

Harvard Law School Course Catalog

2019-2020 Academic Year

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Access to Justice and Legal Practice in Rural America

Course #: 2255 **Term:** 2020SP **Faculty:** Kool, Amanda **Credits:** 1.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Criminal Law & Procedure; Disciplinary Perspectives & Law; Legal & Political Theory; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 8:00 PM WCC4057

Course Description: Prerequisites: None
Exam Type: No Exam

This reading group will provide students with a multi-faceted lens through which to consider increasing access to justice issues in rural America, identify policy, cultural, and market forces that contribute to rural legal needs, and explore resultant opportunities for innovation in the legal profession. We will approach our reading and discussion through the lens of this central question: what roles are lawyers currently playing - and what roles should they be playing - in meeting myriad legal needs in rural communities throughout the United States?

In order to better understand and contextualize this complex landscape, readings will examine a variety of topics at the intersection of law and rurality. For example, we will study substantive legal issues commonly experienced by rural people and the ways in which those issues and related laws intersect with rurality, including health, consumer, employment, and criminal law issues, as well as skyrocketing and disproportionate rates of incarceration in rural communities. We will also scrutinize varying definitions and understandings of rurality and their real-world consequences; the roles of geography, class, and culture in addressing rural justice gaps; and recent, innovative initiatives to address rural legal needs.

Note: This reading group will meet for four three-hour sessions on the following dates: 2/4, 2/25, 3/24, 4/14

Drop Deadline: February 5, 2020 by 11:59 pm EST

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Administrative Law

Course #: 2000 **Term:** 2019FA **Faculty:** Stephenson, Matthew **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:10 AM - 10:10 AM AUS101

Tue 8:10 AM - 10:10 AM AUS101

Course Description: Prerequisite: None

Exam Type: One Day Take-Home

Using the material covered in the first-year "Legislation and Regulation" course as a foundation, this course will cover topics related to law-making and law-application by executive departments of the federal government. Subjects covered will include 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 non-traditional approaches to regulation, including negotiation and privatization. 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:** 2020SP **Faculty:** Vermeule, Adrian **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM LAN225

Thu 1:00 PM - 3:00 PM LAN225

Course Description: Prerequisites: None

Exam: In Class

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

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

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Advanced Clinical Practice

Course #: 2001 **Term:** 2019FS **Faculty:** Lawrence, Eloise; Whiting, Patricia **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM

Course Description: Students who enroll in this offering 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 3L members of HLAB.
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. The Office of Clinical and Pro Bono Programs will enroll all HLAB 3L members in this course.

Advanced Constitutional Law: New Issues in Speech and Press Freedom

Course #: 2616 **Term:** 2020SP **Faculty:** Albert, Kendra **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM

WCC5050

Course Description: Prerequisites: Constitutional Law: First Amendment or instructor permission
Exam Type: No Exam
We will explore significant challenges to long-standing treatments of speech rights in the face of social movements and technological change. Potential topics include state action doctrine, defamation law, hate speech, intermediary liability, the Espionage Act, and speech on campuses. U.S. federal constitutional law is the focus, but state constitutions, federal statutes, and comparative law will also provide resources. Each discussion will aim to combine doctrinal approaches with theory and explore the relationship of these new issues to First Amendment practice.

Note: This reading group will meet on the following dates: 2/3, 2/17, 3/2, 3/23, 4/6, 4/20
Drop Deadline: February 4, 2020 by 11:59 pm EST

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Advanced Constitutional Law: Scalia the Populist

Course #: 2268 **Term:** 2020SP **Faculty:** Parker, Richard **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM HAU101

Course Description: Prerequisites: None

Exam Type: No Exam

Very short reaction papers and participation in class discussions will be required and evaluated for a part of your grade. A five-page paper at the end of the semester will be required as well.

What will be Justice Scalia's most important legacy to constitutional law? Upon his death, eulogists focused on his supposed "method" — originalism and textualism. Others described his happy warrior personality, the life he breathed into constitutional argument. The latter is precious and can never die. The former was dead on arrival.

No one mentioned his greatest legacy — the constitutional populism he adumbrated, mostly in his dissents.

In this class, we will begin with the "originalist" opinion in *Heller*, analyzing its emptiness. Then, we'll look at a few long-celebrated "great dissents" by liberal justices. Finally — and for most of the semester — we'll analyze Scalia's populist dissents, one by one, and consider affirmative judicial initiatives and open-ended populist principles of law that might spring from them.

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Advanced Corporate Transactions

Course #: 2833 **Term:** 2019FA **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 WCC1010

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, a working knowledge of basic corporate financial accounting knowledge (ability to read basic financial statements) 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 who has served as an Adjunct Professor of Finance and Economics at Columbia University Business School. Mr Sonenshine is Chairman and Managing Partner 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.

Note: This is a 2 credit course, but the professor is happy to work with students who wish to do additional research and writing for additional independent writing credit on corporate cases for potential publication

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and potential use in ACT. Registration for independent writing credit should be completed via the Option 1 form, found here.

Advanced Environmental Law in Theory and Application

Course #: 2417 **Term:** 2020SP **Faculty:** Lazarus, Richard **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:50 PM	WCC3019
Tue 3:20 PM - 4:50 PM	WCC3019

Course Description: Prerequisites: There are no formal prerequisites for the class, although the environmental law survey course is a recommended course to have been taken beforehand.

Exam Type: Any day Takehome

This course complements the general survey course in environmental law. The primary contrast between the two courses lies in their relative breadth and depth of coverage. The survey course can perhaps be best described as a series of broad, shallow dives into the substance of federal environmental law. This class, Advanced Environmental Law In Theory and Application, includes a series, far fewer in number, of much narrower and deeper dives into some of the same material, but also different material, potentially including natural resources law. The basic objective of this advanced course is to teach students how to navigate and think about an exceedingly complex regime of statutes, regulations, and informal agency practices, in the context of addressing a concrete environmental problem. By examining in detail environmental law in application, the theoretical underpinnings and the challenges of environmental lawmaking are well highlighted.

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Advanced Interpretation: Law and Language

Course #: 2383

Term: 2019FA

Faculty: Lee, Thomas

Credits: 2.00

Type: Elective

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

Delivery Mode: Seminar

Days and Times:

Location

Thu 1:00 PM - 3:00 PM

WCC5048

Fri 1:00 PM - 3:00 PM

WCC5048

Course Description: Prerequisites: None

Exam Type: No Exam

Student performance will be assessed on the basis of class participation and, more significantly, short papers submitted in response to the practice problems.

This seminar invites students to explore the theory and practice of interpretation in public and private law. We will begin with an introduction to the field of law and language - considering both legal and linguistic scholarship of relevance to the practice of legal interpretation. And we will extend this scholarship to an in-depth, comparative analysis of the law's approach to interpretation in the fields of constitutional law, statutes, and contracts.

In each of these fields students will first be presented with legal scholarship on the premises of interpretation in that field. We will then explore tools of interpretation that may be used to resolve the interpretive problems that arise in each field. Among other tools, students will be introduced to methods used by linguists (including corpus linguistic analysis). Each unit will close with a practice problem allowing students to apply the theory and tools they have learned in analyzing a hypothetical problem of the sort that might arise in the field.

Note: This seminar will meet on the following dates: 9/5, 9/6, 9/26, 9/27, 10/10, 10/11, 10/24, 10/25, 11/7, 11/8, 11/21, 11/22

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Advanced Legal Research

Course #: 2173

Term: 2020SP

Faculty: Kennedy, Jocelyn

Credits: 2.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Location

Thu 3:00 PM - 5:00 PM

WCC3018

Course Description: Prerequisites: For JD students, completion of First Year Legal Research and Writing. For LLM students, completion of LRWA I is required and an enrollment in LRWA II is strongly suggested.

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.

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

Course #: 2348 **Term:** 2020SP **Faculty:** Viscomi, Rachel; Budish, Sara **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 5:00 PM WCC3019

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

Prerequisites: Negotiation Workshop

Exam Type: No Exam

All lawyers work in environments that present opportunities to work with multiple parties - whether across the table, behind the table, or as colleagues on a team or in a group. This workshop will explore the special challenges and complexities of multiparty negotiation, group decision-making, and working collaboratively in teams. Using simulations, large- and small-group discussions, exercises, lectures, video recording, reflective journals, and extensive work in small teams, the workshop is designed to help students engage with frameworks, tools, and perspectives that will allow them to become more intentional and effective lawyers in multiparty settings in the future.

Topics addressed will include: process design and management in a multiparty context, coalition dynamics and strategy, preparation methods, decision rules for groups, the role of emotions and identity, managing constituencies, and facilitation, among others.

For purposes of arranging multiparty class simulations, all class sessions are mandatory.

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Advanced Readings in Japanese Law

Course #: 2317

Term: 2019FA

Faculty: Ramseyer, J. Mark

Credits: 2.00

Type: Elective

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

Delivery Mode: Seminar

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

WCC4061

Course Description: Prerequisite: By permission of instructor. Because the readings are in Japanese, students should have the equivalent of at least two years language instruction, but the difficulty of the materials will be adjusted to the reading levels of the students (and the class can be split if necessary). Native speakers of Japanese are welcome to attend, but may not take the course for credit. Students who are unsure whether the class is appropriate for them should contact Professor Ramseyer by email (ramseyer@law.harvard.edu).

Exam Type: No Exam

In this reading group, students will read a wide variety of law-related materials in the original Japanese language. Class discussion will cover both any language questions that arise, and the substance of the material discussed.

Materials to be read will be determined on the first day of class.

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Advanced Regulatory State

Course #: 2686

Term: 2020SP

Faculty: Freeman, Jody

Credits: 2.00

Type: Elective

Subject Areas: Government Structure & Function; Regulatory Law

Delivery Mode: Seminar

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

HAU101

Course Description: Prerequisite: None, but administrative law helpful.

Exam Type: No Exam

Consistent attendance and active participation are a key expectation of the seminar; students will be graded on short weekly comment papers in which they will be expected to closely analyze and critique readings. At least once during the semester, students will be assigned to prepare and lead discussion on one of the seminar topics.

This seminar will explore the legal and regulatory challenges posed by fast-moving social, economic and technological developments. Examples include privacy regulation in the age of Facebook and Google; transportation safety in the era of autonomous vehicles and drones; energy regulation in the context of climate change; and financial regulation in light of the rise of block chain. Students will be asked to propose other examples, and help with the preparation of materials for discussion. One might conceive of this challenge as a problem of legal lag: law and regulation inevitably trails behind potentially dramatic social and economic changes. What can be done about this problem? Is Congress to blame? Could regulatory agencies adapt more quickly? Is administrative law -- with its commitment to due process, rationality, and accountability-- too sclerotic to respond to such a dynamic economy and society? Can private, market responses substitute for regulation? This seminar is for administrative law nerds, technology and innovation buffs, and students interested in the role of regulation in democratic society.

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Advanced Topics in Antitrust

Course #: 2449 **Term:** 2020SP **Faculty:** Elhauge, Einer **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3007

Course Description: Prerequisites: A basic course in antitrust or competition law (at Harvard or elsewhere) or extensive prior experience in antitrust or competition law or enforcement.

Exam Type: No Exam

This seminar will address current hotly debated topic of antitrust law and economics. Students will participate orally and write short response papers on the readings for 8 classes of their choosing out of the 12 weeks.

Advanced Topics in Evidence

Course #: 2838 **Term:** 2019FA **Faculty:** Nesson, Charles **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3034

Course Description: Prerequisites: None

Exam Type: No Exam

Students will write a paper (1500 words) 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.

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Advanced Topics in Jewish Law and Legal Theory

Course #: 2437 **Term:** 2020SP **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 WCC3016

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

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

Advanced Topics in Jewish Law and Legal Theory: The Law of Natural Disasters

Course #: 2437 **Term:** 2019FA **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 WCC3007

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

Exam Type: No Exam

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

Note: This reading group will meet on the following dates: TENTATIVE DATES: 9/19, 9/26, 10/10, 10/24, 11/7, 11/14, and 11/21

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Advertising Law

Course #: 2753

Term: 2020SP

Faculty: Tushnet, Rebecca

Credits: 3.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Thu 10:00 AM - 11:30 AM

HAU102

Fri 10:00 AM - 11:30 AM

HAU102

Course Description: Prerequisite: 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.

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Advocacy: Beyond the Courtroom

Course #: 1054 **Term:** 2020WI **Faculty:** Gershengorn, Ara; Walczewski, Erin **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:15 PM	WCC1019
Tue 9:00 AM - 12:15 PM	WCC1019
Wed 9:00 AM - 12:15 PM	WCC1019
Thu 9:00 AM - 12:15 PM	WCC1019
Fri 9:00 AM - 12:15 PM	WCC1019

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

Note: This course is restricted to first-year J.D. students only.

The drop deadline for 1L January Experiential Term (JET) classes is Monday, December 2nd. Students may not drop a course if they do not have an offer to enroll in a different JET course. Most courses are limited to 72 students.

1L JET courses are intensive learning courses. Class attendance is required in each course every day of the term, beginning Monday, January 6th. Students should make their travel plans accordingly. Students should not take on other work commitments during the term.

Exam Type: No Exam

Taught by practicing attorneys, this course allows students to develop their oral, written, and strategic advocacy skills for clients and for causes. Through interactive exercises and team-based work, students will learn how to advance a clients interest in a variety of different contexts, including in impact litigation, in deals, in legislatures, and in the public eye. In addition to course readings and writing assignments, students will work in teams to research, prepare and draft an advocacy plan in lieu of a final exam.

Note: There may be days throughout the winter term that require attendance beyond the scheduled times. Please refer to the course syllabus and page for more information.

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American Indian Law

Course #: 2002 **Term:** 2019FA **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 PND102

Tue 3:20 PM - 4:50 PM PND102

Course Description: Prerequisites: None
Exam Type: 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:** 2020SP **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 WCC3016

Course Description: Prerequisite: 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.

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American Legal History: From Reconstruction to the Present

Course #: 2519 **Term:** 2019FA **Faculty:** Weinrib, Laura **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM PND101

Tue 1:00 PM - 3:00 PM PND101

Course Description: Prerequisite: None

Exam Type: Any Day Take-Home

This course examines major legal and constitutional conflicts in American history beginning with Reconstruction. Topics include law and social movements, the role of the courts, rights consciousness, the legal profession, and legal thought. Students will connect legal texts and legal struggles to broader developments in social, cultural, and political history.

Note: This course will not meet twice every week; the exact schedule will be announced before the semester begins.

An Introduction to American Law

Course #: 2135 **Term:** 2019FA **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 HAU104

Course Description: Prerequisite: None

Exam: One Day Take-Home

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.

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Analytical Methods for Lawyers

Course #: 2006 **Term:** 2020SP **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
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Mon 3:20 PM - 4:40 PM	PND101
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Tue 3:20 PM - 4:40 PM	PND101
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Wed 3:20 PM - 4:40 PM	PND101
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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.

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

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

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Analytical Methods for Lawyers

Course #: 2006 **Term:** 2019FA **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 WCC1019

Tue 8:30 AM - 10:00 AM WCC1019

Course Description: Prerequisite: None. This course is designed to be fully accessible to those with no prior quantitative training or background in the subjects covered.

Exam Type: In Class

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

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

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

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

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

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

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

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

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Note: Cross-registration is not guaranteed as it is determined by Prof. Spier on a case-by-case basis. Undergraduate students will not be considered.

Animal Law

Course #: 2355

Term: 2020SP

Faculty: Marceau, Justin

Credits: 2.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

GRS110

Course Description: Prerequisites: None

Exam Type: One-Day Take-Home

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"?

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Animal Law & Policy Clinic

Course #: 8052 **Term:** 2019FA **Faculty:** Meyer, Katherine; Negowetti, Nicole **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: Animal Law and Policy 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: This clinic requires that students have completed or are concurrently enrolled in one of the following courses: Animal Law, Wildlife Law, Farmed Animal Law.

By Permission: Yes. Applications are due July 16, 2019.

