Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Administrative Law

Course #: 2000 **Term:** 2018SP **Faculty:** Rakoff, Todd **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 8:40 AM - 9:40 AM

Thu 8:40 AM - 9:40 AM

Fri 8:40 AM - 9:40 AM

Course Description: Prerequisites: None
Exam Type: In Class
This course will study law making and law application by the executive departments of government. Using the material covered in the first-year "Legislation and Regulation" course as a foundation, it will cover a variety of topics, including the legal framework (both constitutional and statutory) that governs administrative adjudication; the proper role of agencies in interpreting statutory and regulatory law; judicial review of agency decisions; public participation in agency rulemaking; and governmental transparency. 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.

Administrative Law

Course #: 2000 **Term:** 2018SP **Faculty:** Metzger, Gillian **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 3:20 PM - 4:50 PM

Wed 3:20 PM - 4:50 PM

Course Description: Prerequisites: Legislation and Regulation. For LLMs, equivalent course/familiarity with regulatory practice.
Exam Type: 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 more advanced topics, including the role of agencies in interpreting statutes and regulations; the legal framework governing administrative adjudication as opposed to regulation; freedom of information requirements; the president’s power to supervise the executive branch; congressional delegation and oversight; the appropriate role of private actors and the states in the national administrative process; and judicial review of administrative action. The central theme of the course will be on 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advanced Clinical Practice

Course #: 2001 **Term:** 2017FS **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

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 2017-2018 will automatically be enrolled in this seminar.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advanced Corporate Transactions

Course #: 2833 **Term:** 2017FA **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advanced Environmental Law

Course #: 2417 **Term:** 2018SP **Faculty:** Mergen, Andrew **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This course complements the general survey course in environmental law. The primary contrast between the two courses lies in their relative breadth and depth of coverage. The survey course can perhaps be best described as a series of broad, shallow dives into the substance of federal environmental law. This class, Advanced Environmental Law includes a series, far fewer in number, of much narrower and deeper dives into much of the same material. The basic objective of the course is to teach students how to navigate and think about an exceedingly complex regime of statutes, regulations, and informal agency practices in the context of addressing a concrete environmental problem. By examining in detail environmental law in application, the theoretical underpinnings and the challenges of environmental lawmaking are well highlighted. The course, moreover, is taught in a manner that does not require students who take the class to have first taken the survey class.

The class will meet for two hours each week for twelve weeks. For some topics, there will be two class meetings and for other topics only one. Each topic will involve an important and topical issue of environmental law, broadly defined to include natural resources law topics. Most will involve pending litigation in the federal district court, court of appeals, or U.S. Supreme Court. But it is possible that some topics will involve environmental issues currently being debated and discussed before an administrative agency or Congress.

Because the topics for the Advanced Environmental Law class deliberately focus on current issues, it is not possible to identify the precise topics for Spring Semester 2017. The current expectation is that the class will cover six to ten topics during the semester. The Clean Air Act and the Clean Water Act are likely to be major focal points, but it is also expected they will not be the exclusive focus because of the richness of the breadth of environmental and natural resources law.

The course grade would be based on each student’s preparation of a series of separate, short papers on the various topics covered during the semester.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advanced International Trade Law

Course #: 2395 **Term:** 2017FA **Faculty:** Wu, Mark **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

Course Description: Prerequisites: A course in International Trade Law (WTO law)
Exam Type: No Exam
This course will examine cutting-edge issues in international trade, following from the demise of the Trans-Pacific Partnership and the pledge to create an "America first" trade policy. It will also cover select issues that are not discussed in-depth in the introductory trade law course. The initial weeks will set the stage about the current state of the trade regime. Each subsequent week, participants will study a particular issue, to be determined based on the state of trade disputes and negotiations next fall. Some of the issues will relate to open issues in WTO jurisprudence; others will relate to ongoing negotiations. Students will be asked to prepare reaction paper for each of these subsequent courses. In addition, the course will involve a moot case for which students will be asked to work in teams to prepare a brief. This course is designed to give those who have already taken an introductory trade law course a better sense of what it would be like to work as on trade policy, negotiation, and litigation.

Advanced Legal Research

Course #: 2173 **Term:** 2018SP **Faculty:** Kennedy, Jocelyn **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: Legal Research and Writing
Exam Type: No Exam
Modern legal practice requires a nuanced understanding of research and technology. Effective legal professionals must be able to develop research strategy, access, evaluate, interpret and incorporate information into their advocacy work.

This course teaches students to be effective advocates by providing a strong grounding in research skills and information theory. This course will mix lecture with practice and students will gain hands-on experience conducting both basic and complex research using a variety of research tools.

Students will be assessed using a variety of methods including: in-class labs, out-of class exercises, presentations, and a final research simulation.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advanced Negotiation: Criminal Context

Course #: 2969 **Term:** 2018SP **Faculty:** Reynolds, Jennifer **Credits:** 3.00

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

Delivery Mode: Course

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

Course Description: Prerequisites: Negotiation Workshop
Exam Type: No Exam
This course will focus on alternative dispute resolution in the criminal arena. Topics will include plea bargaining, problem-solving courts, police interactions (including "know your rights" initiatives), and restorative justice.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advanced Negotiation: Multiparty Negotiation, Group Decision Making, and Teams

Course #: 2348 **Term:** 2017FA **Faculty:** Bordone, Robert; Viscomi, Rachel **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 5:00 PM

Course Description: Prerequisites: Negotiation Workshop

Exam Type: No Exam

In the fields of law, business, and public policy, many disputes and deals involve more than two parties. Building on the skills and concepts introduced in the introductory Negotiation Workshop, this advanced Workshop introduces students to the special challenges and complexities of multiparty negotiation, group decision-making, and working collaboratively in teams. It also focuses on some of the processes that dispute resolution practitioners may utilize when attempting to manage conflict among multiple parties.

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

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

Class time will include exercises and simulations, lectures, and small group discussion. The workshop will require students to spend significant time outside of class completing reading assignments, preparing for exercises and simulations, writing reflective journals, and completing a final teams project. For purposes of arranging multiparty class simulations, all class sessions are mandatory. There is no final examination.

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

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advanced Skills Training for Human Rights Advocacy

Course #: 2399 **Term:** 2017FA **Faculty:** Farbstein, Susan; 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

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component: Either the fall International Human Rights Clinic - Advanced or the fall Semester in Human Rights Clinic. Students who enroll in either of these clinics will be enrolled in this required course by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None

By Permission: Clinical enrollment for the International Human Rights Clinic - Advanced is not by permission and is included in general clinical registration. Clinical enrollment for the Semester in Human Rights Clinic is by permission only. Applications are due April 7, 2017.

Add/Drop Deadline: August 29, 2017.

LLM Students: Due to the pre-requisite, LLM students are not eligible to apply.

Placement Site: HLS.

This seminar offers advanced training in strategic human rights advocacy that builds on themes and skills from the introductory seminars of the International Human Rights Clinic.

Students will explore a variety of strategic considerations that are critical to protecting and promoting human rights, including how to conceptualize and advance human rights agendas that target entrenched, structural challenges; how to mobilize constituencies and collaborate with affected communities to better address power imbalances and ensure sustainability; and how to develop communication strategies and narratives for maximum impact. Strategic decisions are often integrally tied to ethical questions, and thus the seminar also examines professional ethics and responsibilities through scenarios based on human rights practitioners own experiences in the field. In addition, students will workshop their own clinical projects, specifically considering ways to improve their impact and effectiveness.

The seminar is centrally concerned with building the leadership skills necessary for a career in human rights. As part of this leadership development, the instructors are committed to increasing student ownership over the learning processes in both the seminar and the Clinic. Students will work with the instructors to create a safe and inclusive learning environment that also encourages pedagogical experimentation. Students will help determine their learning priorities, including by developing a tailored individual or team project through which they can examine, in depth, an area of interest. Recent student projects have focused on human rights in the United States, op-ed writing and storytelling in the human rights context, dealing with trauma and developing a more sustainable practice, approaches to increase attention on disability rights, strategic and tactical mapping for human rights campaigns, the ethics of fact-finding and interviewing, negotiation and coalition-building, and community-based participatory action and research.

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advanced Topics in Evidence

Course #: 2838 **Term:** 2018SP **Faculty:** Nesson, Charles **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None

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

Advanced Topics in Jewish Law and Legal Theory

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

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 7:00 PM - 9:00 PM

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: TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advanced Topics in Jewish Law and Legal Theory

Course #: 2437 **Term:** 2018SP **Faculty:** Feldman, Noah **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 7:00 PM - 9:00 PM

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: TBD.

Advertising Law

Course #: 2753 **Term:** 2018SP **Faculty:** Tushnet, Rebecca **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

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

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Advocating for the Rule of Law: A Practical Approach

Course #: 2992 **Term:** 2017FA **Faculty:** Rosenthal, Lesley **Credits:** 1.00

Type: Elective **Subject Areas:** Legal & Political Theory; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Mon 8:00 AM - 10:00 AM

Course Description: Prerequisites: None

Exam Type: No Exam

"A government of laws, and not of men. At this inflection point in our nations history, Advocating for the Rule of Law is a new course that provides students with historical and doctrinal bases as well as practical learning opportunities about the Rule of Law in the domestic context. Themes that will be explored include: constraints on government powers, corruption/conflicts of interest, open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice. From leading guest lecturers active in the field, students will learn how to advocate for, assess and strengthen the Rule of Law, promoting a stable social and civic order, citizen engagement, and a positive climate for economic investment.

By the end of the semester, students will come away from the course empowered with practical knowledge about how to bring the Rule of Law to life, in their legal practice as well as in the pages of their local newspapers, high school civics classrooms, state legislatures and professional associations. Assignments will include brief written work associated with each of the six class meetings, most 2-3 pages but a few may exceed that length. Some will be prepared or begun in class as part of simulation exercises with visiting experts from the field. There will also be professional networking opportunities with the guests from many walks of public and private practice.

Note: This course will meet on the following dates: 9/11, 9/25, 10/16, 10/30, 11/13, 12/4.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

American Conservative Political and Legal Thought

Course #: 2889 **Term:** 2018SP **Faculty:** Goldsmith, Jack **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None

Exam Type: No Exam

This seminar will survey American conservative political and legal thought from the Founding to the present. The reading will be on the heavy side. Students will write six 1-page reaction papers and a 20-page seminar paper.

American Democracy

Course #: 2955 **Term:** 2018SP **Faculty:** Unger, Roberto Mangabeira **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: 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

American Indian Law

Course #: 2002 **Term:** 2017FA **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 3:20 PM - 4:50 PM

Tue 3:20 PM - 4:50 PM

Course Description: Prerequisites: None

Exam: In-Class

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 Legal History

Course #: 2004 **Term:** 2018SP **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

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 based on class participation, the weekly written responses, and two other short papers.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

American Legal History 1776-1865

Course #: 2163 **Term:** 2018SP **Faculty:** Gordon-Reed, Annette **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 3:20 PM - 4:50 PM

Tue 3:20 PM - 4:50 PM

Course Description: Prerequisites: None
Exam Type: One-Day Take-Home
This course is designed to consider the development of American law from the time of the founding of the United States to the beginning of the period of Reconstruction. It will not be a march through the evolution of legal doctrines, though we will discuss the development of various doctrines. Law, for our purposes, is broadly defined to include, among other things, the structure of the government that was created after the Revolution, statutory and common law, and customs. We will proceed in rough chronology, deviating when it makes sense to do so.
In history, context is all. To understand the development of any country's legal system, one must know something of the people (powerful and not), the society, and culture in which that system came into being. This is necessarily, then, a course in American history. If context is critical to historical study, recognizing the role of contingency must also guide our consideration. Things did not always have to happen the way they happened. With that in mind, we can say that the creation of the United States turns out to have been a pivotal moment in the history of the world. We are going to consider the choices made when creating the American Republic as a nation of laws from the 1770s to the 1860s. Many of those choices helped to shape American identities, and resonate to this day. It will be fun, and instructive, to consider how it all unfolded.
Note: This course is jointly-listed with FAS as History 1405.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 2586 **Term:** 2018SP **Faculty:** Brown-Nagin, Tomiko **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 1:10 PM - 3:10 PM

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

An Introduction to American Law

Course #: 2135 **Term:** 2017FA **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

Course Description: Prerequisite: None

Exam: In Class

This 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, and criminal law – An Introduction to American Law also addresses key concepts in constitutional law, criminal procedure, corporations, and the legal profession. Designed for LL.M. students trained as lawyers outside of the United States, this course will help contextualize other courses at HLS, and 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Analytical Methods for Lawyers

Course #: 2006 **Term:** 2018SP **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

Tue 3:20 PM - 4:40 PM

Wed 3:20 PM - 4:40 PM

Course Description:

Prerequisites: None.

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

concerning parties behavior (such as those regarding discrimination in employment), and in determination of causation (in tort, contract, and other disputes). We will address the basic statistical methods, including regression analysis, as well as issues that commonly arise when statistics are used in the courtroom.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Analytical Methods for Lawyers

Course #: 2006 **Term:** 2017FA **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

Tue 8:30 AM - 10:00 AM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Animal Law

Course #: 2355 **Term:** 2018SP **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**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

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:** 2018SP **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**

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Appellate Courts and Advocacy Workshop

Course #: 2426 **Term:** 2018WI **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	
Tue 9:00 AM - 12:30 PM	
Wed 9:00 AM - 12:30 PM	
Thu 9:00 AM - 12:30 PM	
Fri 9:00 AM - 12:30 PM	

Course Description: Prerequisite: None

Exam: No Exam

This is a two-credit course on the law of the appellate courts. It meets for 3 and 1/2 hours each day during the first two weeks of the January term. Students enrolled in this course are also enrolled in the one-credit writing component of the course that takes place in the Spring.

This course is open to upper-level JDs.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Art of Social Change

Course #: 2011 **Term:** 2018SP **Faculty:** Bartholet, Elizabeth; Hazen, Crisanne **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Aspects of 'Sovereignty'

Course #: 2911 **Term:** 2017FA **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

Course Description: Prerequisites: None

Exam Type: No Exam
Each student will be expected to write one "response paper" to a given weeks assigned readings, of approximately 750-1000 words. The purpose of the papers is to help set the agenda for the specific discussions that particular week.

"Sovereignty" is one of the most common and elusive concepts in theology, political theory and law. Although there are those who counsel simply dropping the notion, they have clearly been unsuccessful, whether we refer to the United States Supreme Court, debates about international law, particularly with regard to the limits of "humanitarian intervention," or every-day political debates about some of the implications of transnationalism and globalization.

This course is by no means a comprehensive overview of the complex questions presented by the concept of "sovereignty." Instead, it considers only selected "aspects" that will, I am confident, generate spirited discussion. The first class, for example, will be drawn almost entirely from religious materials, including the command to Abraham to sacrifice Isaac, the book of Job; St. Pauls Letter to the Romans 13:1; and selected passages from the Quran, as well as an the quotation over the pediment of the entrance to the Harvard Law School. Another week will be devoted to looking at control over the body as an "aspect of sovereignty," with materials on torture and capital punishment, as well as Kafkas story "In the Penal Colony." We will go on to consider the implications of "popular sovereignty." Two sessions will be devoted to American constitutionalism, including federalism and the conceptualization of Puerto Rico and American Indian tribes. We will conclude by considering "humanitarian intervention" as a limitation on traditional notions of state sovereignty. Given the nature of the topic, I would especially welcome the participation of students from abroad, especially those enrolled in the LLM and SJD programs. It is not necessary to have more than superficial familiarity, if that, with the specific caselaw interpreting the U.S. Constitution. Any cases that are relevant will be assigned.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Bankruptcy

Course #: 2013 **Term:** 2017FA **Faculty:** Roe, Mark **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 3:20 PM - 4:40 PM

Tue 3:20 PM - 4:40 PM

Wed 3:20 PM - 4:40 PM

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.

Bearing Witness: Documentary Film in the Struggle for Human Rights

Course #: 2983 **Term:** 2017FA **Faculty:** Cohen, Rebecca Richman **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 8:00 PM

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: TBD.Additional time reserved for viewing films.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Becoming a Law Professor

Course #: 2416 **Term:** 2018SP **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

Course Description: Prerequisites: Admission is by application via email to Susannah Barton Tobin at stobin@law.harvard.edu by October 15, 2017. Please include a paragraph expressing your interest in the reading group and a CV.
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:** 2018SP **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

Course Description: Prerequisite: Instructor permission is required. Please send a statement of interest and your resume to Ashleey 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Birthing a Constitution

Course #: 2947 **Term:** 2017FA **Faculty:** Lessig, Lawrence **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Course Description: Prerequisite: None

Exam: No Exam

This seminar will explore the process of constitutional formation. We will consider the experience in a number of nations -- including the United States, Russia, Georgia, South Africa and Iceland -- and draw from those examples a sense of the constituent power, and its limits. Students will write short "idea papers" (no more than 2 pages) each week, and one final paper for the course.

Black Lives Matter and the Law

Course #: 2985 **Term:** 2017FA **Faculty:** Butler, Paul **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: Criminal Law
Exam Type: No Exam
This reading group will focus on recent texts, especially books, about race and crime. Issues to be covered include policing, mass incarceration, intersectionality, and the movement for black lives.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Business Strategy for Lawyers

Course #: 2015 **Term:** 2018SP **Faculty:** Spier, Kathryn **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

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, familiarity with economic reasoning and algebra is assumed.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Business Valuation and Analysis

Course #: 2090 **Term:** 2018SP **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**

Course Description: Prerequisites: HLS courses “Introduction to Accounting” or “Analytical Methods for Lawyers”, or equivalent prior accounting course at another university covering introduction to financial 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Capital Markets Regulation

Course #: 2018 **Term:** 2018SP **Faculty:** Scott, Hal; Glauber, Robert **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

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

Capital Punishment Clinic

Course #: 8005 **Term:** 2018WS **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 29, 2017.
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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Capital Punishment in America

Course #: 2020 **Term:** 2017FA **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

Tue 10:20 AM - 11:50 AM

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 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 29, 2017.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Challenges of a General Counsel

Course #: 2475 **Term:** 2017FA **Faculty:** Wilkins, David; Heineman, Benjamin **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

Course Description: Prerequisite: None

Exam: No Exam

This seminar will examine the role of the "general counsel" in a variety of public and private settings. Professors Heineman and Wilkins will teach the first four classes of the course, setting out the tension between the GCs roles as "partner" with senior organizational leaders and "guardian" of the institutions long-term interests and reputation that will provide the framework for the course, and discuss the frameworks application to the issues faced by general counsels in large multinational companies. In the eight remaining classes, we will have different visiting lecturers from government (e.g., State Department legal advisor, GC of Defense Department, GC of Treasury Department, White House Counsel and DoJ Office of Legal Counsel) and from the non-profit world (GCs of a hospital system, a university system, and a foundation) who will discuss the increasingly important role of general counsels in these settings, as well as share information about their careers. Each class will center around a one or two page hypothetical or real problem dealing with a fundamental challenge faced by general counsels ---for example, organizational conflict, compliance, ethics, risk, relations with the top of the entity (e.g. Secretary of State or University President)---in a rich context involving institutional dynamics, personality, policy, politics, culture and history. In preparation for the discussion, students will read materials from a variety of sources and disciplines designed to give them some background on the problem to be discussed. Students will also write 2-3 page response papers (which will be graded pass/fail) giving their initial reactions to the problem in light of the reading, and preparing questions for class discussion. Students will be graded on satisfactorily completing all response papers, actively participating in class discussion, and on a 10 page paper due on the last day of exam period on a topic relating to the role of the GC in a particular setting.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Child Advocacy Clinic

Course #: 8001 **Term:** 2018SP **Faculty:** Hazen, Crisanne **Credits:** 5.00

Type: Clinic **Subject Areas:** Family, Gender & Children's 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: 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 4, 2017.
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 childrens issues, but also for those more generally interested in social change.
Enrollment Options: The Child Advocacy Clinic offers two different clinical fieldwork options: a spring-only clinic and a winter-spring clinic. This offering is for the 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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Child Advocacy Clinic

Course #: 8001 **Term:** 2018WS **Faculty:** Hazen, Crisanne **Credits:** 7.00

Type: Clinic **Subject Areas:** Family, Gender & Children's 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: 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 30, 2017.
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 childrens issues, but also for those more generally interested in social change.
Enrollment Options: The Child Advocacy Clinic offers two different clinical fieldwork options: a spring-only clinic and a winter-spring clinic. This offering is for the winter-spring Child Advocacy Clinic. Students engage in full-time work in the winter and part-time work (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.

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Child Advocacy Clinical Seminar

Course #: 2021 **Term:** 2018SP **Faculty:** Hazen, Crisanne **Credits:** 2.00

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

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.
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 30, 2017 for winter-spring clinical students and December 4, 2017 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Child, Family and State

Course #: 2023 **Term:** 2017FA **Faculty:** Bartholet, Elizabeth **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

Tue 3:20 PM - 4:50 PM

Course Description: Prerequisite: None

Exam: One-Day Take-Home

This course will focus on childrens rights and interests in the context of family and child welfare. We will consider how our society shapes the meaning of childhood, and what role the government does and should play in supporting families so that they can provide children with appropriate nurture. We will assess the potential of programs designed to provide special support to fragile families, such as early home visitation and family preservation. We will look at how law divides responsibility for children between parents and the state, and consider how the balance should be drawn. We will look at law and policy governing parent rights, child abuse and neglect, foster care, adoption (domestic and international), education, and juvenile justice. Throughout we will think about how we could change law and policy to create a better world for children and families.

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

Course #: 2702 **Term:** 2017FA **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

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This Reading Group will study what the "One Country, Two Systems" principle means twenty 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 during the Fall 2017 semester; dates TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

City Use of Technology

Course #: 2813 **Term:** 2017FA **Faculty:** Crawford, Susan **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 1:10 PM - 3:10 PM

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:** 2018WI **Faculty:** Kennedy, Randall **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 9:00 AM - 12:30 PM

Tue 9:00 AM - 12:30 PM

Wed 9:00 AM - 12:30 PM

Thu 9:00 AM - 12:30 PM

Fri 9:00 AM - 12:30 PM

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."

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Civil Procedure Advanced: Topics in American Civil Justice

Course #: 2354 **Term:** 2018SP **Faculty:** Hay, Bruce **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Course Description: Prerequisites:None
Exam Type:In Class
This course probes more deeply into topics introduced in the basic civil procedure course, with special attention to contemporary problems and controversies, both domestic and international. Students may elect to write a paper in lieu of the exam.

Civil Rights Litigation

Course #: 2651 **Term:** 2018SP **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Class Actions: Litigating Advanced Topics

Course #: 2024 **Term:** 2017FA **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 1:00 PM - 3:00 PM

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, class standing, mootness, etc.), to class certification standards, procedures and opt outs, to class settlements, objectors and fee awards, and management of repetitive class actions.
Note: This course is open to upper-level JDs only.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Climate Solutions Living Lab

Course #: 2921 **Term:** 2018SP **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

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 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 .
This is a multi-disciplinary course; students will work in multi-disciplinary teams. 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 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 course has a limited number of seats to be filled by students from multiple disciplines (law, business, engineering, design, policy, public health) who will together design and study practical solutions for reducing the use of fossil fuels in the U.S. and reducing emissions of potent greenhouse gases from a variety of activities other than generation of energy. 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 opportunities to meet with experts, including financiers, technology and renewable energy developers, government representatives, leading corporations, and leading consultants. Lectures will provide background on pertinent topics including the science of greenhouse gases (GHG) and air pollution, 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). Students will learn about key elements of project development and 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 mechanisms for mitigating project impacts and managing controversies, identifying the permits and approvals needed for a project, and identifying funding sources

for project development.

Commercial Law: Secured Transactions

Course #: 2026 **Term:** 2017FA **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

Tue 10:30 AM - 12:00 PM

Course Description: Prerequisites: None

Exam Type: In-Class

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 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.)

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Communications and Internet Law and Policy

Course #: 2306 **Term:** 2018WI **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 1:00 PM - 4:30 PM	
Tue 1:00 PM - 4:30 PM	
Wed 1:00 PM - 4:30 PM	
Thu 1:00 PM - 4:30 PM	
Fri 1:00 PM - 4:30 PM	

Course Description: Prerequisite: None

Exam: Any-Day Take-Home

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Community Enterprise Project of the Transactional Law Clinics

Course #: 8048 **Term:** 2018SP **Faculty:** Kool, Amanda; 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). Once a student is accepted into this clinic, they will be enrolled in the required class component by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission:Yes. Initial applications are due April 10, 2017. Please see below for more details about the application process. Add/Drop Deadline: Please note that students enrolled in CEP have an early drop deadline of December 1, 2017. LLM Students: LLM students may apply to CEP by submitting an application. Placement Site: HLS.

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

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

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

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

If accepted, students will register for 4 or 5 clinical credits through the Transactional Law Clinics and 2 course credits for the associated clinical seminar. Continuing TLC students may take CEP for 3, 4, or 5 clinical credits and do not need to register in the associated clinical seminar.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Community Enterprise Project of the Transactional Law Clinics

Course #: 8048 **Term:** 2017FA **Faculty:** Kool, Amanda; 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). Once a student is accepted into this clinic, they will be enrolled in the required class component by the Office of Clinical and Pro Bono Programs. Additional Co-/Pre-Requisites: None. By Permission:Yes. Initial applications are due by April 10, 2017. Applications submitted after this deadline will be accepted on a rolling basis. Add/Drop Deadline: Please note that students enrolled in CEP have an early drop deadline of August 4, 2017. LLM Students: LLM students may apply to CEP by submitting an application. Placement Site: HLS.

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

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

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

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

If accepted, students will register for 4 or 5 clinical credits through the Transactional Law Clinics and 2 course credits for the associated clinical seminar. Continuing TLC students may take CEP for 3, 4, or 5 clinical credits and do not need to register in the associated clinical seminar.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Comparative Constitutional Law

Course #: 2028 **Term:** 2018SP **Faculty:** Tushnet, Mark **Credits:** 3.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; 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: Prerequisites:
Exam Type: One-Day Take-Home
This course will cover a series of topics arising in the comparative study of constitutional structure and law in countries including Canada, Colombia, Great Britain, France, Germany, Hungary, India, Israel, South Africa, and the United States. It will take up questions of constitutional purpose, function, design, and doctrine.

Comparative Constitutional Law

Course #: 2028 **Term:** 2017FA **Faculty:** Lessig, Lawrence **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

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

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Comparative Digital Privacy

Course #: 2615 **Term:** 2018SP **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

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 will hope to answer questions like: which institutions are the most capable of enforcing user privacy? And how can we design our technologies so that privacy values are embedded into the construction of our technological tools? In asking these questions, we will create a valuable matrix and taxonomy for recommending solutions to potential privacy harms. Finally, in the third section, we will look at specific cases that reflect current trends in privacy law. For instance, we will apply our studies earlier in the seminar towards 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. Further, you will be given the opportunity to prepare remarks for the panelists and play a leading role in the direction of the symposium.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Complex Litigation: Legal Doctrines, Real World Practice

Course #: 2366 **Term:** 2017FA **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Complex Mass Injury Litigation

Course #: 2032 **Term:** 2018WI **Faculty:** Rosenberg, David **Credits:** 2.00

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

Delivery Mode: Course

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

Course Description: 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 winter 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.

Compliance and Computation

Course #: 2987 **Term:** 2017FA **Faculty:** DeLong, John **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam

This seminar will focus on compliance programs and legal practices in a world with ever-increasing amounts of computation, especially in the areas of machine learning and artificial intelligence. The seminar will explore how traditional compliance programs achieve their goal of keeping organizations and people operating under the rule of law, review current and future trends in computation, explore how lawyers and compliance officers interact with and understand technology and algorithms, and then focus on emerging trends at the intersection of compliance and computation.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Conflict of Laws

Course #: 2033 **Term:** 2018SP **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

Fri 9:50 AM - 11:50 AM

Course Description: 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 take a course in contracts, torts, or property law in the fall semester of 2017.
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 six 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.

Congress and the Courts

Course #: 2961 **Term:** 2017FA **Faculty:** Grove, Tara **Credits:** 1.00

Type: Elective **Subject Areas:** Government Structure & Function

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This reading group will examine the relationship between the Article III federal judiciary and the political branches, particularly the legislative branch. Drawing on legal and political science literature, we will look at clashes between the political branches and the judiciary - from the early nineteenth century to the present day. We will also study efforts by the political branches to empower the judiciary. Throughout the course, we will consider whether the federal judiciary can and should serve as a countermajoritarian institution that polices legal violations by political actors.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Constitutional History I: From the Founding to the Civil War

Course #: 2034 **Term:** 2017FA **Faculty:** Klarman, Michael **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:10 PM - 2:10 PM

Thu 1:10 PM - 2:10 PM

Fri 1:10 PM - 2:10 PM

Course Description: Prerequisite: None

Exam: Any Day Take-Home

This course considers, from the perspective of social and political history, American constitutional development from the Articles of Confederation to the Civil War. Issues covered include the failures of the Articles of Confederation, the framing of the Constitution, debates over ratification and the enactment of the Bill of Rights, constitutional disputes over the Alien and Sedition Act, the Chase impeachment, the origins of judicial review, the nationalist rulings and the contracts clause decisions of the Marshall Court, states rights constitutionalism and the nullification debate of 1832, various issues involving slavery including fugitive slave renditions and slavery in the western territories, the constitutional debate over secession, and various constitutional issues raised by the Civil War including conscription, confiscation, and emancipation.

Constitutional Law 3.0: The Trump Trajectory

Course #: 2030 **Term:** 2018SP **Faculty:** Tribe, Laurence **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM

Course Description: Prerequisites: By Permission. Open only to students who will have completed at least one of the two introductory constitutional law courses at HLS. Preference in admission will be given to students who will have completed two or are at least taking the second class concurrently. Applicants must submit a brief statement of interest.
Exam Type: No Exam
This seminar will explore what the Trump presidency might mean for American constitutional law and how we might expect the Constitution to constrain Trump's execution of his powers and duties. Students who also write a substantial 1-credit paper in conjunction with the seminar on a topic to be approved by the instructor will receive 3 credits in all. Other students will write two short papers and receive 2 credits. Admission will be limited to 12. Meets 2 hours weekly.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2017FA **Faculty:** Fried, Charles **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Course Description: Prerequisites: By Permission for LLM students only. JD students who have taken other courses covering some of this material should seek permission before enrolling.

Exam type: In-Class (closed book)

This course is one of the two basic courses in the field: it deals primarily with the First Amendment speech and the religion clauses. These will be related to the press, assembly and petitioning clauses. The relation of First Amendment doctrine to campaign finance, lobbying and commercial regulation will be considered.

The course will be taught through lectures and discussion, including cold calling. 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.

The textbook will be Sullivan ands Feldman, Nineteenth Edition, supplemented by materials posted on the course website.

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2018SP **Faculty:** Field, Martha **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

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

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2018SP **Faculty:** Tushnet, Mark **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 3:20 PM - 4:40 PM

Tue 3:20 PM - 4:40 PM

Wed 3:20 PM - 4:40 PM

Course Description: Prerequisites: None
Exam Type: One-Day Take-Home
Focuses primarily on the free speech clause of the First Amendment, with some attention to the religion clauses.

