam: No Exam
Trans-- provides context for a conversation on issues raised, and analyses offered, regarding transgender, transsexual, and transracial being and politics. Questions of psychology, social and political theory, and law will be considered.
Note: This reading group will meet on the following dates: 9/8, 9/15, 9/22, 9/29, 10/6, 10/13.

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Transactional Law Clinical Workshop

Course #: 2247 **Term:** 2016FA **Faculty:** Price, Brian **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM 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 (4-5 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: August 30, 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) (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). 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.

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Transactional Law Clinical Workshop

Course #: 2247 **Term:** 2017SP **Faculty:** Price, Brian **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCCB015

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Transactional Law Clinics (4-5 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 13, 2017. 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) (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). 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.

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Transactional Law Clinics

Course #: 8031	Term: 2016FA	Faculty: Price, Brian	Credits: 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono 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: August 30, 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.

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Transactional Law Clinics

Course #: 8031	Term: 2017SP	Faculty: Price, Brian	Credits: 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 13, 2017. 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.

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Transnational Corruption

Course #: 2719 **Term:** 2017SP **Faculty:** Butuyan, El Cid **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	HAU101
Wed 5:00 PM - 7:00 PM	HAU101

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. Note: This reading group will take place over three consecutive weeks beginning on March 27th and ending on April 12th. Drop Deadline: March 28th, 2017 by 11:59pm EST.

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Transnational Litigation in United States Courts

Course #: 2741 **Term:** 2016FA **Faculty:** Wasserman, Rhonda **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC5051

Course Description: Prerequisites: None
Exam type: No Exam

This reading group will consider the unique challenges that arise when transnational disputes are litigated in United States courts. Transnational disputes may involve litigants that are domiciled or located abroad; conduct that occurred abroad; necessary evidence that is stored abroad; or parallel judicial proceedings that are filed in the courts of other nations. The reading group will consider the role of United States courts in resolving such disputes; the extent to which judicial resolution intrudes upon the prerogatives of the elected branches of government; the potential impact of transnational litigation on foreign relations; and the respective roles of state and federal courts in the adjudication of transnational disputes. Readings will include judicial opinions; statutes and procedural rules; treaties and other sources of international law; and commentary.

Note: This reading group will meet on the following dates: Sept. 13; Sept. 20; Sept. 27; Oct. 18; Oct. 25; and Nov. 1.

Drop Deadline: September 14th, 2016 by 11:59pm EST in HELIOS

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Trauma, Refugees and Asylum Law

Course #: 2576 **Term:** 2016FA **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 WCC5048

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. Guest speakers will include doctors, psychologists, social workers, immigrants, refugees, and advocates.
Social work perspectives will be integrated throughout the course, and students will learn about and participate in a series of self-reflection and mindfulness exercises. The course will highlight the importance of self-care and debriefing strategies among professionals who work with clients exposed to trauma.

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Trial Advocacy Workshop

Course #: 2249 **Term:** 2017WI **Faculty:** Sullivan, Ronald **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 2:00 PM - 9:00 PM	AUS200
Tue 2:00 PM - 9:00 PM	AUS200
Wed 2:00 PM - 9:00 PM	AUS200
Thu 2:00 PM - 9:00 PM	AUS200
Fri 2:00 PM - 9:00 PM	AUS200

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Tuesday, January 3 - Friday, January 20, 2017

Early drop deadline of September 2, 2016

Prerequisites: For JD students there are no formal prerequisites, although familiarity with the rules of evidence is assumed throughout the course. For LLM students, permission of the instructor is required.

Please note: There will be a mandatory meeting in November 2016 (date and time TBD) for all students enrolled in the Winter 2017 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 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 16, 2017, due to the Martin Luther King, Jr. Holiday).

The Winter Trial Advocacy Workshop will take place beginning Tuesday, January 3, 2017 to Friday, January 20, 2017. 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

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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: Registration for the Winter Trial Advocacy Workshop will occur during Multi-Section Course Registration. LLM students may enroll with the permission of the instructor.

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Trial Advocacy Workshop

Course #: 2249 **Term:** 2016FA **Faculty:** Sullivan, Ronald **Credits:** 3.00

Type: Multisection **Subject Areas:** Not Applicable

Delivery Mode: Course

Days and Times: **Location**

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Prerequisites: For JD students there are no formal prerequisites, although familiarity with the rules of evidence is assumed throughout the course. For LLM students, permission of the instructor is required. Exam Type: No exam.

Early drop deadline of Tuesday, August 30, 2016.