Add/Drop Deadline: August 16, 2019.

Placement Site: HLS.

The Animal Law & Policy Clinic will provide students with direct hands-on experience in animal advocacy on behalf of both captive animals and wildlife, including litigation, legislation, administrative practice, and policymaking.

Application Process: Admission to the Animal Law & Policy Clinic is by permission of the instructors. Interested students should submit an application to Professor Katherine Meyer (Kmeyer@meyerglitz.com) and Nicole Negowetti (nnegowetti@law.harvard.edu) by July 16, 2019. The application should include the following documents, combined into a single PDF: a resume, a writing sample that has not been substantially edited by anyone other than the student, and a statement of interest (no more than 1 page) that includes: (i) which semester the student is applying for; (ii) the student's reasons for applying to the Clinic, including the particular animal law issues of interest; and (iii) if applying for the fall term, whether the student would be interested in continuing the Clinic during the Spring semester.

In addition to the pre-requisite courses, applicants should indicate in their application whether they have taken any of the following courses:

Environmental Law
Food Law & Policy
Administrative Law
Constitutional Law
Federal Civil Procedure

Admitted students will be notified the week of July 22, 2019 and will be required to confirm enrollment by an add/drop date of August 16, 2019.

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Animal Law & Policy Clinic

Course #: 8052 **Term:** 2020SP **Faculty:** Meyer, Katherine; Negowetti, Nicole **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: Animal Law and Policy 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: This clinic requires that students have completed or are concurrently enrolled in one of the following courses: Animal Law, Wildlife Law, Farmed Animal Law.

By Permission: Yes. Applications are due July 16, 2019. Applications will be considered on a rolling basis after this deadline.

Add/Drop Deadline: December 6, 2019.

Placement Site: HLS.

The Animal Law & Policy Clinic will provide students with direct hands-on experience in animal advocacy on behalf of both captive animals and wildlife, including litigation, legislation, administrative practice, and policymaking.

Application Process: Admission to the Animal Law & Policy Clinic is by permission of the instructors. Interested students should submit an application to Professor Katherine Meyer (Kmeyer@meyerglitz.com) and Nicole Negowetti (nnegowetti@law.harvard.edu) by July 16, 2019. The application should include the following documents, combined into a single PDF: a resume, a writing sample that has not been substantially edited by anyone other than the student, and a statement of interest (no more than 1 page) that includes: (i) which semester the student is applying for; (ii) the student's reasons for applying to the Clinic, including the particular animal law issues of interest; and (iii) if applying for the fall term, whether the student would be interested in continuing the Clinic during the Spring semester.

In addition to the pre-requisite courses, applicants should indicate in their application whether they have taken any of the following courses:

Environmental Law
Food Law & Policy
Administrative Law
Constitutional Law
Federal Civil Procedure

Initially admitted students will be notified the week of July 22, 2019 and will be required to confirm enrollment by an add/drop date of December 6, 2019.

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Animal Law & Policy Clinical Seminar

Course #: 3004 **Term:** 2019FA **Faculty:** Meyer, Katherine; Negowetti, Nicole **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Required Clinic Component: Animal 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: This clinic requires that students have completed or are concurrently enrolled in one of the following courses: Animal Law, Wildlife Law, Farmed Animal Law.

By Permission: Yes. Applications are due July 16, 2019.

Add/Drop Deadline: August 16, 2019.

This two-credit seminar is the required classroom component for students enrolled in the Animal Law and Policy Clinic, and will be available only to those students. The seminar will introduce students to the overarching issues that non-human animal law advocates face in their work, including Article III standing, Administrative Procedure Act review, rulemaking petitions, open-government laws, and basic litigation, legislative, administrative, and organizing strategies. The seminar will also teach students how to pursue advocacy under several substantive areas of the law, including (but not limited to) the Endangered Species Act, the National Environmental Policy Act, the Animal Welfare Act, the Humane Slaughter Act, the Marine Mammal Protection Act, the Wild Horse and Burros Act, and state animal cruelty codes.

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Animal Law & Policy Clinical Seminar

Course #: 3004 **Term:** 2020SP **Faculty:** Meyer, Katherine; Negowetti, Nicole **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM

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

Required Clinic Component: Animal 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: This clinic requires that students have completed or are concurrently enrolled in one of the following courses: Animal Law, Wildlife Law, Farmed Animal Law.

By Permission: Yes. Applications are due July 16, 2019. Applications will be considered on a rolling basis after this deadline.

Add/Drop Deadline: December 6, 2019.

This two-credit seminar is the required classroom component for students enrolled in the Animal Law and Policy Clinic, and will be available only to those students. The seminar will introduce students to the overarching issues that non-human animal law advocates face in their work, including Article III standing, Administrative Procedure Act review, rulemaking petitions, open-government laws, and basic litigation, legislative, administrative, and organizing strategies. The seminar will also teach students how to pursue advocacy under several substantive areas of the law, including (but not limited to) the Endangered Species Act, the National Environmental Policy Act, the Animal Welfare Act, the Humane Slaughter Act, the Marine Mammal Protection Act, the Wild Horse and Burros Act, and state animal cruelty codes.

Note: This seminar will meet in the ALPC offices at 1607 Mass Ave.

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Antitrust Law & Economics -- Global

Course #: 2099 **Term:** 2019FA **Faculty:** Elhauge, Einer **Credits:** 5.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 12:00 PM WCC2012

Tue 10:20 AM - 12:00 PM WCC2012

Wed 10:20 AM - 12:00 PM WCC2012

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.
Prerequisites: None
Exam Type: In Class
Given the reality of global markets, modern antitrust law and legal practice are both global, as is any anticompetitive conduct they seek to regulate on global markets. This course thus teaches basic antitrust principles using cases and materials from throughout the world, with the focus on US and EC sources because those are the most active antitrust enforcers and have the most well developed antitrust doctrines.
The book will be ELHAUGE & GERADIN, GLOBAL ANTITRUST LAW & ECONOMICS (Foundation Press 3d ed. 2018).
Note: Students who have taken U.S. Antitrust Law may not take this course because it duplicates the U.S. portion of the material covered in Global Antitrust Law.

Approaches to Political Economy: Inequality or Subordination?

Course #: 2630 **Term:** 2020SP **Faculty:** Kennedy, David **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 1:00 PM - 3:00 PM PND101

Course Description: Prerequisites: None
Exam Type: No Exam
Around the world, questions of "political economy" are back on the agenda, arrangements long taken for granted open to question, often in the name of "inequality." Is inequality the issue? Or subordination? And what does law have to do with it? Is law just a reformer's tool - or something more fundamental to the reproduction of hierarchies of wealth, authority, honor and shame? What would it mean to rethink or remake the foundations for political and economic life, either nationally or globally? This one credit course will consider contemporary liberal and radical analyses of political economy to explore the range of views about what is wrong, what to do about it - and how law matters.
Emeritus Professor Duncan Kennedy will participate in course discussions.
Note: This course will meet for six sessions on the following dates: 1/28, 2/11, 2/25, 3/10, 3/24, 4/7

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Armed Conflict and World Heritage

Course #: 2824

Term: 2019FA

Faculty: Docherty, Bonnie

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

WCC3012

Course Description: Prerequisites: None

Exam Type: No Exam

While armed conflict inflicts much publicized suffering on individuals and their families, the scourge of war has a broader reach. It also affects cultural and natural heritage, which international law defines as having “outstanding universal value.” Combatants intentionally destroy historical or religious sites or fail to take precautions to protect them. Victors seize art as a spoil of war, while looters sell archaeological artifacts to fund their cause. Conflict-related contamination causes lasting harm to human health and the environment. Combat operations spoil habitats, guerillas poach endangered species, and unexploded ordnance impinges on ecosystems long after hostilities have ceased.

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

Note: This reading group will meet on the following dates: 9/10, 9/24, 10/8, 10/29, 11/5, 11/19.

Drop Deadline: September 11, 2019 by 11:59 pm EST

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Art of Social Change

Course #: 2011 **Term:** 2020SP **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 WCC2012

Course Description: Prerequisites: None

Exam Type: No Exam

This course deals with strategies for changing law and policy, focusing on child welfare (abuse and neglect, foster care, adoption), education, and juvenile justice. We bring into the classroom as visiting lecturers leaders from the worlds of policy, practice, and academia—successful change agents representing different disciplines, career paths, and strategies for change. We explore significant reform initiatives, and debate with the speakers and each other how best to advance children’s interests. The emphasis is on different approaches to social change, inside and outside of the courtroom, with the goal of informing students’ future advocacy efforts.

Visit the Child Advocacy Program (CAP) website to see 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 Clinics, and the Future of the Family seminar. Enrollment in all CAP courses is encouraged but not required.

Cross-registrants are welcome.

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Artificial Intelligence

Course #: 2295 **Term:** 2020SP **Faculty:** Casey, Anthony **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 WCC4057

Course Description: Prerequisite: None

Exam Type: No Exam

This reading group will explore the ethical and legal issues posed by the promise of artificial intelligence and autonomous machines. We will read and discuss materials that examine ethical and legal issues such as the consciousness, personhood, discrimination, and the culpability of autonomous machines as well as questions about how artificial intelligence may disrupt existing institutions in society.

Note: This reading group will meet on the following dates: 2/3, 2/17, 3/2, 3/23, 4/6, 4/20
Drop Deadline: February 4, 2020 by 11:59 pm EST

Autonomous Vehicles and the Law

Course #: 2040 **Term:** 2019FA **Faculty:** Weinstock, Jordi **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC4057

Course Description: Prerequisites: None

Exam Type: No Exam

Advances in artificial intelligence (AI) have generated excitement and anxiety about the impact of autonomous systems on our society. A common theme in discussions about AI is the difficulty in determining who is responsible when autonomous systems cause harm. Over the course of the semester, we will investigate this question of liability through the case study of self-driving cars and other autonomous vehicles. We will explore the historical basis of automobile liability, discuss how AI complicates our traditional approach to assigning legal responsibility, and examine the ethical challenge inherent in designing systems that can autonomously make life-and-death decisions. Finally, we will consider the way that rules and laws developed to address liability in the self-driving car space may be implemented across other emerging but critically important AI-influenced fields, such as health care, finance, and industrial production.

Note: This reading group will meet on the following dates: 9/26, 10/3, 10/17, 10/24, 11/7, 11/14
Drop Deadline: September 27, 2019 by 11:59 pm EST

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Bankruptcy

Course #: 2013 **Term:** 2020WI **Faculty:** Triantis, George **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 4:15 PM	WCC2012
Tue 1:00 PM - 4:15 PM	WCC2012
Wed 1:00 PM - 4:15 PM	WCC2012
Thu 1:00 PM - 4:15 PM	WCC2012
Fri 1:00 PM - 4:15 PM	WCC2012

Course Description: Prerequisite: None

Exam Type: In Class
Evaluation by written examination.

This course concerns the law and finance of corporate bankruptcy with an emphasis on reorganization. The course reviews the fundamentals of debt contracting, including the role of events of default, debt priority and security interests. The course examines various aspects of the bankruptcy process: including the automatic stay, the avoidance of prebankruptcy transactions (e.g. fraudulent conveyances and preferences), the treatment of executory contracts, the debtors governance structure during bankruptcy, the financing of operations and investments in bankruptcy, sales of assets or acquisition of the company during bankruptcy, and the process of negotiating, voting, and ultimately confirming a plan of reorganization.

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Bankruptcy

Course #: 2013

Term: 2019FA

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

WCC2012

Tue 3:20 PM - 4:40 PM

WCC2012

Wed 3:20 PM - 4:40 PM

WCC2012

Course Description: Prerequisite: Students without prior exposure to business should normally take Corporations concurrently.

Exam Type: In Class

This basic bankruptcy course covers the major facets of bankruptcy that influence business financing transactions. Much of the deal-making in a financing transaction is negotiated in anticipation of a possible reorganization in Chapter 11 or of a private reorganization in its shadow. For many lawyers, contact with bankruptcy law is anticipatory and not in front of the bankruptcy judge. When feasible, students will read not just bankruptcy court opinions and the Bankruptcy Code, but materials that financing lawyers use day-to-day: a loan agreement, a prospectus, a complaint in a loan dispute, and SEC submissions. Students will ordinarily participate in a simulated Chapter 11 reorganization.

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Becoming a Law Professor

Course #: 2416 **Term:** 2020SP **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 WCC3008

Course Description: Prerequisite: Admission is by application via email to Susannah Barton Tobin at stobin@law.harvard.edu by October 31, 2019. Please include a paragraph expressing your interest in the reading group and a CV.

Exam Type: No Exam

As is the norm with reading groups, there will be no examination or paper requirement, and the class will be graded credit/fail.

This reading group will focus on the generative scholarly process that is at the center of the life of the law professor. Each week, a member of the faculty will present a working draft of her or his scholarship, and that piece will be discussed by the group. Discussions will focus in part on the genesis of the research project being presented, in order to demonstrate how articles develop from the first spark of an idea to final publication. Students will also explore substantive issues raised in the pieces, the better to become familiar with the latest work being done across a variety of subject areas. Students will also develop their own research and scholarly agendas as the semester progresses.

Note: This reading group meets weekly.

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Behavioral Economics, Law and Public Policy

Course #: 2589 **Term:** 2019FA **Faculty:** Sunstein, Cass **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 1:00 PM - 3:00 PM WCC3007

Course Description: Prerequisite: Instructor permission is required. Please send a statement of interest and your resume to Brenda Bee (bbee@law.harvard.edu). The deadline for submission is August 29. Any applications submitted after the deadline will be given the decision on a rolling basis, space permitting.

Exam Type: No Exam

This seminar will explore a series of issues at the intersection of behavioral economics and public policy. Potential questions will involve climate change; energy efficiency; health care; and basic rights. There will be some discussion of paternalism and the implications of neuroscience as well.

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

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Bioethics and Health Law: Selected Topics

Course #: 2037

Term: 2020WI

Faculty: Cohen, I. Glenn

Credits: 3.00

Type: Elective

Subject Areas: Health Law

Delivery Mode: Course

Days and Times:

Location

Mon 1:00 PM - 4:15 PM

HAU101

Tue 1:00 PM - 4:15 PM

HAU101

Wed 1:00 PM - 4:15 PM

HAU101

Thu 1:00 PM - 4:15 PM

HAU101

Fri 1:00 PM - 4:15 PM

HAU101

Course Description: Prerequisites: None

Exam Type: No Exam

This class covers selected topics in health care law, public health law, and (especially) bioethics. Among the topics that may be covered are: informed consent, medical confidentiality (including issues pertaining to medical big data), the duty to treat, conscientious objection in health care, ownership and patenting of human tissue, organ donation and allocation, abortion, reproductive technologies, end of life decision-making, the definition of death, and mandatory testing for diseases.

The course will be run seminar style. Evaluation will be split between a participation grade and a research paper (maximum 8000 words in length) that may be turned in any time before April 15, 2020. The research paper should be related to a topic covered in the course. Students will be expected to participate each and every session, so the course is not a good fit for students uncomfortable speaking in class.

This is a fairly reading-intensive course. Students should expect 60-120 pages of reading a session (though much of it will not be cases).

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Brexit and the British Constitution

Course #: 2265

Term: 2020SP

Faculty: Delaney, Erin

Credits: 1.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Reading Group

Days and Times:

Location

Wed 3:00 PM - 5:00 PM

HAU101

Course Description:

Prerequisites: None

Exam Type: No Exam

The British constitution sits uneasily in contemporary constitutional studies. Rather than a codified document, it is amorphous - made up of various laws and political practices - and its content is contested. It has been described as having a certain "back of the envelope" quality. In addition, it is famously a "political" constitution: its efficacy does not rely on court-centric enforcement through judicial review. Instead, it has been sustained through parliamentary politics, elections, and constitutional consensus. Under this system, the United Kingdom has achieved many measures of constitutional success, including political stability, representative democracy, and robust rights protection. But the British constitution may now be living on borrowed time. Dramatic constitutional change is roiling the United Kingdom. From the Blair Governments reforms at the turn of the century to Brexit of today, the past two decades have shattered the consensus, wreaking havoc on constitutional norms. Is it time for a different approach? Does the United Kingdom need a constitutional convention and a new, written constitution? This Reading Group will examine the drawn-out Brexit debacle and various other political and institutional developments within the United Kingdom to assess the likelihood and nature of future constitutional reform.