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2018SP **Faculty:** Feldman, Noah **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM

Fri 1:00 PM - 3:00 PM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 2036 **Term:** 2018SP **Faculty:** Klarman, Michael **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:20 PM - 2:40 PM

Thu 1:20 PM - 2:40 PM

Fri 1:20 PM - 2:40 PM

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

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

Course #: 2036 **Term:** 2018SP **Faculty:** Feldman, Noah **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 2036 **Term:** 2017FA **Faculty:** Strauss, David **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

Fri 9:50 AM - 11:50 AM

Course Description: Prerequisites: None

Exam Type: Any Day Take-Home

This course is one of the two basic courses in the field. The first part of the course will consider the constitutional law governing the structure of the United States government, including such subjects as the power of the federal government, the separation of powers within the federal government, and the relationship between the federal government and the states. The second part of the course will consider the law that has been developed under the Fourteenth Amendments Equal Protection Clause and the substantive rights that have been derived from the Due Process Clause.

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

Course #: 2036 **Term:** 2017FA **Faculty:** Rahman, Sabeel **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Course Description: Prerequisite: None

Exam Type: One-Day Take-Home

This course is one of the two basic courses in the field. Major topics include the scope of Federal power and federalism; the separation of powers; and individual rights under the Fourteenth Amendment. Thematically, the class will explore (1) constitutional law as an ongoing contest between different constituencies over fundamental values of inclusion and exclusion, dignity and standing, racial and economic (in)equity, democratic accountability and governmental capacity; and (2) the interactions in constitutional cases between law, doctrine, politics, ideas, and institutional structure. The course will also address emerging controversies and constitutional law debates drawn from pending cases and current events. Class time will consist of a combination of lecture, class discussion, and case studies.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 2036 **Term:** 2018SP **Faculty:** Lessig, Lawrence **Credits:** 4.00

Type: Multisection **Subject Areas:** Constitutional Law & Civil Rights; Legal & Political Theory; Legal History

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

Course Description: Prerequisites: None
Exam Type: In Class
In this class, we will develop a sense of the law and history of these core elements of American constitutional law — separation of powers, federalism and the 14th Amendment — as well as a conception of constitutional interpretation over time. There will be a final exam, as well as one additional short research assignment given during the term. Class participation will be considered in determining the final grade.

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

Course #: 2036 **Term:** 2017FA **Faculty:** Parker, Richard **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:20 PM - 2:40 PM

Fri 1:20 PM - 2:40 PM

Thu 1:20 PM - 2:40 PM

Course Description: Prerequisites: None

Exam Type: Any-Day Take-Home

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 2036 **Term:** 2017FA **Faculty:** Jackson, Vicki **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Thu 9:50 AM - 11:50 AM

Course Description: Prerequisite: None

Exam: Any Day Take-Home

This course is one of the two basic courses in the field of U.S. constitutional law. It focuses on judicial review, the separation of powers, federalism, and the Fourteenth Amendments Equal Protection and Due Process Clauses. The casebook is Stone, Seidman, Sunstein, Tushnet and Karlan, Constitutional Law (7th ed. 2013) and its Supplement.

Constitutional Theory: The Structure of Constitutional Rights

Course #: 2990 **Term:** 2017FA **Faculty:** Fallon, Richard **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisite: A Constitutional Law course on either the First or Fourteenth Amendment is a prerequisite.Exam: No Exam

In constitutional discourse, the term "right" is ambiguous. It can refer either to a presumptively protected right or interest, any infringement of which will trigger some form of judicial scrutiny (such as strict scrutiny). Or it can refer to ultimately protected "trumps" in constitutional argument. Readings for the seminar will explore the philosophical, historical, and legal foundations of presumptively protected constitutional rights or interests and of the analytically sequenced, frequently tiered structure of American judicial review. Grading for the seminar will be based on three short papers during the course of the semester and on one, slightly longer, paper at the end.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Constitutional Transitions: Both Ways Now?

Course #: 2022 **Term:** 2018SP **Faculty:** Jackson, Vicki **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisite: None

Exam: None

In the early 1990s, a number of countries in the world were moving from authoritarian, military, and/or undemocratic regimes towards democratic constitutionalism that protected many liberal values (such as freedom of speech, freedom of religion) as well as newer rights (such as to minimal social welfare support and to preserve clean and natural environments). The end of history was declared, famously, by Francis Fukuyama. But history does not move only in one direction. Today we are seeing the rise of what is being called populist nationalism, in which the majoritarian democracy seems to be on the rise and the constitutionalist protection for minority rights on the decline, with threats in some countries to the liberal rights of freedom of speech, association and the press often deemed indispensable to the legitimacy of reliance on elections as the basis for governance. Why? What - if anything - can lawyers do in response?

Note: This reading group will meet on the following dates: TBD.

Constitutions and Gender

Course #: 2975 **Term:** 2017FA **Faculty:** Dixon, Rosalind **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM

Wed 1:00 PM - 3:00 PM

Course Description: Prerequisites: None

Exam Type: Any-Day Take-Home

Constitutions around the world guarantee sex equality, or gender justice, in a variety of ways: through general equality clauses, gender-specific non-discriminating guarantees, political and other quotas, reproductive and social rights, and a broader range of international human rights guarantees. This course will explore these provisions, and their interpretation via courts around the world, with a view to addressing three broad questions: What are the consequences of these different provisions for the achievement of gender justice? What do they tell us about US constitutional models and practices regarding sex equality? And what theories of gender justice or sex equality do they reflect or advance?

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Contemporary Issues in Constitutional Law

Course #: 2897 **Term:** 2017FA **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 - 7:00 PM	
Tue 5:00 PM - 7:00 PM	
Wed 5:00 PM - 7:00 PM	
Thu 5:00 PM - 7:00 PM	

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 11th and ending September 21nd.

Drop Deadline: September 12, 2017 by 11:59pm EST in HELIOS

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 2717 **Term:** 2017FA **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**

Tue 5:00 PM - 7:00 PM

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.

Copyright

Course #: 2042 **Term:** 2017FA **Faculty:** Tushnet, Rebecca **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Course Description: Prerequisites: None
Exam Type: Any-Day Take-Home
This course examines the law of copyright and its role within the overall framework of intellectual property law. Topics covered include the subject matter requirements for copyrightability; the rules that govern determination of authorship, the rights that copyright law confers on authors and the limitations and exceptions to those rights; the rules governing indirect liability of intermediaries and liability for circumvention of technological protections; and the scope of copyright preemption.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Copyright

Course #: 2042 **Term:** 2018SP **Faculty:** Fisher, William **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

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:** 2017FA **Faculty:** Cendali, Dale **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporate and Capital Markets Law and Policy

Course #: 2362 **Term:** 2018SP **Faculty:** Bebchuk, Lucian; Hirst, Scott **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Course

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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporate Finance: Module I

Course #: 2044 **Term:** 2018SP **Faculty:** Spamann, Holger **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:10 AM - 10:10 AM

Tue 8:10 AM - 10:10 AM

Course Description: Note: This module is part of a four-module corporate finance sequence that will span the entire semester, each module being 3 weeks long.Prerequisite: Students must have taken, or take concurrently, Introduction to Finance Concepts or Analytical Methods at Harvard Law School, or a similarly basic introduction to net present value and its ingredients during their undergraduate or other studies.

Exam: TBD
This module will be graded based on a mini-exam at the end of the module, i.e., during the semester.

This new course seeks to develop financial thinking, with applications to legal problems and documents. Concepts to be covered will include (1) arbitrage and the law of one price, (2) market structure and efficiency, (3) problems of asymmetric information and collective action, and (4) options and auctions. Applications will include (1) firm valuation, (2) event studies and trading regulation, (3) financial contracts, and (4) market and contract design. The course will be divided into four modules of three weeks and one credit each that roughly track the numbering above, and students can choose to take only the first one, two, or three modules. The course will emphasize learning through applications: all or some lectures will be pre-recorded for online viewing, and students will spend most or all of the remaining time in class working on problems in groups.

Module I will be graded pass/fail.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporate Finance: Module II

Course #: 2044 **Term:** 2018SP **Faculty:** Spamann, Holger **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:10 AM - 10:10 AM

Tue 8:10 AM - 10:10 AM

Course Description: Note: This module is part of a four-module corporate finance sequence that will span the entire semester, each module being 3 weeks long.Perequisites: Students must have completed Module I.Exam: TBD
This module will be graded based on a mini-exam at the end of the module, i.e., during the semester.

This new course seeks to develop financial thinking, with applications to legal problems and documents. Concepts to be covered will include (1) arbitrage and the law of one price, (2) market structure and efficiency, (3) problems of asymmetric information and collective action, and (4) options and auctions. Applications will include (1) firm valuation, (2) event studies and trading regulation, (3) financial contracts, and (4) market and contract design. The course will be divided into four modules of three weeks and one credit each that roughly track the numbering above, and students can choose to take only the first one, two, or three modules. The course will emphasize learning through applications: all or some lectures will be pre-recorded for online viewing, and students will spend most or all of the remaining time in class working on problems in groups.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporate Finance: Module III

Course #: 2044 **Term:** 2018SP **Faculty:** Spamann, Holger **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:10 AM - 10:10 AM

Tue 8:10 AM - 10:10 AM

Course Description: Note: This module is part of a four-module corporate finance sequence that will span the entire semester, each module being 3 weeks long.Perequisites: Students must have completed Modules I and II.
Exam: TBD
This module will be graded based on a mini-exam at the end of the module, i.e., during the semester.

This new course seeks to develop financial thinking, with applications to legal problems and documents. Concepts to be covered will include (1) arbitrage and the law of one price, (2) market structure and efficiency, (3) problems of asymmetric information and collective action, and (4) options and auctions. Applications will include (1) firm valuation, (2) event studies and trading regulation, (3) financial contracts, and (4) market and contract design. The course will be divided into four modules of three weeks and one credit each that roughly track the numbering above, and students can choose to take only the first one, two, or three modules. The course will emphasize learning through applications: all or some lectures will be pre-recorded for online viewing, and students will spend most or all of the remaining time in class working on problems in groups.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporate Finance: Module IV

Course #: 2044 **Term:** 2018SP **Faculty:** Spamann, Holger **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:10 AM - 10:10 AM

Tue 8:10 AM - 10:10 AM

Course Description: Note: This module is part of a four-module corporate finance sequence that will span the entire semester, each module being 3 weeks long.
Perequisites: Students must have completed Modules I, II & III.
Exam: TBD
This module will be graded based on a mini-exam at the end of the module, i.e., during the semester.

This new course seeks to develop financial thinking, with applications to legal problems and documents. Concepts to be covered will include (1) arbitrage and the law of one price, (2) market structure and efficiency, (3) problems of asymmetric information and collective action, and (4) options and auctions. Applications will include (1) firm valuation, (2) event studies and trading regulation, (3) financial contracts, and (4) market and contract design. The course will be divided into four modules of three weeks and one credit each that roughly track the numbering above, and students can choose to take only the first one, two, or three modules. The course will emphasize learning through applications: all or some lectures will be pre-recorded for online viewing, and students will spend most or all of the remaining time in class working on problems in groups.

Corporate Governance: The Short-Termism Problem

Course #: 2988 **Term:** 2017FA **Faculty:** Roe, Mark **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisite: None

Exam: No Exam

In this course, students will examine writings on the problem of corporate short-termism, its consequences and sources and what policy measures are appropriate.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporate Reorganization

Course #: 2047 **Term:** 2018SP **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

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.

Corporate Tax A: Formations, Operations and Liquidations

Course #: 2309 **Term:** 2018SP **Faculty:** Abrams, Howard **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 3:20 PM - 4:50 PM

Tue 3:20 PM - 4:50 PM

Course Description: Prerequisites: Taxation or permission of the instructor.
Exam Type: In Class
This course covers the basic provisions applicable to corporations and their shareholders including contributions, distributions (including redemptions and stock dividends), and liquidations.

The textbook is Doernberg, Abrams & Leatherman, Federal Income Taxation of Corporations and Partnerships (5th ed. 2014).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporate Tax B: Mergers, Acquisitions and Divisions

Course #: 2788 **Term:** 2017FA **Faculty:** Warren, Alvin **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 8:10 AM - 10:10 AM

Course Description: Prerequisite: Taxation. Permission of the instructor is required to waive the prerequisite.

Exam Type: In-Class

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 (2017-2018 edition).

Corporations

Course #: 2048 **Term:** 2018SP **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

Tue 10:20 AM - 11:55 AM

Wed 10:20 AM - 11:55 AM

Course Description: Prerequisites: None

Exam Type: In-Class

This course surveys the role of legal controls on business organizations with emphasis on the control of managers in publicly held corporations. Aspects of the law of agency, partnership, and closely held corporations are reviewed to highlight continuities and discontinuities with the publicly held corporation. Topics include basic fiduciary law, shareholder voting, derivative suits, executive compensation, reorganizations, and control transactions. The emphasis throughout is on the functional analysis of legal rules as one set of constraints on corporate actors among others.

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

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporations

Course #: 2048 **Term:** 2017FA **Faculty:** Fried, Jesse **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Course Description: Prerequisite: None

Exam: In Class

This course introduces students to the legal rules protecting creditors and shareholders of a corporation. Topics include limited liability, veil piercing, equitable subordination, fraudulent conveyances, leveraged buyouts, the duties of care and loyalty, shareholder voting, derivative suits, executive compensation, insider trading, and control transactions.

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

Corporations

Course #: 2048 **Term:** 2017FA **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

Fri 9:50 AM - 11:50 AM

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, insider trading, shareholder voting, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporations

Course #: 2048 **Term:** 2018SP **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 1:00 PM - 3:00 PM

Thu 1:00 PM - 3:00 PM

Course Description: Prerequisites: None

Exam: In Class. In addition to the final exam, there will be several quizzes throughout the semester.

This course surveys the legal rules governing corporations with an emphasis on the protection of shareholders against management and controlling shareholders. Topics include asset partitioning, governance (shareholder voting, fiduciary duties, derivative suits, executive compensation), M&A, securities trading, corporate finance, protections of creditors and other constituencies, and choice of law. One quarter of the course will be based on problems drawn from transactional settings. The course emphasizes financial and strategic considerations throughout.

Materials: https://h2o.law.harvard.edu/playlists/1923 and transactional problems distributed in class.

Corporations

Course #: 2048 **Term:** 2018SP **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

Fri 9:50 AM - 11:50 AM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Corporations

Course #: 2048 **Term:** 2017FA **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	
Tue 3:20 PM - 4:40 PM	
Wed 3:20 PM - 4:40 PM	

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Cost-Benefit Analysis

Course #: 2981 **Term:** 2017FS **Faculty:** Jackson, Howell; Cope, David **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisite: None

Exam: No Exam

Cost-benefit analysis is the primary technique used by regulators around the world to evaluate and defend the rationality of existing and proposed regulations in fields as diverse as finance, the environment, health care, and transportation. Its use is often defended as a check on arbitrary regulatory action.

This year-long seminar will explore the use of cost-benefit analysis in administrative processes in the United States and around the world. In addition to reviewing current and proposed legal requirements for cost-benefit analysis, we will be examining the actual methods used to conduct cost-benefit analysis as taught in schools of public policy and as used in recent regulatory filings. Students enrolled in the course will be asked to write research papers analyzing and critiquing actual cost-benefit studies. As one of the instructors has done extensive research on cost-benefit analysis with respect to consumer financial products, a number of research topics involving financial regulations will be available, but students will also be encouraged to explore applications of the technique in whatever regulatory area might be of special interest to them.

The seminar will have twelve sessions, with roughly half the sessions to be held at the front end of the Fall semester and designed to introduce the subject, with the balance in the Spring Term after Spring Break when students will present and receive comments on their research papers. Readings will be distributed through the course website and may be supplemented with materials on reserve in Langdell Library. No particular background in law, mathematics, or economics will be presumed by the instructors and students from elsewhere in the University are welcome to participate.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Counseling and Legal Strategy in the Digital Age

Course #: 2653 **Term:** 2017FA **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002 **Term:** 2018WS **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 clinics add/drop deadline will result in the student being dropped from this clinic and class.
By Permission: No.
Add/Drop Deadline: Please note this clinic has an early drop deadline of August 29, 2017.
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 (Fall-Winter and Winter-Spring) must attend mandatory orientation sessions on Wednesday, September 27, Thursday, September 28 AND Friday, September 29, 2017. Additionally, each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 25) or Tuesday (Sept. 26).
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 25 – September 29, 2017. 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. 25) or Tuesday (Sept. 26) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 27) and Thursday (Sept. 28) from 2:00 PM – 5:00 PM as well as on Friday (Sept. 29) 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. There will be a mandatory orientation session on Thursday, January 4, 2017, for students enrolled in the Winter/Spring clinic.
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 paper the first week of May.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002 **Term:** 2017FW **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 clinics add/drop deadline will result in the student being dropped from this clinic and class.
By Permission: No.
Add/Drop Deadline: August 29, 2017.
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 (Fall-Winter and Winter-Spring) must attend mandatory orientation sessions on Wednesday, September 27, Thursday, September 28 AND Friday, September 29, 2017. Additionally, each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 25) or Tuesday (Sept. 26).
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 25 – September 29, 2017. 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. 25) or Tuesday (Sept. 26) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 27) and Thursday (Sept. 28) from 2:00 PM – 5:00 PM as well as on Friday (Sept. 29) 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. There will be a mandatory orientation session on Thursday, January 4, 2017, for students enrolled in the Winter/Spring clinic.
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 May.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Criminal Justice Institute: Defense Theory and Practice

Course #: 2261 **Term:** 2017FW **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	
Thu 5:00 PM - 7:00 PM	
Wed 12:00 PM - 2:00 PM	
Thu 12:00 PM - 2:00 PM	

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility 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 clinics add/drop deadline will result in the student being dropped from this clinic and class.
By Permission: No.
Add/Drop Deadline: August 29, 2017.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Multi-Semester: This is a fall-winter course (3 fall classroom credits + 1 winter classroom credit).
Placement Site: HLS.

Mandatory Meeting: All students enrolled in the clinic (Fall-Winter and Winter-Spring) must attend mandatory orientation sessions on Wednesday, September 27, Thursday, September 28 AND Friday, September 29, 2017. Additionally, each student is required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 25) or Tuesday (Sept. 26).
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 25 – September 29, 2017. 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. 25) or Tuesday (Sept. 26) from 9:00 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 27) and Thursday (Sept. 28) from 2:00 PM – 5:00 PM as well as on Friday (Sept. 29) 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. There will be a mandatory orientation session on Thursday, January 4, 2017, for students enrolled in the Winter/Spring clinic.

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 May.

This course satisfies the professional responsibility requirement.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Criminal Justice Policy Program

Course #: 2801 **Term:** 2017FS **Faculty:** Steiker, Carol; Whiting, Alex **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM

Course Description: 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 experience) in criminal justice issues to mworth@law.harvard.edu. The deadline for JD applications is May 20, 2017. The deadline for LLM applications is August 1, 2017.

Exam Type: No Exam

This full-year seminar immerses students in the work of criminal justice policy reform. The centerpiece of the seminar is sustained, substantive work on criminal justice policy initiatives led by the Criminal Justice Policy Program (CJPP), a research and advocacy center based at HLS. Students work on policy projects geared toward real-world reform under the supervision of the Program's Executive Director (Larry Schwartztol) and faculty Co-Directors (Professors Carol Steiker & Alex Whiting), typically in partnership with outside organizations and government agencies. Prior CJPP policy initiatives that seminar students have worked on focused on the criminalization of poverty, body cameras and other transformative policy technologies, the evolving role of the prosecutor as an agent of progressive criminal justice policy, and the use of potentially faulty forensic science evidence in criminal cases. In addition to the policy projects, the seminar engages students in an ongoing discussion of modes and strategies for achieving criminal justice reform as well as fundamental normative questions about the operation of the criminal justice system, including its interaction with questions of social and racial justice. The seminar hosts prominent practitioners and policymakers as visiting lecturers to discuss strategies for reform and to provide background and guidance on the seminars policy projects. Students are invited to all of the public events sponsored by CJPP 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 to the other seminar participants.

Note: This seminar will meet every other week over the entire year.

The credit breakdown for this seminar is as follows: 4 credits total with 1 classroom credit and 1 writing credit being awarded per term.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Criminal Procedure: Adjudication

Course #: 2049 **Term:** 2018SP **Faculty:** Suk Gersen, Jeannie **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM

Thu 1:00 PM - 3:00 PM

Course Description: Prerequisites: None
Exam Type: Any-Day Take-Home
This course is about the criminal adjudication process "from bail to jail." We will focus on constitutional and policy issues surrounding the criminal process, including topics such as charging, counsel, prosecutorial discretion, plea bargaining, the jury, and sentencing. We will also address distributional consequences including racial and class impacts.
Class participation is required and the use of laptops and similar devices in class is not permitted.

Criminal Procedure: Investigations

Course #: 2050 **Term:** 2018SP **Faculty:** Crespo, Andrew **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Course Description: Prerequisites: None

Exam type: In-Class

This course examines the relationship between the people and the police, primarily by examining the constitutional doctrines of the Fourth, Fifth, and Sixth Amendments that directly regulate law enforcement behavior. Topics will include custodial interrogation, search and seizure, stop and frisk, electronic surveillance, probable cause, warrants and their exceptions, excessive force, and exclusionary remedies. In addition to doctrinal examination, the course will also explore some of the challenging policy questions associated with contemporary policing, as it exists and is carried out in Americas cities.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Criminal Procedure: Investigations

Course #: 2050 **Term:** 2017FA **Faculty:** Butler, Paul **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:15 PM - 2:45 PM

Thu 1:15 PM - 2:45 PM

Course Description: Prerequisites: None
Exam Type: In Class
This course covers the Fourth Amendment, the Fifth Amendment privilege against compelled self-incrimination and the Sixth Amendment right to counsel. In general, the course will examine constitutional law cases involving the tension between the government's interest in law enforcement and the peoples interest in privacy and liberty.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Crimmigration Clinic

Course #: 8043 **Term:** 2018SP **Faculty:** Torrey, Philip **Credits:** 3.00

Type: Clinic **Subject Areas:** Criminal Law & Procedure; Human Rights; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. 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: Please see the above pre-requisite course requirement.
By Permission: Yes - applications are due December 16, 2017.
Add/Drop Deadline: January 12, 2018.
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, 2017). The fall 2017 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Crimmigration: The Intersection of Criminal Law and Immigration Law

Course #: 2597 **Term:** 2017FA **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

Course Description: Prerequisites: None
Exam Type:
The intersection of criminal law and immigration law is a growing field of law that is at the forefront of todays immigration 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 2018 semester. Students who enroll in this class during fall 2017 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, 2017).

Critical Race Theory

Course #: 2279 **Term:** 2018SP **Faculty:** Mack, Kenneth **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

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

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Current Issues in Corporate Governance

Course #: 2053 **Term:** 2017FA **Faculty:** Fried, Jesse **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

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 Frieds assistant, Lauren Semrau [lsemrau@law.harvard.edu]. Applications should be submitted by August 15th, and decisions will be made by September 1st. Late applications will be reviewed, but given lower priority.

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 Securities Regulation

Course #: 2046 **Term:** 2018SP **Faculty:** Fried, Jesse **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Course Description: Prerequisite: Corporations or permission of the instructor to waive the prerequisite.
Exam Type: No Exam
Students will read and discuss materials relating to current issues in securities regulation, including recent insider trading cases, the Dodd-Frank corporate-governance provisions, and cross-border enforcement issues. As is the norm with reading groups, there will be no examination or paper, and the class will be graded credit/fail.

Note: The reading group will meet on 6 dates in February and March.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Current Issues in Tax Law, Policy and Practice

Course #: 2906 **Term:** 2017FA **Faculty:** Brennan, Thomas **Credits:** 1.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisite: Taxation

Exam: No Exam

This seminar, which will meet every other week, will consider a range of current issues in taxation. Professor Brennan will organize the seminar, and members of the HLS tax faculty and other invited participants will make presentations focused on works-in-progress and other relevant materials. Students will be asked to write short response papers related to the material to be presented.

Cyber Criminal Law and Procedure

Course #: 2986 **Term:** 2017FA **Faculty:** Berman, Seth **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None

Exam Type: Any-Day Take-Home

The Internet has changed the world of business, commerce, communication, and also crime. The borderless nature of the Internet has complicated the investigation and enforcement of cyber crime. Each day brings news of a new cyber attack on a company, a government entity, and even, perhaps, on the very foundations of our democracy. Substantive criminal law and criminal procedure are straining to catch up with this rapidly evolving criminal landscape and the ability of criminals to operate nearly anonymously and across multiple jurisdictions. At the same time, new cyber tools and techniques are coming into play that might be used to track cyber criminals, but the constitutionality and privacy implications of these tools are subject to question. This course will explore, among other questions: In what ways does the cross border nature of cyber crime impact legal practice? What are the unique legal barriers to prosecuting cyber crime? What constitutional protections attach to people or data abroad? In addition to examining the case law and statutory framework, the class will include case studies drawn from my experience as a US federal prosecutor and an international data breach practitioner and from recent public examples to teach practice in the area. This course will be of interest to future prosecutors, defense lawyers and criminal justice policymakers.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Cyberlaw Clinic

Course #: 8004 **Term:** 2017FA **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 29, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Cyberlaw Clinic

Course #: 8004 **Term:** 2018SP **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 12, 2018. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Cyberlaw Clinic Seminar

Course #: 2674 **Term:** 2017FA **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

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 29, 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.

Cyberlaw Clinic Seminar

Course #: 2674 **Term:** 2018SP **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

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 12, 2018. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Delivery of Legal Services Clinic

Course #: 8037 **Term:** 2017FA **Faculty:** Charn, Jeanne **Credits:** 5.00

Type: Clinic **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

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). 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. Students who drop this clinic will also lose their seat in the required class component.
Additional Co-/PreRequisites: None.
By Permission: No.
Add/Drop Deadline: August 29, 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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Delivery of Legal Services Clinic

Course #: 8037 **Term:** 2018SP **Faculty:** Charn, Jeanne **Credits:** 5.00

Type: Clinic **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

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). 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. Students who drop this clinic will also lose their seat in the required class component.
Additional Co-/PreRequisites: None.
By Permission: No.
Add/Drop Deadline: January 12, 2018.
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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Democracy and the Rule of Law Clinic

Course #: 8049 **Term:** 2017FA **Faculty:** Berwick, Ben; Florence, Justin **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: Legal Tools for Protecting Democracy and the Rule of Law in America (2 fall classroom credits). The 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 29, 2017.

LLM Students: LLM are not eligible to enroll.

Placement Site: Students will participate in an externship with The Protect Democracy Project, a nonpartisan nonprofit founded by former White House and Department of Justice attorneys and dedicated to holding the President and the Executive Branch accountable to the laws and longstanding practices that have protected our democracy through both Democratic and Republican Administrations. Most clinical work will be done remotely, although there may be opportunities for travel to Washington, D.C.

Students in the Democracy and the Rule of Law Clinic will work with The Protect Democracy Project to safeguard the key features of a democratic society through litigation and other means. The Clinic will focus on issues such as ensuring the impartial application of the rule of law; safeguarding healthy civic institutions that allow for public participation in political debate; prohibiting official corruption; and challenging government if it targets certain people or groups in our society.

Specific topics and projects will be determined by enrolled students in conjunction with the clinic leaders and other attorneys at The Protect Democracy Project. Students will be divided into small teams, and each team will help to develop and manage at least one (and, more likely, several) transparency and oversight project or litigation project. Some examples of such projects include:

Transparency and Oversight
Developing and submitting FOIA requests, including identifying recipients and shaping requests in a manner likely to lead to useful information.
Handling administrative FOIA appeals and follow-up with agency FOIA officers.
Drafting letters to agency Inspectors General, the Office of Special Counsel, or state Attorneys General alerting them to potential areas for investigation.

Litigation
Developing litigation memoranda setting forth proposed legal theories and possible causes of action, and assessing approaches to overcome justiciability barriers.
Identifying potential plaintiffs for litigation and selecting optimal jurisdictions.

Drafting complaints, preliminary injunction motions, dispositive motions and other briefs.
Assisting with discovery, including document requests and deposition planning.
Handling appellate briefing.
Drafting amicus briefs setting forth arguments about democracy protection.
Participating in moot courts and assisting counsel with preparation for oral arguments.

Students will have the opportunity to develop substantive knowledge, as well as litigation, oversight, and other practical skills. They will work closely with experienced former government attorneys.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Democracy and the Rule of Law Clinic

Course #: 8049 **Term:** 2018SP **Faculty:** Berwick, Ben; Florence, Justin **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: Legal Tools for Protecting Democracy and the Rule of Law in America (2 spring classroom credits). The 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 12, 2018.

LLM Students: LLM are not eligible to enroll.

Placement Site: Students will participate in an externship with The Protect Democracy Project, a nonpartisan nonprofit founded by former White House and Department of Justice attorneys and dedicated to holding the President and the Executive Branch accountable to the laws and longstanding practices that have protected our democracy through both Democratic and Republican Administrations. Most clinical work will be done remotely, although there may be opportunities for travel to Washington, D.C.

Students in the Democracy and the Rule of Law Clinic will work with The Protect Democracy Project to safeguard the key features of a democratic society through litigation and other means. The Clinic will focus on issues such as ensuring the impartial application of the rule of law; safeguarding healthy civic institutions that allow for public participation in political debate; prohibiting official corruption; and challenging government if it targets certain people or groups in our society.

Specific topics and projects will be determined by enrolled students in conjunction with the clinic leaders and other attorneys at The Protect Democracy Project. Students will be divided into small teams, and each team will help to develop and manage at least one (and, more likely, several) transparency and oversight project or litigation project. Some examples of such projects include:

Transparency and Oversight
Developing and submitting FOIA requests, including identifying recipients and shaping requests in a manner likely to lead to useful information.
Handling administrative FOIA appeals and follow-up with agency FOIA officers.
Drafting letters to agency Inspectors General, the Office of Special Counsel, or state Attorneys General alerting them to potential areas for investigation.

Litigation
Developing litigation memoranda setting forth proposed legal theories and possible causes of action, and assessing approaches to overcome justiciability barriers.
Identifying potential plaintiffs for litigation and selecting optimal jurisdictions.
Drafting complaints, preliminary injunction motions, dispositive motions and other briefs.

Assisting with discovery, including document requests and deposition planning.
Handling appellate briefing.
Drafting amicus briefs setting forth arguments about democracy protection.
Participating in moot courts and assisting counsel with preparation for oral arguments.

Students will have the opportunity to develop substantive knowledge, as well as litigation, oversight, and other practical skills. They will work closely with experienced former government attorneys.