Please note: There will be a mandatory meeting on Wednesday, April 13, 2016, in Pound 101 at 12:15 p.m. for all students enrolled in the Fall 2016 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 Ronald S. Sullivan Jr.: rsullivan@law.harvard.edu and to 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 or clinical conflicts per week (HLS courses only). Students must be available for trials from 2:00 p.m. to 9:00 p.m. on 9/15, 9/16, 9/22, and 9/23. If you have concerns regarding the conflicts policy and your schedule, please contact Professor Ronald S. Sullivan Jr.: rsullivan@law.harvard.edu and Amy E. Soto: asoto@law.harvard.edu.

The Fall Trial Advocacy Workshop will take place beginning Tuesday, September 6, 2016 to Friday, September 23, 2016 (there is no class on Monday, September 5, 2016 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

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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)

Registration for the Fall Trial Advocacy Workshop will occur during Multi-Section Course Registration.

Trusts and Estates

Course #: 2250	Term: 2016FA	Faculty: Sitkoff, Robert	Credits: 4.00
Type: Elective	Subject Areas: Business Organization, Commercial Law, and Finance; Family, Gender & Children's Law; Regulatory Law; Taxation		
Delivery Mode: Course			
Days and Times:		Location	
Mon 8:10 AM - 10:10 AM		WCC2012	
Tue 8:10 AM - 10:10 AM		WCC2012	
Course Description:	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).		

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U.S. Aspects of International Income Taxation

Course #: 2236 Term: 2016FA Faculty: Shay, Stephen Credits: 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:30 PM - 3:00 PM	WCC3034
Tue 1:30 PM - 3:00 PM	WCC3034

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.

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Understanding Law Firms as Businesses

Course #: 2691

Term: 2017SP

Faculty: Gardner, Heidi

Credits: 3.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Location

Mon 1:30 PM - 3:00 PM

PND102

Tue 1:30 PM - 3:00 PM

PND102

Course Description:

Prerequisites: None.

Exam type: No exam.

Requirements include several team-based exercises, a research-based written project & and oral presentation.

This course will help students understand the fundamental strategic, operational and human components of today's law firms so that they are better equipped to handle the demands of a rapidly changing legal marketplace. Class sessions include guest speakers, interactive lectures, business-school case discussions, and hands-on exercises to provide students with practical skills they can use throughout their careers.

This course covers four key themes:

[illegible]

2. Talent management: how do law firms attract, hire, motivate, and promote professionals? How do these processes affect lawyers' experiences including career progression, diversity, and work-life balance?

[illegible]

4. Thriving as a professional: What career strategies work best for achieving what you want from a career?

This course is especially well-suited for students who have some experience working in an organization (law firm or other), although that is not strictly essential. It is also appropriate for students in the JD-MBA program who can expand on concepts learned in other coursework.

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.

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Unintended Consequences in Law and Politics

Course #: 2946

Term: 2017SP

Faculty: Sunstein, Cass; Vermeule, Adrian

Credits: 2.00

Type: Elective

Subject Areas: Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times:

Location

Tue 3:00 PM - 5:00 PM

HAU105

Course Description: Prerequisites: Admission is by permission; applicants should submit a resume and a short (1-2 paragraph) statement of interest and relevant background by January 1, 2017 to Ellen Keng (ekeng@law.harvard.edu).

Exam: None

The best-laid plans of legal and political actors often go wrong. We will study the problem of unintended consequences and related problems in legal and political theory, drawing on case studies from history and fiction as well as scholarly analysis. We will examine both malign and benign unintended consequences (the Tragedy of the Commons and the Invisible Hand), the problem of counterfactuals in law and history, and natural experiments.

Cross-registrants are encouraged to apply.

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Valuing and Modeling M&A and LBOs

Course #: 2678

Term: 2017SP

Faculty: Bosiljevac, Vladimir

Credits: 4.00

Type: Elective

Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:

Location

Wed 1:00 PM - 3:00 PM

WCC3007

Thu 1:00 PM - 3:00 PM

WCC3007

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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 Type: No Exam.

The goal of this class 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).

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Venture Law and Finance

Course #: 2252 **Term:** 2016FA **Faculty:** Fried, Jesse **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 1:00 PM - 2:30 PM	PND102
Fri 1:00 PM - 2:30 PM	PND102

Course Description: Prerequisite: This course is open to students who have taken Corporations, or by permission of the instructor to waive the prerequisite. Students should be willing to think mathematically and solve algebraic problems

Exam Type: In-class exam.

This course introduces students to U.S. venture capital (VC) contracting, focusing on the cash flow and control rights of investors. It also examines the legal framework in which such contracting takes place.

Reading materials include VC financing documents, relevant California and Delaware caselaw, and academic and practitioner articles.

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Veterans Law and Disability Benefits Clinic

Course #: 8039 **Term:** 2017SP **Faculty:** Nagin, Daniel **Credits:** 5.00
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. Enrollment in this clinic will fulfill the HLS JD pro bono 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 13, 2017. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: WilmerHale Legal Services Center (Jamaica Plain).
Students in the Clinic work to protect the rights of veterans and their families and persons with disabilities. Students can select among (1) representing veterans in administrative and court appeals to challenge wrongful denials of federal and state veterans benefits; (2) representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) representing clients in administrative and court appeals to challenge wrongful denials of Social Security disability benefits. The 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.