Note: This reading group will meet on the following dates: 2/5, 2/19, 3/4, 3/25, 4/8, 4/22

Drop Deadline: February 6, 2020 by 11:59 pm EST

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Business and Human Rights Clinical Seminar

Course #: 2014 **Term:** 2019FA **Faculty:** Giannini, Tyler **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC3008

Course Description: Students who enroll in this offering 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 16, 2019. LLM Students: LLM students may apply to the clinic by submitting an application.

This seminar will explore the growing field of business and human rights by examining live issues and problems surrounding efforts to advance corporate responsibility and accountability. In recent years, a robust debate has emerged around the challenge of extending human rights norms to corporate actors. Historically, the legal and activist human rights communities have focused on state actors, with concerns about private actors left to other fields. As the reach and influence of companies has grown—sometimes dwarfing the states in which they operate—their impact on human rights has become impossible to ignore. Today, the human rights movement has squarely engaged the private sector, marking a critical shift and raising a fascinating set of issues for human rights practitioners.

The field of business and human rights now touches on a diverse array of emerging policy and legal arenas, including company due diligence standards, judicial and non-judicial grievance mechanisms, relations between businesses and communities, extraterritorial application of domestic laws, supply chain systems, and whether there should be an international human rights treaty to regulate the conduct of corporations. A growing body of domestic and international standards and mechanisms are helping to define these areas and the precise scope of corporate human rights obligations.

Various frameworks and mechanisms have in turn led practitioners and policymakers to develop and utilize a wide range of tools in their attempts to change corporate behavior. Some have used accountability litigation, which has seen setbacks in some jurisdictions and advances in others. Others have focused energy on developing government policies and legislation, including demanding greater transparency and reporting on human rights. Many have spent time assisting communities, including supporting efforts to elevate community-based processes and community-centered mechanisms so that they are consistently part of the rights landscape and decision-making. Still others, including through an emerging industry of legal and management consultants, have sought to work with companies to create policies and operationalize human rights principles within businesses.

The seminar will engage with these varied approaches through considering current and live problems, such as what might the content of an international treaty be, or what would one include in company policies on community engagement and due diligence, or what might be the key ingredients of a grievance mechanism associated with a specific company project. Throughout the seminar, students will work collaboratively to explore these and other problems in particular contexts and deepen their knowledge about business and human rights more generally.

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Business Strategy for Lawyers

Course #: 2015 **Term:** 2020SP **Faculty:** Spier, Kathryn **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 8:30 AM - 10:00 AM	WCC1019
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Tue 8:30 AM - 10:00 AM	WCC1019
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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.

Note: Cross-registration is not guaranteed as it is determined by Prof. Spier on a case-by-case basis. Undergraduate students will not be considered.

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Business Valuation and Analysis

Course #: 2090 **Term:** 2020SP **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
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Thu 10:00 AM - 11:30 AM	GRS110
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Fri 10:00 AM - 11:30 AM	GRS110
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Course Description: Prerequisite: 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 firm's business strategy and its operating and financial characteristics affect its valuation; review of basic corporate financial reports and disclosures that serve as inputs to valuation analysis; analysis of financial ratios to measure financial risks and returns; analysis of financial disclosures to identify red flags of potential distress or earnings manipulation; valuation issues with taxes, intangibles and financial investments; developing cash flow forecasts; and integrating the above tools and techniques to determine the valuation of a firm's equity. Students will learn common valuation methods such as discounted cash flow analysis and earnings based valuation, and also learn to use other approaches used in the valuation industry such as 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.

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Capital Punishment Clinic

Course #: 8005

Term: 2020WS

Faculty: Steiker, Carol

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 offering 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: August 26, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
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.
This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Most placement organizations are open Monday-Friday from 9am-5pm.
Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic and its possible placements (clinical@law.harvard.edu or 617-495-5202).

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Capital Punishment in America

Course #: 2020

Term: 2019FA

Faculty: Steiker, Carol

Credits: 3.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Mon 10:20 AM - 11:50 AM

LAN225

Tue 10:20 AM - 11:50 AM

LAN225

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

Exam Type: In Class

This course 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 intellectual disability 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 of August 26, 2019 for students enrolled in this course through the Capital Punishment clinic.

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Central Issues in Legal and Social Theory

Course #: 2256 **Term:** 2020SP **Faculty:** Unger, Roberto Mangabeira **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM HAU105

Course Description:

Prerequisites: None

Exam Type: No Exam

This seminar addresses central themes of legal and social theory. It takes as its focus the relation of law and legal thought to the formative institutional arrangements and ideological assumptions of society: its structure. The seminar can serve as an introduction to jurisprudence. However, it is not a survey of contemporary schools of jurisprudence; it seeks to offer a sustained exploration of a fundamental question.

No issue is more important to either legal or social theory. Law has been defined as the institutional form of the life of a people: its subject matter are the institutions and practices of society, viewed in relation to the interests and ideals that are supposed to justify them and to give them meaning. This subject matter is also the concern of politics, which upholds or transforms social assumptions and arrangements.

Today, however, we lack a way of thinking about the institutional and ideological structure of society, expressed in law: what it is, how it is made, how we can change it, and what it should become. Legal thought has been part of this evasion of structural insight and ambition.

In this seminar, we will deal with this concern in many of its expressions. Each participant in the seminar will work with the instructor to develop a writing project, and each will discuss that project with the class during the semester. These texts may count toward the fulfillment of the third-year or LL.M. writing requirements.

Among the problems that we may discuss are the following:

The nature, consequence, limits and alternative futures of the now standard practice of legal analysis, which represents law in the language of impersonal policy and principle.

The relation of this analytic and argumentative practice to the shape of political-economic debate in the United States and other contemporary societies. What a jurisprudence useful to the overcoming of neoliberalism and of institutionally conservative social democracy would look like.

The uses of a revised practice of legal analysis in the development of institutional and ideological alternatives for these societies. Legal thought as institutional imagination, and its relation to legal thought as an instrument for adjudicating disputes about rights and their violation.

The existing and possible ways in which lawyers, jurists, courts, the legislative and executive branches, and the citizenry can relate to one another, and create such alternatives.

What legal history and comparative law can teach us about the evasion of structural insight and the achievement of structural change.

The relation of this agenda in jurisprudence to major developments and possibilities in economic, political, and social theory.

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Challenges of a General Counsel: Lawyers as Leaders

Course #: 2475 **Term:** 2019FA **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 WCC3007

Course Description: Prerequisites: None

Exam Type: No Exam

As the seminar description indicates, in this seminar we will use a series of in-depth case studies to examine the challenges facing General Counsels (GCs) in the private, government, and non-profit sectors. To explore these issues, we will have a number of prominent GCs as guest lecturers, including the GC of American Express (along with Ben Heineman, former GC of GE) in the private sector, the former GCs (although sometimes having different titles) of the Defense Department, State Department, Justice Department, and White House in the public sector, and the GCs of Harvard, the Mellon Foundation, and Partners in Health from the non-profit world. In order to ensure a lively and informative discussion with these senior leaders, we are looking to put together a class of students who collectively have interest and experience in all of these sectors.

This course will explore the three fundamental roles of lawyers -- acute technician, wise counselor, and lawyer as leader -- in a series of problems faced by general counsel in major private sector, public sector and non-profit sector institutions. In the past 25 years, general counsel have risen in power and status within the profession, becoming core members of top management and intimately involved in complex, multi-faceted problem solving and strategy setting. The "cases" in this course involve questions beyond "what is legal" and focus on "what is right," using specific illustrations drawn from the contemporary world - in business (e.g. the BP oil spill, Googles clash with the Chinese government GM's delay in dealing with ignition switch issues); in government (e.g. Guantonamo, don't ask don't tell, Iran sanctions, torture, Libya); and in non-profit organizations (e.g. privacy, sexual harassment policies, patient's rights). These cases involve a broad range of considerations: ethics, reputation, risk management, public policy, politics, communications and organizational citizenship.

The course will advance for critical analysis the idea of the general counsel as lawyer-statesman who has a central role in setting the direction of the organization, but who must navigate complex internal relationships and challenging external ones. The course advances a broad view of lawyers roles and examines the skills, beyond understanding law, required in complex problem solving by the lawyer-statesman. The first four classes of the course will be focus on the role of general counsel in a multi-national corporation, and will be taught by Professors Wilkins and Heineman and a current GC. The next five classes will focus on public sector and will be taught by distinguished leaders who served as White House Counsel, Defense Department GC, Legal Advisor at the State Department, Treasury Department GC and Assistant Attorney General-Legal Counsel at the Justice Department. The final three classes will focus on the non-profit sector and will be taught by the GCs of the Mellon Foundation, Harvard University and Partners Healthcare.

Each class will center around a one or two page hypothetical or real problem dealing with a fundamental challenge faced by general counsels 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 background on the problem and institution to be discussed. Students will also write 2-3 page response papers (which will be graded pass/fail) using the problem to highlight issues they feel are important and to raise questions for the class discussion. Students will be

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graded on satisfactorily completing all response papers, on 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.

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Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice

Course #: 8001 **Term:** 2020WS **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 offering 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: Child Welfare, Education & Juvenile Justice 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: November 6, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 4-5 spring clinical credits).
Placement Site: Various externship placements. Visit the CAP website to see a list of recent placement sites.
Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice 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 clinic includes both a classroom seminar and clinical fieldwork component. A variety of substantive areas impacting the lives of children are addressed with a focus on child welfare (abuse and neglect, foster care, and adoption), education, and juvenile justice. The Clinic is relevant for students not only with a particular interest in children's issues, but also for those more generally interested in social change.
Enrollment Options: The Child Advocacy Clinic offers two different clinical fieldwork options: a spring-only clinic and a winter-spring clinic. This offering is for the winter-spring Child Advocacy Clinic. During the winter term, students engage in full-time work at sites generally located outside of the Boston area. During the spring term, students engage in part-time work (16-20 hours/week for 4-5 clinical credits) at the same site from Cambridge. Enrollment is capped at 8 students.
This course is open only to students who have not taken the Child Advocacy Clinic: System-Involved Youth (held in the fall semester).
Fieldwork Component: The winter-spring Clinic places students with model organizations around the country and occasionally around the world. Students work full-time at 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 the treatment of youth in foster care; with a new social venture to engage the media to promote the interests

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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, the Child Advocacy Program (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 Child Advocacy Clinic webpage for a list of organizations where clinic students have been placed in prior years.

This course is part of the Child Advocacy Program (CAP), whose other courses are: Child Advocacy Clinic: System-Involved Youth (fall semester); Art of Social Change: Child Welfare, Education & Juvenile Justice; Child, Family, and State (alternating years); Family Law (alternating years); and the Future of the Family seminar. Enrollment in all CAP courses is encouraged but not required.

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Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice

Course #: 8001 **Term:** 2020SP **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 offering 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: Child Welfare, Education & Juvenile Justice 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: November 25, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
Placement Site: Various externship placements. Visit the CAP website to see a list of recent placement sites.
Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice is designed to educate students about a range of social change strategies and to encourage critical thinking about the pros and cons of different approaches. It addresses a variety of substantive areas impacting the lives of children, with a focus on child welfare (abuse and neglect, foster care, and adoption), education, and juvenile justice. The Clinic is relevant not only for students with a particular interest in children's issues, but also for those more generally interested in social change.
Enrollment Options: Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice 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 12 students.
This course is open only to students who have not taken the Child Advocacy Clinic: System-Involved Youth (held in the fall semester).
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

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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, the Child Advocacy Program (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 more about the Clinic, including answers to frequently asked questions and a list of recent placement sites.

This course is part of the Child Advocacy Program (CAP), whose other courses are: Child Advocacy Clinic: System-Involved Youth (fall semester); Art of Social Change; Child Welfare, Education & Juvenile Justice; Child, Family, and State (alternating years); Family Law (alternating years); and the Future of the Family seminar. Enrollment in all CAP courses is encouraged but not required.

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Child Advocacy Clinic: System-Involved Youth

Course #: 8001 **Term:** 2019FA **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 offering 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: System-Involved Youth 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: June 30, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
Placement Site: Various externship placements. Visit the CAP website to see a list of recent placement sites.
Child Advocacy Clinic: System-Involved Youth is designed to educate students about a range of issues faced by children and youth involved in the child welfare and juvenile justice systems. With a specific focus on adolescents and young adults, this course will address issues such as transitioning out of the foster care system, sexual exploitation, LGBTQ youth, and the rights of youth in the juvenile justice system. This course is open only to students who have not taken Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice (held in the winter-spring or spring-only semesters).
Enrollment Options: Child Advocacy Clinic: System-Involved Youth is a fall course. Clinical students work part-time (16-20 hours/week for 4-5 clinical credits) at local organizations in the Greater Boston area. Enrollment in this course is capped at 12 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 government agencies.
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; and participate in mediations. For instance:
• Within the child welfare system, students may represent individual children who are abused and neglected; participate in efforts by the Department of Children and Families to address the needs of transition-aged youth; or work with juvenile court judges adjudicating care and protection and other child welfare cases.
• Within the juvenile justice system, students may work to end the school-to-prison pipeline; promote policies to reform the justice system for youth of color; help youth being sexually trafficked; 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, the Child Advocacy Program (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 more about the Clinic,

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including answers to frequently asked questions and a list of recent placement sites.

This course is part of the Child Advocacy Program (CAP), whose other courses are: Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice (winter-spring or spring semesters); Art of Social Change: Child Welfare, Education & Juvenile Justice; Child, Family, and State (alternating years); Family Law (alternating years); and the Future of the Family seminar. Enrollment in all CAP courses is encouraged but not required.

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Child Advocacy: Child Welfare, Education & Juvenile Justice Clinical Seminar

Course #: 2021 **Term:** 2020SP **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 WCC3019

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

Required Clinic Component: Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice, 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: November 6, 2019, for winter-spring clinical students, and November 25, 2019, for spring clinical students.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice 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.

This course is open only to students who have not taken the Child Advocacy Clinic: System-Involved Youth (held in the fall semester).

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 written assignments.

Once enrolled in the Clinic, the Child Advocacy Program (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 Clinic website for more about the Clinic, including answers to frequently asked questions.

This course is part of the Child Advocacy Program (CAP), whose other courses are: Child Advocacy Clinic: System-Involved Youth (fall semester); Art of Social Change: Child Welfare, Education & Juvenile Justice; Child, Family, and State (alternating years); Family Law (alternating years); and the Future of the Family seminar. Enrollment in all CAP courses is encouraged but not required.

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Child Advocacy: System-Involved Youth Clinical Seminar

Course #: 2275 **Term:** 2019FA **Faculty:** Hazen, Crisanne **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3009

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Required Clinic Component: Child Advocacy Clinic: System-Involved Youth (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: June 30, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
Child Advocacy Clinic: System-Involved Youth is designed to educate students about a range of issues faced by children and youth involved in the child welfare and juvenile justice systems. With a specific focus on adolescents and young adults, this course will address issues such as transitioning out of the foster care system, sexual exploitation, LGBTQ youth, and the rights of youth in the juvenile justice system. This course is open only to students who have not taken Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice (held in the winter-spring or spring-only semesters). All clinic students participate in both the classroom seminar and a clinical fieldwork component during the fall semester.
During the fall 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 involved in the child welfare and juvenile justice systems. 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. Students will learn about and thoughtfully consider the unique legal issues affecting this population of youth through reflections, readings and class discussions.
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 written assignments.
Once enrolled in the Clinic, the Child Advocacy Program (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 CAP Clinic webpage for more about the Clinic, including answers to frequently asked questions.
This course is part of the Child Advocacy Program (CAP), whose other courses are: Child Advocacy Clinic: Child Welfare, Education & Juvenile Justice (winter-spring or spring semesters); Art of Social Change: Child Welfare, Education & Juvenile Justice; Child, Family, and State (alternating years); Family Law (alternating years); and the Future of the Family seminar. Enrollment in all CAP courses is encouraged but not required.