Democracy, the Incomplete Experiment

Course #: 2485 **Term:** 2018SP **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Digital Islamic Law Lab: Online Analysis of Islamic Legislation and Interpretation

Course #: 2688 **Term:** 2017FA **Faculty:** Rabb, Intisar **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 10:20 AM - 11:20 AM

Course Description: Prerequisite: Enrollment is limited to 12 students and is by permission of the instructor. A prior course in Islamic Law is helpful, but not necessary. Students who have not taken a course on Islamic law or who are not concurrently enrolled in Professor Rabb's Introduction to Islamic Law course must attend the first two sessions of Introduction to Islamic Law, also taught this semester. Interested students should email Professor Rabb (irabb@law.harvard.edu) with a current resume and a short statement of interest including one or two topics you might be interested in writing about (not to exceed one page). All applications are due by May 5, 2017; students will be notified after this date of their status in this course.

Exam: No Exam

This course (inspired by the Global Anticorruption Lab, first taught in Spring 2013), will provide an opportunity for students interested in assessing the way Islamic law functions in contemporary and historical contexts to work on discrete research projects in a collaborative, interactive setting. Students will select one or more topics in legislation and interpretation in a Muslim-majority or Muslim-minority country to explore during the semester. Typical topics will include issues of criminal law, family law, and Islamic finance in addition to Islamic constitutional law. We will meet six times over the course of the semester: twice for introductory sessions and four times for working lab sessions to discuss research, exchange feedback, and brainstorm ideas for obtaining and analyzing sources. For evaluation, students will be expected to contribute four short papers (approx. 2-3 pages each), to be published with accompanying sources used in the papers on SHARIAsource.com-a newly created portal for content and context on Islamic law. The sources and analysis for the site are modeled after an Islamic-law version of WestLaw and SCOTUSblog. But unlike those two sites for U.S. law, SHARIAsource will encompass law-issuing institutions in many different countries. Participants will also have opportunities to participate in online discussion and blog debates, and to monitor online and scholarly sources for new developments on Islamic law related to their chosen research projects.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Disability Rights Law

Course #: 2058 **Term:** 2018SP **Faculty:** Stein, Michael Ashley **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: Any Day Take-home or write a paper
This course encompasses many aspects of disability law and policy, with particular emphasis on the Americans with Disabilities Act, which regulates employment, state and local governments, transportation, and public accommodations. The Bagenstos casebook will be supplemented with some readings, lectures, and other materials on disability theory to provide better context for the legal issues. Students can choose to write a paper instead of taking the any-day take-home exam.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Dispute Systems Design

Course #: 2059 **Term:** 2018SP **Faculty:** Viscomi, Rachel **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Fri 9:50 AM - 11:50 AM

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. Priority will be given to applications that are received by August 1, 2018.
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 students enrollment in a reserved clinical seat is dependent on the students 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 clinics 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 1, 2017.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Diversity and Dispute Resolution

Course #: 2929 **Term:** 2018WI **Faculty:** Hoffman, David **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:00 AM - 12:30 PM

Tue 10:00 AM - 12:30 PM

Wed 10:00 AM - 12:30 PM

Thu 10:00 AM - 12:30 PM

Fri 10:00 AM - 12:30 PM

Course Description: Prerequisites: None

Exam: None

In this course, we will examine the ways in which various types of diversity -- such as 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 also 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 Rabiat Akande (who is an S.J.D. candidate at HLS) will participate as a co-leader of discussions. Readings will include excerpts from Mahzarin Banaji, Ta-Nehisi Coates, Kim Crenshaw, Richard Delgado, Carol Gilligan, Trina Grillo, Michele LeBaron, Carol Liebman, Larry Susskind, and Kenji Yoshino. 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, except for the final class, for which the reading response is 600-1,000 words.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Drug Product Liability Litigation

Course #: 2293 **Term:** 2017FA **Faculty:** Grossi, Peter **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Wed 5:00 PM - 7:00 PM

Course Description: 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 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: 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.

The three-credit version of the court will meet September 6, 7, 13, 14, 20, 21, 27, 28 and October 4, 5, 18, 25, and November 1.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Drug Product Liability Litigation

Course #: 2293 **Term:** 2017FA **Faculty:** Grossi, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Wed 5:00 PM - 7:00 PM

Course Description: 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 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: The two-credit version of the course will meet on the following dates: TBD. In each of these classes, we will discuss the legal and scientific 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Economic Analysis of Law

Course #: 2062 **Term:** 2017FA **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**
Mon 8:40 AM - 10:10 AM	
Tue 8:40 AM - 10:10 AM	

Course Description: Prerequisites: None
Exam Type: In-Class
What effects does law have? Do corporations pollute less, market safer products, and adhere more often to their contractual obligations in order to avoid suit? Is innovation spurred by intellectual property rights? Are individuals led to comply with the tax rules, drive more carefully, and commit fewer crimes by the prospect of sanctions for wrong doing?
Such questions about the influence of legal rules on outcomes––and about the social desirability of the outcomes––have been investigated by legal scholars and economists in a systematic manner since the 1970s. Their approach is widely considered to be intellectually important and to be of significant value in practice.
This course will survey the field of economic analysis of law and illustrate its relevance to judicial decisions, legal argument, expert witness work, and public policy. The subjects covered are the major building blocks of law: torts, contracts, property law, criminal law, and the legal process.
The course will also address the tension between functional, economic arguments and those phrased in moral terms. The course is aimed at a general audience of students; no background in economics is needed to take it.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Education Advocacy and Systemic Change

Course #: 2063 **Term:** 2017FA **Faculty:** 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

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.
Required Clinic Component: Education Law Clinic: Externships (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: Please note this clinic has an early drop deadline of August 4, 2017.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

Exam type: No Exam.Each student will present a rounds presentation on a relevant topic in system change legal work.

Grading for this course will be based on active involvement and preparation for class discussions and a final student rounds presentation on a topic related to the student's externship work and the role it plays in the organization's system change effort.

This course will explore a model of system change in education law that involves stakeholders in identifying system problems, understanding their complexity, and finding solutions. The class will focus on pro-active aspects of system change lawyering, that is, the point in time when lawyers and affected stakeholders have identified a problem and must delve into the complex work of determining what solutions will bring about effective change.
Overarching learning goals include: 1) preparing students interested in system change in education to analyze the theory of change operating in the organizations and agencies in which they work 2) introducing students to the process of engaging with affected stakeholders to build consensus around the most effective solutions to complex problems; and 3) exploring the array of strategies that lawyers can use to achieve the sought after solutions.
We will apply this model of change to each of the organizations in which students are placed with an eye towards understanding how the students' work not only fits into the overall system change goals of their organizations but also responds to the broader concerns of the organizations' stakeholders. Additionally, we will learn from examples of past system change legal efforts, including those that sought to enforce rights in existence and those that turned to the legislature or public opinion to create new rights. Guest speakers, including advocates actually involved in these past change efforts, will discuss their work with students, addressing topics such as the role of politics and media, the level and type of community involvement, the legal rights available at the time decisions were made, and more. Readings will include original sources, theories of organizational change, and doctrinal background to the system change efforts we explore.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Education Law

Course #: 2665 **Term:** 2017FA **Faculty:** Moran, Rachel **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**
Thu 10:00 AM - 11:30 AM	
Fri 10:00 AM - 11:30 AM	

Course Description: Prerequisites: None
Exam Type: Last Class Take-HomeThere will be two take-home papers on assigned topics related to the issues in educational law and policy that we have covered in class. The first will be a week-long, take-home midterm, and the second will be a take-home final distributed on the last day of class and due at the end of the examination period. Each paper will be limited in length but will provide students with an opportunity to think creatively and proactively about current problems facing elementary and secondary education.

This course will provide an overview of recurring problems of law and policy that arise in elementary and secondary education. A number of these issues relate to the individual rights of students, parents, and faculty. These include rights to free speech and the free exercise of religion as well as rights to be free of discrimination based on race, ethnicity, national origin, gender, and disability. These rights often must be balanced against the State's interest in socialization for work and citizenship as well as the State's obligation to refrain from establishing religion. Because public schooling is one of the most foundational and comprehensive services that the State provides, there are also substantial questions about how the schools should be governed and how their performance should be measured. This class will explore how courts, legislatures, and school officials have addressed the complex challenges that confront our educational system.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Education Law Clinic: Externships

Course #: 8006 **Term:** 2017FA **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 Advocacy and Systemic Change (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: Please note that this clinic has an early drop deadline of August 4, 2017.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Placement Site: Various externship placements.
The Education Law Clinic: Externships 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) or a government agency (such as the Massachusetts Department of Elementary and Secondary Education, the Legislature, the Bureau of Special Education Appeals).
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Education Law Clinic: Individual Representation

Course #: 8006 **Term:** 2017FA **Faculty:** Gregory, Michael **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: Special Education Advocacy for Students Impacted by Trauma (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: Please note that this clinic has an early drop deadline of August 4, 2017.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Placement Site: HLS.
Students must attend a mandatory orientation session during the first week of classes.
The Education Law Clinic engages students in individual special education advocacy and systemic change projects to advance the school success of children who have endured highly adverse childhood experiences. Students use the legal tools contained in the Individuals with Disabilities Education Act (IDEA), McKinney Vento Homeless Assistance Act, Section 504 of the Rehabilitation Act of 1972, federal and state statutes regarding confidentiality and other laws to advocate for individual remedies that will enable their client's children to succeed in school. Students will utilize research from psychology, neurobiology, and education about the effects of trauma on learning and behavior as part of their representation. Depending on the posture of the cases in the clinic, students will represent clients either at the first administrative hearing level-the team meeting-or at the administrative appeal level-the Bureau of Special Education Appeals. Past students have made enormous differences in the lives of children by reversing school exclusions and obtaining needed supports for individual children at school.
Though the major focus of students' clinic work will be direct client representation, students will also engage in a smaller systemic project that further's TLPI's broader mission. Student systemic work has included setting up a legislative briefing at the MA state house on the impact of trauma on learning; presentations to expert evaluators and to child welfare attorneys on the laws regarding special education; setting up a domestic violence outreach project at shelters across the state; and participating in a legislative campaign to make school-wide environments Safe and Supportive.
The Education Law Clinic is part of the Trauma and Learning Policy Initiative (TLPI), a collaboration between HLS and Massachusetts Advocates for Children, the mission of which is to ensure that all children traumatized by exposure to violence and other adverse childhood experiences succeed in school. The clinic's direct legal representation of individual families is a key strategy in TLPI's ongoing multi-strategic advocacy campaign to create safe and supportive school environments where all students can learn.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Education Law Clinic: Legislative and Administrative Lawyering

Course #: 8006 **Term:** 2018SP **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: Systemic Advocacy for Safe and Supportive Schools (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 this clinic has an early drop deadline of December 1, 2017.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Placement Site: HLS.
Students must attend a mandatory orientation session during the first week 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 TLPI's ongoing multi-strategic advocacy campaign. Students will learn by doing state-level legislative and administrative lawyering work that furthers the mission of TLPI. Specific activities will vary depending on the semester, but they can include: drafting legislation; meeting with members of the legislature, the education bureaucracy, and their staff; drafting and distributing media advisories, op-eds and press releases; communicating with and rallying constituents to put pressure on their lawmakers; organizing an agenda for and participating in a coalition meeting; using branding and media as strategies for effectively conveying a message; and using empirical research as part of an advocacy strategy. Students will have the opportunity to develop their writing skills by working on a variety of documents that are important in the law- and policy-making process; again, this will vary by semester but can include statutes, regulatory comments and language, briefing materials, talking points, correspondence, and communications to the media. Students will gain an understanding of roles that are critical to executing effectively a legislative and/or administrative campaign: strategist, policy researcher, legislative lawyer, lobby manager, outreach strategist, and communications director.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Education Reform and School Culture

Course #: 2056 **Term:** 2018SP **Faculty:** Gregory, Michael **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM

Course Description: Prerequisite: NoneExam: No ExamWhy doesn't the current education reform movement seem to reflect all we have learned about the fundamental importance of context and environment to children's learning? What role can a focus on school culture play in reinvigorating the democratic purposes of public education? What is school culture and how is it different from school climate? What practical strategies can lawyers and educators use to remedy this research-policy gap? Does law and policy even have a role to play in supporting educators to create safe and supportive whole-school cultures where all students (and all staff!) are included, welcomed, and treated with dignity and respect? Why do we find ourselves waiting for Superman instead of (re)designing an education system that harnesses the power of relationships and communities?In seeking to answer these and other questions, this course will explore and interrogate the rise of the so-called Global Education Reform Movement (or GERM), which to a large extent has dominated the education policy agenda in the United States and several other industrialized nations in recent decades. A product of globalization, many view GERM as preoccupied with neo-liberal, market-based solutions to education-related problems. It highlights competition, choice, data, standardization, accountability, and top-down management as appropriate and effective levers for generating improved outcomes for students. Though these can be powerful tools for improvement, they also seem to come with tradeoffs. Nations where GERM has taken hold have seen increases in the privatization of education, transformations in the training and evaluation of educators in ways that arguably de-professionalize (and de-humanize) their work, and a disempowering of local communities in education decision-making processes. The benefits of GERM-inspired reforms for improved student learning outcomes are far from clear.What does all of this mean for democracy? After understanding the rise of GERM and learning to recognize its fingerprints on various education law and policy reforms, we will turn to examine it from the standpoint of American democratic norms and ideals. In light of its legal, political, and empirical pros and cons (and those of related choice and market-based initiatives), do we feel that GERM is likely to deliver an education system worthy of the visions painted by Horace Mann, John Dewey, Paulo Freire and other luminaries of democratic education? If not, what paradigm should we replace it with? One possibility is the paradigm of the learning organization - a professional community where new ideas, expansive thinking, and active reflection are nurtured and where synergy and teamwork make it possible for complex issues to be explored. When educators are supported to form such professional cultures at the local level, they are able to generate workable and sustainable solutions to many of contemporary education's intractable problems - punitive discipline; bullying; student disengagement, truancy and drop-out; engagement of hard-to-reach families; racial- and income-based achievement gaps; the educational impacts of childhood trauma; and more. Sounds nice enough, but how do we get there? We will look at examples of individual schools and districts that have embraced the idea of whole-school culture reform. And we will ask the hard questions: assuming we like this paradigm, how would we spread it throughout the system? What legal and policy mechanisms could help? What role for lawyers who wish to complement the efforts of progressive educators? And, most importantly, are whole-school culture-based reforms capable of taming some of the (unintended?) consequences of GERM and educating democratic citizens prepared for the challenges of the 21st century?Class participation will be part of the grade for this discussion-based course. There is no exam in this course; the major assignment will be a research project related to the course themes.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Election Law

Course #: 2928 **Term:** 2018WI **Faculty:** Charles, Guy-Uriel **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 - 3:30 PM

Tue 1:00 PM - 3:30 PM

Wed 1:00 PM - 3:30 PM

Thu 1:00 PM - 3:30 PM

Fri 1:00 PM - 3:30 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This is a survey course American election law. Topics include democratic theory; the structure of republican government; the sources of state and federal power to regulate the electoral system; distribution of the franchise and the right to vote; apportionment, representation and gerrymandering; racial discrimination and the Voting Rights Act; the regulation of candidacy; the party system; election administration; and campaign finance. Throughout, we will try both to discern the social and philosophical assumptions that underlie contemporary election law doctrine and to determine whether existing legal frameworks effectively institutionalize those assumptions.

Emerging Issues in Mass Torts

Course #: 2968 **Term:** 2017FA **Faculty:** Burch, Elizabeth **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: Civil Procedure
Exam Type: No Exam
This Reading Group focuses on the procedural and ethical issues surrounding mass torts (asbestos, tobacco, the GM Ignition Switch Litigation, the NFL Concussion cases, and the BP Oil Spill, for example). Topics include the use of class actions and multidistrict litigation to resolve cases, the role of the judge in handling aggregate cases, lead counsel's obligations to the group, strategic and ethical considerations for plaintiffs and defendants, and alternatives to judicial resolution.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Employment Discrimination

Course #: 2068 **Term:** 2017FA **Faculty:** Bartholet, Elizabeth **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 10:00 AM - 11:30 AM

Fri 10:00 AM - 11:30 AM

Course Description: Prerequisites: None

Exam type: One-day take-home. Grades will be based on one-day take-home exam, with consideration given to class performance if class size is less than fifty.

Textbook: Zimmer, Sullivan, White, CASES AND MATERIALS ON EMPLOYMENT DISCRIMINATION, 8th ed, Wolters Kluwer (2013)

This course addresses developments in civil rights law in the important context of the workplace. We will look at the growing body of law designed to protect against discrimination based on race, gender, age, religion, national origin and disability. We will examine the ongoing debate in the Supreme Court, Congress, and the nation as to the appropriate meaning of the anti-discrimination norm, a debate that involves questions as to intent as compared to impact theories, individual as compared to group theories, affirmative action, and mandatory arbitration. At issue in this debate is the future of much of the law governing discrimination developed in the 1960s - 70s.

We will consider work/family conflict, sexual harassment, reasonable accommodation doctrine, and other issues of current controversy and significance. Throughout, we will assess and compare discrimination theories developed in different areas and eras.

Laptops cannot be used in class.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Employment Law

Course #: 2069 **Term:** 2018SP **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

Fri 9:50 AM - 11:50 AM

Course Description: Prerequisites: None
Exam Type: One-Day Take-Home
In this 4-credit course, we will examine the laws that govern and structure the employment relationship in nonunion workplaces. As such, the course will provide students an understanding of the law of work for the vast majority of U.S. firms. We will discuss the doctrine of employment at will, along with exceptions to that rule. We will cover the basic principles of employment discrimination law; the constitutional rights (including the free speech rights) of public employees; mandatory arbitration of workplace disputes and employment rights; post-employment issues including covenants not to compete; workplace safety and health; and the laws governing wages and hours.

Employment Law and Employment Arbitration

Course #: 2973 **Term:** 2018SP **Faculty:** Chew, Pat **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.
Prerequisites: None
Exam Type: No Exam
Both substantive law and experiential learning course. Primer on important areas of employment law. Given the pervasive use of employment arbitration, this course familiarizes students with how these legal disputes play out in arbitration, as well as other practice applications. Anticipated topics include employee (v. independent contractor) status, erosions to the at-will doctrine including whistleblowing protections, workplace privacy rights, loyalty and noncompetition duties, invention ownership rights, and discriminatory harassment.

Readings, discussions, exercises, and practice-oriented project assignments. No final exam.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Employment Law Clinic

Course #: 8012 **Term:** 2017FA **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 will fulfill the HLS JD pro bono requirement.Required Class Component: Employment Law Workshop: Advocacy Skills (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: August 29, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Employment Law Clinic

Course #: 8012 **Term:** 2018SP **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 will fulfill the HLS JD pro bono requirement.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 12, 2018.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Employment Law Workshop: Advocacy Skills

Course #: 2070 **Term:** 2017FA **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

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 29, 2017.
LLM Students: LLM students may apply to the clinic by submitting and application.
This course will develop lawyering skills in the context of employment law. After a brief overview of relevant doctrine and procedure, the course will address - through readings, lectures, and exercises - skills related to legal writing, oral advocacy, discovery, depositions, negotiations, counseling, and ethics. The course will follow the progress of a typical civil rights lawsuit involving a terminated employee. For example, one class session will require students to engage in a mock deposition of an opposing witness in a hypothetical sex discrimination case, and the next class will require students to engage in a negotiation in the same case.
A more general goal of the course is to develop the ability (1) to identify what skills make a lawyer effective, and (2) to implement strategies for independently identifying and improving those critical skills. Because this goal is advanced by exposure to actual lawyering, all students will have a clinical placement with the Employment Law Clinic. The workshop will require completion of an individual or group project that will connect clinical placements with course topics.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Employment Law Workshop: Strategies for Social Change

Course #: 2071 **Term:** 2018SP **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

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 12, 2018.
LLM Students: LLM students may apply to this clinic 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Engaging China

Course #: 2650 **Term:** 2018SP **Faculty:** Emery, Alonzo **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 7:00 PM - 9:00 PM

Course Description: Prerequisites: Admission to the course is by permission of the instructor. Prospective students should email Alonzo Emery (aemery@law.harvard.edu) their CV along with a note (one page maximum) outlining their interest in the course and any relevant experience. Please note that previous engagement with China is not a prerequisite for enrollment in the course.
Exam Type: No Exam

This course focuses on the role of lawyers in shaping relations between China and the United States. Students will consider theoretical approaches to international negotiation, while also participating in more experiential, interactive exercises that include case studies and simulations. The intention is to hold several joint sessions through video conference with students and faculty at Renmin University of China Law School in Beijing who will join us periodically to discuss the reading and participate in negotiation simulations.

The course contains five core units offered to introduce students to a variety of critical legal issues in the US-China relationship. The first unit provides an overview of the different role of lawyers and the law in China and the United States, including an introduction to Chinese legal education and the legal profession. In the second unit, we examine the impact of history on contemporary negotiations between individuals and institutions in China, the United States, and elsewhere, exploring topics that span cultural property law (including intellectual property and efforts to repatriate China’s antiquity) and also varying approaches to multilateral treaties. The third unit offers a comparative view of laws related to persons with disabilities and the LGBTQI community in the United States and China. In the fourth unit, we will examine how US- and PRC-based corporations impact international relations and trade, covering issues related to corporate social responsibility, joint ventures, the national security limits on foreign acquisitions, and the Foreign Corrupt Practices Act. Finally, we will look prospectively to consider how China and the United States might work cooperatively with other nations to encourage sustainable development while maintaining peace and stability, with a particular focus on climate change and development in Africa. The simulations included in the course are designed both to animate the many substantive issues covered and also to introduce skills useful to addressing the challenges and opportunities those issues present.

There is no exam, but participation, including full attendance and engagement in discussions and simulations, is expected. By the end of term, students will draft a short case study that analyzes a contemporaneous or historical negotiation between parties based in the US and China.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

English Legal History

Course #: 2370 **Term:** 2018SP **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

Fri 10:00 AM - 11:30 AM

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. However, optional contextual reading is included in the course pack.
Note: This course is jointly-listed with FAS. It meets at HLS.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Entertainment and Media Law

Course #: 2072 **Term:** 2018WI **Faculty:** Brotman, Stuart; Basin, Kenneth **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	**Location**
Mon 1:00 PM - 4:30 PM	
Tue 1:00 PM - 4:30 PM	
Wed 1:00 PM - 4:30 PM	
Thu 1:00 PM - 4:30 PM	
Fri 1:00 PM - 4:30 PM	

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 Theorty, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Entrepreneurship, Venture Capital and Law in China

Course #: 2894 **Term:** 2018SP **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

Thu 1:00 PM - 3:00 PM

Fri 1:00 PM - 3:00 PM

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 innovative and dynamic companies in the world, including Alibaba, Tencent and Baidu. This reading course is intended to be cross-disciplinary, touching on core concepts and issues relating to business, law and policy in China. The course has four objectives. First, discuss how successful entrepreneurs in China identify business opportunities and execute business plans. Second, introduce the framework through which entrepreneurs and venture capitalists in China manage business, legal and regulatory 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 or other exits. Assigned reading will include journal articles, model venture agreements and term sheets and Harvard Business School case studies.

Note: The reading group will be taught over two weeks, meeting on the following dates: TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Environmental Law

Course #: 2074 **Term:** 2017FA **Faculty:** Lazarus, Richard **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Course Description: Prerequisites: None

Exam Type: One-Day Take-Home

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, the history of the emergence of modern environmental law in the United States, and constitutional law issues that arise in the environmental law context. The second part of the course reviews several specific federal environmental statutes. The statutory review combines a close examination of several statutes – especially the Clean Air Act and Clean Water Act – with a more general review of the basis 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 of climate change law and how and why environmental law is routinely whipsawed by shifting Presidential administrations, and class discussion frequently extends beyond court rulings to include the underlying litigation strategies of the parties that led to those rulings.

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

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2018WI **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 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, 2017.
Add/Drop Deadline: Please note that this clinic has an early drop deadline of November 28, 2017.
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.

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2018SP **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 5, 2018.
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 displacement, citizen science, 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, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2017FA **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, 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 migration, citizen science, 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, " 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Environmental Law and Policy Clinical Course

Course #: 2842 **Term:** 2017FA **Faculty:** Jacobs, Wendy **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

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, 2017.
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 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Environmental Law and Policy Clinical Course

Course #: 2842 **Term:** 2018WI **Faculty:** Jacobs, Wendy **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	
Tue 5:00 PM - 6:05 PM	
Wed 5:00 PM - 6:05 PM	
Thu 5:00 PM - 6:05 PM	
Fri 5:00 PM - 6:05 PM	

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.
Additional Co-/Pre-Requisites: None.
By Permission: Yes. Applications should include a resume 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, 2017.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Environmental Law and Policy Clinical Course

Course #: 2842 **Term:** 2018SP **Faculty:** Jacobs, Wendy **Credits:** 1.00

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

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.
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 5, 2017.
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 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.

Estate Planning

Course #: 2592 **Term:** 2018SP **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Evidence

Course #: 2079 **Term:** 2017FA **Faculty:** Murray, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM

Course Description: Prerequisites: None

Exam: Last Class Take-Home and Short In-Class Examination

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 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 meet on Wednesdays, ;1-3 pm during the Fall semester, but not on October 18 and 25 and November 1. Class will also meet on Thursdays, October 5 and 12 and November 9, 1-3 pm. During the three-week period when class is not meeting, course members will perform the video computer-assisted exercises in groups of 2-4 students.

There will be a take-home and an in-class exam. The take-home will be distributed on the last day of class and will be due by the start of the in-class exam.

Assignments will be posted on the Course Web Site each week. 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, 3rd Ed. (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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Evidence

Course #: 2079 **Term:** 2018SP **Faculty:** Rubin, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Course Description: Prerequisites: None

Exam: In Class

In this course we will study the basic rules and principles of American evidence law, focusing primarily on federal law (the Federal Rules of Evidence and cases interpreting them). Topics covered will include: relevance, the hearsay rule and its exceptions, character and propensity evidence, examination and impeachment of witnesses, authentication and best evidence rules, privilege, unfair prejudice, and some of the constitutional questions that arise in connection with evidence.

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

Evidence

Course #: 2079 **Term:** 2017FA **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

Tue 8:10 AM - 10:10 AM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Evidence

Course #: 2079 **Term:** 2017FA **Faculty:** Green, Eric **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Course Description: Prerequisites: None
Exam Type: In Class
A critical examination of the Federal Rules of Evidence with a focus on the practical application of the Rules in court and the epistemological, historical and policy issues behind the Rules. The materials will be a revised and updated version of Green, Nesson and Murray, "Problems, Cases and Materials on Evidence (3d ed.), available in paperback from the Coop, and selected videos, movie clips, and current high profile cases.

Evidence

Course #: 2079 **Term:** 2017FA **Faculty:** Hay, Bruce **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Course Description: Prerequisites: None

Exam Type: In-Class

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Evidence

Course #: 2079 **Term:** 2017FA **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

Tue 10:20 AM - 11:50 AM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Executive and Board Turnover in the S&P 500: Research Seminar

Course #: 2530 **Term:** 2017FA **Faculty:** Kraakman, Reinier **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

Course Description: Prerequisites: The only prerequisite for this seminar is some exposure to corporate law or corporate governance
Exam Type: No Exam
Individual participants may be asked to present assigned readings and will be asked to complete a 20-25 page paper, based either on secondary sources or primary research into a turnover-related dataset.
This seminar reviews the literature on management and director turnover in U.S. public corporations. Topics to be addressed include the proximate causes of turnover (e.g., retirements, terminations, and takeovers); relationships between turnover and corporate attributes such as firm performance, size, and ownership structure; the relationship between managerial compensation and turnover; the evolution of CEO and director turnover over time; and the merits of mandatory retirement and term limits (for corporate directors). Depending on available data, the seminar may also inquire into when turnover in the C-suite or the boardroom is a “team” phenomenon, i.e., when is turnover among a company’s directors and/or top managers highly intercorrelated. Finally, seminar readings will address the implications of turnover for corporate governance norms. Should turnover be encouraged by means of term limits or mandatory retirement ages? Should it be discouraged by practices that foster continuity in leadership, such as retaining a retiring CEO as the chairman of the board? How do these issues resemble other governance topics such as the value of independent directors or separating the roles of Chairman and CEO?

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Fair Trial 2018

Course #: 2312 **Term:** 2018SP **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

Tue 10:20 AM - 11:50 AM

Course Description: Prerequisites: None

Exam: Any Day Take-Home

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? The answers to these questions are not clear, but we will explore them through a variety of approaches in this class.

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

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Family Law

Course #: 2084 **Term:** 2018SP **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 3:20 PM - 4:40 PM	
Tue 3:20 PM - 4:40 PM	
Wed 3:20 PM - 4:40 PM	

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Farmed Animal Law and Policy

Course #: 2860 **Term:** 2017FA **Faculty:** Lovvorn, Jonathan **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

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 farmed animal law and policy, with a focus on high-profile issues concerning the use of animals for food, including current controversies over animal welfare, environmental degradation, public health, consumer protection, worker safety, and climate change. The seminar will examine the history and evolution of animal agriculture from early agrarian domestication to modern industrial farming, and highlight the major ethical, cultural, ecological, social and economic issues that shape farmed animal law and policy in the 21st century. The seminar will include an overview of key laws and regulations concerning farmed animals, as well as an exploration of current legislation, litigation, ballot initiatives and consumer-based campaigns to reform animal agriculture. The seminar will also compare farmed animal laws and regulations in different countries, and touch on the role of international trade agreements in both promoting and preventing legal protections for farmed animals.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Federal Budget Policy

Course #: 2566 **Term:** 2018WI **Faculty:** Jackson, Howell **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function

Delivery Mode: Course

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

Course Description: Prerequisites: None.
Exam Type: No exam.
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 Presidents Budget and congressional budgeting procedures that are designed 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 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.
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://scholar.harvard.edu/briefingpapers/home.
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. For HKS students with scheduling conflicts during the third week of the semester, adjustments can be made with permission of the instructor.
Note: This course is jointly-listed with HKS as MLD-420M.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Federal Courts and the Federal System

Course #: 2086 **Term:** 2017FA **Faculty:** Field, Martha **Credits:** 5.00

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

Delivery Mode: Course

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

Course Description: Prerequisites: For JD students, this course is open to those who have taken, or are concurrently taking, one of the two basic courses in Constitutional Law - Constitutional Law: First Amendment or Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment. For LLM students, instructor permission is required to enroll in this course.
Exam Type: In-Class
This course involves a study of the role of the federal courts in the operation of the federal system. Topics include: choice of law in the federal courts and the development of federal common law; the power of Congress to regulate jurisdiction; Supreme Court review of state court judgments; federal habeas corpus; and the federal question jurisdiction, including limitations on its exercise. Special attention will be given to various technical doctrines that frequently limit federal jurisdiction in constitutional litigation against states: the abstention and sovereign immunity doctrines, and limitations on federal injunctions against state proceedings. Other topics concerning the Civil Rights Act, 42 U.S.C. 1983, will also be considered.
Text: Low and Jeffries, Federal Courts and Federal-State Relations, 7th edition, and the most recent Supplement.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Federal Courts and the Federal System

Course #: 2086 **Term:** 2018SP **Faculty:** Fallon, Richard **Credits:** 5.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 12:00 PM

Tue 10:20 AM - 12:00 PM

Wed 10:20 AM - 12:00 PM

Course Description: Pre-requisite: For JD students, this course is open to those who have completed Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment. For LLM students, instructor permission is required to enroll in this course.
Exam type: In class.
This course offers a study of the role of the federal courts in the operation of the federal system. It is an advanced course in public law, judicial administration, and constitutional and civil rights litigation and will assume a knowledge of substantive constitutional law. Topics include the case or controversy requirement; the power of Congress to regulate the jurisdiction of the Supreme Court and the lower federal courts; federal question jurisdiction; doctrines of sovereign and official immunity; federal common law; Supreme Court review of state court judgments; abstention; and federal habeas corpus.
The casebook is Richard H. Fallon, Jr., John F. Manning, Daniel J. Meltzer, & David L. Shapiro, Hart & Wechslers The Federal Courts and the Federal System (7th ed. 2015), along with its 2017 Supplement.