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Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520 **Term:** 2016FA **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 WCC5048

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 (3-5 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: August 30, 2016. LLM Students: LLM students may apply to the clinic by submitting an application. This seminar is the companion course for students enrolled in the Veterans Law and Disability Benefits Clinic of the WilmerHale Legal Services Center. Students in the Clinic: (1) represent veterans in 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.

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Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520 **Term:** 2017SP **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 WCC5048

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 (3-5 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 13, 2017. LLM Students: LLM students may apply to the clinic by submitting an application. This seminar is the companion course for students enrolled in the Veterans Law and Disability Benefits Clinic of the WilmerHale Legal Services Center. Students in the Clinic: (1) represent veterans in 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.

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Visual Justice: Documentary Film and Human Rights

Course #: 2407 **Term:** 2017SP **Faculty:** Cohen, Rebecca Richman **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 8:00 PM 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 todays 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 the following days: 1/24, 1/31, 2/7, 2/14, 2/21, 3/7.

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White Collar Criminal Law and Procedure

Course #: 2254 **Term:** 2016FA **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 continued last year's pattern by the government of demanding 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. Prosecutors have also indicated their intention going forward to increase their focus on individual prosecutions and have now made clear that corporations must provide evidence of individual wrongdoing in order to get cooperation credit. 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, regulatory violations involving issues such as food safety, 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 only meet on the following dates: 9/14, 9/21, 10/5, 10/19, 10/26, 11/9.

Drop Deadline: September 15, 2016 by 11:59pm EST

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White Collar Criminal Law and Procedure: High Profile Trials and Corporate Resolutions

Course #: 2919 **Term:** 2017SP **Faculty:** Apps, Antonia **Credits:** 1.00

Type: Elective **Subject Areas:** Criminal Law & Procedure

Delivery Mode: Course

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

Course Description: Prerequisites: None

Exam: No Exam

Taught by a former SDNY prosecutor who is a partner at Milbank, Tweed, Hadley & McCloy, this course is intended to give students exposure to certain substantive areas of criminal law, criminal procedure and litigation strategy in the context of recent high-profile white-collar trials and corporate prosecutions. Substantive areas of criminal law to be covered include wire fraud (particularly in the context of Ponzi schemes), securities fraud and insider trading, honest services fraud, and money laundering. The course will examine the use of various law enforcement investigative techniques used in white collar cases, including the use of cooperating witnesses, search warrants and wiretaps. The course will also explore sentencing issues in white collar cases. The course will be based around recent high-profile trials such as the trial involving Madoff’s Ponzi scheme, and recent insider trading and public corruption trials. Students will be expected to make either an oral presentation in the form of a legal argument on a specific issue or a jury address, or make a written submission. Some sessions may feature guest speakers who have been involved in landmark prosecutions in the areas covered by the course.

Note:This course will meet on the following dates: 2/16, 2/23, 3/2, 3/30, 4/6, 4/13. The Honorable Jed S. Rakoff and Foster Winnans will be guest speakers on 2/16.

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Wildlife Law

Course #: 2829	Term: 2016FA	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		WCC3013	

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.

Women and Leadership

Course #: 2871	Term: 2017SP	Faculty: Sale, Hillary	Credits: 2.00
Type: Elective	Subject Areas: Disciplinary Perspectives & Law; Family, Gender & Children's Law; Legal Profession, Legal Ethics & Professional Responsibility		
Delivery Mode: Course			
Days and Times:		Location	
Thu 5:00 PM - 7:00 PM		WCC3018	

Course Description: Prerequisites: None
Exam: No Exam
This course focuses on women and leadership. You will develop skills for teams, teamwork, self-advocacy, navigating organizational politics and networking. You will also focus on your own personal leadership style. We will learn from notable leaders who will share their experiences and advice with the class. These conversations will be supplemented with cases and readings of women leaders pulled from a range of organizations, as well as a review the current state of empirical evidence about the status of women as leaders. You will also reflect both individually and with the group on what you expect from your career and develop strategies for achieving those goals.

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Working in the Law Firm of Today and Tomorrow: Shifts, Strategies and Success

Course #: 2692

Term: 2016FA

Faculty: Gardner, Heidi

Credits: 1.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

LEW102

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.

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.

- Consider the impact of technology such as social media, along with trends related to shifting demographics, multicultural clients, and workforce diversity.

- 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: 10/24, 11/7, 11/14, 11/21, 11/28, 12/5.

Drop Deadline: October 25th, 2016 at 11:59pm EST