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Children's Rights

Course #: 2285 **Term:** 2019FA **Faculty:** Dwyer, James **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3008

Course Description: Prerequisites: None

Exam Type: No Exam

Students will write a paper on a topic of their choice; no exam.

One of the most dynamic areas of legal theory today, children's rights is a fascinating lens through which to reexamine fundamental principles about rights more generally and larger moral and legal questions: What gives rise to moral and legal status? What is a person, and why does personhood matter? What beings are capable of possessing rights? What reasons does the legal system have for ascribing rights to anyone? What do rights protect - choices, interests, something else? Should everyone have the same rights? Or should equal rights for all at least be a presumptive starting point for legal analysis? In this seminar we will address these questions in the course of examining the law governing fundamental aspects of children's lives. Specific topics will include maternal substance abuse during pregnancy, how states identify and protect newborns from unfit birth parents, prison nurseries, barriers to domestic adoption (including race and religion matching and the Indian Child Welfare Act) and to international adoption, public spending on parenting supports, ethical problems with much of the current research on child welfare program efficacy, corporal punishment, parental religious objection to medical care, cults, homeschooling, regulation and financing of private schools, students' rights of expression, children's privacy within the family, raising political consciousness among children, the right to vote, and the special challenges and rewards of being a lawyer for children.

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

Course #: 2702 **Term:** 2019FA **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 WCC3013

Wed 5:00 PM - 7:00 PM WCC3013

Course Description: Prerequisites: None

Exam Type: No Exam

This Reading Group will study what the "One Country, Two Systems" principle means twenty-two 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 on the following dates: 10/1, 10/2, 10/7, 10/8, 10/9, 10/16
Drop Deadline: October 2, 2019 by 11:59 pm EST

City Use of Technology

Course #: 2813 **Term:** 2020SP **Faculty:** Crawford, Susan **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:50 AM HAU102

Tue 10:20 AM - 11:50 AM HAU102

Course Description: Prerequisites: None

Exam Type: No Exam

This course surveys the efforts of city officials around the world as they use technology to solve challenging problems and act to both keep pace with technological innovations and safeguard the public interest. This survey course is designed to equip students with an overview of tools they will need to grapple with urban and civic challenges post-graduation. Students will examine and report on ongoing civic projects.

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Civil Liberties and the Second Reconstruction: Problems of Suppression and Covert Disruption

Course #: 2698 **Term:** 2020WI **Faculty:** Kennedy, Randall **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 9:00 AM - 12:15 PM PND100

Tue 9:00 AM - 12:15 PM PND100

Wed 9:00 AM - 12:15 PM PND100

Thu 9:00 AM - 12:15 PM PND100

Fri 9:00 AM - 12:15 PM PND100

Course Description: Prerequisite: None

Exam Type: No Exam

The requirement for the course are five six to eight page papers that react to readings and lectures.

This course will focus on controversies that arose from efforts to suppress activists who were making claims on behalf of racial justice in the middle of the twentieth century. Examples of the repression to be studied will include under-protection of the law in the face of racially motivated violence, actions undertaken to squelch the National Association for the Advancement of Colored People (NAACP), legislation targeting civil rights attorneys, the use of injunctions to stymie mass protest, and the infiltration and sabotage of the Black Panther Party and other organizations by the Federal Bureau of Investigation.

Civil Procedure 1

Course #: 1000 **Term:** 2019FA **Faculty:** Rubenstein, William **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 10:20 AM - 11:40 AM WCC1023

Thu 10:20 AM - 11:40 AM WCC1023

Fri 10:20 AM - 11:40 AM WCC1023

Course Description: Exam Type: In Class

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

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Civil Procedure 2

Course #: 1000 **Term:** 2019FA **Faculty:** Greiner, D. James **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 9:30 AM - 11:30 AM	WCC1019
Fri 9:30 AM - 11:30 AM	WCC1019

Course Description: Exam Type: One Day Take-Home.

This course covers what should, should not, and does happen when someone files (or considers filing) a civil lawsuit.

Civil Procedure 3

Course #: 1000 **Term:** 2019FA **Faculty:** McKenzie, Troy **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Tue 10:10 AM - 11:30 AM	WCC1010
Thu 10:10 AM - 11:30 AM	WCC1010
Fri 10:10 AM - 11:30 AM	WCC1010

Course Description: Exam Type: In Class

This course examines the principles of civil litigation. We will consider the key stages of a case, the role of various actors in the civil justice system, the interplay between state and federal courts, and the binding effect of a courts judgment. Constitutional and statutory constraints on the goals, structure, and conduct of litigation will also be considered, with additional emphasis on the Federal Rules of Civil Procedure.

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Civil Procedure 4

Course #: 1000 **Term:** 2019FA **Faculty:** Cohen, I. Glenn **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC1015
Tue 10:20 AM - 11:40 AM	WCC1015
Wed 10:20 AM - 11:40 AM	WCC1015

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

Civil Procedure 5

Course #: 1000 **Term:** 2019FA **Faculty:** Rubenstein, William **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Wed 1:20 PM - 2:40 PM	WCC1019
Thu 1:20 PM - 2:40 PM	WCC1019
Fri 1:20 PM - 2:40 PM	WCC1019

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

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Civil Procedure 6

Course #: 1000 **Term:** 2019FA **Faculty:** Greiner, D. James **Credits:** 4.00

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

Delivery Mode: Course

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

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

Civil Procedure 7

Course #: 1000 **Term:** 2019FA **Faculty:** Spencer, Benjamin **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: In Class

Civil Procedure provides an introduction to the procedural rules governing civil litigation in federal court. In this course you will study the basic aspects of civil procedure: personal jurisdiction, subject matter jurisdiction, venue, vertical choice of law, pleading, joinder (multi-party litigation), discovery, summary judgment, and preclusion doctrine. Throughout the course, considerable attention will be devoted to the goals, values, costs, and tensions underlying our adversarial system of adjudication.

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Civil Rights Litigation

Course #: 2651

Term: 2020SP

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

WCC1019

Course Description: Prerequisite: Civil Procedure

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.

Note: The textbook is Michelman, Civil Rights Enforcement ("CRE"), 1st ed. 2020. The book's formal publication is scheduled for February 1, 2020, but the book will be available for purchase in electronic form only no later than January 25, 2020, at <http://vitalsource.com>, where you can search by the book's ISBN (9781543813661) to find it. Unfortunately, because the book is brand new and hard copies will not yet be available for sale, you'll have to print for yourself any hard copies you need.

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Class Actions: Litigating Advanced Topics

Course #: 2024 **Term:** 2019FA **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 WCC3009

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

Prerequisite: Civil Procedure

Exam Type: 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 (federal jurisdiction, selecting plaintiffs, standing, class standing, mootness, etc.), to class certification standards, procedures and opt outs, to class settlements, objectors and fee awards, class action tolling and management of repetitive class actions.

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

Climate Change, Displacement and the Law

Course #: 2294 **Term:** 2019FA **Faculty:** McAdam, Jane **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3034

Course Description: Prerequisites: None

Exam Type: No Exam

Every second, someone is displaced by a disaster. In fact, each year many more people are displaced by the impacts of disasters and climate change than by conflict. Yet, international law provides no clear framework for the protection of disaster displaced people. The Refugee Convention is generally ill-fitting and judicial acknowledgement of the application of international human rights law remains uneven. While the issue of displacement in the context of climate change and disasters is now firmly on the global agenda, there remain legal, policy and operational gaps. As a multidimensional problem, it demands multidimensional solutions - but what are they and how might they be achieved? This reading group will consider how law and policy should be developed at the international level to respond to displacement in the context of climate change and disasters.

Note: This reading group will meet on the following dates: 9/3, 9/10, 9/17, 9/24, 10/1, 10/8.

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Climate Solutions Living Lab

Course #: 2921 **Term:** 2020SP **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 - 8:00 PM WCC3018

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Prerequisites: By Permission. Please send a statement of interest and CV to wjacobs@law.harvard.edu no later than October 31, 2019. This is a multi-disciplinary course; students will work in multi-disciplinary teams. Cross-registrants from SEAS, GSD, HKS, SPH, HBS, and GSAS are encouraged to apply.

Exam: No Exam

There will be written and oral exercises throughout the semester. At the end of the semester, each team will submit a final paper that describes and analyzes the team's project concept, feasibility, and implementation plan. Grading will be based on the quality of class participation, team work, exercises, final paper, and presentation.

This course has a limited number of seats to be filled by advanced students from multiple disciplines (law, business, engineering, economics, 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 (GHGs) from a variety of activities other than generation of energy. The course emphasizes solutions to 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. In teams, we will scrutinize potential solutions from multiple perspectives (economic, technological, legal, health, etc.) for feasibility, scalability, replicability and impact (environmental, public health, social). Each team will develop a detailed implementation plan for one project; the implementation plan will identify a specific pathway for overcoming legal, financial, and policy obstacles. Examples of projects: (1) reducing potent GHG emissions from the agriculture sector — whether by technology or incentives for behavioral changes, such projects improve air and water quality as well as public health; (2) using renewable energy to achieve the goal of restoring reliable energy and clean drinking water supplies to isolated, low-income communities in Puerto Rico that were devastated by the 2017 hurricanes; (3) helping isolated, impoverished Alaska Native villages use renewable energy not only to reduce their reliance on “dirty” diesel fuel but also to grow food in hydroponic greenhouses; (4) designing a revolving renewable energy investment fund for a university that is committed to promoting renewable energy and offsetting its own emissions. 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 the School of Public Health, the Kennedy School of Government, the Business School, and the School of Engineering and Applied Sciences 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 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

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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.

Note: This course meets from 5-8pm once per week. Time is set aside during the last hour of the class each week for team exercises and break out meetings.

Coloring Politics, Racing Law: America's Ongoing Struggle with Changing Conceptions of Race

Course #: 2484

Term: 2019FA

Faculty: Robinson, Stephanie

Credits: 3.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Mon 1:00 PM - 2:30 PM

WCC4063

Tue 1:00 PM - 2:30 PM

WCC4063

Course Description: Prerequisites: None

Exam Type: No Exam

This course examines key intersections of race, politics, and law within a historical trajectory of evolving conceptions and associated realities of racial identity in American society. Though race has ever been a loaded and controversial construct in our American journey, its current and increasingly-fluid representation is well removed from its dualistic color-line depiction at the turn of the 20th century. This course analyzes these changing representations over time and their associated legal and political manifestations while accounting for the events and ideologies driving this transformation. Accordingly, such relevant factors as the formation of American racial identity, the struggle for racial equality, the impact of traditional civil rights movements, ongoing disparities in criminal justice, changing demographics, evolving issues of race and marriage, anti-immigrant sentiment, relevant economic and political turmoil, and sympathy for the loss of whiteness in traditional national identity will be discussed.

Note: This course is not available for cross-registration.

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Commercial Law: Secured Transactions

Course #: 2026 **Term:** 2019FA **Faculty:** Kaufman, Andrew **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 10:30 AM - 11:50 AM	HAU104
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Tue 10:30 AM - 11:50 AM	HAU104
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Wed 10:30 AM - 11:50 AM	HAU104
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Course Description: Prerequisites: None

Exam Type: In Class Grades will be based principally on the final exam, but also, to some extent, on class participation or assigned classroom exercises.

Secured credit - in the form of bank lending, mortgages, and asset securitizations - has fueled the American economy. The details and the consequences of secured credit have been a major preoccupation of everyone dealing with the economy. 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.

Text: LoPucki, Warren, and Lawless, Secured Credit: A Systems Approach (8th ed. Aspen 2016); Warren, Bankruptcy and Article 9 Statutory Supplement (latest VisiLaw or regular version.)

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Communication, Law and Social Justice

Course #: 2844 **Term:** 2019FA **Faculty:** Jenkins, Alan **Credits:** 4.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Disciplinary Perspectives & Law; Family, Gender & Children's Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Thu 9:30 AM - 11:30 AM HAU102

Fri 9:30 AM - 11:30 AM HAU102

Course Description: Prerequisites: None

Exam Type: One Day Take-Home

This course will introduce students to the role that written, oral, and multi-media communications play in the development of American law and policy, with a focus on social issues and movements. Using as case studies movements for racial equity, criminal justice reform, immigrant rights, gender equity, and economic opportunity, we will explore how change agents on multiple sides have used strategic framing and messaging, communications campaigns, and art and culture to influence - and in some instances transform - relevant law and policy. We will also examine how communication principles apply to U.S. Supreme Court advocacy. And we will study the ethical rules and parameters that regulate attorneys communications regarding pending litigation and broader legal advocacy.

Class participation and successful completion of written and oral assignments will count for a significant portion of students final grade. Assigned material will include cases, legislation, legal scholarship, social science literature, and mass media works.

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Communications and Internet Law and Policy

Course #: 2306 **Term:** 2020WI **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 - 4:15 PM	WCC3019
Tue 1:00 PM - 4:15 PM	WCC3019
Wed 1:00 PM - 4:15 PM	WCC3019
Thu 1:00 PM - 4:15 PM	WCC3019
Fri 1:00 PM - 4:15 PM	WCC3019

Course Description: Prerequisite: None

Exam Type: No Exam

The course will provide an introduction and overview to questions of communications and Internet law and policy. The intensive semester will combine several lectures and in-class discussions to provide background and overview of major issues, with intensive, workshop-style group work on policy briefs and in-class presentations. The topics of the policy briefs are selected so that by following their own, and other students presentations, students will receive an overview of the major topics currently at stake in communications and Internet law and policy, and will also develop an in-depth familiarity with a subset of the issues through intensive high-intensity research, discussion, and presentation.

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Community Enterprise Project of the Transactional Law Clinics

Course #: 8048 **Term:** 2019FA **Faculty:** Price, Brian; Teuscher, Carlos **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 offering may count the credits towards the JD experiential learning requirement.
Required Class Component: Transactional Law Clinical Workshop (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: Yes. Applications are due April 10, 2019. Please see below for more details about the application process. Add/Drop Deadline: August 2, 2019. 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 Carlos Teuscher and submitted via e-mail to cteuscher@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 Carlos 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.

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Community Enterprise Project of the Transactional Law Clinics

Course #: 8048 **Term:** 2020SP **Faculty:** Price, Brian; Teuscher, Carlos **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 offering 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: Yes. Applications are due April 10, 2019. Please see below for more details about the application process.
Add/Drop Deadline: December 6, 2019.
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 Carlos Teuscher and submitted via e-mail to cteuscher@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 after the initial deadline.
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.

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Community Lawyering and Public Interest Law Through a Transactional Lens - Worker Cooperatives

Course #: 2220 **Term:** 2019FA **Faculty:** Teuscher, Carlos **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Fri 1:00 PM - 3:00 PM WCC4056

Course Description: Prerequisite: None

Exam Type: No Exam

This reading group will explore how transactional law can be used as a catalyst for social change and complement litigation and policy strategies to alleviate poverty and systemic injustices. As the litigation-centered approach to the social change movement became overburdened in the 1990s, many legal service providers moved away from litigation strategies to focus on community economic development (CED) as a means to redress economic inequality. Under this approach, CED lawyers work with grassroots organizers to support community ownership, affordable housing and other organizing-based initiatives.

Through the reading group, students will learn about the evolution of CED and discuss ways in which transactional law practiced through a community lawyering lens can be used to address economic justice. We will specifically explore the use of worker cooperatives as a mechanism to empower communities. Students will be expected to participate actively and thoughtfully in class discussion.

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

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Community Lawyering Reading Group

Course #: 2953 **Term:** 2020SP **Faculty:** Lawrence, Eloise; Rossi, Patricio **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 3:20 PM - 4:40 PM WCC3007

Course Description: Please Note: This by-permission reading group is available only to current HLAB students.