Federal Courts and the Federal System

Course #: 2086 **Term:** 2018SP **Faculty:** Goldsmith, Jack **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:50 AM - 11:50 AM

Fri 9:50 AM - 11:50 AM

Course Description: Prerequisites: 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
This course studies the role of the federal courts in the federal system. Topics covered will include the case or controversy requirement and justiciability, congressional authority to regulate the jurisdiction of the federal courts, federal habeas corpus, advanced Erie issues, federal common law, and sovereign immunity.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Federal Litigation-Civil

Course #: 2089 **Term:** 2018SP **Faculty:** Rosenberg, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Federal Tax Clinic

Course #: 8045 **Term:** 2017FA **Faculty:** Fogg, Keith **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:Federal Tax Clinical Seminar (2 fall classroom credits).Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: August 29, 2017. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site:WilmerHale Legal Services Center (Jamaica Plain).The Federal Tax Clinic focuses on assisting low income taxpayers who have a dispute with the IRS. For clients who have a corresponding dispute with the Massachusetts Department of Revenue, the clinic will assist them as well. The Clinic's main practice areas are representing taxpayers litigating in the United States Tax Court, engaging in the audit process and enduring the collection phase of the case. In addition to representing taxpayers from the Boston area, the Clinic takes clients from around the country in order to litigate issue of broad impact to the low income taxpayer community. It also comments on regulations and other types of rule-making that will impact this community.

Much of the practice involves working with the IRS as it administers the tax laws. Clinic students work with IRS revenue agents, revenue officers, Appeals Officers, automated call site collection operators and correspondence auditors. No matter which segment of the administrative agency we encounter, the Clinic seeks to provide a voice for the client in a process that can otherwise prove baffling.

Students in this clinic gain a lot of direct client experience. Each student usually starts with 4-5 cases representing a variety of the practice areas of the Clinic. The student has primary responsibility for the case and works directly with the client. The supervisors in the Clinic exist to assist and to guide the students as they work with their clients but generally the supervisors have no direct contact with the clients.

Because Congress uses the Internal Revenue Code to deliver benefits through provisions such as the earned income tax credit and the advanced child tax credit, the taxpayers have a significant financial interest in their tax disputes. The benefit payments sometimes equal half of a taxpayer's annual income. Represented clients have a much higher statistical chance of prevailing and thus avoiding deep poverty. The Clinic represents clients so that they can retain these benefits in circumstances in which they might give up rather than fight with the IRS in a process they fail to fully comprehend. Additionally, the Clinic represents clients mired in debt. Each semester, the Clinic assists taxpayer in settling their tax debts with the IRS for a fraction of the amount owed and in some cases writing off hundreds of thousands of dollars. These outcomes can be life changing for some clients.

The Clinic also seeks to give students the opportunity to work on matters of broader impact in the low income taxpayer community. For the past year the Clinic has identified taxpayers dismissed from the Tax Court as a result of being told the wrong date to file their petition by the IRS. The Clinic filed an amicus brief in the fall of 2015 arguing that the Tax Court had the ability under applicable Supreme Court precedent to equitably toll the time period for filing the petition. The Tax Court rejected this argument though that case was resolved on other grounds and did not result in an appeal. Since that case, the Clinic has filed an amicus brief in the 9th Circuit in the case of a pro se petitioner misled by the IRS notice and filed briefs for clients in the 2nd and 3rd Circuits. The Clinic will argue this issue before the Circuit courts during the Spring 2017 semester. In addition the Clinic has three more cases with the same issue awaiting a decision by the Tax Court which will result in cases in the 4th and 10th Circuits. In the Spring semester 2017 Clinic students are working on writing comments to the IRS on proposed family status regulations as these regulations have a significant impact on our clients.

The seminar component of the Clinic seeks to complement the experience of working directly with the clients. Students work on case simulations, problems and IRS forms in the seminar in order to prepare and

reinforce the skills needed for client representation. Almost every week the students prepare a different IRS form in preparation for the seminar class in order to learn about the subject, feel the frustrations clients experience in trying to prepare IRS forms and learn how to advocate within the constraints of a form. The seminar also serves as a place for the students in the class to discuss their cases with fellow classmates and work together to figure out the best way to approach difficult case problems.
For more information on the Tax Clinic, please contact Keith Fogg, (617) 390-2532.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Federal Tax Clinic

Course #: 8045 **Term:** 2018SP **Faculty:** Fogg, Keith **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: 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 12, 2018. LLM Students: LLM students may apply to this clinic by submitting an application.Placement Site: WilmerHale Legal Services Center (Jamaica Plain).
The Federal Tax Clinic focuses on assisting low income taxpayers who have a dispute with the IRS. For clients who have a corresponding dispute with the Massachusetts Department of Revenue, the clinic will assist them as well. The Clinic's main practice areas are representing taxpayers litigating in the United States Tax Court, engaging in the audit process and enduring the collection phase of the case. In addition to representing taxpayers from the Boston area, the Clinic takes clients from around the country in order to litigate issue of broad impact to the low income taxpayer community. It also comments on regulations and other types of rule-making that will impact this community.
Much of the practice involves working with the IRS as it administers the tax laws. Clinic students work with IRS revenue agents, revenue officers, Appeals Officers, automated call site collection operators and correspondence auditors. No matter which segment of the administrative agency we encounter, the Clinic seeks to provide a voice for the client in a process that can otherwise prove baffling.
Students in this clinic gain a lot of direct client experience. Each student usually starts with 4-5 cases representing a variety of the practice areas of the Clinic. The student has primary responsibility for the case and works directly with the client. The supervisors in the Clinic exist to assist and to guide the students as they work with their clients but generally the supervisors have no direct contact with the clients.
Because Congress uses the Internal Revenue Code to deliver benefits through provisions such as the earned income tax credit and the advanced child tax credit, the taxpayers have a significant financial interest in their tax disputes. The benefit payments sometimes equal half of a taxpayer's annual income. Represented clients have a much higher statistical chance of prevailing and thus avoiding deep poverty. The Clinic represents clients so that they can retain these benefits in circumstances in which they might give up rather than fight with the IRS in a process they fail to fully comprehend. Additionally, the Clinic represents clients mired in debt. Each semester, the Clinic assists taxpayer in settling their tax debts with the IRS for a fraction of the amount owed and in some cases writing off hundreds of thousands of dollars. These outcomes can be life changing for some clients.
The Clinic also seeks to give students the opportunity to work on matters of broader impact in the low income taxpayer community. For the past year the Clinic has identified taxpayers dismissed from the Tax Court as a result of being told the wrong date to file their petition by the IRS. The Clinic filed an amicus brief in the fall of 2015 arguing that the Tax Court had the ability under applicable Supreme Court precedent to equitably toll the time period for filing the petition. The Tax Court rejected this argument though that case was resolved on other grounds and did not result in an appeal. Since that case, the Clinic has filed an amicus brief in the 9th Circuit in the case of a pro se petitioner misled by the IRS notice and filed briefs for clients in the 2nd and 3rd Circuits. The Clinic will argue this issue before the Circuit courts during the Spring 2017 semester. In addition the Clinic has three more cases with the same issue awaiting a decision by the Tax Court which will result in cases in the 4th and 10th Circuits. In the Spring semester 2017 Clinic students are working on writing comments to the IRS on proposed family status regulations as these regulations have a significant impact on our clients.

The seminar component of the Clinic seeks to complement the experience of working directly with the clients. Students work on case simulations, problems and IRS forms in the seminar in order to prepare and reinforce the skills needed for client representation. Almost every week the students prepare a different IRS form in preparation for the seminar class in order to learn about the subject, feel the frustrations clients experience in trying to prepare IRS forms and learn how to advocate within the constraints of a form. The seminar also serves as a place for the students in the class to discuss their cases with fellow classmates and work together to figure out the best way to approach difficult case problems.
For more information on the Tax Clinic, please contact Keith Fogg, (617) 390-2532.

Federal Tax Clinical Seminar

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

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

Delivery Mode: Seminar

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.
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 29, 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Federal Tax Clinical Seminar

Course #: 2822 **Term:** 2018SP **Faculty:** Fogg, Keith **Credits:** 2.00

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

Delivery Mode: Seminar

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. 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 12, 2018. 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Feminism and Crime Control

Course #: 2991 **Term:** 2017FA **Faculty:** Gruber, Aya **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This reading group explores the complex, often fraught, relationship between U.S. feminism and crime control. From the earliest days of the second wave of feminism, the impunity of men who commit violence against women has been forefront on the feminist agenda. Yet in an era of increasing awareness of the social and human costs of policing, prosecution, and mass incarceration, an internal critique of carceral feminism has emerged, and some question whether feminists have placed too much faith in criminal law's ability to secure equality. In addition, the public visibility of the campus rape issue has created a robust debate among feminists on how to frame and address the problem, and what constitutes a feminist stance on issues such as trauma, victimization, and sexuality.

Beginning with a study of second-wave feminist approaches to violence against women, the reading group will proceed through various areas of feminist criminal law making, including intimate partner violence, provocation and self-defense, sexual assault (including campus rape/Title IX issues), and prostitution/human trafficking. The course will highlight feminist theoretical tensions and dilemmas in each area and explore how law reform has been marked by strategic and political compromise. The course seeks to unsettle orthodoxies and presumptions about violence against women as a means to a richer understanding of this important area of law. We will rely primarily on scholarly books and articles, but there will also be some legal documents (cases, statutes, regulations) and news articles.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Feminisms and Pornography, c. 1975-1995

Course #: 2010 **Term:** 2017FA **Faculty:** Halley, Janet **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM

Tue 1:00 PM - 3:00 PM

Course Description: This 3-credit course will meet for only three hours per week on Mondays & Tuesdays from 1-3pm. Each week, one of the four hours in that time block will be released, on a to-be-arranged basis. Students should keep their schedules clear for the full time block until more specific weekly schedules are announced. We realize this poses some inconvenience but it will enable the instructors to make the best use of scarce Schlesinger Library resources.
Prerequisite: Enrollment is by permission of the instructors. Please submit your resume or cv, along with a statement of no more than 250 words about your interest in the course, to Terry Cyr, tcyr@law.harvard.edu.

Exam: No Exam

Feminisms and Pornography, c1975-1995. Professors Jane Kamensky (FAS) and Janet Halley (HLS). This course, jointly listed at Harvard Law School and FAS, focuses on the conflict among US feminists over pornography, a legal and cultural struggle that continues to inform feminist thought. Students will write article-length original essays based on archival research in the collections of the Schlesinger library, which houses some of the most outstanding documentary materials on this topic anywhere in the world. (With the instructors’ permission, students may substitute digital projects for traditional scholarly papers.) After a four-week introduction to the contours of the debate and to Schlesinger’s holdings, students will develop their research projects in close consultation with each other and with the instructors. The class will meet twice each week, once in traditional seminar format to discuss common readings and evolving projects, and the other time in laboratory format at the Schlesinger. In addition to their individual research and collaborative work with the class as a whole, students will participate in planning a daylong workshop on our topic, to be held the following semester, on Friday March 23, 2018.

This course involves research into written and visual material the very existence of which has been and continues to be controversial. We are not shying from that controversy; exploring and even exploding it is the very point of the course. Students, faculty, and Schlesinger Library staff will form an agreement at the beginning of the term about how to view, handle, discuss, and distribute these materials respectfully.

FAS and GSAS students should register through their normal course registration process; HLS students should register through the regular HLS Registrar’s Office process.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Financial and Legal Needs of Low and Moderate Income Households

Course #: 2176 **Term:** 2018SP **Faculty:** Charn, Jeanne **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

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 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Food and Drug Law

Course #: 2091 **Term:** 2018WI **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	
Tue 9:00 AM - 12:30 PM	
Wed 9:00 AM - 12:30 PM	
Thu 9:00 AM - 12:30 PM	
Fri 9:00 AM - 12:30 PM	

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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Food Law and Policy

Course #: 2359 **Term:** 2017FA **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

Course Description: 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 U.S. farm bill, labeling of genetically engineered food products, soda taxes, efforts to regulate school meals, 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 short discussion posts via the online course discussion board; prepare for and participate in in-class role play debates; and write a policy paper 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 Food Law and Policy clinic. Students who enroll in the fall 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 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 29, 2017 for students in this course enrolled in reserved clinical seats.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Food Law and Policy

Course #: 2359 **Term:** 2018SP **Faculty:** Broad Leib, Emily **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM

Course Description: 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 U.S. farm bill, labeling of genetically engineered food products, soda taxes, efforts to regulate school meals, 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 short discussion posts via the online course discussion board; prepare for and participate in in-class role play debates; and write a policy paper 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 winter-spring and spring Food Law and Policy clinics. Students who enroll in either the winter-spring or 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 winter-spring or 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 December 1, 2017 for winter-spring clinical students and January 12, 2018 for spring clinical students in this course.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 8038 **Term:** 2018SP **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). 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. 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 12, 2018.

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 Professor Broad Leib at ebroad@law.harvard.edu or visit our clinical suite in the WCC 3130.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 8038 **Term:** 2018WS **Faculty:** Broad Leib, Emily **Credits:** 7.00

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: Please note that this winter-spring clinic has a drop deadline of December 1, 2017.

LLM Students: LLM students are not eligible to apply.Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 3-5 spring clinical credits).

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.

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Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 8038 **Term:** 2017FA **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). 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. 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 29, 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.

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For more information about the clinic, please email Professor Broad Leib at ebroad@law.harvard.edu or visit our clinical suite in the WCC 3130.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Food Law Lab

Course #: 2544 **Term:** 2017FA **Faculty:** Gersen, Jacob **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM

Course Description: Prerequisites: None

Exam Type: No Exam

This seminar will explore the legal regulation of food. We will study the state, local, federal, and common law regulation of food, with an emphasis on both the historical evolution of legal regimes that govern production, labeling, and sale; and frontier policy issues like banned foods, obesity, dietary supplements, organics, bioterrorism, and genetic modification. Although our focus will be mainly domestic law, we will occasionally consider trade and international regulation as well. The writing requirement for the class is four substantive posts for food law lab blog. Students may write on topics of their choosing related to food law and policy.

Food Law Lab

Course #: 2544 **Term:** 2018SP **Faculty:** Gersen, Jacob **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM

Course Description: Prerequisites: None.
Exam Type: No exam.
This seminar will explore the legal regulation of food. We will study the state, local, federal, and common law regulation of food, with an emphasis on both the historical evolution of legal regimes that govern production, labeling, and sale; and frontier policy issues like banned foods, obesity, dietary supplements, organics, bioterrorism, and genetic modification. Although our focus will be mainly domestic law, we will occasionally consider trade and international regulation as well. The writing requirement for the class is four substantive posts for food law lab blog. Students may write on topics of their choosing related to food law and policy.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 2697 **Term:** 2017FA **Faculty:** Kennedy, Randall **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 1:10 PM - 2:40 PM

Fri 1:10 PM - 2:40 PM

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.

Future of the Family

Course #: 2094 **Term:** 2018SP **Faculty:** Bartholet, Elizabeth **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 7:00 PM - 9:00 PM

Course Description: Prerequisite: For JD1L students and cross-registrants, instructor permission is required to enroll in this seminar. There is no permission required for upper-level JDs or LLMs.
Exam type: No exam. Requirements include: regular attendance, active participation, presentation of own work, feedback on others work, and a research paper. Students are encouraged to write a substantial paper for an additional credit; this can be used to satisfy the Schools Written Work Requirement.
This seminar is for students interested in writing a research paper on any issue related to the below range of topics, as well as for students interested in doing papers on ideas explored in connection with any Child Advocacy Program (CAP) course (Child, Family & State, Family Law, The Art of Social Change, CAP Clinic). Initial class sessions will focus on readings related to general substantive area and also research and writing issues, and later sessions will focus on student work. Students will receive extensive guidance and feedback on their writing.
Possible issue areas include but are not limited to: parenting and procreation; child maltreatment and related state intervention; high-tech infertility treatment and assisted reproductive technologies; the commercialization of reproduction (sale of eggs, sperm, embryos and pregnancy services); non-traditional family forms (single parenting, same-sex unions and marriage, transracial and international adoption); and fetal abuse, sex selection, cloning, stem cell research and the new eugenics options.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Gender and Political Economy

Course #: 2096 **Term:** 2017FA **Faculty:** Halley, Janet **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Family, Gender & Children's Law

Delivery Mode: Course

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

Course Description: Prerequisite: None

Exam: Last Class Take-Home Examination is by last-class take-home; there will be a paper option but paper writers must take a 1-hour in-class examination.

This course will examine the ways in which contemporary liberal legal orders -- the United States, other countries around the world, and international entities -- construct sex, sexuality, gender and the family to enable political and economic structures and practices that may seem "gender-free." The course will focus equally on theories of political economy and actual institutional practices.

Classic problems will include gender and unpaid labor in the home; gendered patterns in formal and informal labor; provision of care work; state provision of social security/welfare; the regulation of sexual acts and identities; sex crimes; the anti-trafficking system; the commodification of sexuality and sexual services; the family as an economic unit; and the ideological and institutional roles of gender and the family in nationalist, colonial, and post-colonial legal orders.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Gender Violence Legal Policy Workshop

Course #: 2513 **Term:** 2018SP **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

Course Description: Pre/Co-requisite: Students must register for either the Title IX course or the Gender Violence, Law and Social Justice course during this academic year.

Exam Type: No Exam

This workshop offers the student hands-on experience in analyzing, evaluating, and creating legal policy on a range of issues related to gender violence. The three main areas of concentration are campus sexual assault, intimate partner violence, and sex trafficking and prostitution. We advise government officials (local, state and federal); national, international, and local advocacy groups working to stop gender violence; and individuals needing assistance in knowing their rights or accessing services. Recent activities include submitting comments to the White House Task Force on Protecting Students from Sexual Assault; helping an advocacy organization on preventing domestic violence homicide; and preparing a training for Middlesex County Police Chiefs on investigating sex trafficking rings.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Gender Violence, Law and Social Justice

Course #: 2098 **Term:** 2018SP **Faculty:** Rosenfeld, Diane **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Course Description: Prerequisites: None

Exam Type: No Exam

This course offers an in-depth examination of the phenomenon of gender-motivated violence. Following a consideration of the prevalence and variation of types of sexual violence and coercion around the world, we consider questions such as: How, if at all, is violence against women different from other types of violence? How effective have legal strategies to address violence against women been, and what shifts in thinking about gender-motivated violence would be necessary finally to eradicate it? How does the toleration of sexual violence shape people's expectations and sense of entitlements? What are the implications of gender-based violence for the constitutional guarantee of equal protection of the laws? Does equal protection itself have a gendered meaning and reality? Among the types of violence against women we will consider are: intimate-partner violence; domestic homicide; prostitution; rape; sex trafficking of women and children; and violence against women facilitated by the Internet. The readings consist of primary and secondary materials drawn from several disciplines: law, social science, political science, psychology, evolutionary biology and women's studies.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Global Anticorruption Lab

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

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: Enrollment is limited to 12, and is by permission of the instructor. Interested students should email Professor Stephenson (mstephen@law.harvard.edu); the email should include a current CV and a statement of interest (preferably including one or two topics you might be interested in writing about). Please also indicate whether you intend to enroll in both semesters of the Lab, or only the Fall. (Enrollment in both semesters is not required, but preference will be given to applicants who intend to enroll for the full year.)
Exam Type: No Exam
This course will provide an opportunity for students interested in anticorruption (from legal, social scientific, or policy perspectives) to work on independent research projects in a collaborative, interactive setting. Students will select one or more topics of interest to explore during the semester; we will meet each week for an hour to discuss one anothers research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute four substantive posts (1-3 paragraphs each) to the Global Anticorruption Blog. Participants will also be expected to participate in online discussions and debates about other blog entries. Students interested in expanding their research into a full paper may do so for an appropriate number of additional independent writing credits.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Global Anticorruption Lab

Course #: 2646 **Term:** 2018SP **Faculty:** Stephenson, Matthew **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: Enrollment is limited to 12, and is by permission of the instructor. Interested students should email Professor Stephenson (mstephen@law.harvard.edu); the email should include a current CV and a statement of interest (preferably including one or two topics you might be interested in writing about). Please also indicate whether you intend to enroll in both semesters of the Lab, or only the Fall. (Enrollment in both semesters is not required, but preference will be given to applicants who intend to enroll for the full year.)
Exam type: No exam.
This course will provide an opportunity for students interested in anticorruption (from legal, social scientific, or policy perspectives) to work on independent research projects in a collaborative, interactive setting. Students will select one or more topics of interest to explore during the semester; we will meet each week for an hour to discuss one anothers research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute four substantive posts (1-3 paragraphs each) to the Global Anticorruption Blog. Participants will also be expected to participate in online discussions and debates about other blog entries. Students interested in expanding their research into a full paper may do so for an appropriate number of additional independent writing credits.

Global Law and Governance

Course #: 2101 **Term:** 2017FA **Faculty:** Kennedy, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Course Description: Prerequisites: None
Exam Type: Last-Class Take-Home
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Global Political Economy

Course #: 2977 **Term:** 2017FA **Faculty:** Kennedy, David **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Course Description: Prerequisite: None

Exam: No Exam

This group will read works from history, political and social theory which might illuminate the relationship between economic globalization, political nationalism and the role of the state. We will consider the potential forces and focal points for politics and public power as interest aggregation in the public interest has everywhere become a hollow promise. How to understand the rise - and future - of global technocracy? What future for the emancipatory promises of democracy, human rights, or the rule of law now that they have become governance projects available for capture by faction? How might we come to grips with law's role in the distributional dynamics in economic and political life?

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Globalization: Business, Legal and Public Policy Issues

Course #: 2696 **Term:** 2018WI **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**
Mon 9:00 AM - 12:30 PM	
Tue 9:00 AM - 12:30 PM	
Wed 9:00 AM - 12:30 PM	
Thu 9:00 AM - 12:30 PM	
Fri 9:00 AM - 12:30 PM	

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 sercurity, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Governing Cities in a (De)Globalizing World

Course #: 2966 **Term:** 2017FA **Faculty:** Blank, Yishai **Credits:** 2.00

Type: Elective **Subject Areas:** Government Structure & Function

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
From managing immigration to combating climate change, from conducting foreign relations to promoting economic development, cities throughout the world are rising to unprecedented power and influence. This ascent of cities is taking place at the national, regional and global levels, and it involves a profound reconfiguration of the role and status of cities, from subordinate agents of the state to semi-independent, semi-private actors and within a context where globalization is no longer a given, but is becoming increasingly contested. What has accompanied and enabled this transformation, apart from the uninterrupted (until recently) onward march of globalization, is the alignment of three legitimating discourses around the desirability of city power: efficiency, democratic theory, and multiculturalism. Despite their different intellectual trajectories and often conflicting policy implications, all three discourses converge on a new and empowered role for cities in both national settings and global governance schemes.
The legal transformations that have accompanied and enabled this newly empowered urban role involve novel modes of legal authorization and responsibilization, as well as a reshaping of the relationships among cities, between cities and their states, and between cities and international and global actors. Contestations surrounding the desirability and scope of globalization in different national settings often take place at the local level, and through local government institutions: resistance to economic globalization, hostility or hospitability towards immigrants and refugees, adoption of environmental-friendly agenda, and more. In this Seminar we will investigate these legal and extra-legal developments through an examination of legal documents and institutions as well as socio-legal texts, and we will explore the transformations that local legal regimes (i.e., local government law) are undergoing or are expected to undergo as a result. These will include, among others, constitutional principles, legislative rules, administrative actions, and judicial decisions from the United States, Canada, the European Union, and Israel, as well as other jurisdictions.
Students will be required to write a final seminar paper.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Government Lawyer

Course #: 2103 **Term:** 2017FA **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

Tue 1:30 PM - 3:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
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 May 11, 2017; the drop deadline for spring clinical students is August 29, 2017.
Note: This course satisfies the Law Schools professional responsibility requirement.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Government Lawyer: Attorney General Clinic

Course #: 8015 **Term:** 2017FA **Faculty:** Tierney, James **Credits:** 5.00

Type: Clinic **Subject Areas:** 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: The Role of the State Attorney General (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 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 4, 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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Government Lawyer: Attorney General Clinic

Course #: 8015 **Term:** 2018SP **Faculty:** Tierney, James **Credits:** 5.00

Type: Clinic **Subject Areas:** 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: The Role of the State Attorney General (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 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 5, 2018.
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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Government Lawyer: Attorney General Clinic

Course #: 8015 **Term:** 2018WI **Faculty:** Tierney, James **Credits:** 2.00

Type: Clinic **Subject Areas:** 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: The Role of the State Attorney General (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 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 17, 2017.
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 2017 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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Government Lawyer: Semester in Washington Clinic

Course #: 8016 **Term:** 2018SP **Faculty:** Wroblewski, Jonathan **Credits:** 8.00

Type: Clinic **Subject Areas:** Government Structure & Function

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 25, 2017.Add/Drop Deadline: January 12, 2018. 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 seminar course (twice a week during the term) on government lawyering. Students are required to work at least 30 hours a week in the spring term, although most work full-time. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases. Placements in past years have included the House and Senate Judiciary Committees, the Departments of Justice and State, the White House Counsels Office, the Central Intelligence Agency, and the Federal Communications Commission. Placements are coordinated by the clinic director, Jonathan Wroblewski, in consultation with students. Students admitted to the clinic will meet individually with the clinic director to discuss their areas of interest and placement possibilities. Every effort will be made so that students can find placements to meet their 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 so students can find a placement in his or her interest area.

This option is for the spring clinic. There is also a separate winter-spring clinic option, where students also spend 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 the current 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, and a writing sample of no more than 10 pages. Apply through an online application form by August 25, 2017.

Students should be aware of their yearly HLS credit minimums, as the spring semester is spent entirely off campus (student will receive 8 spring clinical credits + 3 spring course credits + 1 writing credit for a total of 12 spring semester credits).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Government Lawyer: Semester in Washington Clinic

Course #: 8016 **Term:** 2018WS **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 25, 2017. Add/Drop Deadline: December 1, 2017. 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 seminar course (twice a week during the spring) on government lawyering. Students are required to work 40 hours a week in the winter term and at least 30 hours a week in the spring term, although most work full-time during the spring term as well. 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 so that students find placements to meet their interests. 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 so students find a placement in his or her interest area.

This option is for the winter and spring clinic. There is also a separate spring only clinic option.

To get an inside view of the Program, students may access the Semester in Washington 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, and a writing sample of no more than 10 pages. Apply through an online application form by August 25, 2017.

Students should be aware of their yearly HLS credit minimums, as the winter and spring semesters are spent entirely off campus (student will receive 2 winter clinical credits + 8 spring clinical credits + 3 spring course credits + 1 writing credit for a total of 14 winter and spring semester credits).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Government Lawyer: Semester in Washington Clinical Seminar

Course #: 2104 **Term:** 2018SP **Faculty:** Wroblewski, Jonathan **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function; Legal Profession, Legal Ethics & Professional Responsibility; 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 25, 2017. Add/Drop Deadline: December 1, 2017 for winter-spring clinical students. January 12, 2018 for spring clinical students. LLM Students: LLM students are not eligible to enroll.

This course is offered as part of the Government Lawyer: Semester in Washington Clinic. Students spend the entire spring term (except for spring break) in Washington, D.C. working as legal interns in a variety of federal offices while taking an evening course on government lawyering. Students may also begin the clinical work in the winter term. Students are required to work 40 hours per week in the winter term (if they begin their clinical placement then) and at least 30 hours a week in the spring term, although most students work full-time in the spring term. 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 the evening seminar course twice a week during the spring term. 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 and why 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. 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 course 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 the current 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, and a writing sample of no more than 10 pages. Apply through an online application form by August 25, 2017.

Students should be aware of their yearly HLS credit minimums, as the spring semester is spent entirely off campus (student will receive 8 spring clinical credits + 3 spring course credits + 1 writing credit for a total of 12 spring semester credits). Students who begin their clinical placement in the winter term receive an additional two winter clinical credits).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Government Lawyer: United States Attorney Clinic

Course #: 8017 **Term:** 2017FA **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 March 27, 2017.Add/Drop Deadline: May 11, 2017. LLM Students: LLM students are not eligible to enroll. Placement Site: Various externship placements at the U.S. Attorneys 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 first week of classes (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 March 27, 2017 to Maureen Worth (mworth@law.harvard.edu). Applications should include a resume and a statement of interest no longer than 250 words. Students will be notified of their application results by TBD. Accepted students will be enrolled in the clinic and the required fall course component by the Office of Clinical and Pro Bono Programs.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Government Lawyer: United States Attorney Clinic

Course #: 8017 **Term:** 2018SP **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 March 27, 2017. Add/Drop Deadline: August 29, 2017. LLM Students: LLM students are not eligible to enroll. Placement Site: Various externship placements at the U.S. Attorneys 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 first week of classes (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 March 27, 2017 to Maureen Worth (mworth@law.harvard.edu). Applications should include a resume and a statement of interest no longer than 250 words. Students will be notified of their application results by TBD. Accepted students will be enrolled in the clinic and the required fall course component by the Office of Clinical and Pro Bono Programs.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Immigration and Refugee Clinic

Course #: 8020 **Term:** 2018SP **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 12, 2018.
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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Immigration and Refugee Clinic

Course #: 8020 **Term:** 2017FA **Faculty:** Anker, Deborah **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. 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 29, 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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Legal Aid Bureau 2L

Course #: 8000 **Term:** 2017FS **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, 2017.
Add/Drop Deadline: July 15, 2017.
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 approximately August 20-27.
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 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 and housing discrimination; family law, including divorce, child custody, paternity, visitation, and support issues; fair wage law, including nonpayment or underpayment of wages; and government benefits law, including appeals of the denial or termination of unemployment or social security disability benefits. Because the Bureau is student-run, students take the lead in setting organizational policy and exploring new potential practice areas. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Legal Aid Bureau 3L

Course #: 8010 **Term:** 2017FS **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.
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 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 and housing discrimination; family law, including divorce, child custody, paternity, visitation, and support issues; fair wage law, including nonpayment or underpayment of wages; and government benefits law, including appeals of the denial or termination of unemployment or social security disability benefits. Because the Bureau is student-run, students take the lead in setting organizational policy and exploring new potential practice areas. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Negotiation and Mediation Clinic

Course #: 8019 **Term:** 2018SP **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 2018 Negotiation Workshop will qualify for meeting this pre-requisite.