Harvard Legal Aid Bureau members see firsthand, on a daily basis, the impact of race on their clients lives, their legal needs, their legal rights and responsibilities, and their ability to seek and secure justice in the civil court system. While we consider race-based inequality and the concept of "racial justice" in our broader discussions of legal ethics and professionalism, lawyering skills, and access to justice in both Bureau seminars, Introduction to Advocacy (2Ls) and Advanced Clinical Practice (3Ls), a deep study of the enormous impact of race on our work is beyond the scope of those courses. The racial justice reading group offers HLAB members the opportunity for a richer discussion and understanding of racial justice and the U.S. civil legal system, helping you to become more competent, more creative 21st century lawyers and social justice leaders. The reading group will be graded Credit/Fail based upon class participation.

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

Comparative Constitutional Design

Course #: 2283 **Term:** 2020SP **Faculty:** Ginsburg, Tom **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3034

Course Description: Prerequisites: None

Exam Type: No Exam

Comparative constitutional studies have undergone a renaissance in recent years, driven partly by the growing importance of constitutional courts around the world, and the prominence of constitution-making exercises. In this seminar we will examine the design and implementation of national constitutions. In particular, we will address the following questions. What are the basic elements of constitutions? How do these elements differ across time, across region, and across regime type? What is the process by which states draft and implement constitutions, and what is the role of public participation? What models, theories, and writings have influenced the framers of constitutions?

We will first review the historical roots of constitutions and investigate their provisions and formal characteristics. We will also discuss the circumstances surrounding the drafting of several exemplary or noteworthy constitutions, from various regions of the world. We will then examine selected features of institutional design in depth, and analyze the factors that make constitutions effective and enduring.

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Comparative Constitutional Law

Course #: 2028 **Term:** 2019FA **Faculty:** Jackson, Vicki **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM HAU104

Thu 1:00 PM - 3:00 PM HAU104

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None; U.S. constitutional law helpful but not required.

Exam Type: Any Day Take-Home

The course will cover a series of topics arising in the comparative study of constitutional systems. Concentrating on constitutional structure and law in the United States and in such other countries as Australia, Canada, Colombia, France, Germany, Great Britain, India, Israel, Japan, Sri Lanka and South Africa, it will examine selected problems of both constitutional design and constitutional adjudication. We will, for example, take up the varying foundations and structures of judicial review of the constitutionality of laws (e.g., how are courts that engage in constitutional review structured, how are their judges appointed, what is the source of their authority to engage in constitutional review), in light of recent controversies. We will also likely consider the constitutional law regulating availability of abortion in the United States, Germany, Canada, Colombia, and Ireland. The course will consider the meanings of terms like constitution and constitutionalism, liberal and authoritarian, as well as the purposes and nature of legal comparison. Other likely topics include (1) relationships between "popular" branches of government and courts, including under constitutions that permit legislative override of constitutional limits, (2) constitutional transitions, including from democratic constitutionalism to more abusive or authoritarian forms of constitutionalism, (3) whether/how constitutions should address emergency powers, (4) different forms of constitutional federalism, (5) approaches to protecting minority groups (for example, federalism, affirmative action for racial/ethnic/linguistic minorities, or group-based rights), (6) gender equality; (7) freedom of religion, (8) freedom of speech and the role of knowledge institutions (e.g. free press, universities, civic NGOs), and (9) positive social welfare rights.

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

Second, we will also critically examine the nature of comparative study. Can one draw conclusions for one country based on comparing constitutional experiences in others? Or is the possibility of drawing lessons from one polity to another always limited by the particularities of context and culture within which constitutions are formed and constitutional decisionmaking proceeds? Does comparative constitutional

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study suggest that elements thought necessary for constitutional governance may be falsely thought necessary, in light of experience elsewhere? Or does it illuminate how difficult it is to distinguish "false necessities" from "true necessities," to the extent that a constitutional system's parts are integrally interrelated with others and bound up with a specific constitutional and political culture? Controversies over the U.S. Supreme Court's references to foreign law (for example, in death penalty cases) raise important questions: can courts (or other domestic constitutional decision-makers) really benefit from the constitutional experiences of other countries? Is it legitimate for them to do so?

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Comparative Constitutional Law

Course #: 2028 **Term:** 2019FA **Faculty:** Sajo, Andras **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	HAU103
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Thu 1:00 PM - 3:00 PM	HAU103
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Fri 1:00 PM - 3:00 PM	HAU103
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Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: In Class

This course aims to enable students to put their national constitution in a global context at a time when constitutional ideas travel freely, and national constitutions are involved in a global network of foreign constitutional practices and concepts. Moreover, comparative constitutional law helps critical and innovative thinking about ones own legal system.

In the process of globalization economic, cultural and political interdependence made it imperative to look at the constitutional structure of other countries for as mundane things as extradition, the mutual recognition of judgments, investment, or even the recognition of higher education degrees. Constitutional practices of other countries, judicial solutions to comparable problems became a matter of practical legal consideration (even if the majority in the US Supreme Court claims the opposite). Today, comparative constitutional law is more than a matter of legal culture or a necessity for the lawyer working in the global world. A growing number of key players of the global world started their descent into illiberalism. Comparative constitutional law remains a reminder of what constitutionalism, the order of liberty requires; it also helps to understand the weak spots of ones own constitutional system.

This course is structured to satisfy not only the needs of the global lawyer but help the citizen to defend liberal democracy. It will consider key issues of separation of powers, judicial review and certain fundamental rights. Detailed case studies deal with freedom of speech, freedom of religion, sexual identity and emergency (anti-terror legislation, surveillance). It is also essential for those who would like to work in international human rights related areas.

Note: This course will meet over the following dates: 9/4-10/18.

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Comparative Corporate Law, Finance and Governance

Course #: 2714 **Term:** 2019FA **Faculty:** Kraakman, Reinier **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3036

Course Description: Prerequisites: Any one of the following: A prior corporations or company law course, a parallel corporations course at HLS, or prior experience in transactional legal work.

Exam: No Exam

This course surveys broad issues in corporate governance and finance ranging from the ownership structure of corporations to shareholder primacy, convergence in corporate law across jurisdictions, and the emergence of activist investment vehicles including hedge funds and PE firms.

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Comparative Criminal Law: Fair Trials

Course #: 2907 **Term:** 2020SP **Faculty:** Coffey, Ruth **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3038

Course Description: Prerequisites: None

Exam Type: No Exam

This seminar will explore changing ideas about the nature of a fair trial within a common law criminal justice system. What is a fair trial? Who is it fair to? How can it be achieved? The material will be drawn primarily from the UK, with other readings from the US and from other common law jurisdictions.

The seminar will consider the people involved in a criminal trial, from the witnesses to the press reporters, the police and prosecutors, the judges and jury members, the lawyers, the defendants and the public. To what extent should a fair trial be fair to each? What does fairness involve for these groups? Can a fair trial be achieved for all, and should it?

We will consider the fair trial provisions within international and constitutional documents and the extent and limitations of their guarantees. And we will use examples from the UK and comparative material from the US and other common law jurisdictions to examine a selection of reforms, for example, innovations in the way in which vulnerable witnesses give evidence, or obligations of disclosure on the defence and the modified right to silence. We will critique these reforms, examine their contribution to, or detract from, the achievement of a fair trial, and consider whether similar measures could, or should, be introduced in the US.

No knowledge of UK law is required.

The instructor is a UK-qualified criminal barrister, a part-time judge (criminal) in the UK, and a door tenant at Red Lion Chambers in London.

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Comparative Digital Privacy

Course #: 2615 **Term:** 2020SP **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 WCC3015

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 data scandals and breaches and growing 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, AI companies, 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 the 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 developments and current trends in privacy law. For instance, we will take a closer look at the General Data Protection Regulation in Europe, as well as a series of privacy bills introduced in the US, including the Californian Consumer Privacy Act. Throughout the seminar, privacy-relevant incidents and developments will be discussed real-time as they unfold.

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Comparative Foreign Relations Law

Course #: 2377

Term: 2019FA

Faculty: Chachko, Elena

Credits: 2.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Seminar

Days and Times:

Location

Thu 5:00 PM - 7:00 PM

WCC3011

Course Description: Prerequisites: Knowledge of international law is useful, but not essential.

Exam Type: No Exam

This seminar will explore fundamental questions and concepts of foreign relations law through a comparative lens. Foreign relations law consists of the doctrine and legislation that govern the conduct of foreign relations. It combines elements from constitutional law, administrative law, federal courts and international law.

The first part of the seminar will consider what makes the field of foreign relations law unique, how it relates to international law on the one hand and public law on the other, and why more emphasis has been placed on this field in the United States compared to other jurisdictions. This part of the seminar will further explore how foreign relations powers are constitutionally allocated among government actors in different jurisdictions, and what approaches to foreign relations underlie their allocation. The seminar will touch on executive power and foreign affairs, as well as the role of courts in foreign affairs. The comparative discussion will focus on the United States, the European Union, the United Kingdom and Israel.

The second part of the seminar will consider key areas of foreign relations law, grounding the discussion in examples from the different jurisdictions: the status of international law in domestic law; the formation, implementation, and termination of international agreements; use of military force; and foreign affairs federalism.

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Comparative Law: Foundations of Western Legal Thought

Course #: 2031

Term: 2019FA

Faculty: Glendon, Mary Ann

Credits: 3.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Mon 1:15 PM - 2:45 PM

HAU101

Tue 1:15 PM - 2:45 PM

HAU101

Course Description:

Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: No Exam Course requirements include weekly memos, two papers, and an oral presentation.

This course begins with the shared foundations of the civil law (Romano-Germanic) and common law (Anglo-American) legal systems in Athens (Greek philosophy), Rome (Roman law), and Jerusalem (Judaean-Christian religion). It then explores the somewhat different ways in which those systems were influenced at crucial stages of their development by different branches of modern political thought. It concludes with works from the dawn of post-modernity and a final session on the amalgam of ancient and modern themes in the Universal Declaration of Human Rights. A principal aim is to encourage close reading of foundational works.

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Comparative Law: Why Law? Lessons from China

Course #: 2461

Term: 2020SP

Faculty: Alford, William

Credits: 4.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Location

Thu 9:30 AM - 11:30 AM

WCC1019

Fri 9:30 AM - 11:30 AM

WCC1019

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: One-Day Take-Home

This course uses the example of China as a springboard for asking fundamental questions about the nature of law, and the ways in which it may (or may not) differ in different societies. Historically, China is said to have developed one of the worlds great civilizations while according law a far less prominent role than in virtually any other. This course will test that assertion by commencing with an examination of classic Chinese thinking about the role of law in a well-ordered society and a consideration of the nature of legal institutions, formal and informal, in pre-20th century China-all in a richly comparative setting. It will then examine the history of Sino-Western interaction through law, intriguing and important both in itself and for the broader inquiry into which it opens concerning the transmission of ideas of law cross culturally. The remainder (and bulk) of the course will use the effort in the Peoples Republic of China to build a legal system-said by some to be the most extensive such effort in world history-to ask what it means to build a legal order. Simply stated, what is central and why, what is universal and what culturally specific and why, and so forth? It is intended to be inviting to individuals both with and without prior study of China.

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Comparative Legal Institutions

Course #: 2401

Term: 2020SP

Faculty: Ginsburg, Tom

Credits: 3.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Location

Mon 3:20 PM - 4:50 PM

WCC1015

Tue 3:20 PM - 4:50 PM

WCC1015

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: Any Day Take-Home

This course is designed to examine a range of legal institutions from a comparative and interdisciplinary perspective. It is not a traditional course in comparative law, in that it focuses not so much on particular rules of substantive law but on the structure of different legal systems and the consequences of those structural differences for law and society.

Readings will be drawn from legal and social science literature, including works from anthropology, economics, political science and sociology. The course will explicitly cover non-Western legal traditions to an extent not found in conventional comparative law courses. Furthermore, American institutions are explicitly included in the comparison: this is not simply a course in foreign law.

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Complex Federal Investigations

Course #: 2286 **Term:** 2019FA **Faculty:** Gleeson, John **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM HAU105

Course Description: Prerequisites: None

Exam Type: No Exam

This seminar will examine many of the problems and issues that arise during federal criminal investigations of complex entities -- including both organized crime groups and legal corporations. Topics include the legal and practical investigative powers of the federal grand jury; the investigative use of legal tools such as immunity, contempt and perjury statutes; electronic surveillance methods including "bugs," "wiretaps" and more recent technology; the use of plea- and cooperation-bargaining agreements to advance investigations; the role of professional responsibility rules, including those governing investigative contacts with persons represented by counsel; and the various ways such investigations can intrude upon the attorney-client relationship (including through attorney subpoenas and disqualification). We will also discuss specific types of complex investigations including the use of the RICO Act in organized crime investigations; the leveraging of the attorney-client privilege in investigations of legal corporations; and the unique challenges of national security and transnational investigations.

Complex Litigation: Legal Doctrines, Real World Practice

Course #: 2366 **Term:** 2019FA **Faculty:** Clary, Richard **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:30 AM - 11:30 AM PND101

Course Description: Prerequisites: 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 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 (including substantive bases and procedural rules); 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 and protection of MDL proceedings (including the All Writs Act and the Anti-Injunction Act); and practical issues relating to managing both MDL and multi-case litigation, such as coordination orders, counsel structure, and bellwether trials. Many of the examples to be discussed will come from recent and pending securities cases, but knowledge of substantive securities law is not required.

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Computer Programming for Lawyers

Course #: 2951 **Term:** 2020SP **Faculty:** Cushman, John; Ziegler, Adam **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 10:00 AM - 11:30 AM	WCC3018
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Fri 10:00 AM - 11:30 AM	WCC3018
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Course Description: Prerequisites: This course is limited to students with no prior programming experience.

Exam Type: No Exam

A final project will be required.

Modern legal practice requires deep understanding of technology. Advocates must understand what it means at a technical level to "speak" online, to "sign" a digital contract, to "search" a computer, or to "delete" evidence. And law firms must understand what tasks can be most efficiently done by custom software and what are best left to human beings.

This course teaches students to be effective computer programmers, and therefore to deconstruct and understand the technologies they might encounter throughout their careers. Students will learn basic computer programming skills using the programming language Python. We will then apply those skills to real-life legal scenarios drawn from the instructors own legal and programming experience, such as data-driven lobbying and statutory analysis, mass litigation automation, and electronic discovery.

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Computer Science for Lawyers (CS50 for Lawyers)

Course #: 2260

Term: 2020WI

Faculty: Malan, David

Credits: 3.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Location

Tue 9:00 AM - 12:15 PM

WCCB010

Wed 9:00 AM - 12:15 PM

WCCB010

Thu 9:00 AM - 12:15 PM

WCCB010

Fri 9:00 AM - 12:15 PM

WCCB010

Mon 9:00 AM - 12:15 PM

WCCB010

Course Description: Prerequisites: None. This course is designed for students with and without prior programming experience.

Exam Type: No Exam

This course is a variant of Harvard College's introduction to computer science, CS50, designed especially for law students. Whereas CS50 itself takes a bottom-up approach, emphasizing mastery of low-level concepts and implementation details thereof, this course takes a top-down approach, emphasizing mastery of high-level concepts and design decisions related thereto. Ultimately, it equips students with a deeper understanding of the legal implications of technological decisions made by clients.

Through a mix of technical instruction and discussion, this course empowers students to be informed contributors to technology-driven conversations. In addition, it prepares students to formulate technology-informed legal arguments and opinions. Along the way, it equips students with hands-on experience with Python and SQL, languages via which they can mine data for answers themselves, as well as HTML, CSS, and JavaScript, languages with which web and, increasingly, mobile applications are built.

Topics include algorithms, cloud computing, databases, networking, privacy, programming, scalability, security, and more, with a particular emphasis on understanding how the work developers do and the technological solutions they employ can impact clients. Students emerge from this course with first-hand appreciation of how it all works and all the more confident in the factors that should guide their decision-making.

For more information, please see the course website available [here](#).