Add/Drop Deadline: Please note this clinic has an early drop deadline of December 1, 2017.

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 2018 Negotiation Workshop to keep their clinical enrollment. Enrollment in the winter 2018 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Negotiation and Mediation Clinic

Course #: 8019 **Term:** 2017FA **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 4, 2017.

LLM Students: Due to the pre-requisite, LLM students are not eligible to enroll.

Placement Site: HLS.

Students in the Harvard Negotiation and Mediation Clinical Program (HNMCP) work on advanced client matters related to negotiation, mediation, and conflict management. For example, students may assist an organization in conducting a conflict assessment, designing a dispute resolution system, assessing an ongoing set of dispute management processes, or resolving a current conflict or series of conflicts. In some instances, clinic teams design and deliver a tailored negotiation/mediation curriculum, offer strategic negotiation advice, or conduct a mediation or consensus-building session. In addition to applying the skills and concepts learned in Negotiation Workshop, students will develop a new set of skills that may include conducting interviews for stakeholder assessments, facilitating learning dialogues, running focus groups, leading teams, and presenting to clients. Each semester the clinic will offer a mix of public, private, domestic, and international projects. Recent clients include federal and state agencies, nonprofits, religious organizations, transnational corporations, small start-up companies, professional sports teams, municipalities, local government officials, and universities.

Students in the clinic will have the chance to manage senior level client relationships and are asked to work through difficult concepts and problems directly with clients and their clinical supervisor. Students work in a team of 2 to 4 students, typically collaborating on single project for one client during the entire semester. By working for a single client, students have the unique chance to collaborate on a project from start to finish. For a listing of current and past clinic clients, please visit the HNMCP website.

The Negotiation Workshop is a required prerequisite for the Negotiation and Mediation Clinic.

If you have questions about the clinic, feel free to email Tracy Blanchard at tblanchard@law.harvard.edu.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Health Care Law and Policy

Course #: 2108 **Term:** 2018SP **Faculty:** Frakes, Michael **Credits:** 3.00

Type: Elective **Subject Areas:** Health Law

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Course Description: Prerequisites: None
Exam Type: Any-Day Take-Home
This introductory survey course in health care law will explore a range of laws and regulations governing the U.S. health care system, with an emphasis on legal structures bearing on the way in which health care is delivered and financed. The course will cover a vast array of topics, including the physician-provider relationship, medical liability, health insurance regulation, provider reimbursement, facilities regulation, antitrust, and more. Particular attention will be paid to health care reform debates surrounding access to health care insurance, in addition to debates surrounding health care spending, quality and access more generally.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Health Care Rights in the Twenty-First Century

Course #: 2989 **Term:** 2017FA **Faculty:** Costello, Kevin; Shachar, Carmel **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
Underlying the current health care debate engulfing Washington is the fundamental question whether Americans enjoy a basic entitlement to health care. This course will briefly trace the history of the American conception of health care rights through the last half-century of administrative and political cycles. We will contrast a diverse array of ideological perspectives over this progression to understand the context of the current climate.

Building on this background, we will consider a broad range of rights-affording sources across the landscape of the modern American health care system: Federal civil rights statutes; the laws and agreements that govern public and private health insurance arrangements; data privacy and ownership rights; and other state and federal statutes that govern health care consumers, insurers, institutions and spending. We will also consider negative rights in the context of the Affordable Care Act's individual mandate and the relevant Religious Freedom Restoration Act developments. Building from this context, we will place congressional and common law health care rights provisions in the broader context of civil rights jurisprudence, including anti-discrimination regimes. Applying a lens of civil rights and enforcement to these sources of law, we will consider differing avenues available to achieve enforcement of health care rights, including through administrative and policy-based advocacy, as well as more formalized litigation.

The seminar is designed to be limited lecture, incorporating debates, role-plays, and other interactive sessions. It will culminate in a student-chosen project arising from the course materials - students will write a rights-enforcing instrument, which may include an administrative filing, a federal court complaint, or a regulatory comment. Students will have the option of further honing their health care rights skills by participating in the Health Law and Policy Clinic in conjunction with this seminar.

The seminar will appeal to law students interested in working across the spectrum of the health care field generally, to those interested in the intersection between law and health care, and to those who aspire to be civil rights lawyers.
Some seats are reserved for students in the fall Health Law and Policy clinic. If a student drops the fall Health Law and Policy clinic, they will also lose their reserved seat in this course. Please note that this course has an early drop deadline of August 29, 2017 for students enrolled in reserved clinical seats.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 8033 **Term:** 2017FA **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: Students in the fall clinic must enroll in either Public Health Law and Policy (2 fall classroom credits) OR Health Care Rights in the Twenty-First Century (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.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: August 29, 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 will work on cutting-edge legislative, regulatory and litigation projects at the state and national levels aimed at increasing access to quality, comprehensive health care for poor and low-income individuals and families. Student projects involve: informing current debate on health reform efforts; providing law and policy analysis to national and state coalitions advocating to protect Medicaid, Medicare and discretionary health and public health programs: investigating best practices for initiatives to address health disparities and reduce barriers to health care for our most vulnerable populations; and litigating to address unfair and discriminatory public and private health insurance practices.
National level work involves advising government actors and leading chronic illness and disability partnerships to promote health and public health reform initiatives. State level work (currently in Massachusetts, Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas) allows students the opportunity to travel to facilitate trainings and meetings and to support advocacy and litigation strategy development on a broad range of current health and public health concerns. (See the clinic website at www.chlpi.org for a more in-depth description of current clinic projects.)
Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, and develop written products such as fact sheets, in-depth reports, comment letters, testimony, presentations, draft legislation, regulatory guidance and litigation-oriented document production. Students have the opportunity to develop a range of problem-solving, policy analysis, research and writing, oral communication, advocacy and leadership skills.
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).
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

2017-2018 Academic Year

March 30, 2017 2:03 AM

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

Course #: 8033 **Term:** 2018SP **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 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 12, 2018. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS.

Students enrolled in the Health Law and Policy Clinic will work on cutting-edge legislative, regulatory and litigation projects at the state and national levels aimed at increasing access to quality, comprehensive health care for poor and low-income individuals and families. Student projects involve: informing current debate on health reform efforts; providing law and policy analysis to national and state coalitions advocating to protect Medicaid, Medicare and discretionary health and public health programs: investigating best practices for initiatives to address health disparities and reduce barriers to health care for our most vulnerable populations; and litigating to address unfair and discriminatory public and private health insurance practices.

National level work involves advising government actors and leading chronic illness and disability partnerships to promote health and public health reform initiatives. State level work (currently in Massachusetts, Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas) allows students the opportunity to travel to facilitate trainings and meetings and to support advocacy and litigation strategy development on a broad range of current health and public health concerns. (See the clinic website at www.chlpi.org for a more in-depth description of current clinic projects.)

Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, and develop written products such as fact sheets, in-depth reports, comment letters, testimony, presentations, draft legislation, regulatory guidance and litigation-oriented document production. Students have the opportunity to develop a range of problem-solving, policy analysis, research and writing, oral communication, advocacy and leadership skills.

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).

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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Health Law, Policy, Bioethics, and Biotechnology Workshop

Course #: 2652 **Term:** 2017FA **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

Course Description: Prerequisites: None

Exam Type: No Exam

This seminar will feature the presentation and discussion of cutting edge scholarship on health law, health policy, biotechnology and bioethics. The evaluation mechanism is that students must submit brief written comments on a number of the papers during the course. Because the papers are different every term, students can take the class as many times as they wish. 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Hedge and Private Equity Funds: Law & Policy

Course #: 2768 **Term:** 2018SP **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

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 private investment funds - namely hedge and private equity funds and related investment vehicles - from the practitioner's perspective, and discuss the foundational issues of corporate, securities, regulatory, and tax law that they raise. The course will begin by introducing and defining these funds. The first part of the class will then examine the main structural issues relating to such funds' organization, investments, and internal operations. The second part of the class will scrutinize relationships between funds and their investors, with a particular focus on considerations and policy concerns of institutional investors. The third part of the class will survey issues raised by the intersection of funds with markets and the economy, in particular their relationship to the financial services industry and to the real economy. This part will consider externalities-positive and negative-of fund strategies, including systemic risk. The course will conclude with a macro perspective on the future of the fund industry.

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 fund strategies are at the center of many of the most pressing current issues in corporate and financial law. Funds drive industry transformations and 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Housing Law Clinic

Course #: 8034 **Term:** 2017FA **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: August 29, 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, The Housing Clinic represents tenants and foreclosed upon owners who are facing eviction. The work is done as part of a movement to effect change in the community and the bulk of the clinics work consists of litigation in the Boston Housing Court. Students defend evictions and prosecute affirmative cases to improve housing conditions and prevent utilities terminations. Students engage very actively in client interviewing and counseling, fact investigation, pre-trial discovery (including the taking and defending of depositions), negotiation, and motion practice, as well as trying cases in court. Students also have the opportunity to engage in community lawyering and mobilization efforts with long term community partners and to work on legislative and other law reform initiatives. Students participate in a Boston Bar Association Attorney for the Day Program and offer "game day" advice to unrepresented litigants in Court on the day of the litigants hearing or trial. As eviction cases are first scheduled by rule on Thursday mornings, students find it helpful if they are available for clinic work on Thursdays (from around 8:30 to 1:00) as many opportunities arise through the Attorney for the Day Program to argue contested motions and negotiate live client cases. The clinic is part of the Legal Services Center (LSC), a general practice community law office in the Jamaica Plain neighborhood of Boston. LSCs diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services. Students are taught and mentored under the supervision and guidance of clinic directors, instructors and fellows and have an opportunity to meet students and advocates working in many areas of the law.
For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh, mcdonagh@law.harvard.edu, (617) 390-2542.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Housing Law Clinic

Course #: 8034 **Term:** 2018SP **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: January 12, 2018.
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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Housing Law Clinical Workshop

Course #: 2199 **Term:** 2017FA **Faculty:** McDonagh, Maureen **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

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 29, 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Housing Law Clinical Workshop

Course #: 2199 **Term:** 2018SP **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

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 12, 2018.
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, especially in student led case rounds 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Human and Community Rights: Pursuing Justice for Indigenous People

Course #: 2027 **Term:** 2017FS **Faculty:** Nesson, Charles **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None

Exam Type:

How can an indigenous group successfully assert legal and human rights nationally and internationally? From intellectual and real property to religious and cultural claims, this question poses challenges of legal doctrine, theory, and strategy. With the Rastafari of Jamaica as a case study, and comparative legal analysis, this seminar will offer students opportunities to engage with these challenges and learn about practical efforts, philosophic, debates, and legal tools. This is a two credit year-long seminar with face to face meetings in the fall term ending at thanksgiving, face to face meetings in the spring term ending at spring vacation, and online connection throughout.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Human Rights Advocacy

Course #: 2510 **Term:** 2017FA **Faculty:** Farbstein, Susan **Credits:** 2.00

Type: Elective **Subject Areas:** Human Rights

Delivery Mode: Seminar

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM

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 Promises and Challenges of Disarmament (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 29, 2017.
LLM Students: LLM students may apply to the clinic by submitting an application.
Advocates around the world rely upon human rights norms, discourse, and methodologies in the struggle for social justice. While human rights law provides guidance on a wide range of issues, advocates nonetheless face a host of challenges when seeking to translate law into meaningful, sustainable change.
This seminar explores what it means to be a human rights advocate—both the promise and limitations of such work. The course examines fundamental concepts, skills, and approaches to human rights practice, including its ethical, strategic, and legal dimensions. Through case studies, role plays, and guided discussion, students must grapple with tough questions:
What is the proper mandate of a human rights advocate? What is responsible, effective human rights advocacy?What are appropriate responses to critiques of the human rights movement? How can human rights be harnessed to successfully influence and change behavior?   Is it possible to engage in human rights advocacy without perpetuating power differentials along geopolitical, class, race, gender, economic, and other divides? How does an advocate forge meaningful, collaborative partnerships with individuals and communities directly affected by abuse? What skills and methodologies are best suited to lawyering in the human rights field?How can human rights advocates practice self-care and cultivate resilience and optimism in the face of such challenging work?
The course is designed to encourage students to critically evaluate the human rights movement, as well as the implications for practice today, while learning core advocacy and problem-solving skills to responsibly advance social justice. Students will workshop and reflect on their participation in supervised clinical projects, which provide rich material for discussions about skills such as fact-finding, media outreach, advocacy, constituency-building, and litigation. Students will also consider a series of identity-based dynamics (e.g., north/south, insider/outsider, donor/donee, lawyer/non-lawyer) that influence how advocacy is formulated and received. Finally, students will confront the limits of the human rights paradigm and its established methodologies, and consider alternate models.
A fall clinical practice component in the International Human Rights Clinic is required of all students.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Human Rights Advocacy

Course #: 2510 **Term:** 2018SP **Faculty:** Crowe, Anna **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

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). 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 12, 2018.LLM Students: LLM students may apply to the clinic by submitting an application.
Advocates around the world widely employ human rights norms and discourse 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 rights in armed conflict, or any number of other topics. Through case studies and simulations, this seminar examines the various dimensions and limitations of human rights advocacy, including strategic, ethical, and tactical challenges.

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 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Human Rights in the UN Treaty Bodies

Course #: 2343 **Term:** 2017FS **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

Course Description: Prerequisite: By permission of instructor. Students who have taken either the 1L or upper-level International Human Rights introductory course at HLS may enroll without special permission but should contact the instructor for pro forma permission due to technical reasons; other students who have not taken that course but believe that they have equivalent preparation may contact the instructor for permission to enroll. Auditing will not be permitted.

Exam Type: No Exam.
Grading will be based on class participation and a series of short reaction papers.

This advanced seminar will focus on selected topics relating to the work of the UN human rights treaty bodies, especially the Human Rights Committee (of which the instructor was previously a member). Topics vary from year to year, but may include such subjects as arbitrary detention, religious exemptions, military trials, forced evictions, "hate speech," rights of persons with disabilities, and international monitoring procedures. The seminar will meet six times each semester, in two-hour sessions.

The seminar is required for LL.M. students in the LL.M. human rights concentration. Participation by J.D. students is also encouraged.

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Immigration and Refugee Advocacy

Course #: 2115 **Term:** 2018SP **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**

Thu 5:00 PM - 7:00 PM

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 12, 2018.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Immigration and Refugee Advocacy

Course #: 2115 **Term:** 2017FA **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**

Tue 5:00 PM - 7:00 PM

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 29, 2017. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Immigration Law: Policy and Social Change

Course #: 2116 **Term:** 2018SP **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**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This course touches upon the major policy debates currently surrounding immigration reform and policy. This course will survey social changes and developments in immigration law over the last few decades, including the emergence and role of social change movements. Topics will include the intersection of immigration law and criminal law, national security, labor rights, border security, and state and local enforcement as well as refugee and asylum policy and other topics. The course will bring leading immigration and refugee advocates, scholars and policy-makers into the classroom, engaging students in important debates about what immigration policy should be. The course will meet for two hours.

Innovation in Legal Education and Practice

Course #: 2689 **Term:** 2017FA **Faculty:** Westfahl, Scott; Walczewski, Erin **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

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 begins with exercises and teaching to create effective innovation teams. The course then introduces students to design thinking principles and tools in order to enhance their ability to innovate. 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 focuses on providing support for student teams with the help of 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 innovation proposal. Students will be challenged at the end of the semester to present their proposals in an interactive forum to panels of outside 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, and a significant amount of feedback throughout the course. Benefits of the course include the ability to leverage fellow team members strengths and experiences and to form close bonds with teammates.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Insurance Law

Course #: 2356 **Term:** 2017FA **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**

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

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. 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.

Intellectual Property Law: Advanced

Course #: 2119 **Term:** 2017FA **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**

Mon 5:00 PM - 7:00 PM

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 is required.
Exam Type: No Exam
This seminar 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 ongoing crisis in the entertainment industry; the relationship between intellectual property and freedom of speech; exhaustion; extralegal IP norms; and the relationship between IP and business strategy.
Each student will be expected to participate in the discussion of these issues 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 https://cyber.harvard.edu/people/tfisher/Advanced_IP_2016.html.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Intellectual Property Theory

Course #: 2916 **Term:** 2017FA **Faculty:** Goold, Patrick **Credits:** 1.00

Type: Elective **Subject Areas:** Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Legal & Political Theory

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisite: Students must have previously taken one of the following IP related courses: Copyright, Copyright and Trademark Litigation, Intellectual Property Law: Advanced, Patents, Patent Law, Patent Trial Advocacy, or Trademark.

Exam: No Exam

What justifies intellectual property protection? The reading group will introduce students to classic and modern attempts to answer this question. The group will examine economic, natural rights, distributive justice and democratic theories of IP protection. The group will then apply these theories to help analyze a range of problems in contemporary IP law, such as: whether personal uses of copyrighted material should be infringing or not; whether trademarks should be protected against dilution, and; whether patents could be replaced with alternative systems such as prizes, grants or tax credits.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

International Commercial Arbitration

Course #: 2122 **Term:** 2018WI **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	
Tue 9:00 AM - 12:30 PM	
Wed 9:00 AM - 12:30 PM	
Thu 9:00 AM - 12:30 PM	
Fri 9:00 AM - 12:30 PM	

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

International Counter-Terrorism Law

Course #: 2421 **Term:** 2018SP **Faculty:** Saul, Ben **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 10:00 AM - 11:30 AM

Fri 10:00 AM - 11:30 AM

Course Description: Prerequisites: None
Exam Type: Any-Day Take-Home
This course explores the development of international counter-terrorism laws before and after the terrorist attacks of 11 September 2001, from the definition and criminalization of terrorism to military responses in the war on terror'. The course provides a critical overview of the key frameworks, including in international criminal law, the law of war, human rights, refugee law, and the law on the use of military force and self-defence. It explores often heated interpretive debates, claims about the inadequacy of, or gaps in, the law, and proposals for law reform. Some controversies examined include targeted killings' (or extrajudicial assassinations?), detention and trial of suspects, irregular renditions' (illegal abductions?), enhanced interrogation' (torture?), and controversies over measures in occupied territory. The course also explores institutional responses to terrorism by the United Nations (including the Security Council, General Assembly, and human rights bodies) and regional organisations (in Europe, the Americas, Asia and Africa).

Selected national counter-terrorism laws, drawn from different legal traditions, are highlighted to illustrate the interaction between international, regional and national laws. There is a case study of Australia, which has been one of the most prolific counter-terrorism law makers (including laws defining and criminalizing terrorist acts, enhancing police and intelligence powers, banning terrorist organisations, imposing control orders' and preventive detention orders, resurrecting sedition crimes and widening censorship, and confronting foreign fighters' and the use of social media for terrorist purposes).

The course not only examines controversies over what the law is', but also the underlying policy debates about how and why the law should respond in certain ways, taking into account other values such as human rights, the rule of law, and sovereignty. The study of terrorism, and the law's response to it, is ultimately a study of when public violence is justified, against whom, and for what purposes - whether it is freedom fighters' or state terrorism', or extreme religious challenges to secular norms, at issue. Counter-terrorism laws have profound political, ideological, and ethical implications for social and political order, human rights, and international relations.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

International Criminal Law

Course #: 2455 **Term:** 2018SP **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 5:00 PM - 7:00 PM

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.

International Environmental Law

Course #: 2123 **Term:** 2018WI **Faculty:** Salzman, James **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 9:00 AM - 12:45 PM

Tue 9:00 AM - 12:45 PM

Wed 9:00 AM - 12:45 PM

Course Description: Prerequisites: None.
Exam Type: In class.
This course explores the economic, political, and legal concepts relevant to international efforts to promote environmental protection. After laying a foundation in the nature of international law, institutions and the challenges of sustainable development, the course addresses concrete regimes designed to deal with specific international environmental problems, such as ozone depletion, marine pollution, fisheries depletion, biodiversity loss and, of course, climate change, among others. The course focuses principally on the dynamic of treaties, negotiations, and state and non-state actors on the international plane, with discussion of the interplay between domestic legislation and international protection efforts.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

International Finance

Course #: 2124 **Term:** 2018SP **Faculty:** Scott, Hal **Credits:** 3.00

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

Delivery Mode: Course

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

Course Description: Prerequisites: None
Exam Type: In Class
This course focuses on how law and regulation affects international finance. It examines policies and regulation affecting cross-border banking and securities transactions in the three major markets, the United States, the European Union and Japan. In the U.S. the focus is on how post-Enron capital market regulation affects foreign firms, in the E.U. on continuing efforts to build integrated financial markets, and in Japan on the role of foreign firms in rebuilding the Japanese financial system after the "lost decade." The course also looks at the infrastructure that underlies the global financial system--the U.S. dollar payment system, the Basel Capital Accord, global standards for the clearing and settlement of securities, and rules for different exchange rate regimes. In addition, the course deals with offshore markets--like the Euromarkets and various derivatives markets (including the securitized markets impacted by the subprime crisis), as well as global competition between stock and derivatives exchanges and some key aspects of the emerging markets, for example sovereign debt and project finance.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

International Human Rights Clinic

Course #: 8021 **Term:** 2018SP **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: Human Rights Advocacy (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 12, 2018. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS.

Through the International Human Rights Clinic, students link theory with practice and learn core skills necessary to become effective and thoughtful human rights advocates. Students work on pressing and timely human rights problems around the world, in collaboration with leading international and local human rights organizations. Those in the Clinic have the opportunity to explore a range of approaches to advance the interests of clients and affected communities. For example, students interview survivors and document abuse; undertake legal, factual, and strategic analysis; and interact with media to build campaigns and advocate for human rights--all under the close supervision of the Clinics human rights practitioners. Students work in small teams on a variety of human rights projects and cases. When appropriate, students travel to investigate abuses or pursue advocacy outside Cambridge, participate in sessions before intergovernmental bodies and arguments before courts, and formulate policy to promote respect for human rights principles and the rule of law. In any given term, the Clinic delves into a wide range of issues, including extrajudicial executions, torture, and criminal justice; the unlawful use of cluster munitions and other weapons; civilian protection in armed conflict; sexual and reproductive rights; human rights and the environment; business and human rights; the role of health professionals in torture; Alien Tort Statute litigation; transitional justice; civil and political rights; economic, social, and cultural rights; and many more. Our clinicians have expertise in numerous regions and countries, including in Latin America, Southern Africa, Eastern and Central Europe, Southeast Asia, and the United States. This wide range of skills, as well as thematic and geographic knowledge, exposes students to a variety of strategies and innovative techniques for promoting and protecting human rights.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

International Human Rights Clinic

Course #: 8021 **Term:** 2017FA **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 the fall clinic must enroll in either Human Rights Advocacy (2 fall classroom credits) or The Promises and Challenges of Disarmament (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 29, 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; sexual and reproductive rights; human rights and the environment; business and human rights; the role of health professionals in torture; Alien Tort Statute litigation; transitional justice; civil and political rights; economic, social, and cultural rights; and many more. Our clinicians have expertise in numerous regions and countries, including in Latin America, Southern Africa, Eastern and Central Europe, Southeast Asia, and the United States. This wide range of skills, as well as thematic and geographic knowledge, exposes students to a variety of strategies and innovative techniques for promoting and protecting human rights.

Fall clinic students must take either Human Rights Advocacy (2 fall classroom credits) or the Promises and Challenges of Disarmament (2 fall classroom credits) clinical seminar. While each course is focused on a particular subject matter, both teach the key skills of human rights practitioners and include simulations related to fact-finding and field investigations, media work, and/or negotiation and legislative work. Clinical seminar selection and enrollment occurs once a student has enrolled in the fall clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

International Human Rights Clinic - Advanced

Course #: 8040 **Term:** 2017FA **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. 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 29, 2017. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

International Humanitarian Law

Course #: 2296 **Term:** 2018SP **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 1:15 PM - 2:45 PM

Fri 1:15 PM - 2:45 PM

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?

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

International Trade Law

Course #: 2132 **Term:** 2018SP **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 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Course Description: Prerequisites:None
Exam Type:One-Day Take-Home
This course focuses on the law governing international trade as established by the World Trade Organization. It engages in an in-depth analysis of WTO rules and case law. The class will examine the strengths and weaknesses of the existing regime and discuss the difficulties in reforming the system. Besides focusing on the basic principles governing trade in goods and services, the course will also examine specialized areas such as technical standards, agriculture, food safety, subsidies, trade remedy measures, and intellectual property. In addition, the course will focus on the geopolitcal 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.

Introduction to Accounting

Course #: 2133 **Term:** 2017FA **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Introduction to Advocacy: Skills and Ethics in Clinical Practice

Course #: 2134 **Term:** 2017FS **Faculty:** Caramello, Esme; Lawrence, Eloise **Credits:** 3.00

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

Delivery Mode: Course

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

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, 2017.
Add/Drop Deadline: July 15, 2017.
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 understanding 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, as well as the civil legal aid system and management of a major legal aid organization. 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 2017-2018 will automatically be enrolled in this course once HLAB membership is finalized.
The classroom component of this clinical course satisfies the Law Schools professional responsibility requirement.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Introduction to Empirical Methods

Course #: 2708 **Term:** 2018WI **Faculty:** Cohen, Alma **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	**Location**
Mon 1:00 PM - 4:30 PM	
Tue 1:00 PM - 4:30 PM	
Wed 1:00 PM - 4:30 PM	
Thu 1:00 PM - 4:30 PM	
Fri 1:00 PM - 4:30 PM	

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Introduction to Finance Concepts 3-Day Section

Course #: 2537 **Term:** 2017FA **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	
Thu 1:00 PM - 5:00 PM	
Fri 10:00 AM - 2:00 PM	

Course Description: Prerequisites: None

Exam Type: In-Class

This 1-unit course is designed to provide students with no prior coursework in finance an introduction to core concepts and calculations of corporate finance. This section of the course will meet over three days (Wednesday August 30, Thursday August 31, and Friday September 1) 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 30 from 1 pm to 5 pm, Thursday August 31 from 1 pm to 5 pm, and Friday September 1 from 10 am to 2 pm.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Introduction to Finance Concepts 3-Week Section

Course #: 2537 **Term:** 2017FA **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

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: In-Class
This 1-unit course is designed to provide students with no prior coursework in finance an introduction to core concepts and calculations of corporate finance. This section of the course will meet twice a week over the first 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.

Introduction to Finance Concepts 3-Week Section

Course #: 2537 **Term:** 2018SP **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

Fri 1:00 PM - 3:00 PM

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. This section of the course will meet twice a week 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Introduction to Islamic Law

Course #: 2538 **Term:** 2017FA **Faculty:** Rabb, Intisar **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Course Description: Prerequisite: None

Exam: One-Day Take-Home

This course will survey Islamic law (sharia) in historical and comparative modern contexts. "Islamic law" historically refers to a diverse set of legal rules and concepts that developed within institutional structures quite different from those of the modern nation-state. The replacement of traditional models with modern structures in the 18th and 19th centuries—mostly from English, French, and Dutch colonial powers—meant the introduction of new governmental and constitutional structures in the modern Middle East and in the larger Muslim world. Now in the 20th and 21st centuries, many Muslim-majority countries have constitutionally established Islamic law as a source of state law or otherwise seek to grapple with questions of the relevance, interpretation, and constraints on Islamic law. These developments raise fundamental questions about issues of legality, authority, and institutional development in the legal systems of the Muslim world, past and present. This course will focus on those questions. We will approach Islamic law through a lens of comparative law and legal history, to explore (a) the basic sources and methods of interpretation in classical Islamic law, and (b) the appeal to and re-assertion of Islamic law today. We will also survey the most pressing areas in which traditional Islamic legal norms remain relevant today—criminal law, family law, and commercial law—as well as recent debates and constitutional controversies over Islamic law in Egypt, Tunisia, and other countries in transition after the 2010 Arab uprisings, as well as in the United States.

Students may take an exam or opt to do a paper or series of papers for an additional credit. For those pursuing the paper option, the course is designed to provide an opportunity to conduct in-depth research on a single issue of Islamic law or theory, to write a scholarly paper on that issue, and to discuss and receive feedback on works-in-progress. Students need not have prior knowledge of Islamic law. There are no prerequisites.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Introduction to Japanese Law

Course #: 2136 **Term:** 2017FA **Faculty:** Ramseyer, J. Mark **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 1:15 PM - 2:45 PM

Fri 1:15 PM - 2:45 PM

Course Description: Prerequisites: None

Exam type: In Class

This course is designed to introduce the non-specialist law student to major features of the Japanese legal system. The course attempts to integrate the structures, processes, and personnel of the Japanese legal system with other features of Japanese society and history. Topics covered include (but are not limited to): Litigation and extra-judicial settlement, the legal services industry, economic regulation, criminal procedure, and constitutional litigation.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Introduction to Social Entrepreneurship

Course #: 2137 **Term:** 2018WS **Faculty:** Klahr, Suzanne; Westaway, Kyle **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	**Location**
Mon 1:00 PM - 4:30 PM	
Tue 1:00 PM - 4:30 PM	
Wed 1:00 PM - 4:30 PM	
Thu 1:00 PM - 4:30 PM	
Fri 1:00 PM - 4:30 PM	

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Investment Management Law: Private Funds, Money Market Funds and Other Issues

Course #: 2323 **Term:** 2017FA **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Islamic Law: Human Rights Advocacy in the Muslim World

Course #: 2517 **Term:** 2018SP **Faculty:** Stilt, Kristen **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

Course Description: Pre/Co-requisites: This course is open to students who have taken or are concurrently taking International Law and Human Rights, International Human Rights, or Human Rights Advocacy.
Exam Type: No exam.
Students will be graded on the basis of class participation and a final paper.
This course will focus on human rights advocacy in the Muslim world. After providing an introduction to Islamic law, the course will address difficult questions at the intersection of human rights law and some interpretations of Islamic law. Topics to be examined include religious freedom, sexual relations and sexuality, domestic relations, the rights of children, and public dress and behavior. The course will focus on how human rights organizations -- international, regional, and local -- have worked on cases in these areas of concern, and will consider how such organizations can most effectively address issues that involve religious belief and practice.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

ITA Prosecution Perspectives Clinic

Course #: 8003 **Term:** 2017FW **Faculty:** Corrigan, John **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.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 29, 2017.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

ITA: Prosecution Perspectives

Course #: 2328 **Term:** 2017FW **Faculty:** Corrigan, John **Credits:** 4.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

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 29, 2017.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Jewish Identity in Contemporary America

Course #: 2705 **Term:** 2017FA **Faculty:** Mnookin, Robert **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

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. Intermarriage 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Judicial Process in the Trial Courts Clinical Seminar

Course #: 2139 **Term:** 2018SP **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

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 12, 2018.
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 in 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 common 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 judiciarys work in these courts is required and serves as a basis for each students grade. Three short reflective papers are also required during the semester.

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 may earn up to five credits for additional fieldwork hours spent with their judge.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Judicial Process in Trial Courts Clinic

Course #: 8022 **Term:** 2018SP **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 12, 2018.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Various externship placements with trial court judges
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. Three short reflection papers and one final paper required.
Students must have at least one full day or two mornings available for their judicial placement. Students may earn up to five credits for additional fieldwork hours with their judge.
For more information, please contact Judge John C. Cratsley (Retired); cratsley@socialaw.com or jcratsley@law.harvard.edu.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Jurisprudence: Legal Ideals

Course #: 2140 **Term:** 2017FA **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

Tue 3:20 PM - 4:50 PM

Course Description: Prerequisites: None

Exam type: Last-Class Take-Home

The liberal ideal of legality yields both formalization of law (law as formal rules or doctrines) and idealization of law (law as principles and policies). The course examines formalization as portrayed by modern legal positivism (mainly H.L.A. Hart) and criticized by American legal realists. Then we will undertake a study of the idealizing tendency within law. We will consider accounts of legal ideals offered by liberal jurisprudence (mainly Fuller, Hart and Sacks, and Dworkin) and by contemporary critical jurisprudence.
Readings include some illustrative cases and commentary on particular legal doctrines and fields, though the focus is on more highly general theoretical argument. The course aims to develop a definite thesis about the structure and character of legal ideals and to provide a connected account of phenomena emphasized by critical legal studies such as theory in doctrine, conflicting ideals, legal ideology, legal legitimation, and transformative possibility.

Readings for the course are photocopied materials.

Jurisprudence: Natural Law and Positivism

Course #: 2959 **Term:** 2018SP **Faculty:** Claeys, Eric **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This seminar studies the meaning of the concept law, and the relation between law and morality. It focuses on the debate between positivism and natural law. Positivists hold that law is essentially (only) a matter of social fact; natural lawyers hold that law is essentially a matter not only of social fact but also of justifiable reasons for action generating normative obligation. The first two-thirds of the seminar survey the main contributions to this debate: most notably, Aquinas, Blackstone, Austin, Kelsen, Hart, Fuller, Dworkin, Raz, and Finnis. The last third of the seminar surveys more recent developments: debates between exclusive and inclusive positivism, debates between strong and weak natural law theories, and recent theories skeptical of both natural theories and post-Hartian positivist theories.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

JuryX Workshop

Course #: 2762 **Term:** 2018WI **Faculty:** Nesson, Charles **Credits:** 3.00

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

Delivery Mode: Course

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

Course Description: Prerequisites: None

Exam: Last-Class Take-Home

The class will consider 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."

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Labor & Employment Lab

Course #: 2845 **Term:** 2018SP **Faculty:** Sachs, Benjamin **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: There is no prerequisite for the course, though Employment Law or Labor Law is helpful background. Enrollment is limited to 12.

Exam Type: No exam.

In this one 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 others work. Students will be required to write two 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Latino Civil Rights Advocacy

Course #: 2903 **Term:** 2017FA **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

Thu 1:00 PM - 3:00 PM

Fri 1:00 PM - 3:00 PM

Course Description: Prerequisites: None

Exam Type: No Exam

This 2-week, 2-hour reading group (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 over two weeks only. Dates TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Law 2.0: Technology's Impact on the Practice of Law

Course #: 2041 **Term:** 2018SP **Faculty:** Dolin, Ron **Credits:** 2.00

Type: Elective **Subject Areas:** Not Applicable

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisite: None
Exam: No Exam

Legal technology is rapidly transforming both the practice and nature of law. This class seeks to explore both the current trends and the future possibilities of this transformation, as we begin to train the future generation of technology-savvy lawyers, and technologists who understand the intricacies and potential of what the law could be. This class incorporates regular guest speakers who are leaders in the field. Past speakers have come from Google, LegalZoom, Stanford, leading law firms, legal tech startups, etc. Note that there are no prerequisites for this class beyond an interest in the subject.

Note: This course will meet every other week during the spring term.

Law and Business

Course #: 2277 **Term:** 2017FS **Faculty:** Subramanian, Guhan **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 7:00 PM - 9:00 PM

Course Description: Prerequisite: None

Exam: None

This seminar is only open to current JD/MBA third- and fourth-year students.

Note: The course will meet from 7-9 pm on Tuesdays.

The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Law and Catholic Social Thought

Course #: 2618 **Term:** 2017FA **Faculty:** Vermeule, Adrian; George, Robert **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 8:00 PM

Course Description: Prerequisite: Admission is by permission of the instructors. Please send a resume and a short (1 page or less) statement of interest and any relevant background to Ellen Keng (ekeng@law.harvard.edu) by August 1, 2017.

Exam: No Exam

The social teaching of the Catholic Church--its teaching on political, economic, and legal justice, human dignity and rights, and the requirements of the common good--is a key part of its moral teaching. Since the Church is the largest single religious institution in the world, and an actor in its own right in public and international affairs, its teaching in this area is of significance and interest to people of all faiths and shades of belief. This seminar will examine the teaching, especially as it has been presented in the writings of popes beginning with the encyclical letter of Pope Leo XIII Rerum Novarum (1891) addressing the "revolutionary changes" confronting the Church and the world in the wake of the industrial revolution. Topics covered will include Catholic teaching on democracy and religious freedom and other human rights, and the Church's critiques of socialism and collectivism; laissez-faire capitalism and social Darwinism; scientific materialism and secularism; and expressive individualism; and its defenses of private property, the regulated market economy, and subsidiarity.

Note: This seminar will meet over 8 sessions on the following dates: September 6, 13, 20 & 27, October 4, 11, 18 & 25.

This course is available to upper-level JDs and FAS graduate students.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Law and Cognition

Course #: 2957 **Term:** 2017FA **Faculty:** Kahan, Dan **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
The goal of this reading group will be to deepen participants understanding of how legal decisionmakers--particularly judges and juries--think. We will compile an in-depth catalog of empirically grounded frameworks, including ones founded in behavioral economics, social psychology, and political science; relate these to historical and contemporary jurisprudential perspectives, such as "formalism," "legal realism," and the "legal process school"; and develop critical understandings of the logic and presuppositions of pertinent forms of proof--controlled experiments, observational studies, and neuroscience imaging, among others.

Law and Economics

Course #: 2146 **Term:** 2017FA **Faculty:** Kaplow, Louis; Shavell, Steven **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Law and Economics

Course #: 2146 **Term:** 2018SP **Faculty:** Shavell, Steven; Kaplow, Louis **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Disciplinary Perspectives & Law; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

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 Finance of Start-Up Companies

Course #: 2147 **Term:** 2018SP **Faculty:** Ferrell, Allen; Forrest, Richard **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Course Description: Prerequisites: None.
Exam type: No exam.
This seminar will cover topics in the area of start-up company law. Topics include institutional and legal arrangements important to start-up companies, agency problems facing start-up firms and mechanisms to deal with these problems, contractual issues start-up companies face, and the structure and operation of venture capital funds.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Law and Neuroscience

Course #: 2707 **Term:** 2018SP **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

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 Performing Arts

Course #: 2198 **Term:** 2017FA **Faculty:** Suk Gersen, Jeannie; Woetzel, Damian **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM

Course Description: Prerequisite: NoneExam: No ExamWhat is the relation between performance and law? This course, co-taught by Jeannie Suk Gersen and Damian Woetzel, Director of the Vail Dance Festival and former Principal Dancer of the New York City Ballet, explores how law shapes performance and is in turn structured by performance. The course can be divided into three interrelated subjects. First is the question, what is performance? What is the relation between text and performance? What about between performance and ordinary life? How do the concept, phenomenon, and theory of performance play out in art, life, and law? Second is the law of performance, that is, how the law treats performance as a subject. What is the role of government in shaping artistic performance? How may lawyers have careers that draw them into engagement with the performing arts? Third is law as performance. How are law, legal texts, and legal practice forms of performance? How is performance central to the work lawyers do, or to how the public experiences law? How does legal performance relate to performance in art and in life?
The course will meet on six Wednesdays between early September and late October. We will have guests from the performing arts world. Evaluation is based on class participation and written work.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Law and Psychology: The Emotions

Course #: 2151 **Term:** 2017FA **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Law, Economics and Psychology

Course #: 2669 **Term:** 2018WI **Faculty:** Bar-Gill, Oren **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	**Location**
Mon 1:00 PM - 4:30 PM	
Tue 1:00 PM - 4:30 PM	
Wed 1:00 PM - 4:30 PM	
Thu 1:00 PM - 4:30 PM	
Fri 1:00 PM - 4:30 PM	

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Law, Inequality, and Power: The Legal Construction of 21st Century Capitalism

Course #: 2862 **Term:** 2017FA **Faculty:** Rahman, Sabeel **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Human Rights; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
How does law construct inequities of economic opportunity and power? How have changing ideas of political economy shaped law and public policy-and in turn, 20th and 21st century capitalism- over time? What are the normative and historical foundations for today's movements for structural racial and economic justice? What are the prospects for these efforts in a rapidly changing political context of 2017? The seminar will address these questions through a variety of readings that include (i) historical theories of law and political economy; (ii) new scholarship on law, inequality, capitalism, and social movements; and (iii) cutting-edge legal and policy debates to explore the construction of inequality today, and to imagine what a more equitable, inclusive, and democratic 21st century social contract might look like. Specific topics of discussion may include: the changing nature of work in an increasingly automated, fissured and on-demand economy; the eroding safety net; new forms of worker organizing; structural racism and new movements for racial equity; economic segregation and the city; competition policy and 21st century corporate power; finance and financialization.

Laws, Markets, and Religions

Course #: 2159 **Term:** 2018SP **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**

Mon 5:00 PM - 7:00 PM

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: TBD

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal History Seminar: Continental Legal History

Course #: 2166 **Term:** 2018SP **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

Course Description: Pre/Co-requisites: Concurrent registration in Continental Legal History, or equivalent preparation is required, as is the ability to read simple Latin prose. For JD1L students, permission of the instructor is required in order to enroll.
Exam type: No exam.
Around the year 1100 a small group of men in Bologna began to study Roman law with an intensity not witnessed in the previous centuries. About a generation later a somewhat different group began to do the same thing with canon law. The combined product of these two studies, known as the ius commune ("the common law"), became an essential part of the training of any respectable European jurist, and the influence of the ius commune on subsequent developments, up to and including the codifications of the 19th century, is very large indeed. This seminar will introduce students to the techniques of reading and analyzing works in the ius commune of the medieval and early modern periods with the goal of enabling students to write a series of short papers on some part of the ius commune (which then may be combined for a third-year paper).
Offered concurrently in the Faculty of Arts and Sciences as History 2080. Multilithed materials. Students not writing their third-year papers in conjunction with this seminar should sign up for an hour of independent written work with Professor Donahue.
Not expected to be offered in 2016-2017.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal History Workshop

Course #: 2596 **Term:** 2018SP **Faculty:** Brown-Nagin, Tomiko **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None

Exam Type: No Exam

This workshop will examine major works in the field of legal history, important historiographical debates and critical methodologies. Students will participate in workshop presentations by leading scholars.

Law students have a choice of enrolling in an additional writing credit. Law students who choose to write a substantial paper will receive three credits upon successful completion of the course (2 classroom, 1 writing); law students who do not complete substantial papers will only receive the two classroom credits.

All FAS graduate students who enroll in the workshop must complete a substantial paper; all FAS students will receive four credits upon successful completion of the course.

Note: This course is jointly-listed with FAS as History 2475.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal History: American Legal Education

Course #: 2164 **Term:** 2018SP **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

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 Americas 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal History: Continental Legal History

Course #: 2165 **Term:** 2018SP **Faculty:** Donahue, Charles **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	**Location**
Mon 11:00 AM - 12:00 PM	
Tue 10:30 AM - 12:00 PM	
Wed 11:00 AM - 12:00 PM	

Course Description: Prerequisites: None.
Exam type: No exam.
A survey of the main outlines of Continental European legal history from the fall of the Roman Empire to the codifications of the 19th century. The course will focus on the main expressions of European legal culture over this long period of time: the "barbarian law codes" (6th-10th centuries), the revival of the academic study of Roman and canon law (11th-13th centuries), the customary law (13th-16th centuries), the schools of academic law (14th-17th centuries: the "commentators", the "humanists", the "natural law school", and the process of codification (France and Germany, 18th and 19th centuries). In each period an effort is made to relate the types of law produced to the social, political, and religious history of the period. No background in continental legal history will be presumed. All readings will be in English.
Van Caenegem, An Historical Introduction to Private Law (1992), and multilithed materials.
Note:This course is offered jointly in the FAS as Medieval Studies 119. It will meet in both HLS and FAS. It meets in the FAS on Mondays and Wednesdays and in HLS on Tuesdays. On Monday, February 19, the course will also meet in HLS. Please contact the faculty for more details.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal History: Workshop on the Political Economy of Modern Capitalism

Course #: 2168 **Term:** 2017FS **Faculty:** Desan, Christine; Beckert, Sven **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 4:00 PM - 6:00 PM

Course Description: Prerequisite: None

Exam: No Exam

Note: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

As modern capitalism becomes dominant across the globe, the need to understand it increases. Is it a form of market organization, a material or social phenomenon, an epistemological development, a set of legal categories, or a mode of governance? This seminar explores modern capitalism as an historical form of political economy, developed over the last three centuries, that may partake of all these dimensions. The seminar is designed to include both students who are interested in the in-depth study of capitalism as a political economic form, and faculty/scholars already engaged in that research who seek a forum for presenting works-in-progress.

The seminar will include sessions for student participants focused on influential works that have contributed a working vocabulary to current debates over capitalism. In alternating sessions, we will discuss new research by faculty and student participants, associated scholars, and guests.

The seminar will run biweekly during the Fall 2017 and Spring 2018 semesters. Student participants will be required to attend and participate regularly, to lead the commentary on at least one work discussed in the seminar, and to submit a final paper of twenty-five to thirty pages. Law students may write papers that satisfy Option 1 of the JD Written Work Requirement in conjunction with the seminar.

Cross-registrants are encouraged to apply.

Note: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession

Course #: 2169 **Term:** 2018SP **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

Tue 10:20 AM - 11:50 AM

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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession

Course #: 2169 **Term:** 2017FA **Faculty:** Kaufman, Andrew **Credits:** 3.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times: **Location**

Tue 8:40 AM - 10:10 AM

Mon 8:40 AM - 10:10 AM

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 satisfies the Professional Responsibility requirement and will be included in the Legal Profession registration round. This course is only available to JD 3Ls and LLM students.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession

Course #: 2169 **Term:** 2017FA **Faculty:** Gordon-Reed, Annette **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	
Tue 10:20 AM - 11:50 AM	

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 you wish to belong?

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession

Course #: 2169 **Term:** 2018SP **Faculty:** Wacks, Jamie **Credits:** 3.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Thu 10:00 AM - 11:30 AM

Fri 10:00 AM - 11:30 AM

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 will explore the rules and the standards of professional responsibility and legal ethics through the lens of historical and modern examples of the challenges inherent in daily legal practice. We will draw on real world situations that confront lawyers as individuals and as members of larger organizations in a rapidly changing legal market in a variety of settings. We will examine the often competing pressures on lawyers and the standards of ethics that guide legal conduct, including reconciling the duties that lawyers have to their clients, to the courts, and to the bar as a whole. We will consider the ethics of invoking stereotypes and other strategies to advance a client's legal position, including in high profile trials and other narratives. In contemplating the kind of law you wish to practice and the kind of lawyer you want to be, we will explore issues of professional responsibility that arise as lawyers change jobs and areas of focus, in both the civil and the criminal settings, as plaintiff lawyers and defense lawyers, as criminal prosecutors, and as transactional lawyers. We also will consider lawyers' professional responsibilities concerning access to justice, and the changing demographics of lawyers and clients. As we navigate each of these topics, we may discuss historical and literary perceptions of lawyers and their roles in society, and how these perceptions may inform your own career paths.

Grades will be based principally on a final in-class examination, but also, to some extent, on class participation or assigned classroom exercises.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession

Course #: 2169 **Term:** 2017FA **Faculty:** Dacey, Timothy **Credits:** 3.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times: **Location**

Thu 10:00 AM - 11:30 AM

Fri 10:00 AM - 11:30 AM

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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession

Course #: 2169 **Term:** 2017FA **Faculty:** Wilkins, David **Credits:** 4.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: None

Exam: One-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 satisfies the Professional Responsibility requirement and will be included in the Legal Profession registration round. This course is only available to JD 3Ls and LLM students.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession - The New Market for Personal Legal Services: Ethical and Professional Challenges

Course #: 2169 **Term:** 2017FA **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	
Thu 1:30 PM - 3:00 PM	

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
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 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 29, 2017 for students enrolled in reserved clinical seats.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession - The New Market for Personal Legal Services: Ethical and Professional Challenges

Course #: 2169 **Term:** 2018SP **Faculty:** Charn, Jeanne **Credits:** 3.00

Type: Legalprof **Subject Areas:** Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times: **Location**

Wed 1:15 PM - 2:45 PM

Thu 1:15 PM - 2:45 PM

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
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 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 12, 2018 for students enrolled in reserved clinical seats.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession Seminar

Course #: 2170 **Term:** 2018SP **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

Course Description: Prerequisites: None

Exam: No Exam

This seminar examines the changing nature of the legal profession. We will do so by engaging with leading academics and practitioners in a broad range of disciplines and settings who will present and discuss their work on cutting edge issues that are reshaping the profession and legal careers. Among the topics that the seminar will address are how globalization is reshaping the market for legal services particularly in Africa and other emerging economies, technology and other "disruptive innovations" in the market for legal services, diversity and inclusion in legal practice and legal education, new approaches to access to justice and professional development, and redesigning law schools and the workplace. 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. 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession: Collaborative Law

Course #: 2169 **Term:** 2018SP **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

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 Type: 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Profession: Government Ethics - Scandal and Reform

Course #: 2169 **Term:** 2018WI **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	
Tue 1:00 PM - 4:30 PM	
Wed 1:00 PM - 4:30 PM	
Thu 1:00 PM - 4:30 PM	
Fri 1:00 PM - 4:30 PM	

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: None.
Exam Type: No exam. A final paper will be required instead.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Research, Writing and Analysis I

Course #: 2541 **Term:** 2017FA **Faculty:** McManus, Amy **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Course Description: Prerequisite: None

Exam: No Exam

This series of lectures and discussions introduces foreign-educated LL.M. students to the structure of the U.S. legal system, sources of U.S. law, and the fundamentals of legal research, writing, and analysis. Exploring how U.S. lawyers analyze and frame legal positions, course topics will include: the hierarchy of legal authorities, how to read a common law case, analogizing and distinguishing cases, avoiding plagiarism in American legal writing, and an introduction to the basics of American legal philosophy. The course will incorporate both guest lectures by members of the Law School faculty and small group discussions. It will meet for a minimum of twelve hours during LL.M. Orientation in late August.

Note: This course is graded Credit/Fail; attendance at all sessions is mandatory.

Enrollment is limited to foreign-educated LL.M. students.

Legal Research, Writing and Analysis II

Course #: 2541 **Term:** 2017FA **Faculty:** McManus, Amy **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 7:15 PM - 9:15 PM

Course Description: Prerequisite: None

Exam: No Exam

This course teaches foreign-educated LL.M. students how U.S. lawyers conduct legal research, analyze and frame legal positions, and present their work in writing. It builds on the lectures and work completed in the LRWA I series that occurs during August orientation. During the fall semester, students deepen their research, writing, and analytical skills by engaging in independent legal research, preparing drafts of legal memoranda, and revising their written work in response to instructor feedback.

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. This course provides one additional credit beyond the LWRA I course taken during orientation.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Research, Writing and Analysis II

Course #: 2541 **Term:** 2017FS **Faculty:** McManus, Amy **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 7:15 PM - 9:15 PM

Course Description: Prerequisite: None

Exam: No Exam

This course teaches foreign-educated LL.M. students how U.S. lawyers conduct legal research, analyze and frame legal positions, and present their work in writing. It builds on the lectures and work completed in the LRWA I series that occurs during August orientation. During the spring semester, students deepen their research, writing, and analytical skills by engaging in independent legal research, preparing drafts of legal memoranda, and revising their written work in response to instructor feedback.

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. This course meets only in the spring and provides one additional credit beyond the LWRA I course taken during orientation.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Tools for Protecting Democracy and the Rule of Law in America

Course #: 2994 **Term:** 2017FA **Faculty:** Berwick, Ben; Florence, Justin **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM

Course Description: Required Clinic Component: Democracy and the Rule of Law Clinic (2-5 fall clinical credits). The 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 29, 2017.

LLM Students: LLM students are not eligible to enroll.

This seminar is required for all students enrolled in the Democracy and the Rule of Law Clinic. The course will involve a brief introduction to the substantive issues relevant to the clinic, including risks to democracy in America, and traditional rule of law checks within and beyond the executive branch. We will then focus on legal oversight tools available to the public and other government actors; and the development and conduct of effective litigation raising constitutional, administrative law, and other issues. Finally, the course will end with consideration of longer-term legal and policy challenges to constitutional democracy in the United States, and potential solutions. Through regular presentations and discussions, students will also have the opportunity to develop their Clinic work and receive feedback from their Clinic colleagues.

Please see the Democracy and the Rule of Law Clinic course description for additional information.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Tools for Protecting Democracy and the Rule of Law in America

Course #: 2994 **Term:** 2018SP **Faculty:** Berwick, Ben; Florence, Justin **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM

Course Description: Required Clinic Component: Democracy and the Rule of Law Clinic (2-5 spring clinical credits). The 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 12, 2018.

LLM Students: LLM students are not eligible to enroll.

This seminar is required for all students enrolled in the Democracy and the Rule of Law Clinic. The course will involve a brief introduction to the substantive issues relevant to the clinic, including risks to democracy in America, and traditional rule of law checks within and beyond the executive branch. We will then focus on legal oversight tools available to the public and other government actors; and the development and conduct of effective litigation raising constitutional, administrative law, and other issues. Finally, the course will end with consideration of longer-term legal and policy challenges to constitutional democracy in the United States, and potential solutions. Through regular presentations and discussions, students will also have the opportunity to develop their Clinic work and receive feedback from their Clinic colleagues.

Please see the Democracy and the Rule of Law Clinic course description for additional information.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Writing: Advanced

Course #: 2178 **Term:** 2017FA **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

Wed 3:20 PM - 4:20 PM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Legal Writing: Advanced

Course #: 2178 **Term:** 2018SP **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

Wed 3:20 PM - 4:20 PM

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.

LGBT Flashpoints - Litigation, Policy and Persuasion

Course #: 2494 **Term:** 2018SP **Faculty:** Bonauto, Mary **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

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: The reading group will meet on the following dates: TBD

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Litigating in the Family Courts: Domestic Violence and Family Law Clinic

Course #: 8032 **Term:** 2017FA **Faculty:** Odim, Nnena **Credits:** 5.00

Type: Clinic **Subject Areas:** Family, Gender & Children's 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: Litigating in 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 29, 2017.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.
Placement Site: 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Litigating in the Family Courts: Domestic Violence and Family Law Clinic

Course #: 8032 **Term:** 2018SP **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 12, 2018.
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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Litigating in the Family Courts: Domestic Violence and Family Law Clinical Seminar

Course #: 2085 **Term:** 2017FA **Faculty:** Odim, Nnena **Credits:** 2.00

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

Delivery Mode: Seminar

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.
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 29, 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Litigating in the Family Courts: Domestic Violence and Family Law Clinical Seminar

Course #: 2085 **Term:** 2018SP **Faculty:** Odim, Nnena **Credits:** 2.00

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

Delivery Mode: Seminar

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.
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 12, 2018.
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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Litigation and Law Firm Finance and the Future of the Legal Profession

Course #: 2964 **Term:** 2018SP **Faculty:** Steinitz, Maya **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
Most of the important phenomena of modern civil litigation are best understood as results of changes in the financing and capitalization of the Bar. In this seminar, we will explore the cutting-edge changes in how the litigation and law firms are financed and explore the effects on the both civil litigation and the global profession. The key developments in this area are the rise of so-called third party litigation funding' and changes in certain jurisdictions that allow law firms to go public.' We will explore what is litigation and law firm finance, the forms it takes, the economic forces that shape it, and the ethical considerations that constrain it. We will also explore how intersecting trends, such as changes in technology and the increasing globalization of the legal profession, are influencing both civil litigation and the legal profession.

Local Government Law

Course #: 2181 **Term:** 2018SP **Faculty:** Frug, Gerald **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Local Government Law

Course #: 2181 **Term:** 2017FA **Faculty:** Blank, Yishai **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 10:00 AM - 11:30 AM

Fri 10:00 AM - 11:30 AM

Course Description: Prerequisites: None
Exam Type: One-Day Take-Home
This course examines local power in America. Local governments tax, deliver essential services, plan and zone, run the police, and regulate many important aspects of our lives. They do so within the confines of legal and political relationships-with the federal government and state governments-that determine the possibility and the contours of local power. Most importantly, local governments are often the most accessible and responsive governments to popular participation in politics. This course thus explores the actual and the desirable manner in which power is decentralized, and in which local democracy can be achieved in America. We will focus on issues such as federal and state control of local decision-making; the conflict and competition (or cooperation) between cities and suburbs and among the suburbs themselves; the various sources for local revenue and the metropolitan political economy in which local governments operate; the ways in which economic, racial and ethnic divisions fracture American metropolitan areas; and how local governments try to respond to global pressures and phenomena (such as climate change). Required text: Frug, Ford and Barron, Local Government Law (6th ed. 2015).

Note: No personal computers are allowed in class.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Making Legal History

Course #: 2666 **Term:** 2018SP **Faculty:** Rosenberg, David **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None.
Exam Type: No Exam
The final grade will be based on the memos and class participation.
The theme of this course is a variation on Josephine 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 Holmess thinking can serve as an object lesson in the well-known but too often neglected rule of good practice: check the sources. In the process, we will explore the nature and historical origins of Holmess jurisprudence, the intellectual wellspring for todays and in all probability tomorrows leading thought on the purposes and processes of court-made law.
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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Making Rights Real: The Ghana Project

Course #: 2326 **Term:** 2017FS **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 5:00 PM - 7:00 PM

Course Description: 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 14, 2017.
Add/Drop Deadline: August 29, 2017.
LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 14, 2017.
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 2018 partnership is likely to target.
The workshop, which awards 3 academic credits -- 1F/ 1W / 1S -- is designed to offer the theoretical frame for the 2017-18 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 14, 2017. 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Making Rights Real: The Ghana Project Clinic

Course #: 8025 **Term:** 2018WI **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 14, 2017.

Add/Drop Deadline: August 29, 2017.

LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 14, 2017.

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 14, 2017. 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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Management and Leadership Skills for Lawyers

Course #: 2547 **Term:** 2018SP **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

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: TBD

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Mass Incarceration: Its Causes, its Impact, Its Elimination and Prevention

Course #: 2918 **Term:** 2018SP **Faculty:** Gertner, Nancy **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

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.

Mass Media Law

Course #: 2038 **Term:** 2018SP **Faculty:** McCraw, David **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Constitutional Law & Civil Rights; Disciplinary Perspectives & Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: In Class
The class examines how the First Amendment, in combination with tort law, statutes, and common-law principles, shapes the rights and legal limitations for publishers of news and opinion, in both traditional and digital media. Topics include libel, protection of confidential sources, prior restraints on publication, invasion of privacy by publication, criminal liability for publishing classified information, legal limits on newsgathering, and access to information.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Mediation

Course #: 2183 **Term:** 2017FA **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

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: None
Exam Type: No Exam

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 fall Mediation clinic. Students who enroll in the fall Mediation clinic will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student drops the fall Mediation clinic they will also lose their reserved seat in this course. Please note that this course has an early drop deadline of August 29, 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 (dates TBD). For more information call the HMP office at 617-494-1854, or stop by HMP located in Pound Hall, Room 521.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Mediation Clinic

Course #: 8026 **Term:** 2017FA **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 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: August 29, 2017.
LLM Students: LLM students are not eligible to apply.
Placement Site: HLS.
Mandatory Trainings: All students must attend a mandatory training session (date TBD).
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Medical Malpractice

Course #: 2867 **Term:** 2018SP **Faculty:** Frakes, Michael **Credits:** 2.00

Type: Elective **Subject Areas:** Health Law

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This seminar will address the liability of physicians, institutions and other medical providers stemming from patient injuries caused by these providers. Our medical liability discussions will span both doctrine and policy. We will discuss evidence bearing on how well the system is doing in achieving two of its stated objectives (though not its only objectives): deterrence and compensation. More broadly, we will discuss how medical liability rules impact the three pillars of health care policy: health care quality, access and costs. Particular attention will be paid to debates surrounding reforms (past, present and future) to the U.S. medical liability system.

Mergers and Acquisitions

Course #: 2184 **Term:** 2018SP **Faculty:** Coates, John **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

Course Description: Prerequisite or Corequisite: Corporations. For LLM students with the relevant background but who have not taken and will be taking Corporations at HLS, contact Prof. Coatess 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 firms 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 likely meet on the HBS campus.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Mergers and Acquisitions

Course #: 2186 **Term:** 2017FA **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

Course Description: Prerequisites: JD students should have already taken Corporations.

LLM students should have had a comparable basic business organization course, or relevant background and experience, or should be contemporaneously taking the basic Corporations course. 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.

This course overlaps with Professor Coates Mergers and Acquisitions Processes and Structures offering; students may only enroll in one of these courses.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Mergers and Acquisitions Workshop: Boardroom Strategies and Deal Tactics

Course #: 2185 **Term:** 2018WI **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	
Tue 1:00 PM - 4:30 PM	
Wed 1:00 PM - 4:30 PM	
Thu 1:00 PM - 4:30 PM	
Fri 1:00 PM - 4:30 PM	

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; students cross-registering from other parts of Harvard should seek permission from Prof. Gordon.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Migration and Human Rights

Course #: 2110 **Term:** 2017FA **Faculty:** Neuman, Gerald **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisite: It is strongly recommended that students should already have taken either (1) a human rights law course or clinic, or (2) an immigration or refugee law course or clinic.
Exam: No Exam
A seminar paper will be required, as well as occasional reaction papers. The grade will be based on a combination of class participation and the written work.

This seminar will explore the interface between international human rights law and the regulation of migration (or “immigration law”). How do, or should, human rights of migrants constrain national policies for migration control and enforcement? Readings will include primary materials from a variety of international bodies, which have taken different approaches to these issues, and analyses by scholars (from law and other disciplines) and advocates.

Mind and Criminal Responsibility in the Anglo-American Tradition

Course #: 2831 **Term:** 2018SP **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

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 durée 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Music and Digital Media

Course #: 2189 **Term:** 2018SP **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

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.