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Conceptions of Legal Entities

Course #: 2807

Term: 2020SP

Faculty: Kraakman, Reinier

Credits: 2.00

Type: Elective

Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC5044

Course Description: Prerequisites: There are no prerequisites for this course, although some familiarity with corporate law is assumed.

Exam Type: No Exam

Grading will be based on reaction memos and class participation.

This course explores disparate conceptions of legally entities in private law, with an emphasis on for-profit entities such as corporations. Readings range from law-and-economics constructions of legal entities to traditional jurisprudential views, including the identification of corporations as "persons" in constitutional law. The question throughout is: why should the law accord legal personality to for-profit firms? Ancient Roman law made little use of fictional legal entities in commercial law. What functions do legal entities serve in modern law? For example, do they simplify transactions, or facilitate raising capital for large enterprises by securitizing interests in ongoing businesses? Do they allow lawmakers to regulate collective actors that would otherwise live in the wild? Or do they do all of the above? In addition, how should we resolve the conceptual puzzles that legal entities pose? How can they be criminally liable if no real person among their agents has criminal intent? Lawyers sometimes say that corporations are fictions; management consultants sometimes depict them as unruly machines. The difference turns partly on definitions. But not entirely. How did the "real entity" theory enter American jurisprudence to compete with the venerable view that corporate "personhood" is a privilege conferred by the state, or its polar opposite, the view that the corporation is a species of private ordering, a "nexus of contracts" in one phrasing?

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Conflict of Laws

Course #: 2033 **Term:** 2019FA **Faculty:** Singer, Joseph **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 1:00 PM - 3:00 PM	WCCB010
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Tue 1:00 PM - 3:00 PM	WCCB010
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Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: Open to upper-level JD students. For LLM students: this upper-level course assumes that students have prior knowledge of the basic principles of American law of contracts, torts, property, and procedure (including personal jurisdiction law), as well as knowledge of common law reasoning and argument. LLM students may take this course only if they concurrently take a course in contracts, torts, or property law in the fall semester of 2019.

Exam Type: No Exam The grade will be based on papers and moot court oral exercises.

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 a state in 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 over the course of the semester, as well as a 5-page single-spaced proposed opinion on one of the moot court cases at the end of the semester.

Note: This course will satisfy half of Option 2 of the written work requirement or count as an experiential learning course.

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Constitutional History I: From the Founding to the Civil War

Course #: 2034 **Term:** 2019FA **Faculty:** Klarman, Michael **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:30 PM - 2:30 PM	AUS101
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Thu 1:30 PM - 2:30 PM	AUS101
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Fri 1:30 PM - 2:30 PM	AUS101
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Course Description: Prerequisite: None

Exam Type: 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 1

Course #: 1024 **Term:** 2020SP **Faculty:** Jackson, Vicki **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	WCC1019
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Thu 1:00 PM - 3:00 PM	WCC1019
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Course Description: Exam Type: One-Day Take-Home

This course provides an introduction to the U.S. Constitution -- the government structures it establishes and contemplates, and the rights and liberties it recognizes and protects. Structural topics include the original design of the federal government and the role of slavery in that design; judicial review; federalism and the Supremacy Clause; and separation of powers. The Civil War Amendments (Thirteen, Fourteen and Fifteen) will be considered. The Fourteenth Amendments provisions for equal protection and due process of law provide the basis for many individual rights, including those relating to racial equality, gender equality, family life, and aspects of personal autonomy, that will be studied. Other topics may be considered as well.

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Constitutional Law 2

Course #: 1024 **Term:** 2020SP **Faculty:** Feldman, Noah **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 1:00 PM - 3:00 PM	WCC1015
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Fri 1:00 PM - 3:00 PM	WCC1015
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Course Description: Exam Type: One-Day Take-Home

This course provides an introduction to the structure of the U.S. Constitution and the rights and liberties it defines. Topics include judicial review, federalism, separation of powers, and equal protection and due process of law under the Fourteenth Amendment of the U.S. Constitution. Extensive coverage is devoted to individual rights under the Fourteenth Amendment.

Constitutional Law 3

Course #: 1024 **Term:** 2020SP **Faculty:** Goldberg, John **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 10:20 AM - 11:40 AM	WCC1023
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Tue 10:20 AM - 11:40 AM	WCC1023
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Wed 10:20 AM - 11:40 AM	WCC1023
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Course Description: Exam Type: In Class

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.

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Constitutional Law 4

Course #: 1024 **Term:** 2020SP **Faculty:** Eidelson, Benjamin **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 9:30 AM - 11:30 AM	WCC2004
Fri 9:30 AM - 11:30 AM	WCC2004

Course Description: Exam Type: One-Day Take-Home

This course provides an introduction to the structure of the U.S. Constitution and the rights and liberties it defines. Topics include judicial review, federalism, separation of powers, and equal protection and due process of law under the Fourteenth Amendment of the U.S. Constitution. Extensive coverage is devoted to individual rights under the Fourteenth Amendment.

Constitutional Law 5

Course #: 1024 **Term:** 2020SP **Faculty:** Delaney, Erin **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 9:30 AM - 11:30 AM	WCC1023
Fri 9:30 AM - 11:30 AM	WCC1023

Course Description: Exam Type: One-Day Take-Home

This course provides an introduction to the structure of the U.S. Constitution and the rights and liberties it defines. Topics include 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.

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Constitutional Law 6

Course #: 1024 **Term:** 2020SP **Faculty:** Bowie, Nikolas **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC1019
Tue 10:20 AM - 11:40 AM	WCC1019
Wed 10:20 AM - 11:40 AM	WCC1019

Course Description: Exam Type: One-Day Take-Home

This course provides an introduction to the structure of the U.S. Constitution and the rights and liberties it defines. Topics include judicial review, federalism, separation of powers, and equal protection and due process of law under the Fourteenth Amendment of the U.S. Constitution. Extensive coverage is devoted to individual rights under the Fourteenth Amendment.

Constitutional Law 7

Course #: 1024 **Term:** 2020SP **Faculty:** Fallon, Richard **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: In Class

This course 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.

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Constitutional Law: First Amendment

Course #: 2035 **Term:** 2019FA **Faculty:** Parker, Richard **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	WCC1015
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Thu 1:00 PM - 3:00 PM	WCC1015
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Course Description: Prerequisites: None
Exam Type: Any Day Take-Home

This course is one of the basic courses in the field. It addresses the Freedom of Speech, the Free Exercise of Religion and the Establishment Clause.

Because constitutional law is always [at least potentially] in motion, this class will feature its development through time, animated and structured by its internal conflicts and by momentous shifts in its political and social contexts. Beginning with religion, we will go on, at greater length, to explore speech issues. Analyzing the ebb and flow of doctrine and argument in the modern period since World War II will prepare us to speculate about developments that lie ahead now.

This will compel us to confront a great issue of our day: the crisis of liberal democracy in the West.

The aim will be to enable you not only to understand and make constitutional argument, but also to better understand law in general - and its relation to politics.

In class, there will be no cold calling. Exams will be graded blind, in keeping with the recommended HLS curve. If the class has under 50 students, a few grades may be raised in cases of excellent participation in class discussions.

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Constitutional Law: First Amendment

Course #: 2035 **Term:** 2019FA **Faculty:** Fried, Charles **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 9:30 AM - 11:30 AM	WCCB010
Fri 9:30 AM - 11:30 AM	WCCB010

Course Description: Prerequisites: This course draws on a background of US history and constitutional history. Students who are unsure of their preparedness are encouraged to check with the instructor before enrolling. In addition, JD students who have taken other courses covering some of this material should seek permission before enrolling.

Exam Type: In Class

This course deals primarily with the First Amendment speech and 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. The textbook will be Sullivan and Feldman, Seventh Edition and supplementary materials (2019) (this is a line-for-line extract from the new Sullivan and Feldman, Constitutional Law-Twentieth edition(2019); to get page numbers in that volume, add 930)

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2020SP **Faculty:** Field, Martha **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Tue 10:20 AM - 11:40 AM	WCCB015
Wed 10:20 AM - 11:40 AM	WCCB015
Mon 10:20 AM - 11:40 AM	WCCB015

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.

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Constitutional Law: First Amendment

Course #: 2035 **Term:** 2020SP **Faculty:** Feldman, Noah **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:30 AM - 11:30 AM AUS101

Fri 9:30 AM - 11:30 AM AUS101

Course Description: Prerequisites: None. Students who have previously taken Religion and the First Amendment may not take this course.

Exam Type: Any-Day Take-Home

This course is one of the two basic courses in the field: it focuses on the First Amendment and deals with the Freedom of Speech, the Free Exercise of Religion, and the Establishment Clause. The course will be taught largely through lectures, with some discussion and time for Q&A exchanges in each class. Students should be aware before enrolling in the course that the use of laptops, iPhones, Blackberries, and other similar devices will not be permitted during class.

Constitutional Law: First Amendment

Course #: 2035 **Term:** 2020SP **Faculty:** Weinrib, Laura **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM LAN225

Tue 1:00 PM - 3:00 PM LAN225

Course Description: Prerequisite: None

Exam Type: Any-Day Take-Home

This course explores the constitutional law of freedom of expression, association, and religion under the First Amendment. Topics for discussion include advocacy of unlawful conduct, defamation, commercial speech, obscenity and pornography, offensive speech, expressive association, the regulation of campaign finance, and the free exercise and establishment of religion.

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

Course #: 2036 **Term:** 2019FA **Faculty:** Strauss, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 1:00 PM - 3:00 PM	LAN272
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Tue 1:00 PM - 3:00 PM	LAN272
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Course Description: Prerequisites: None
Exam Type: Any Day Take-Home
This course is one of the two basic courses in the field. 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:** 2020SP **Faculty:** Gersen, Jeannie Suk **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	AUS101
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Thu 1:00 PM - 3:00 PM	AUS101
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Course Description: Prerequisite: None

Exam Type: Any Day Take-Home
Course requirements include class participation, multiple short pieces of writing, and an exam.

This course is 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.

Laptops and other electronic devices cannot be used in class.

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

Course #: 2036 **Term:** 2019FA **Faculty:** Lessig, Lawrence **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:40 AM

AUS111

Tue 10:20 AM - 11:40 AM

AUS100

Wed 10:20 AM - 11:40 AM

AUS100

Course Description: Prerequisite: None

Exam Type: In Class 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.

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.

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

Course #: 2036 **Term:** 2019FA **Faculty:** Minow, Martha **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:30 AM - 11:30 AM

WCC2012

Fri 9:30 AM - 11:30 AM

WCC2012

Course Description: Prerequisites: None

Exam Type: Any Day Take-Home

This course is one of the two basic courses in the field; it focuses on the separation of powers and federalism and on the Fourteenth Amendments Equal Protection and Due Process Clauses. Students will participate in practice arguments and deliberations as well as class discussions and lectures.

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

Course #: 2036 **Term:** 2020SP **Faculty:** Klarman, Michael **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:40 AM AUS100

Tue 10:20 AM - 11:40 AM AUS100

Wed 10:20 AM - 11:40 AM AUS100

Course Description: Prerequisites: None

Exam type: Any Day Take-Home

This course is one of the two basic courses in the field. It focuses on the structure of the United States government, including the doctrines of separation of powers and federalism. The course also involves an in-depth study of the Fourteenth Amendments Equal Protection and Due Process Clauses. There are two things about this course that you should know in advance-which might distinguish it from other courses on the same topic. First, I teach mostly by lecture; though student participation is encouraged, this is not a conventional Socratic class. Second, while I do cover the conventional constitutional law doctrine, this class also emphasizes historical context, different normative theories of constitutional interpretation, and political science-type questions such as the consequences of the Courts rulings. Those with an interest mainly in conventional legal doctrine might be well advised to look elsewhere.

Constitutional Originalism

Course #: 2365 **Term:** 2020SP **Faculty:** Whittington, Keith **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 1:10 PM - 3:10 PM WCCB015

Course Description: Prerequisites: None

Exam Type: Any Day Take-Home

This course will explore the scholarly debate surrounding originalism as a theory of constitutional interpretation. There will be some consideration of prominent criticisms of originalism, but the class will mostly focus on the internal developments and debates within the originalism literature. Topics will include the normative justifications for originalism, the role of precedent within originalism, the interpretation/construction distinction, and the relationship between originalism and judicial deference.

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Constitutions, Law, and Empire

Course #: 2412 **Term:** 2020SP **Faculty:** Gordon-Reed, Annette; Onuf, Peter **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC5048

Course Description: Prerequisites: None

Exam Type: No Exam

What is a Constitution? Why, and under what circumstances, do people make them? What about the United States and its written constitution: Exactly when and how was it made? This seminar will consider these and other questions as we read literature on constitutional developments in the British Empire, with a focus on settler constitutionalism in North America, the constitutional origins of the American Revolution, the development of state constitutions and the Federal Constitution, the law of nations (international law) with respect to slavery, colonization, and territorial expansion, Manifest Destiny, and the crisis of constitutionalism and law that led to the American Civil War.

Note: This course is jointly listed with FAS as HIST 2445.

Constructing the Presidency

Course #: 2491 **Term:** 2019FA **Faculty:** Renan, Daphna **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM WCC5048

Course Description: Prerequisites: This is an advanced constitutional law seminar so an introduction to the separation of powers (through Legislation and Regulation or Constitutional Law: SOP) is required.

Exam Type: No Exam

This seminar will involve an in-depth and interdisciplinary examination of the U.S. Presidency, studying its constitutional foundations and longstanding debates over the scope and structure 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, as well as legal precedent created within the presidency itself.

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Contemporary Developing Countries: Entrepreneurial Solutions to Intractable Problems

Course #: 2543

Term: 2019FA

Faculty: Khanna, Tarun

Credits: 2.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Location

Mon 3:00 PM - 4:15 PM

Wed 3:00 PM - 4:15 PM

Course Description: Prerequisites: None

Exam Type: No Exam

This course will provide a framework (and multiple lenses) through which to think about the salient economic and social problems of the five billion people of the developing world, and to work in a team setting toward identifying entrepreneurial solutions to such problems. Case study discussions will cover challenges and solutions in fields as diverse as health, education, technology, urban planning, and arts and the humanities. The modules themselves will be team-taught by faculty from engineering, the arts, urban design, healthcare and business. The course will embrace a bias toward action by enabling students to understand the potential of individual agency in addressing these problems. All students will participate in the development of a business plan or grant proposal to tackle their chosen problem in a specific developing country/region, emphasizing the importance of contextualizing the entrepreneurial intervention. The student-team will ideally be comprised of students with diverse backgrounds from across the University.

The course is designed around active participation and the completion of a final group project.

Open to cross-registration for students from other schools and universities. May accept a limited number of auditors, pending instructor approval.

Note: This course is jointly listed with the following schools: Harvard Faculty of Arts and Sciences (FAS) as GENED 1011, Harvard Kennedy School (HKS) as DEV-338, Harvard Graduate School of Design (GSD) as SES 5375, and Harvard Law School (HLS) as 2543. It will meet on the FAS campus in Sever Hall, room 113, and follows the FAS academic calendar.

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Contemporary Dilemmas in Dispute Resolution

Course #: 2376

Term: 2019FA

Faculty: Budish, Sara

Credits: 1.00

Type: Elective

Subject Areas: Legal & Political Theory; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Location

Fri 1:00 PM - 3:00 PM

WCC4061

Course Description: Prerequisite: This reading group is open to any student who has completed the Negotiation Workshop.

Exam Type: No Exam

This reading group will explore situations and applications that challenge core principles in mediation, negotiation, and dispute systems design. When placed in certain contexts, bedrock ideals in many interest-based and party-centered models of dispute resolution - impartiality, joint contribution, validity of multiple perspectives - may begin to seem less benign. What is the responsibility (if any) of the conflict management "neutral" to have and apply a particular view of justice and morality? How can practitioners account for power imbalances between parties without re-entrenching them? How do we make sense of (and fully accept) principles that, when applied in certain ways, could lead to results that are deeply discomfiting at a moral or ethical level? Examples that may be explored include the use of restorative justice in certain criminal contexts; setting up an equivalency between two perspectives, one of which is morally unacceptable; and other recent contexts.

Note: The reading group will meet on the following dates: 10/11, 10/18, 10/25, 11/1, 11/8, 11/15

Drop Deadline: October 12, 2019 by 11:59 pm EST

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Contemporary Issues in Constitutional Law

Course #: 2897

Term: 2019FA

Faculty: Liu, Goodwin

Credits: 2.00

Type: Elective

Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Seminar

Days and Times:

Location

Mon 5:00 PM - 8:00 PM

WCC5044

Tue 5:00 PM - 8:00 PM

WCC5044

Wed 5:00 PM - 8:00 PM

WCC5044

Thu 5:00 PM - 8:00 PM

WCC5044

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, partisan gerrymandering, 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 on the following dates: 9/9, 9/10, 9/11, 9/12, 9/16, 9/17, 9/18, 9/19.

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Contested Domains: Comparative and International Legal Struggles over Sexual and Reproductive Health and Rights

Course #: 2131 **Term:** 2020SP **Faculty:** Yamin, Alicia **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3038

Course Description: Prerequisites: None. Previous exposure to womens/gender studies and/or international human rights law will be helpful. For more background on international human rights, refer as needed to: Philip Alston and Ryan Goodman, *International Human Rights: The Successor to International Human Rights in Context: Law, Politics, Morals* (Oxford: Oxford University Press, 2012) (ON RESERVE)

Exam Type: No Exam

At the intersection of debates about religion, private morality and public policy, and sexual and reproductive health and rights (SRHR) are lightning rods of controversy in most societies. The recent wave of ethnonationalism and populism has also brought backlash against SRHR advances, which had been forged in significant measure through legal mobilization and the use of international human rights standards. Drawing on case examples from multiple regions, as well as in supra-national human rights forums, the course will explore: the origins and evolution of asserting international legal claims to SRHR; challenges to advancing SRHR in diverse lived realities; and contested narratives about health, sexuality and rights embedded in SRHR claims. We will discuss the turn to a reproductive justice paradigm in the US and its relation to evolutions of SRHR paradigms in other contexts.

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Contesting Media in the Modern Era

Course #: 2612

Term: 2020SP

Faculty: Robinson, Stephanie

Credits: 2.00

Type: Elective

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

Delivery Mode: Seminar

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

WCC3011

Course Description: Prerequisites: None

Exam Type: No Exam

This seminar examines mass media depictions and imaging in our increasingly-tumultuous 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. It further considers such relevant and compelling issues as immigration, citizenship, diversity, propaganda and the ultimate role of journalism/news media.

Note: This course is not available for cross-registration.

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Contesting the Carceral State

Course #: 2724 **Term:** 2019FA **Faculty:** Simonson, Jocelyn **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM HAU103

Course Description: Prerequisites: None
Exam Type: No Exam
This reading group will explore the law and politics of mass incarceration in the United States today, with special attention to the ways in which social movements are pushing for reform on the ground. We will spend some time in our first two sessions reading diagnoses of the causes and consequences of the carceral state--the network of institutions and actors that are together responsible for the mass incarceration and supervision of more than 6 million Americans today. We will then turn to a variety of reform efforts that people contesting the carceral state are engaging in today. Although we will discuss specific reform outcomes, our focus will be not just on the "what" but also on the "how": how does reform of the criminal legal system happen? What kinds of legal and political strategies are necessary for largescale decarceration in the United States today?

In preparation for each session, we will read works by contemporary scholars and thinkers about the history and reform of the carceral state. We will pay particular attention to current debates over whether decarceration is best achieved through democratic or bureaucratic efforts. Assignments will also include one podcast each session that examines the ongoing work of advocacy groups pushing for change on the ground.

Note: This reading group will meet on the following dates: 9/4, 9/18, 10/2, 10/16, 10/30, 11/13

Contracts 1

Course #: 1001 **Term:** 2019FA **Faculty:** Okediji, Ruth **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 10:00 AM - 12:00 PM WCC1023

Mon 10:00 AM - 12:00 PM WCC1023

Course Description: Exam Type: In Class
This course will provide a comprehensive study of the law that governs enforceable promises. It begins with a study of the sources of contract law and the concept of mutual assent as a basis for contractual obligations. Topics include consideration and other contract formalities, contract interpretation, parole evidence rule, implied terms, justifications for non-performance and remedies.

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Contracts 2

Course #: 1001 **Term:** 2019FA **Faculty:** Kennedy, Randall **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Tue 8:10 AM - 10:10 AM	WCC1015
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Mon 8:10 AM - 10:10 AM	WCC1015
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Course Description: Exam Type: In Class

This is a course that will offer to students legal cultural literacy in common law contracts.

Contracts 3

Course #: 1001 **Term:** 2019FA **Faculty:** Bar-Gill, Oren **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	WCC2004
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Thu 1:00 PM - 3:00 PM	WCC2004
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Course Description: Exam Type: In Class

The body of law concerned with private agreements, including contract formation, interpretation, conditions, excuse of performance, and remedies for breach, is the focus of this course. Attention is given to the Uniform Commercial Code and other relevant statutes as well as to principles of common law and equity.

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Contracts 4

Course #: 1001 **Term:** 2019FA **Faculty:** Frug, Gerald **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:10 PM - 3:10 PM	WCC1010
Tue 1:10 PM - 3:10 PM	WCC1010

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

Contracts 5

Course #: 1001 **Term:** 2020SP **Faculty:** Lessig, Lawrence **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC1015
Tue 10:20 AM - 11:40 AM	WCC1015
Wed 10:20 AM - 11:40 AM	WCC1015

Course Description: Exam Type: In Class
This class introduces the nature of the obligation we call "contract." How are legally enforced obligations formed? How are they distinct from other obligations? How free are parties to craft the obligations they want to be bound by? How free should they be?

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Contracts 6

Course #: 1001 **Term:** 2019FA **Faculty:** Bar-Gill, Oren **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 8:00 AM - 10:00 AM	WCC2004
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Thu 8:00 AM - 10:00 AM	WCC2004
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Course Description: Exam Type: In Class
The body of law concerned with private agreements, including contract formation, interpretation, conditions, excuse of performance, and remedies for breach, is the focus of this course. Attention is given to the Uniform Commercial Code and other relevant statutes as well as to principles of common law and equity.

Contracts 7

Course #: 1001 **Term:** 2019FA **Faculty:** Rakoff, Todd **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 8:00 AM - 9:20 AM	WCC1023
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Thu 8:00 AM - 9:20 AM	WCC1023
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Fri 8:00 AM - 9:20 AM	WCC1023
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Course Description: Exam Type: In Class
Contract law is the study of legally enforceable promises, normally exchanged as part of a bargain. Contracts are the main means by which transactions are made and legal obligations are voluntarily incurred. Among the topics that may be covered are: when a contractual promise exists and which are too indefinite; whether consideration should be required and what that means; whether there was offer and acceptance forming a contract; whether and when contracts should be voided because of duress, nondisclosure, a failure to read, unconscionability, or immorality; how to interpret contracts; implied and explicit contractual conditions; the material breach and perfect tender rules; whether performance is excused by mistake of fact, impossibility, impracticability, or frustration of contractual purpose; what remedies to reward and how to measure them; and whether and when damages should be limited because of failure to mitigate, unforeseeability, or use of penalty clauses. Materials to be announced.

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Controlling Shareholders

Course #: 2830 **Term:** 2019FA **Faculty:** Bebchuk, Lucian; Kastiel, Kobi **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC4059

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 some course that considers corporations or business associations at another law school in the US or abroad, or (c) have had prior experience that exposed them 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, which will meet for 6 two-hour sessions during the fall semester, will focus on selected issues and policy debates concerning the laws governing companies that have a controlling shareholder. While corporate law courses at HLS often focus on companies with dispersed shareholders, a significant fraction of public companies in the United States, as well as around the world, have a controlling shareholder.

Issues that may be considered include the difference between the governance problems of public companies with and without a controlling shareholder, sales of control blocks, corporate freezeouts, executive pay, self-dealing transactions, director independence, and dual-class companies.

The course aims at giving students a good sense of the issues that companies with controlling shareholders raise for courts, lawmakers, lawyers, and researchers. Readings will be primarily from law review articles. There will be no examination. Instead, students will be asked to submit, before sessions, a brief memo on the assigned readings; grades will be based on these memos (primarily) and on participation in class discussion.

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Copyright

Course #: 2042 **Term:** 2019FA **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 9:30 AM - 11:30 AM WCC5052

Fri 9:30 AM - 11:30 AM WCC5052

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.

Copyright

Course #: 2042 **Term:** 2020SP **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 WCC2012

Tue 10:20 AM - 11:40 AM WCC2012

Wed 10:20 AM - 11:40 AM WCC2012

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/>.

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Copyright and Trademark Litigation

Course #: 2043

Term: 2019FA

Faculty: Cendali, Dale

Credits: 2.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Mon 1:00 PM - 3:00 PM

GRS110

Course Description:

Prerequisites: None

Exam Type: In Class

The class will analyze the strategic, practical and policy issues involved with copyright and trademark litigation from the beginning of a case where emergency injunctive relief might be sought, to its potential end at the U.S. Supreme Court. Substantive areas of copyright and trademark law will include fair use, nominative fair use, the likelihood of confusion, use of consumer surveys, dilution, the role of the First Amendment, the theory behind injunctive relief, the nature of irreparable injury, and trademarks as a form of property right. The course will discuss how to persuasively present evidence and try a case. The course will also address the special nature of Supreme Court litigation and techniques for an effective oral argument. Each student will participate in one very brief oral argument during the semester. Real-life cases the instructor has litigated will be used to illustrate points.

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Corporate and Capital Markets Law and Policy

Course #: 2362 **Term:** 2019FA **Faculty:** Bebchuk, Lucian; Kastiel, Kobi **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	GRS110
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Thu 1:00 PM - 3:00 PM	GRS110
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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 some course that considers corporations or business associations at another law school in the US or abroad, or (c) have had prior experience that exposed them 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, and capital markets. Issues to be considered include the allocation of power between managers and shareholders, takeover bid and proxy contests, hedge fund activism, executive compensation, controlling shareholders, dual-class structures, corporate social responsibility, and securities regulation. A substantial number of sessions will feature outside speakers; such speakers will include prominent practitioners presenting on current policy and practice issues as well as prominent academics presenting on current research. To illustrate, recent speakers in this course have included prominent hedge fund activists, a sitting SEC Commissioner, a leading M&A litigator, and prominent academics.

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 twelve 2-hour sessions which will take place during the time slot of the course. There will be no examination. Instead, students will be asked to submit, before sessions, a brief memo on the assigned readings. Grades will be based on these memos (primarily) and on participation in class discussion.

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Corporate Criminal Investigations

Course #: 2263 **Term:** 2019FA **Faculty:** Soltes, Eugene; Kahn, Daniel; Tsao, Leo **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times:

Mon 5:30 PM - 7:30 PM

Location

WCC3007

Course Description: Prerequisites: None

Exam Type: No Exam

The criminal investigation and prosecution of large-scale corporate misconduct are among the most high profile areas of focus for federal prosecutors and the white-collar defense bar. Recent major prosecutions of individuals and corporations for violations of the Foreign Corrupt Practices Act (FCPA), the Bank Secrecy Act (BSA), and the International Emergency Economic Powers Act (IEEPA) demonstrate that this remains an active area of enforcement for U.S. law enforcement. The interpretation of these laws by courts continues to develop and evolve, implicating a number of significant legal issues. Moreover, such investigations are becoming increasingly global in nature, as foreign law enforcement and regulatory agencies become more active in focusing on these crimes. These multi-jurisdictional investigations pose new obstacles to government enforcers and defense practitioners, and new legal questions for courts to address.

This seminar will explore various aspects of corporate criminal investigations and prosecutions. Topics to be covered include principles of corporate liability; conducting internal and government investigations of corporate misconduct; strategic considerations for prosecutors and defense counsel in corporate criminal investigations; Department of Justice policies on charging, including those designed to incentivize voluntary disclosures, cooperation and remediation; legal and practical issues implicated by multi-jurisdictional cases; corporate compliance programs; and proposals for reform of corporate criminal laws and policies.

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Corporate Finance

Course #: 2244 **Term:** 2020SP **Faculty:** Ferrell, Allen **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:15 PM - 2:45 PM	WCCB010
Tue 1:15 PM - 2:45 PM	WCCB010

Course Description: Prerequisites: No prerequisites, but a corporations course is strongly advised.

Exam Type: In Class

This course addresses the fundamentals of financial economics and reviews applications in selected areas of corporate and securities law.

Corporate Governance: Short-Termism and Current Controversies

Course #: 2988 **Term:** 2020SP **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
Mon 5:00 PM - 7:00 PM	WCC3034

Course Description: Prerequisites: Corporations or permission of the instructor.

Exam Type: No Exam

Students will write short reaction papers to the readings.

In this course, we shall examine writings on the problem of corporate short-termism and related corporate controversies, their consequences and sources, and what policy measures are appropriate.

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Corporate Reorganization

Course #: 2047 **Term:** 2020SP **Faculty:** Bienenstock, Martin **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCCB010

Course Description: Prerequisite: None

Exam Type: No Exam

Grades are determined by 10-page papers on approved topics. Some students may earn an additional writing credit 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.

The last class is devoted to evaluating settlement agreements students negotiate, from the perspective of what issues the students should have tried to negotiate and how to draft contracts.

Note: This is a one-credit course that meets for 7, two-hour sessions on the following dates: January 27, February 3, 10, 17, 24,& March 2 and 9, 2020.

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Corporations

Course #: 2048 **Term:** 2019FA **Faculty:** Taub, Jennifer **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 1:20 PM - 2:40 PM	PND101
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Wed 1:20 PM - 2:40 PM	PND101
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Fri 1:20 PM - 2:40 PM	PND101
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Course Description: Prerequisite: There is no formal prerequisite for the course. Students without a basic familiarity - not necessarily expertise - with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the semester you are enrolled in Corporations.

Exam Type: Last Class Take-Home

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.

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Corporations

Course #: 2048 **Term:** 2019FA **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
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Mon 1:00 PM - 3:00 PM	AUS101
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Tue 1:00 PM - 3:00 PM	AUS101
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Course Description: Prerequisite: There is no formal prerequisite for the course. Students without a basic familiarity – not necessarily expertise - with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the semester you are enrolled in Corporations.

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 behavior among others.

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

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Corporations

Course #: 2048 **Term:** 2020SP **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	WCCB010
Tue 10:20 AM - 11:55 AM	WCCB010
Wed 10:20 AM - 11:55 AM	WCCB010

Course Description: Prerequisite: There is no formal prerequisite for the course. Students without a basic familiarity & not necessarily expertise - with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the semester you are enrolled in Corporations.

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.

In order to prevent scheduling conflicts and to eliminate any need to cancel and then reschedule classes, class meetings will be scheduled from 10:20am until 11:55am. Not all of the slots in the course block (C) will be used and students will know upfront the days on which classes will meet. This schedule ensures that the course is meeting for enough total class minutes to satisfy the ABA requirements.

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Corporations

Course #: 2048 **Term:** 2020WI **Faculty:** Spamann, Holger **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 9:00 AM - 12:15 PM	AUS111
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Tue 9:00 AM - 12:15 PM	AUS111
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Wed 9:00 AM - 12:15 PM	AUS111
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Thu 9:00 AM - 12:15 PM	AUS111
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Fri 9:00 AM - 12:15 PM	AUS111
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Course Description: Prerequisites: There is no formal prerequisite for the course. Students without a basic familiarity & not necessarily expertise - with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the semester you are enrolled in Corporations.

Exam: In Class

In addition to the final exam, there will be two pass/fail quizzes in the first six days of the course.

This is the intensive, condensed version of the Corporations course. Students should be prepared to engage fully and should not take on other work commitments during the term.