Narrative Mediation

Course #: 2970 **Term:** 2018SP **Faculty:** Reynolds, Jennifer **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
Of the four primary approaches to mediation (facilitative, directive, transformative, and narrative), narrative mediation is the most mysterious and peripheral. In this post-truth era, however, some of the deconstructive methods of narrative mediation may prove useful in practical dispute resolution and dialogue. In this seminar, students will read the primary texts of narrative mediation, learn core skills of narrative practice, and consider how these skills might be adapted to different contexts.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

National Security Law

Course #: 2190 **Term:** 2017FA **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

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.

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: TBD

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

National Security Law and Practice

Course #: 2671 **Term:** 2018SP **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

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.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

National Security Law: Legal Frameworks and National Security Decision-making

Course #: 2191 **Term:** 2018SP **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	
Wed 7:00 PM - 9:00 PM	
Thu 7:00 PM - 9:00 PM	

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: 2/27, 2/28, 3/1, 3/6, 3/7, and 3/8.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Natural Law and Positive Law

Course #: 2192 **Term:** 2018SP **Faculty:** Sargentich, Lewis **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 7:00 PM - 9:00 PM

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: TBD

Natural Resources Law

Course #: 2193 **Term:** 2017FA **Faculty:** Anderson, Robert **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 9:10 AM - 10:10 AM

Tue 9:10 AM - 10:10 AM

Course Description: Prerequisites: None
Exam Type: In-Class
This is a survey course on Natural Resources Law with an emphasis on federal public land management. Topics covered include Wildlife and Living Marine Resources, Rangelands, Forest Lands, Protected Lands, Minerals, Forests, and Energy Resources. Special attention will be paid to issues of Natural Resource Management on American Indian Lands. The course also addresses state responsibilities for natural resources management (focusing on the public trust doctrine).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Negotiating and Drafting International Business Transactions

Course #: 2965 **Term:** 2018SP **Faculty:** Steinitz, Maya **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 1:15 PM - 4:15 PM

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

Exam Type: No Exam

This is a skills course aimed at providing students with exposure to international business transacting (IBT) skills specifically, IBT negotiation and drafting. In this course students will simulate and analyze a few different types of negotiations (e.g. bilateral vs. multilateral negotiations, single-round versus multi-rounds negotiations), draft term sheets, draft contract clauses using sample documents as well as draft from scratch. All this will be done simulating international business transactions of three kinds: documentary sale of goods transactions, foreign direct investment (FDI), and international trade agreements.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Negotiation and Diplomacy

Course #: 2733 **Term:** 2018SP **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: Any-Day Take-Home. Paper option available with instructor consent.
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 (500 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. The class will be limited to 90 students with the initial expectation of equal numbers of students from 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Negotiation and Mediation Clinical Seminar

Course #: 2194 **Term:** 2017FA **Faculty:** Krol, Rachel **Credits:** 1.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Required Clinic Component Harvard 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 4, 2017. LLM Students: Due to the pre-requisite, LLM students are not eligible to apply.
Exam Type: No Exam
This 1-credit seminar is the required classroom component for students doing work through the Negotiation & Mediation Clinical Program during the fall of 2017. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Negotiation Workshop

Course #: 2195 **Term:** 2018WS **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	
Tue 9:00 AM - 5:00 PM	
Wed 9:00 AM - 5:00 PM	
Thu 9:00 AM - 5:00 PM	
Fri 9:00 AM - 5:00 PM	

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Special drop deadline: Friday, November 3, 2017.

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 6, 2017. For more information please visit the course website: http://blogs.law.harvard.edu/hnmcp/negotiation-workshop/.

The credit breakdown for this seminar is as follows: four total credits with three credits awarded in the winter and one credit awarded in the spring.

Most lawyers, irrespective of their specialty, must negotiate. Litigators resolve far more disputes through negotiation than by trials. Business lawyers -- whether putting together a start-up company, arranging venture financing, or preparing an initial public offering -- are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators.

This Workshop, by combining theory and practice, aims to improve both the participants understanding of negotiation and their effectiveness as negotiators. Drawing on work from a variety of research perspectives, the readings and lectures will provide students with a framework for analyzing negotiations and tools and concepts useful in negotiating more effectively. Participants will spend much of their time in a series of negotiation exercises and simulations, where as negotiators and critical observers, they will become more aware of their own behavior as negotiators and learn to analyze what works, what does not work, and why.

The Workshop is intensive and time-consuming. Participants should have no other work commitments during the winter term. Specifically, participants should be available each day from 9:00am until 5:00pm (although class will often end earlier). There will be simulations and videotaping on some evenings and some weekends. Class attendance is essential and required at all sessions including the evening and weekend sessions. Students may not take the Workshop if they have other courses or any other significant obligation during the winter term that conflict with the required course sessions of the Workshop. There will be no Workshop classes during the spring term.

Class attendance is required at all sessions, and please particularly note participants cannot miss any of the first day. The Workshop will begin at 9:00 am sharp on Tuesday, January 2, 2018. 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 6, 2018. The Workshop will meet for its final class on Friday, January 19, 2018.

The Workshop will be limited to 144 students who will be divided into six working groups of 24 each. Plenary sessions of the full class will be devoted to demonstrations, discussion problems, lectures, video and film. Much of the time devoted to exercises and simulations will take place in the smaller working groups, each of which will be led by an experienced instructor and a teaching assistant.

In addition to participating in the daily activities, students will be expected to keep a journal and write a short paper. The journal is submitted weekly. This course has no final examination and the short paper will be due during the spring semester in light of the intensity of the Workshop during the winter term.

During the first week of the Workshop, JD and LLM students will be given an opportunity to elect to take the Workshop on a credit/fail basis. For cross-registrants, the availability of the credit/fail option is dependent on the policies of their home school.

Please note: The Workshop has an early drop deadline of Friday, November 3, 2017. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Negotiation Workshop

Course #: 2195 **Term:** 2018SP **Faculty:** Bordone, Robert **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 3:10 PM - 7:20 PM

Thu 3:10 PM - 7:20 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.
Prerequisites: None
Exam Type: No Exam
*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 6, 2017.
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. LLM and cross-registrant students may apply online for the workshop. The deadline to apply is noon on Friday, October 6, 2017. 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.
Note - Early Drop Deadline
The Workshop has an early drop deadline of December 1, 2017. The course may not be dropped after December 1, 2017 without the written permission of the instructor and students who drop after this date will receive a WD on their transcript.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Partnership Tax

Course #: 2298 **Term:** 2017FA **Faculty:** Abrams, Howard **Credits:** 3.00

Type: Elective **Subject Areas:** Taxation

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Course Description: Prerequisites: Taxation or permission of the instructor.
Exam Type: In Class
This class covers the formation, operation, and liquidation of all entities taxable as partnerships including general partnership, limited partnerships, and LLCs. Distributive shares as determined under sections 704(b) and 704(c) are emphasized along with allocations of partnership indebtedness and optional inside basis adjustments. This is an important course for students interested in a career in tax law or in real estate.

The textbook is Doernberg, Abrams & Leatherman, Federal Income Taxation of Corporations and Partnerships (5th ed, 2014).

Patent Law

Course #: 2197 **Term:** 2017FA **Faculty:** Fisher, William **Credits:** 3.00

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 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

Course Description: Prerequisite: None

Exam: In Class

Roughly half of this course will examine and assess the legal rules in the United States and other countries governing patents. The other half will explore policy issues pertaining to patents. Those issues include: the nature and determinants of scientific innovation; the increasingly important roles played by “standard setting organizations” and the ways in which the legal system should regulate those organizations; the degree to which the patent system should differentiate among fields of technology; the appropriate treatment of reverse-payment settlement agreements; and the impact of patent law on the health crisis in the developing world.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Patent Litigation Workshop

Course #: 2514 **Term:** 2018SP **Faculty:** Porcelli, Frank **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. Prerequisites: Patent Law or Intellectual Property. Otherwise, please seek permission from the faculty member to waive the requisite and enroll.
Exam: No Exam.
This two-credit course will provide students with exposure to the practical aspects of patent litigation. We will cover all of the major phases of a patent infringement suit, from pleading through trial. Students will participate in exercises intended to simulate many of the nuts-and-bolts tasks associated with a patent case, including preparing infringement and invalidity contentions and presenting oral argument on claim construction or summary judgment. Most classes will be conducted in a seminar format, with discussions focused primarily on litigation strategy and tactics, with reference to recent developments in the law. We will also have occasional guest lectures and demonstrations by distinguished practitioners in this field.

The instructor for this course is Frank Porcelli, a senior principal at the firm of Fish & Richardson P.C. Mr. Porcelli has over 30 years' experience specializing in patent trial and appellate work. Mr. Porcelli will be joined for most class sessions by other senior patent litigation attorneys from his firm who will share with the class their varied perspectives on patent litigation practice.

Note: This course overlaps with Mr. Tompros Patent Trial Advocacy offering; students may only enroll in one of these courses for credit.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Perspectives on the U.S. Presidency

Course #: 2963 **Term:** 2018SP **Faculty:** Metzger, Gillian **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: Constitutional Law: Separation of Powers, Federalism, and the Fourteenth Amendment
Exam Type: No Exam
This seminar will involve an in-depth and interdisciplinary examination of the U.S. Presidency, studying its constitutional foundations and contemporary debates over the scope of presidential power. In addition to case law and legal scholarship, the readings will include leading political science and historical accounts of the presidency and its evolution over time. Attention will be paid to the role of the President in administrative and national security contexts, as well as vis-à-vis Congress, the courts, and the states. This is an advanced constitutional law seminar for students who have already taken the basic structural constitutional law class.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Political Economy After the Crisis

Course #: 2390 **Term:** 2018SP **Faculty:** Unger, Roberto Mangabeira **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Poverty Law

Course #: 2201 **Term:** 2017FA **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

Tue 1:30 PM - 3:00 PM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Poverty, Human Rights, and Development

Course #: 2202 **Term:** 2018SP **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**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

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 cource, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Powering the U.S. Electric Grid

Course #: 2931 **Term:** 2017FA **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**

Mon 5:00 PM - 7:00 PM

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: TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Predatory Lending and Consumer Protection Clinic

Course #: 8035 **Term:** 2017FA **Faculty:** Merrill, Toby; Bertling, Roger; Connor, Eileen **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 29, 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, including class action litigation and other complex and federal litigation, as well as policy advocacy.
Our practice is primarily litigation and involves consumer, bankruptcy, administrative, and tort law.
The Clinic:

commences litigation in federal and state court against predatory for-profit colleges and 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 consumers 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, consumer protection laws of other states, federal and state debt collection laws, the Administrative Procedures Act, 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 high-impact federal and state class action litigation, administrative law and procedure, and occasionally, federal and state policy advocacy. Students may also have the opportunity to participate in discovery, negotiate with opposing counsel, argue motions, engage in bankruptcy work, and, on occasion, to work on legislative initiatives.
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 Clinics general practice, please contact Roger Bertling, (617) 390-2572. For more information on the Project on Predatory Student

Lending, contact Toby Merrill, (617) 390-2576.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Predatory Lending and Consumer Protection Clinic

Course #: 8035 **Term:** 2018SP **Faculty:** Merrill, Toby; Bertling, Roger; Connor, Eileen **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 12, 2018.
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, including class action litigation and other complex and federal litigation, as well as policy advocacy.
Our practice is primarily litigation and involves consumer, bankruptcy, administrative, and tort law.
The Clinic:

commences litigation in federal and state court against predatory for-profit colleges and 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 consumers 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, consumer protection laws of other states, federal and state debt collection laws, the Administrative Procedures Act, 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 high-impact federal and state class action litigation, administrative law and procedure, and occasionally, federal and state policy advocacy. Students may also have the opportunity to participate in discovery, negotiate with opposing counsel, argue motions, engage in bankruptcy work, and, on occasion, to work on legislative initiatives.
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 Clinics general practice, please contact Roger 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:** 2018SP **Faculty:** Merrill, Toby; Bertling, Roger; Connor, Eileen **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

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: January 12, 2018.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Predatory Lending and Consumer Protection Clinical Seminar

Course #: 2204 **Term:** 2017FA **Faculty:** Merrill, Toby; Bertling, Roger; Connor, Eileen **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

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 29, 2017.
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Private Law Workshop

Course #: 2206 **Term:** 2017FA **Faculty:** Smith, Henry; Goldberg, John **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

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 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.

Professional Responsibility in Family Practice

Course #: 2169 **Term:** 2018SP **Faculty:** Davis, Peggy Cooper **Credits:** 3.00

Type: Legalprof **Subject Areas:** Family, Gender & Children's Law; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: None
Exam Type: No Exam
Working through two extended practice simulations, students will 1) research and discuss laws governing family life, 2) research and discuss professional responsibility principles as they arise in family practice, and 3) develop skill at interpreting and applying those laws and principles. Simulations will focus on marriage and other intimate partnerships and on child protection.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Progressive Alternatives: Institutional Reconstruction Today

Course #: 2391 **Term:** 2018SP **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Public Education Policy and Consulting Clinic

Course #: 8046 **Term:** 2017FA **Faculty:** Liebman, James **Credits:** 8.00

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. This clinic is offered in Fall 2017 and Spring 2018. Students should indicate which semester they are applying for in their application. Applications are due by 5pm on March 27, 2017 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 March 27, 2017.
Add/Drop Deadline: Students will be notified of acceptances by the week of April 24, 2017 and will be asked to make a firm commitment to the Clinic by May 8, 2017.
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 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 cprl@law.columbia.edu by 5pm on March 27, 2017. 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 the week of April 24, 2017.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 cprl@law.columbia.edu with any questions. Accepted students will be enrolled in the clinic and associated course component by the Office of Clinical and Pro Bono Programs.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Public Education Policy and Consulting Clinic

Course #: 8046 **Term:** 2018SP **Faculty:** Liebman, James **Credits:** 8.00

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. This clinic is offered in Fall 2017 and Spring 2018. Students should indicate which semester they are applying for in their application. Applications are due by 5pm on March 27, 2017 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 March 27, 2017.
Add/Drop Deadline: Students will be notified of acceptances by the week of April 24, 2017 and will be asked to make a firm commitment to the Clinic by May 8, 2017.
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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
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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 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);
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approximately 50 seminar hours and 27 hours in classroom-based skills training for 5 classroom credits over the course of the 14-week semester;
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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
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Feel free to contact CPRL at cprl@law.columbia.edu with any questions. Accepted students will be enrolled in the clinic and associated course component by the Office of Clinical and Pro Bono Programs.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Public Health Law and Policy

Course #: 2497 **Term:** 2018SP **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

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 current health law and policy climate in this country and explore both the opportunities and challenges for health policy solutions focused 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 12, 2018 for students in this course enrolled in reserved clinical seats.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Public Health Law and Policy

Course #: 2497 **Term:** 2017FA **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

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 current health law and policy climate in this country and explore both the opportunities and challenges for health policy solutions focused 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. 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 29, 2017 for students in this course enrolled in reserved clinical seats.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Public International Law

Course #: 2212 **Term:** 2018SP **Faculty:** Saul, Ben **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

Course Description: Prerequisites: None
Exam Type: Any-Day Take-Home
Public international law primarily regulates legal relations between countries (states') but also applies in various ways to individuals, corporations and groups (from indigenous peoples to armed groups). This course provides an overview of the classical topics of international law, including its nature as legal system, purposes, scope and limitations; its sources (particularly treaty and custom); statehood and title to territory; legal personality; jurisdiction and immunities; state responsibility for breaches; peaceful settlement of disputes (including the International Court of Justice); and the law on the use of military force and self-defence. Along the way it will touch briefly on some specialised branches of international law, including law of the sea, human rights, international humanitarian law, international criminal law, environmental law, economic law and development, and the law of the United Nations.

Public Law Workshop

Course #: 2213 **Term:** 2018SP **Faculty:** Renan, Daphna; Manning, John **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM

Course Description: Prerequisites: By Permission
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 the administrative state. In approximately half of the sessions, invited speakers will present papers on topics relevant to the workshops themes. Students will be required to write a number of short response papers.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Public Problems: Advice, Strategy and Analysis

Course #: 2398 **Term:** 2017FA **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 4:00 PM - 6:00 PM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Race & Politics: Post Racial? A 21st Century Query

Course #: 2484 **Term:** 2017FA **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

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.

Race, Gender, and Criminal Law

Course #: 2614 **Term:** 2018SP **Faculty:** Butler, Paul **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: Criminal Law
Exam Type: No Exam
The course examines the role of race and gender in substantive criminal law and criminal procedure. Selected topics may include rape, racial disparities, intersectionality, hate crimes, victimization, race and gender based defenses, including cultural defenses and the "battered spouse defense, jury selection and participation, sex crimes, and racial profiling. Readings will consist primarily of cases and scholarly articles and books.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Reading the Federalist in the 21st Century: Does Publius Have Anything to Teach us in 2017?

Course #: 2792 **Term:** 2017FA **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

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, it is in fact rarely read or truly analyzed. It is 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 (including these three "greatest hits"). 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, perhaps in one week as many as six of the essays, together with my own commentaries on those essays that can be found in 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 (and my commentaries), 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. Given recent events, I will ask you, for the second hour following a break, to read Federalist 68, on the electoral college. 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. It is not necessary that they be familiar with the caselaw of "American constitutional law."

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Real Estate Law

Course #: 2218 **Term:** 2018SP **Faculty:** Mechanic, Jonathan **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Fri 1:00 PM - 3:00 PM

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.

Redesigning Humans: What Limits?

Course #: 2978 **Term:** 2018SP **Faculty:** Elhauge, Einer **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
Modern technology is increasingly making it possible to enhance human biology through medical, genetic, and biomechanical means. What regulatory limits should be imposed on such efforts? This seminar will cover a range of literature on that topic.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Regulation of Financial Institutions

Course #: 2219 **Term:** 2017FA **Faculty:** Jackson, Howell **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	
Tue 10:20 AM - 11:50 AM	
Wed 10:20 AM - 11:50 AM	

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 as well as pending proposals for further reforms under the Trump Administration. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Reinventing Criminal Law

Course #: 2962 **Term:** 2017FA **Faculty:** Ristroph, Alice **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
The American criminal justice system is broken, according to a range of critics who decry overcriminalization, racial bias in enforcement, abusive policing, mass incarceration, wrongful convictions, and the long stigma of a criminal record. This reading group considers several such recent critiques and corresponding proposals for reform. Of particular interest is the nostalgia of reform efforts, which profess a desire to return American criminal law to its purportedly more just and fair origins. We will ask: Is radical change needed? Can nostalgia be radical? Is the system best described as broken, or is it just doing what it was designed to do -- insofar as it was designed to do anything?

Religious Freedom Research

Course #: 2482 **Term:** 2018SP **Faculty:** Glendon, Mary Ann; Rienzi, Mark **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 1:00 PM - 3:00 PM

Course Description: Prerequisites: None

Exam Type: No Exam

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

2017-2018 Academic Year

March 30, 2017 2:03 AM

Research Seminar in Administrative Law and Theory

Course #: 2676 **Term:** 2018SP **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

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.

Research Seminar in Law, Economics, and Organizations

Course #: 2157 **Term:** 2017FA **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

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 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Research Seminar in Law, Economics, and Organizations

Course #: 2157 **Term:** 2018SP **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

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Research Seminar in Law, Economics, and Organizations

Course #: 2157 **Term:** 2017FS **Faculty:** Kaplow, Louis; Bebchuk, Lucian; Spier, Kathryn **Credits:** 2.00

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

Course Description: Prerequisites: None

Exam: 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.

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Responsibility

Course #: 2012 **Term:** 2018SP **Faculty:** Goldberg, John **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 3:20 PM - 4:50 PM

Course Description: Prerequisites:None

Exam Type:No Exam

The identification of a person or entity as being responsible for some outcome or state of affairs is a basic concern of both law and morality. This class will examine puzzles that attend the assignation of responsibility, including: (1) conflicts over whether, when, and how to treat actors as free agents or as afflicted by circumstances outside their control; (2) whether attributions of responsibility are necessarily tied to notions of blame; (3) the differences, if any, between assigning responsibility for a bad outcome and fairly allocating losses associated with those outcomes; and (4) the senses in which business and political entities, as opposed to individuals, can be rightly deemed responsible for events or outcomes.

Responsive Communities Lab

Course #: 2927 **Term:** 2017FA **Faculty:** Crawford, Susan; Warner, Waide **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 1:10 PM - 3:10 PM

Course Description: Prerequisites: City Use of Technology is a required co-requisite for this course.

Exam Type: No Exam

The Responsive Communities Lab is designed to give students meaningful opportunities to work on policy papers, workshops, and recommendations aimed at (1) increasing adoption of competitive fiber optic networks providing inexpensive high speed Internet access across entire communities, (2) assisting cities to adopt responsible data governance practices, and (3) building a pipeline of people who will serve in local government. Some of the classroom time for the Lab will be devoted to doing this work in small groups. Should a student so elect, students will receive written work credit for work that satisfies the written work credit requirements.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Restitution

Course #: 2307 **Term:** 2018WI **Faculty:** Smith, Henry **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Legal & Political Theory

Delivery Mode: Course

Days and Times: **Location**

Mon 10:00 AM - 12:30 PM

Tue 10:00 AM - 12:30 PM

Wed 10:00 AM - 12:30 PM

Thu 10:00 AM - 12:30 PM

Fri 10:00 AM - 12:30 PM

Course Description: Prerequisite: None

Exam: In Class

Restitution is a long neglected but reemerging area in American law and one that is of intense and sustained interest in other legal systems. Through a reading of cases, commentary, and sections of the recently finished Restatement (Third) of Restitution and Unjust Enrichment, this course will explore some of the fundamental questions in this area of private law. Is restitution only a remedy or also a substantive basis for liability? What is the relationship of restitution and unjust enrichment? How does unjust enrichment go beyond familiar types of liability in tort and contract? Is liability for restitution or unjust enrichment inherently equitable, and if so what does this mean? What role should restitution play in major mass frauds such as Ponzi schemes? The course will focus on recurring problems such as mistaken payments, restitution for wrongs, failed trades, along with common defenses such as change of position and estoppel.

Roman Law

Course #: 2223 **Term:** 2017FA **Faculty:** Donahue, Charles **Credits:** 1.00

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

A very brief introduction to classical Roman law. We will begin with a H. J. Wolffs, Roman Law, an introductory book that outlines the history of Roman law in the Ancient World from 450 BC to the codifications of Justinian (530-533 AD). We will then read (in translation) Gaiuss Institutes, a first-year textbook for students of Roman law, written around 160 AD.

Note: This reading group will meet on the following dates: TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Securities Litigation

Course #: 2443 **Term:** 2018WI **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

Tue 1:00 PM - 4:30 PM

Wed 1:00 PM - 4:30 PM

Thu 1:00 PM - 4:30 PM

Fri 1:00 PM - 4:30 PM

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:** 2017FA **Faculty:** Ferrell, Allen **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Seeing Criminal Justice: Examining the Interplay of Visual Media and the Law

Course #: 2984 **Term:** 2018SP **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

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 criminal justice; they challenge or affirm our 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 criminal justice 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 visual media may be used as a conduit to communicate the laws stories.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Semester in Human Rights

Course #: 8042 **Term:** 2017FA **Faculty:** Farbstein, Susan; Giannini, Tyler **Credits:** 6.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this clinic may count the credits towards the JD experiential learning requirement. Required Class Component: 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 7, 2017. Add/Drop Deadline: August 29, 2017. 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 2017. Students will enroll in 10 credits total with the Clinic for the semester (see breakdown below), with requirements as follows:

By application (Deadline: April 7, 2017).
Limited to 3Ls who have previously spent at least one semester in the IHRC.
Students will take the fall course, Advanced Skills Training in Human Rights Advocacy (2 fall classroom credits).
Students will work full-time in the Clinic on one or more projects (6 clinical credits).
Students will take independent writing credits under the supervision of an IHRC clinician, with a focus on a topic of relevance to either the clinical work or the seminar (2 writing credits).
Full-time clinic students will also be given additional responsibilities, serving as student team leaders who assist in making strategic decisions and in supporting the work of other students on a given project.

In addition to the 10 credits enrolled through the Semester in Human Rights, students may also enroll in additional seminar or course (of 2 or 3 credits) related to their area of focus. In their applications (see below for details), students should identify any such seminar or course and explain how it is relevant to their focus for the semester.
Additional Logistics:
Advanced Skills Training in Human Rights Advocacy will have a total of 10 JD students; 8 through students who register for the Advanced International Human Rights Clinic and up to 2 by application for the Semester in Human Rights.
Students who are accepted into the Semester in Human Rights will also register for 2 writing credits. To register for writing credits, students should fill out the JD Option 1 Written Work form (link to page) and submit to Maggie Bay in Office of Clinical and Pro Bono Programs.
Applications for the Semester in Human Rights, with a current CV and a statement of interest, should be addressed to Susan Farbstein and Tyler Giannini, and sent to Katherine Talbot (ktalbot@law.harvard.edu).
Please address the following questions in your statement of interest:

How will the intensive focus of a full-time semester in human rights benefit you personally?
How will the full-time semester build on your prior experience in and commitment to human rights, whether in a clinic, summer placement, pre-law school employment, etc.? How and why are you prepared for this option?
What are your post-graduate career plans, and how will the full-time semester better prepare you for your intended career path?
What project(s) do you propose to work on, and why is the full-time option necessary for the project(s)? If you do not have a particular project in mind, what issues or skills do you propose to focus on and why?
What will be the added value of enrolling full time?

How will the different components (advanced class, clinical projects, independent writing) complement each other and form a coherent and intensive term?

Special Education Advocacy for Students Impacted by Trauma

Course #: 2993 **Term:** 2017FA **Faculty:** Gregory, Michael **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM

Course Description: Required Clinic Component: Education Law Clinic: Individual Representation (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: Please note this clinic has an early drop deadline of August 4, 2017.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.Students must attend a mandatory orientation session during the first week of classes.

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

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

There is no final examination for this course; students will prepare a "rounds" memo and presentation in which they lead a discussion with their colleagues based on their case. Please refer to the Office of Clinical and Pro Bono Programs (http://www.law.harvard.edu/academics/clinical) for clinical registration dates and early add/drop deadlines.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Sports and the Law: Examining the Legal History and Evolution of America's Three "Major League" Sports: MLB, NFL and NBA

Course #: 2229 **Term:** 2017FA **Faculty:** Carfagna, Peter **Credits:** 1.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Employment & Labor Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times: **Location**

Thu 1:15 PM - 2:45 PM

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 2017 are strongly encouraged to enroll in the 2-credit fall 2017 "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 clinics description or review the Sports Law Clinic Guide for more information.

Note: 8 classes / first 8 weeks.Students who are interested in the winter or spring 2017 Sports Law Clinic are strongly encouraged to enroll in both of Prof. Carfagnas fall courses: "Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA" and "Sports Law: Advanced Contract Drafting."

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Sports and the Law: Representing the Professional Athlete

Course #: 2230 **Term:** 2018WI **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**
Fri 1:30 PM - 4:15 PM	
Mon 1:30 PM - 4:15 PM	
Tue 1:30 PM - 4:15 PM	
Wed 1:30 PM - 4:15 PM	
Thu 1:30 PM - 4:15 PM	

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 1/2 to 1/12. The last class meeting on 1/12 will be four hours long.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Sports Law Clinic

Course #: 8028 **Term:** 2018SP **Faculty:** Carfagna, Peter **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 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 2017); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (fall 2017); Sports and the Law: Representing the Professional Athlete (winter 2018).
By Permission: Yes. The deadline to apply is October 10, 2017. Please see below for additional instructions.
Add/Drop Deadline: January 12, 2018.
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 10, 2017. 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.
Students who are interested in the winter or spring 2017 Sports Law Clinic are strongly encouraged to enroll in both of Prof. Carfagnas fall courses: "Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA" and "Sports Law: Advanced Contract Drafting."

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Sports Law Clinic

Course #: 8028 **Term:** 2018WI **Faculty:** Carfagna, Peter **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 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 2017); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (fall 2017); Sports and the Law: Representing the Professional Athlete (winter 2018).
By Permission: Yes. The deadline to apply is October 10, 2017. Please see below for additional instructions.
Add/Drop Deadline: December 1, 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 10, 2017. 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.

Students who are interested in the winter or spring 2017 Sports Law Clinic are strongly encouraged to enroll in both of Prof. Carfagnas fall courses: "Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA" and "Sports Law: Advanced Contract Drafting."

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Sports Law: Advanced Contract Drafting

Course #: 2349 **Term:** 2017FA **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

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.Students taking this course and who are interested in sports law clinical placements during winter or spring 2017 are strongly encouraged to enroll in the 2-credit fall 2017 "Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA."

Note: Last class will be a double on 11/15.
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. Students who are interested in the winter or spring 2017 Sports Law Clinic are strongly encouraged to enroll in both of Prof. Carfagnas fall courses: "Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA" and "Sports Law: Advanced Contract Drafting."

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

State Constitutional Law

Course #: 2507 **Term:** 2018WI **Faculty:** Sutton, Jeffrey **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

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.

State Energy Law

Course #: 2974 **Term:** 2018SP **Faculty:** Konschnik, Kate; Peskoe, Ari **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
States play a leading role in forging our nations energy policy. State regulatory authority over in-state activities is pervasive, from resource extraction to utility rate-making. This seminar offers an overview of core state functions, the legal questions they present, and the current policy debates and legal battles over the future of our energy sector. Across all of these topics, well explore how state roles change over time, given federal action in this space, case law, and industry developments. Topics will include: regulation of electric utilities; pipeline and infrastructure siting; renewable energy and other resource policies; oil and gas production; and, regional and multi-state energy partnerships.
Students will be responsible for the readings, to ensure robust class discussion.
The course will require one short paper (3-4 pages) and one long paper with a topic of the students choosing.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions

Course #: 2324 **Term:** 2018WI **Faculty:** Levin, Jack **Credits:** 3.00

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

Delivery Mode: Course

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

Course Description: Prerequisites: Although there are no specific prerequisites, basic tax is strongly recommended, and taxation of entities (corporations, partnerships, LLCs) is desirable. In addition, knowledge of corporate law, securities regulation, bankruptcy, and accounting is helpful. However, the course book and the course book appendix contain adequate discussion and supplemental precedents for an understanding of the material covered by the course.

Exam Type: In Class

This course covers tax, legal, and economic principles applicable to a series of interesting, complex, current entrepreneurial transactions, utilizing venture capital or private equity financing, including (1) new business start-up, (2) growth-equity investment in existing business enterprise, (3) leveraged buyout of private or public company (including going-private transaction), (4) use of both double-tax C corporations and flow-through single-tax S corporations, partnerships, and LLCs for variety of venture capital or private equity financed transactions, (5) devising equity-based executive compensation program, (6) private equity financed restructuring or workout (in or out of bankruptcy) for troubled over-leveraged enterprise and utilizing troubled company's NOL post restructuring, (7) exit scenarios for successful venture capital or private equity financed enterprise (such as IPO, series of SEC rule 144 stock sales, sale of company, or merger of company into larger enterprise), and (8) forming venture capital, LBO, or private equity fund.

Substantive subjects covered include federal income tax, federal securities regulation, state corporate, partnership, and LLC law, federal bankruptcy law, state and federal fraudulent conveyance law, and other legal doctrines, as well as accounting rules (executive compensation and acquisition accounting) and practical structuring issues (including use of common and preferred stock, subordinated or mezzanine debt, convertible debt and preferred stock, warrants, options, and substantial-risk-of-forfeiture stock). The course reviews these tax, legal, and accounting principles in a transactional context and also considers their policy underpinnings and likely future evolution.

The course book (which includes the appendix) is Levin and Rocap Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions (2017 edition).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Supreme Court Litigation

Course #: 2233 **Term:** 2018WI **Faculty:** Goldstein, Thomas; Massey, Jonathan; Singh, Tejinder **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 2, 2017.
Add/Drop Deadline: December 1, 2017.
LLM Students: LLM students may apply by submitting an application.
Placement Site: Washington D.C.This course is co-taught by Tom Goldstein, 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 2, 2017. Enrollment is limited to 10 students.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Supreme Court Litigation Clinic

Course #: 8030 **Term:** 2018WI **Faculty:** Goldstein, Thomas; Massey, Jonathan; Singh, Tejinder **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 2, 2017.

Add/Drop Deadline: December 1, 2017.

LLM Students: LLM students may apply by submitting an application.

Placement Site: Washington D.C.This course is co-taught by Tom Goldstein, 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 2, 2017. Enrollment is limited to 10 students.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Systemic Advocacy for Safe and Supportive Schools

Course #: 2774 **Term:** 2018SP **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

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement.
Required Clinic Component: Education Law Clinic: Legislative and Administrative Lawyering (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: Please note this clinic has an early drop deadline of December 1, 2017.
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.

Students must attend a mandatory orientation session during the first week of spring classes.

Please note this course has a unique schedule. There will be two meetings of the course in each of the first two weeks of the semester in order to front load content so students are prepared to engage in advocacy. To compensate, there will be two weeks in the middle of the semester where there is no class meeting. The course will meet on the following dates and times:Tue, Jan 23, 8 am - 10 am* Thu, Jan 25, 5 - 7 pm Tue, Jan 30, 8 am - 10 am* Thu, Feb 1, 5 - 7 pmThu, Feb 8, 5 - 7 pm Thu, Feb 15, 5 - 7 pm Thu, Feb 22, 5 - 7 pm Thu, Mar 22, 5 - 7 pm Thu, Mar 29, 5 - 7 pm Thu, Apr 5, 5 - 7 pm Thu, Apr 12, 5 - 7 pmThu, Apr 19, 5 - 7 pm* = Irregular course meeting time

In this seminar 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Taxation

Course #: 2234 **Term:** 2017FA **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

Thu 1:00 PM - 3:00 PM

Course Description: Prerequisites: None
Exam Type: In-Class
This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers across the income spectrum. A principal goal of this course is also to teach students to analyze and apply a complex federal statute. Unless waived by the instructor, Taxation is generally a pre-requisite for J.D. students in the advanced tax courses.

The materials for the course are Graetz, and Schenk, Federal Income Taxation, and CCH Federal Income Tax, Code and Regulations, Selected Sections.

Taxation

Course #: 2234 **Term:** 2018SP **Faculty:** Abrams, Howard **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

Course Description: Prerequisites: None
Exam Type: In Class
This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers. A principal goal of this course is 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..

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Taxation

Course #: 2234 **Term:** 2017FA **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

Thu 8:15 AM - 9:40 AM

Fri 8:15 AM - 9:40 AM

Course Description: Prerequisites: None
Exam Type: In Class
This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers, 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 (2017-2018 edition).

Taxation

Course #: 2234 **Term:** 2017FA **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 10:30 AM - 11:50 AM

Tue 10:30 AM - 11:50 AM

Wed 10:30 AM - 11:50 AM

Course Description: Prerequisites: None
Exam Type: In Class
This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Teaching Copyright

Course #: 2636 **Term:** 2018SP **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 5:00 PM - 7:00 PM

Course Description: Students who enroll in this course may count the credits towards the JD experiential learning requirement. 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 2018. 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 the 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[at]cyber.law.harvard.edu.

Note: The credit breakdown for this course is as follows: three total credits -- two classroom credits and one writing credit.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Technology and Inequality

Course #: 2777 **Term:** 2017FA **Faculty:** Benkler, Yochai **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

Course Description: Prerequisites: None

Exam Type: No Exam
The course will require several brief response papers to the readings, two or three focused team presentations during the semester, and a final paper.

Since the late 1970s, income for the median worker in the United States has stagnated, and since 2002 income of the bottom 80% of the workforce has stagnated or fallen.

At the same time, productivity has increased, and the share of income and wealth held by the top 1% and the top 0.1% has increased substantially.

Technology is often posited as the cause of rising inequality in the past forty years, and AI, automation, and platforms like Uber are often blamed for increasing the prevalence of precarious work and economic insecurity.

The course will consider the role of technological change in shaping social and economic patterns, focusing in particular on the distribution of wealth in society. It is intended to foster an understanding of institutional design sensitive to the multi-dimensional causes of complex social problems. Here, we consider how technology has interacted with law, politics, ideology, and culture to bring us to our present state, and project these dynamics forward. We will consider whether technologies like robotics, platforms, 3D printing, and platforms can be harnessed toward producing arrangements conducive to broad-based economic security. Can technology be a complete or partial solution? Can it be integrated with cooperative, commons-based, non-profit, municipal, or entrepreneurial models to offer systemic solutions?

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Architecture of International Income Taxation

Course #: 2915 **Term:** 2018SP **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**

Mon 5:00 PM - 7:00 PM

Course Description: Prerequisites: Taxation, but may be waived by professor.
Exam: No Exam
The reading group will examine the evolving standards for taxing cross-border income reflected in international actions 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: TBD
Drop Deadline: TBD

The Art and Science of Financial Regulation

Course #: 2723 **Term:** 2017FA **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 3:00 PM - 5:00 PM

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: TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Comparative and International Law Workshop

Course #: 2129 **Term:** 2017FA **Faculty:** Alford, William; Rabb, Intisar **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

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 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.

The Conduct of Life in Western and Eastern Philosophy

Course #: 2392 **Term:** 2018SP **Faculty:** Unger, Roberto Mangabeira **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM

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 ETHRSON 20.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Constitutional Law of Money

Course #: 2452 **Term:** 2017FA **Faculty:** Desan, Christine **Credits:** 3.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times: **Location**

Thu 10:00 AM - 11:30 AM

Fri 10:00 AM - 11:30 AM

Course Description: Prerequisite: None

Exam: In Class

According to one of the framers, the “soul of the Constitution” was the clause allocating authority over money.   Over the following centuries, money has remained at the center of debates over governance, including the division between state and federal sovereigns, American approaches to economic development and social welfare, the scope of judicial review, federal preemption, and the allocation of fundamental decisions about material distribution. The authority of the Federal Reserve, for example, apparently includes the ability to make monetary policy decisions that move hundreds of billions of dollars. This 3-credit course picks up an essential line of constitutional debate and determination, including those concerning the national debt, the contracts clause, state police powers, the Legal Tender Cases, the Gold Clause cases, and the role and responsibilities of the Treasury and the Federal Reserve.

The Cult of ADR and Other Critiques of Alternative Practice

Course #: 2887 **Term:** 2017FA **Faculty:** Reynolds, Jennifer **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This reading group will provide an introduction to the major critiques of alternative dispute resolution, among them that ADR prioritizes peace over justice; that it subverts the democratic process; that it is a tool of corporate and state power; and that it entrenches power disparities between disputants.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Early American Republic: The United States from 1783-1873

Course #: 2060 **Term:** 2018SP **Faculty:** Gordon-Reed, Annette **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:30 AM - 12:00 PM

Tue 10:30 AM - 12:00 PM

Course Description: Prerequisites: None
Exam Type: One-Day Take-Home

This course will explore the creation of the United States after the conclusion of the American Revolutionary War through the presidency of Andrew Jackson. We will focus on politics, social and cultural life during this period. We will discuss, among other things, the concepts of republicanism and federalism, the French and Haitian Revolutions' effect on politics in the 1790s, Jefferson versus Hamilton, slavery, and attitudes toward Native Americans and women. Other topics: Jefferson's election in 1800, the War of 1812, the initial conflicts over slavery, the calls for a white man's government" and the overall effects of Jackson's presidency.

Note: This course is jointly listed with FAS. It will be held in the History Departments Lower Library.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624 **Term:** 2018SP **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

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: TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624 **Term:** 2017FA **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

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: TBD

The Equal Protection Clause: Underexplored Possibilities

Course #: 2019 **Term:** 2017FA **Faculty:** Jackson, Vicki **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisite: None

Exam: No Exam

The U.S. Supreme Court has held that the equal protection clause of the Fourteenth Amendment is violated only by intentional discrimination based on a prohibited category rather than by effects on disadvantaged groups; that it applies with the same rigor to laws designed to overcome disadvantage arising out of historical de jure discrimination against a group as it does to laws that perpetuate those disadvantages; that it gives rise to no justiciable positive rights; and that it applies to limit Congress to the same degree as it limits the states. How and why did the Court come to these conclusions? Are there alternative interpretations that are plausibly rooted in U.S. constitutional text and experience?

Note: This reading will meet on the following dates: TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Future of Latinos in the United States: Law, Opportunity, and Mobility

Course #: 2960 **Term:** 2017FA **Faculty:** Moran, Rachel **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites: None

Exam Type: No Exam
Students will be asked to prepare a paper on topics of their choosing. The papers can be written individually or in teams and should relate to law and policy interventions that will affect the mobility and opportunity of Latinos in the coming years. The papers can focus on municipal, state, regional, national, or international concerns and can address case law, legislative initiatives, administrative action, or organizational advocacy. The papers should offer not only background analysis of the current situation but also recommendations for reform and a strategic plan for moving forward.

According to U.S. Census estimates, Latinos will account for 30% of the nations population by 2050. In many parts of the country, Latinos already are a substantial plurality, majority, or even supermajority of local, county, and state populations. At the same time, on key indicators like educational attainment, income and wealth, and political representation, Latinos continue to lag behind other racial and ethnic groups. Despite the unprecedented challenges that lie ahead, there has been relatively little research on the Latino community. Moreover, this growing constituencys unique concerns often are missing from law and policy debates. After exploring the current condition of Latinos in the United States, the course will use case studies to examine four key areas that drive opportunity and mobility: education, economic participation, political mobilization and civic engagement, and immigration. After this introduction to the issues, the bulk of the course will focus on helping students to identify an emerging law or policy challenge facing Latinos, to analyze the relevant issues, and to prepare a report with recommendations on how to address it. A number of class sessions will be devoted to presentations that enable students to focus and refine their projects.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The History of Evidence

Course #: 2694 **Term:** 2018SP **Faculty:** Lepore, Jill **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisites:
Exam Type: No Exam
This course will examine and compare the rules and standards of evidence in law, history, science, and journalism. What counts as proof in these fields varies and has changed over time, often wildly. Emphasis will be on the histories of Western Europe and the United States, from the middle ages to the present, with an eye toward understanding how ideas about evidence shape criminal law and with special attention to the rise of empiricism in the nineteenth century, the questioning of truth in the twentieth, and the consequences of the digital revolution in the twenty-first. Topics will include the histories of trial by ordeal, trial by jury, spectral evidence, the footnote, case law, fact checking, expert testimony, the polygraph, statistics, DNA, anonymous sources, and big data.

Note: This course is jointly offered with FAS as History 1916.

The International Law of the Sea

Course #: 2958 **Term:** 2017FA **Faculty:** Kraska, James **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 6:15 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This course explores the international law of the sea, which is one of the most important and compelling areas of public international law. The international law of the sea focuses on the distribution of authority among flag states, coastal states, and port states, and the balance of authority between states and international organizations, to regulate activities over 70 percent of the globe. Sources of law include cases, norms, regimes, and agreements, including the United Nations Convention on the Law of the Sea. This area of law is a prominent feature of international politics, evident in disputes in the South China Sea and East China Sea, the Gulf of Guinea, the Indian Ocean, Arctic Ocean, and the Black Sea. Topics include rules governing maritime boundary delimitation and offshore development, marine resource conservation and fisheries, offshore energy and seabed mining; marine genetic resources, marine environmental law and approaches to climate change; human rights and refugee migration at sea; international criminal law, and dispute resolution procedures.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Operations and Ethics of the State Attorney General

Course #: 2924 **Term:** 2018SP **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

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

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The President and Immigration Law

Course #: 2017 **Term:** 2017FA **Faculty:** Cox, Adam **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

Tue 5:00 PM - 7:00 PM

Wed 5:00 PM - 7:00 PM

Course Description: Prerequisite: None

Exam: No Exam

In recent years, the President has become our immigration policymaker in chief. President Obamas policy of protecting millions of unauthorized immigrants from deportation, as well as President Trumps Executive Order banning immigrants from several nations, are just two salient examples of a much bigger trend. This reading group will explore the role that the President and other executive branch officials play in shaping immigration law. We will also study the century-long transformation in the structure of immigration law that gave rise to our present policymaking environment.

Note: This reading group will be taught over two weeks, September 25 and October 23, with three, two-hour sessions each week.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Promises and Challenges of Disarmament

Course #: 2509 **Term:** 2017FA **Faculty:** Docherty, Bonnie **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

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 29, 2017. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: HLS.

Over the past 150 years, certain weapons have caused so much human suffering that the international community has taken steps to regulate or ban them. The most important method of disarmament has been treaty law although judicial opinions and national measures have played a role as well. This seminar will introduce students to different approaches to disarmament and various means to achieve them.

The seminar will begin by identifying the kinds of problems posed by a range of weapons and the need for weapons-specific treaties. It will then analyze three main approaches to disarmament: traditional disarmament, which is driven by national security interests; arms control, which restricts proliferation and stockpiles; and humanitarian disarmament, which focuses on civilian concerns. The seminar will consider how to achieve disarmament by discussing different treaty-making processes, strategies for promoting regulations or bans, the intricacies of crafting a convention, and the steps needed to fulfill an adopted treatys promise. To conclude, the seminar will examine new disarmament challenges, asking what types of weapons should be dealt with in the future and how.

In addition to being exposed to the substance and strategies of disarmament, students will build advocacy skills by doing fact-finding and treaty negotiation simulations. A fall clinical practice component in the International Human Rights Clinic is required of all students.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Reasonableness Standard: Practice v. Theory

Course #: 2972 **Term:** 2018SP **Faculty:** Chew, Pat **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Legal & Political Theory

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam

The reasonableness standard is a surprisingly recurring concept in many areas of law. Consider, for instance: negligence and the reasonable standard of care; reasonable expectation of privacy laws; duty of care of reasonable corporate director or officer; reasonable threat in criminal law; and the reasonable person perspective in sexual harassment.

The reasonableness standard is the basis on which many rights and liabilities are determined. But what does it mean? This seminar explores that question, linking interpretations in one area of the law to another. Is the use of reasonableness meaningfully distinguishable? Is the standard merely a proxy for a judge or jury's own normative values? Are there variations by gender, race, or political orientation? The seminar teaches critical and creative analysis and its practical application.

No final exam. Essay assignments.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Role of the Article III Judge

Course #: 2016 **Term:** 2018WI **Faculty:** Griffith, Thomas **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory

Delivery Mode: Course

Days and Times:	**Location**
Mon 1:00 PM - 3:30 PM	
Tue 1:00 PM - 3:30 PM	
Wed 1:00 PM - 3:30 PM	
Thu 1:00 PM - 3:30 PM	
Fri 1:00 PM - 3:30 PM	

Course Description: Prerequisites: Constitutional Law

Exam Type: No Exam

The contemporary debate over the proper role of a federal judge under the Constitution turns, in large measure, on what it is we think an Article III judge is doing when she is called upon to resolve a "case or controversy." Is she looking for the fair result? If so, by whose lights? Is she a political actor, or is she instead looking for a rule of decision that has been previously established by law (a "mere translator" of the law, in Justice Frankfurters words). If so, by natural law or positive law? These are some of the questions we will consider in discussing what role a federal judge plays when she exercises "the judicial Power of the United States" conferred by Article III of the Constitution.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Role of the State Attorney General

Course #: 2237 **Term:** 2017FA **Faculty:** Tierney, James; Brann, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

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: None

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 . They 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. It 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.

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 4, 2017; the drop deadline for winter clinical students and spring clinical students is August 29, 2017.

Students admitted into the clinic must complete a security clearance for Massachusetts 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. For additional information, please see the clinics description.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Supreme Court Since 2005

Course #: 2722 **Term:** 2018WI **Faculty:** Kavanaugh, Brett **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	**Location**
Mon 10:00 AM - 12:40 PM	
Tue 10:00 AM - 12:40 PM	
Wed 10:00 AM - 12:40 PM	
Thu 10:00 AM - 12:40 PM	
Fri 10:00 AM - 12:40 PM	

Course Description: Prerequisites: None

Exam Type: No Exam. There will be a paper requirement of approximately 20 pages. The paper will not be due during the winter term, but instead on March 28. During the winter term, the students may also have to submit some very short "reaction emails" based on the readings.

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 several particular areas of the Courts post-2005 jurisprudence, including: 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 meet from January 2 through January 12 for two hours and 45 minutes each day. We will not meet on January 16 and 17.

The class will be limited to 24 students.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

The Supreme Court's 2016 Term

Course #: 2515 **Term:** 2017FA **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**

Course Description: Prerequsite: 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 August 28th; the exact schedule is forthcoming. 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 21. 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:** 2018SP **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**

Mon 5:00 PM - 7:00 PM

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: TBD.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Theories About Law

Course #: 2319 **Term:** 2017FA **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

Course Description: Prerequisites: None
Exam Type: No Exam
There will be one or two short papers in lieu of an examination.
This course begins with a survey of positions in American legal thought, from the time of the Legal Realists to the contemporary period. Then the course looks at law from the standpoint of a number of larger theories, considering law in relation to social theory, literary understanding, moral psychology, and the critique of liberalism. The last two sessions ask how law might go forward on premises of critical jurisprudence.
Readings are selected as exemplary texts, displaying core theoretical positions. After the initial survey, each session restricts its focus to a close look at basic ideas of one or two major theorists.

Title IX: Sports, Sex and Equality on Campus

Course #: 2242 **Term:** 2017FA **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

Course Description: Prerequisites: None

Exam Type: No Exam

Title IX of the Civil Rights Act promises equal access to educational opportunities. This has been one of the most dynamic areas of civil rights activism in the recent past, and promises to remain so. Under the Obama Administration, protecting students from sex assault was a capstone priority. Such efforts may not remain a high priority in the new administration. Thus, we will consider the question of how essential the federal governments role is in enforcing Title IXs equity principles? What other levers are available to further the civil rights of students to a safe and equal educational environment? This course provides the opportunity to develop a robust discourse on critical issues of gender equality in schools, including issues of gender identity. Readings include cases, articles, and decisions by the Office of Civil Rights of the Department of Education.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Topics in Education Law and Policy

Course #: 2610 **Term:** 2018SP **Faculty:** Brown-Nagin, Tomiko **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

Course Description: Prerequisites: None.
Exam Type: No exam.
Final paper required.
This seminar will consider selected topics pertaining to elementary, secondary, and higher education law and policy. Topics include schools and race; schools and gender; standardized testing; school choice; higher education admissions and student debt. Laptops not permitted in class.

Topics in Mergers and Acquisitions

Course #: 2493 **Term:** 2018SP **Faculty:** Coates, John **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

Course Description: Prerequisites: None.
Exam Type: No exam.
The semester will be spent reading and discussing existing research on a number of topics (e.g., 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.).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Tort Theory

Course #: 2245 **Term:** 2017FA **Faculty:** Goldberg, John **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

Course Description: Prerequisites: Torts
Exam Type: No Exam
This seminar will examine fundamental questions about tort law. What is it? What, if anything, makes it distinctive? What does it accomplish? How should it be reformed? In considering these questions we will discuss particular issues including: the place of strict liability in tort; the extent to which tort law does or should recognize liability for risk-creation; and the nature and propriety of punitive damage awards. Readings will primarily consist of excerpts from scholarly books and articles.

Trade, Development, and Entrepreneurship

Course #: 2943 **Term:** 2017FA **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**

Thu 5:00 PM - 7:00 PM

Course Description: Prerequisite: None

Exam: No Exam

Legal and regulatory frameworks are increasingly viewed from an economic development perspective, both within international institutions and among entrepreneurs and policymakers. This reading group will examine 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 that link legal frameworks and policy debates with actual challenges facing social entrepreneurs in developing markets.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Trademark and Unfair Competition

Course #: 2462 **Term:** 2018SP **Faculty:** Tushnet, Rebecca **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:40 AM - 10:10 AM

Tue 8:40 AM - 10:10 AM

Course Description: Prerequisites: None
Exam Type: Any-Day Take-Home
This course will introduce students to the federal Lanham Act and related common law doctrines designed to protect against consumer confusion and appropriation of commercial goodwill. In addition to the technical requirements for trademark eligibility, registration, and infringement, we will consider the constitutional and economic underpinnings of trademark protection and evaluate current trends toward the "propertization" of trademark law, First Amendment defenses, and the role of the right of publicity.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Transactional Law Clinical Workshop

Course #: 2247 **Term:** 2017FA **Faculty:** Price, Brian **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

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 29, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Transactional Law Clinical Workshop

Course #: 2247 **Term:** 2018SP **Faculty:** Price, Brian **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM

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 12, 2018. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Transactional Law Clinics

Course #: 8031 **Term:** 2018SP **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 12, 2018. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Transactional Law Clinics

Course #: 8031 **Term:** 2017FA **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 29, 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Trauma, Refugees and Asylum Law

Course #: 2576 **Term:** 2017FA **Faculty:** Ardalan, Sabrineh **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Trial Advocacy Workshop

Course #: 2249 **Term:** 2018WI **Faculty:** Sullivan, Ronald **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Course Description: Tuesday, January 2 - Friday, January 19, 2018

Early drop deadline of September 1, 2017
Prerequisites: For JD students there are no formal prerequisites, although familiarity with the rules of evidence is assumed throughout the course. 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 2017 (date and time TBD) for all students enrolled in the Winter 2018 Trial Advocacy Workshop.

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 Carol Flores: cflores@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 15, 2018, due to the Martin Luther King, Jr. Holiday).

The Winter Trial Advocacy Workshop will take place beginning Tuesday, January 2, 2018 to Friday, January 19, 2018. The course focuses on the task of the trial lawyer to create in the consciousness of the fact-finders the precise fact picture, which reflects the lawyers version of the case. The workshop includes simulated exercises on all aspects of in-court trial practice including opening statements, development of witness testimony on direct and cross examination, use of illustrative aids and exhibits in evidence, impeachment, expert testimony and summations. An important feature of the workshop is the on-the-spot evaluation and critique by experienced trial lawyers and judges who teach as volunteers during the workshop. Student performances are also video-recorded and individually critiqued. Each student will take part in two full simulated trials, which are systematically critiqued by trial advisors and judges.

The Winter Trial Advocacy Workshop requires intensive study, preparation, and activity. The program is structured as follows:

1. For the first week of the workshop, students will meet in classroom sessions (large groups of twenty-four and small groups of eight) for simulated trial advocacy exercises from 2:00 p.m. to 6:00 p.m. daily. Each student will be expected to perform each of the assigned exercises each day. These sessions will involve short role-playing assignments for students in various aspects of trial advocacy, evaluations of performances, and occasional demonstrations by members of the teaching team.

2. Students will have opportunities, individually or in groups, for detailed review or critique of video-recordings of their own and each other's performances. One or more members of the teaching team will be available at scheduled hours to participate in this review.

3. Following each day's classroom exercises, the students are invited to supper with the faculty,

which consists of experienced judges and lawyers, and are required to attend an evening lecture-demonstration from 7:00 p.m. to 9:00 p.m. each evening.

4. A similar schedule is followed for the first two days of the second week of the workshop. Wednesday of the second week is a trial preparation day. Simulated non-jury trials take place on the last two days of the week. Each student participates in one non-jury trial as a lawyer and in one as a witness.

5. The first two days of the third week of the workshop follow the same classroom schedule as the first week. On Thursday and Friday of the third week of the workshop, participants conduct simulated jury trials in state and federal courthouses.

Text: Murray, Basic Trial Advocacy, plus multilithed materials and case files.

Note: Registration for the Winter Trial Advocacy Workshop will occur during Multi-Section Course Registration.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Trial Advocacy Workshop

Course #: 2249 **Term:** 2017FA **Faculty:** Sullivan, Ronald **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Course Description: 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 29, 2016.

Please note: There will be a mandatory meeting on Wednesday, April 12, 2017, in Pound 101 at 12:00 p.m. for all students enrolled in the Fall 2017 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 Carol M. Flores: cflores@law.harvard.edu.

Course days and hours: Monday through Friday, 2:00 p.m. to 9:00 p.m. Students are allowed four hoursmaximum of class conflicts per week (HLS courses only). Students must be available for trials from 2:00 p.m. to 9:00 p.m. on 9/14, 9/15, 9/21, and 9/22. If you have concerns regarding the conflicts policy and your schedule, please contact Professor Ronald S. Sullivan Jr.:rsullivan@law.harvard.edu and Carol M. Flores: cflores@law.harvard.edu.

The Fall Trial Advocacy Workshop will take place beginning Tuesday, September 5, 2017 to Friday, September 22, 2017 (there is no class on Monday, September 4, 2017 due to the Labor Day holiday). The course focuses on the task of the trial lawyer to create in the consciousness of the fact-finders the precise fact picture, which reflects the lawyer's version of the case. The Workshop includes simulated exercises on all aspects of in-court trial practice including opening statements, development of witness testimony on direct and cross examination, use of illustrative aids and exhibits in evidence, impeachment, expert testimony and summations. An important feature of the Workshop is the on-the-spot evaluation and critique by experienced trial lawyers and judges who teach as volunteers during the Workshop. Student performances are also video-recorded and individually critiqued.

The Fall Trial Advocacy Workshop requires intensive study, preparation, and activity. The program is structured as follows:

1. For the first week of the Workshop, students will meet in classroom sessions (large groups and small groups) for simulated trial advocacy exercises from 2:00 p.m. to 6:00 p.m. daily. Each student will be expected to perform each of the assigned exercises each day. These sessions will involve short role-playing assignments for students in various aspects of trial advocacy, evaluations of performances, and occasional demonstrations by members of the teaching team.

2. Students will have opportunities, individually or in groups, for detailed review or critique of video-recordings of their own and each other's performances. One or more members of the teaching team will be available at scheduled hours to participate in this review.

3. Following each day's classroom exercises, the students are invited to supper with the faculty, which consists of experienced judges and lawyers, and are required to attend an evening lecture-demonstration from 7:00 p.m. to 9:00 p.m. each evening.

4. Students will participate in two full trials as members of a team of students trying the case. Trial time will include two to four hours of pretrial conferences and five to eight hours of trial performance and critique for each trial. Students will also be expected to serve as witnesses in two additional trials.

Texts: Mauet, Trial Techniques (required), plus multilithed materials and case files.
Murray, Basic Trial Advocacy (optional)

Registration for the Fall Trial Advocacy Workshop will occur during Multi-Section Course Registration. Registration.

Trusts and Estates

Course #: 2250 **Term:** 2017FA **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	
Tue 8:10 AM - 10:10 AM	

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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

U.S. Aspects of International Income Taxation

Course #: 2236 **Term:** 2018SP **Faculty:** Shay, Stephen **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

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, relief from double taxation of income subject to taxing jurisdiction of two countries, U.S. taxation of foreign income earned by foreign entities owned by U.S. persons, transfer pricing in transactions between related parties, and income tax treaties. Reference will be made to how other countries address these international tax issues as well as to evolving international tax rules arising from the G20/OECD Project on Base Erosion and Profit Shifting or BEPS.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Understanding Law Firms as Businesses

Course #: 2691 **Term:** 2018SP **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

Tue 1:30 PM - 3:00 PM

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:
1.   Firm strategy and client service: what makes a law firm successful in the short and long term, and what do clients really care about?
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?
3.   Collaboration and teamwork: Why are these skills increasingly important for today’s lawyers? How can students build essential team capabilities before it’s “too late”?
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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Valuing and Modeling M&A and LBOs

Course #: 2678 **Term:** 2018SP **Faculty:** Bosiljevac, Vladimir **Credits:** 4.00

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

Thu 1:00 PM - 3:00 PM

Course Description: Prerequisite: Admission to the class will be by instructor's permission only - prospective students should submit their resume and one-paragraph cover letter outlining the reasons why they wish to take the class to vbosiljevac@law.harvard.edu. The deadline for LLM and upper-level JD applications is November 5. The deadline for 1L applications is November 15.

Exam 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).

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Venture Law and Finance

Course #: 2252 **Term:** 2018SP **Faculty:** Fried, Jesse **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM

Tue 1:10 PM - 3:10 PM

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.Note: The course will not meet every Monday and Tuesday during the semester, and certain sessions will be 1.5 hours rather than 2 hours. The average weekly meeting time will be 3 hours, like any other 3-credit course.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Veterans Law and Disability Benefits Clinic

Course #: 8039 **Term:** 2018SP **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 12, 2018. 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. Students also have opportunities to engage in systemic reform initiatives--through litigation and/or policy work--to improve the lives of veterans with disabilities. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Veterans Law and Disability Benefits Clinic

Course #: 8039 **Term:** 2017FA **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 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 29, 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. Students also have opportunities to engage in systemic reform initiatives--through litigation and/or policy work--to improve the lives of veterans with disabilities. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520 **Term:** 2017FA **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

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 29, 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. Students also have opportunities to engage in systemic reform initiatives--through litigation and/or policy work--to improve the lives of veterans with disabilities. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520 **Term:** 2018SP **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

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 12, 2018. 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. Students also have opportunities to engage in systemic reform initiatives--through litigation and/or policy work--to improve the lives of veterans with disabilities. 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.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

War and Crime

Course #: 2568 **Term:** 2018SP **Faculty:** Blum, Gabriella **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM

Course Description: Prerequisites: None
Exam Type: No Exam
This reading group will be dedicated to the differences, both real and perceived, between criminal violence and political violence. It will explore the various causes and meanings of violence in domestic and political contexts, popular perceptions of crime and war, and the legal regimes that are applicable to each mode of violence. We will also consider what victory means in the “war on crime,” the “war on terrorism,” and other types of contemporary wars.

What's Next for the Supreme Court: Cases on the Docket, October Term 2017

Course #: 2967 **Term:** 2017FA **Faculty:** Strauss, David **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM

Course Description:

Prerequisites: None
Exam Type: No Exam

This reading group will discuss some of the more important cases that the Supreme Court is scheduled to decide in its 2017-2018 Term. Students will play various roles: as advocates for the respective sides in a case; as other lawyers representing the parties, analyzing and possibly criticizing the litigation strategy that their colleagues have pursued; or as justices who will decide the cases.

Harvard Law School Course Catalog

2017-2018 Academic Year

March 30, 2017 2:03 AM

Working in the Law Firm of Today and Tomorrow: Shifts, Strategies and Success

Course #: 2692 **Term:** 2017FA **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

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: TBD