Except for the condensed schedule, the course will be the same as the usual fall or spring version. It will survey the legal rules governing corporations with an emphasis on the protection of shareholders in large public corporations 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: TBA

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

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Corporations

Course #: 2048 **Term:** 2019FA **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	WCC1010
Tue 3:20 PM - 4:40 PM	WCC1010
Wed 3:20 PM - 4:40 PM	WCC1010

Course Description: Prerequisites: There is no formal prerequisite for the course. Students without a basic familiarity – not necessarily expertise - with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the same semester you are enrolled in Corporations.

Exam Type: In Class

This course surveys the role of legal structure and legal controls on business enterprises with an emphasis on Delaware law and the duties of the managers, directors, and controlling shareholders of public corporations. It reviews the law of agency, which is fundamental to all legal entities. It addresses non-corporate business entities to highlight their continuities with-and differences from- business corporations. Corporate topics include limited liability, fiduciary law, shareholder voting, executive compensation, derivative suits, control transactions, mergers and acquisitions, and insider trading. This course also surveys topics in securities law that are closely related to corporate governance: in particular, the SEC's proxy and tender offer rules and the reach of anti-fraud liability. One theme throughout the course is corporate law's role in empowering actors with a flexible legal form, another is the law's role in constraining insider opportunism, and a third is the judiciary's pivotal role in balancing flexibility against constraint.

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

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Corporations

Course #: 2048 **Term:** 2020SP **Faculty:** Casey, Anthony **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:

Location

Tue 3:20 PM - 4:40 PM

WCC2012

Wed 3:20 PM - 4:40 PM

WCC2012

Mon 3:20 PM - 4:40 PM

WCC2012

Course Description: Prerequisites: None

Exam Type: In Class

This is an introductory course on the law of corporations and related business organizations. While we will focus primarily on corporations, we will also cover agency and partnership to examine similarities and differences between those organizations and the corporation. Specific topics will include fiduciary law, shareholder voting, derivative suits, control transactions, mergers and acquisitions, and general rules of corporate governance.

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Counseling and Legal Strategy in the Digital Age

Course #: 2653 **Term:** 2019FA **Faculty:** Bavitz, Christopher **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 HAU105

Course Description: Prerequisites: None

Exam Type: No Exam

This course explores the complex challenges that entrepreneurs, businesses, NGOs, 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 public relations 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.

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Criminal Justice Appellate Clinic

Course #: 8050

Term: 2020WI

Faculty: Ali, Amir

Credits: 2.00

Type: Clinic

Subject Areas: Criminal Law & Procedure; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Students who enroll in this offering 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: Criminal Justice Appellate Clinical Seminar (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 25, 2019.

Add/Drop Deadline: November 15, 2019. LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT. Placement Site: Washington D.C.

This winter-term clinic is taken concurrently with the Criminal Justice Appellate Clinical Seminar. Both the class and clinic will take place in Washington, D.C.

Students will participate in an externship with the Roderick & Solange MacArthur Justice Center (“MJC”) in Washington, D.C., working on appeals before federal circuit courts and/or the U.S. Supreme Court that raise important issues related to civil rights and the criminal justice system.

Students will learn the ins-and-outs of litigating appeals in the field criminal justice, including general appellate strategy and skills, and emerging issues in the criminal justice system. Under the supervision of the director of MJC’s D.C. Office, students will have the opportunity to make a substantial contribution to the office’s ongoing appellate cases, including performing research and draft legal analysis for briefs that will be filed in federal court. Depending on the particular matters students work on, this may also include participation in client interaction and strategic decision-making, analysis of factual records, and participation in moot oral arguments (depending upon the stage of their assigned appeals). Students will also have the option of continuing the clinic remotely in the spring semester, allowing more substantial involvement in their assigned appeals and increased exposure to appellate litigation.

MJC is one of the nation’s premier civil rights organizations and champions criminal justice reform through litigation, in areas that include police misconduct, rights of the accused, issues facing indigent prisoners, the death penalty, and the rights of detainees. The organization’s Washington, D.C. office focuses specifically on appellate litigation as a vehicle for achieving change in these areas.

Examples of issues raised in MJC appeals include:

Unsettled questions of criminal procedure under the Fourth, Fifth, and Sixth Amendments (search & seizure, privilege against self-incrimination, right to a jury, right to counsel);

Issues facing indigent prisoners, including the constitutional rights of prisoners to be free from cruel and unusual treatment by prison officials and access to courts;

Constitutional challenges to the use of solitary confinement in the prison system;

Fundamental trial rights under the Due Process Clause, including issues unique to capital trials;

Challenges to certain discriminatory executive actions outside of the criminal justice system, including discriminatory practices of Immigrations and Custom Enforcement and discrimination against Muslim travelers at the border.

Students admitted to the clinic will be supervised by Amir H. Ali, founder of MJC’s Washington, D.C. office, who serves as the organization’s Supreme Court & Appellate Counsel.

Application: Students interested in this clinic should submit a resume, an unedited writing sample, and a statement of interest (less than 300 words) that includes: (i) the student’s reason for applying to the clinic, including particular criminal justice issues the student is interested in; (ii) any prior exposure to

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appellate and/or criminal justice issues; (iii) whether the student would be interested in continuing the clinic during the Spring semester. Applications should be submitted to clinical@law.harvard.edu by October 25, 2019. Limited funding for students' travel/accommodations in Washington, D.C. will be available through the Office of Clinical Programs.

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Criminal Justice Appellate Clinical Seminar

Course #: 2363 **Term:** 2020WI **Faculty:** Ali, Amir **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Required Clinic Component: Criminal Justice Appellate 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 25, 2019. Add/Drop Deadline: November 25, 2019. LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT. Placement Site: Washington D.C.

This winter-term course is taken concurrently with the Criminal Justice Appellate Clinic. Both the class and clinic will take place in Washington, D.C.

Students will participate in an externship with the Roderick & Solange MacArthur Justice Center (“MJC”) in Washington, D.C., working on appeals before federal circuit courts and/or the U.S. Supreme Court that raise important issues related to civil rights and the criminal justice system. Students will learn the ins-and-outs of litigating appeals in the field criminal justice, including general appellate strategy and skills, and emerging issues in the criminal justice system. Under the supervision of the director of MJC’s D.C. Office, students will have the opportunity to make a substantial contribution to the office’s ongoing appellate cases, including performing research and draft legal analysis for briefs that will be filed in federal court. Depending on the particular matters students work on, this may also include participation in client interaction and strategic decision-making, analysis of factual records, and participation in moot oral arguments (depending upon the stage of their assigned appeals). Students will also have the option of continuing the clinic remotely in the spring semester, allowing more substantial involvement in their assigned appeals and increased exposure to appellate litigation. MJC is one of the nation’s premier civil rights organizations and champions criminal justice reform through litigation, in areas that include police misconduct, rights of the accused, issues facing indigent prisoners, the death penalty, and the rights of detainees. The organization’s Washington, D.C. office focuses specifically on appellate litigation as a vehicle for achieving change in these areas. Examples of issues raised in MJC appeals include:

Unsettled questions of criminal procedure under the Fourth, Fifth, and Sixth Amendments (search & seizure, privilege against self-incrimination, right to a jury, right to counsel);

Issues facing indigent prisoners, including the constitutional rights of prisoners to be free from cruel and unusual treatment by prison officials and access to courts;

Constitutional challenges to the use of solitary confinement in the prison system;

Fundamental trial rights under the Due Process Clause, including issues unique to capital trials;

Challenges to certain discriminatory executive actions outside of the criminal justice system, including discriminatory practices of Immigrations and Custom Enforcement and discrimination against Muslim travelers at the border.

Students admitted to the clinic will be supervised by Amir H. Ali, founder of MJC’s Washington, D.C. office, who serves as the organization’s Supreme Court & Appellate Counsel.

Application: Students interested in this clinic should submit a resume, an unedited writing sample, and a statement of interest (less than 300 words) that includes: (i) the student’s reason for applying to the clinic, including particular criminal justice issues the student is interested in; (ii) any prior exposure to appellate and/or criminal justice issues; (iii) whether the student would be interested in continuing the

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clinic during the Spring semester. Applications should be submitted to clinical@law.harvard.edu by October 25, 2019. Limited funding for students' travel/accommodations in Washington, D.C. will be available through the Office of Clinical Programs.

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Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002 **Term:** 2020WS **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 offering 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). 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 TAW and Evidence separate from their clinical registration.
By Permission: No.
Add/Drop Deadline: August 16, 2019.
LLM Students: This clinic is not available to LLM students.
Multi-Semester: This is a winter-spring clinic (1 winter clinical credit + 5 spring clinical credits).
Placement Site: HLS.
Mandatory Meetings: All students enrolled in the clinic (fall-winter and winter-spring) must attend mandatory orientation sessions (times indicated below) on Wednesday, September 25, Thursday, September 26 AND Friday, September 27, 2019. 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. 23) or Tuesday (Sept. 24).
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 23 – September 27, 2019. During this first week of CJ, all students must attend a number of mandatory orientation sessions. Each student is

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required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 23) or Tuesday (Sept. 24) from 8:45 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 25) from 12:00 PM – 5:00 PM, Thursday (Sept. 26) from 2:00 PM – 5:00 PM, as well as on Friday (Sept. 27) 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 1:00 PM - 3:00 PM. There will be a mandatory mini-orientation session on Thursday, January 9, 2020, for students enrolled in the winter-spring clinic; winter-spring clinic students required to attend all orientation sessions scheduled in September and January.

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.

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Criminal Justice Institute: Criminal Defense Clinic

Course #: 8002 **Term:** 2019FW **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 offering 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). 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 TAW and Evidence separate from their clinical registration.
By Permission: No.
Add/Drop Deadline: August 16, 2019.
LLM Students: This clinic is not available to LLM students.
Multi-Semester: This is a fall-winter clinic (4 fall clinical credits + 1 winter clinical credit).
Placement Site: HLS.
Mandatory Meetings: All students enrolled in the clinic (fall-winter and winter-spring) must attend mandatory orientation sessions (times indicated below) on Wednesday, September 25, Thursday, September 26 AND Friday, September 27, 2019. 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. 23) or Tuesday (Sept. 24).
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 23 – September 27, 2019. During this first week of CJ, all students must attend a number of mandatory orientation sessions. Each student is

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required to attend (as assigned) one day of court observation followed by a facility tour, which will be held on Monday (Sept. 23) or Tuesday (Sept. 24) from 8:45 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 25) from 12:00 PM – 5:00 PM, Thursday (Sept. 26) from 2:00 PM – 5:00 PM, as well as on Friday (Sept. 27) 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 1:00 PM - 3:00 PM. There will be a mandatory mini-orientation session on Thursday, January 9, 2020, for students enrolled in the winter-spring clinic; winter-spring clinic students required to attend all orientation sessions scheduled in September and January.

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.

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Criminal Justice Institute: Defense Theory and Practice

Course #: 2261 **Term:** 2019FW **Faculty:** Umunna, Dehlia **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Tue 5:00 PM - 7:00 PM	PND101
Thu 5:00 PM - 7:00 PM	PND101
Wed 1:00 PM - 3:35 PM	PND101
Thu 1:00 PM - 3:35 PM	PND101

Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement. Students who enroll in this offering may count the credits towards the JD experiential learning requirement. Open to 3Ls only Required Clinic Component: Criminal Justice Institute: Criminal Defense Clinic, either fall-winter (4 fall clinical credits + 1 winter clinical credit) or winter-spring (1 winter clinical credit + 5 spring clinical credits). Students in both of the two clinic offerings (fall-winter or winter-spring) are required to enroll in this fall-winter course. Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in TAW and Evidence separate from their clinical registration. Please Note: Students participating in CJI during the 2019-2020 year (fall-winter and winter-spring students) who have not yet taken TAW must take the fall 2019 TAW. Students cannot take the winter 2020 TAW concurrently with CJI. By Permission: No. Add/Drop Deadline: August 16, 2019.LLM Students: This clinic is not available to LLM students.Multi-Semester: This is a fall-winter course (3 fall classroom credits + 1 winter classroom credit). Mandatory Meetings: All students enrolled in the clinic (fall-winter and winter-spring) must attend mandatory orientation sessions (times indicated below) on Wednesday, September 25, Thursday, September 26 AND Friday, September 27, 2019. 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. 23) or Tuesday (Sept. 24). 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

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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 23 – September 27, 2019. During this first week of CJL, 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. 23) or Tuesday (Sept. 24) from 8:45 AM - 3:00 PM. Additionally, all students must attend the mandatory orientation sessions on Wednesday (Sept. 25) from 12:00 PM – 5:00 PM, Thursday (Sept. 26) from 2:00 PM – 5:00 PM, as well as on Friday (Sept. 27) 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 term, class will meet on Wednesdays and Thursdays from 1:00 PM - 3:00 PM. There will be a mandatory mini-orientation session on Thursday, January 9, 2020, for students enrolled in the winter-spring clinic; winter-spring clinic students required to attend all orientation sessions scheduled in September and January. 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.

Criminal Law 1

Course #: 1002 **Term:** 2020SP **Faculty:** Medwed, Daniel **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 9:30 AM - 11:30 AM	WCC1015
Fri 9:30 AM - 11:30 AM	WCC1015

Course Description: Exam Type: In Class

This course has three primary goals. I hope to (1) provide instruction regarding the substantive law of crimes in the United States, namely, the creation, definition and analysis of offenses and defenses; (2) develop your skills related to statutory interpretation and fact analysis; and (3) give you a sense of how the criminal justice system operates in practice.

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Criminal Law 2

Course #: 1002 **Term:** 2020SP **Faculty:** Steiker, Carol **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: In Class

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

Criminal Law 3

Course #: 1002 **Term:** 2019FA **Faculty:** Kamali, Elizabeth Papp **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: In Class

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

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Criminal Law 4

Course #: 1002 **Term:** 2020SP **Faculty:** Crespo, Andrew **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam: In Class

This course considers the basic themes of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationales for punishment. General doctrinal principles of criminal law and illustrative crimes are studied, including homicide, rape, and drug offenses, as well as inchoate crimes such as attempt and conspiracy. The course also considers some important issues in the administration of criminal justice, with special emphasis on the phenomenon of discretion—as manifested in prosecutorial charging decisions, plea bargaining, and sentencing. The focus is not on criminal procedure in the conventional sense, but rather on the quintessentially substantive problem of understanding the criteria by which culpability and punishment are actually determined in the contemporary American criminal justice system.

Criminal Law 5

Course #: 1002 **Term:** 2020SP **Faculty:** Lvovsky, Anna **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: One-Day Take-Home

This course considers the basic themes of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationales for punishment. General doctrinal principles of the criminal law and illustrative crimes are studied, including attempts, conspiracy, and the law of accomplice liability, defenses such as self-defense and insanity, and aspects of the law of homicide and rape. The course also considers some important issues in the administration of the criminal justice system, with special emphasis on the phenomenon of discretion.

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Criminal Law 6

Course #: 1002 **Term:** 2019FA **Faculty:** Rabb, Intisar **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 8:10 AM - 10:10 AM	WCC2009
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Tue 8:10 AM - 10:10 AM	WCC2009
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Course Description: Exam Type: In Class

This course considers the basic themes of substantive criminal law, including criminal responsibility; the significance of act, intent, causation, and result; justification and excuse; and the rationale of punishment.

Criminal Law 7

Course #: 1002 **Term:** 2020SP **Faculty:** Yang, Crystal **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 8:10 AM - 10:10 AM	WCC1010
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Tue 8:10 AM - 10:10 AM	WCC1010
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Course Description: Exam Type: In Class

This course considers the basic themes of substantive criminal law, including criminal responsibility, the significance of act, intent, causation and result, justification and excuse, and the rationales for punishment. General doctrinal principles of the criminal law and illustrative crimes are studied, including attempts, conspiracy, and the law of accomplice liability, defenses such as self-defense and insanity, and aspects of the law of homicide and rape. The course also considers some important issues in the administration of the criminal justice system, with special emphasis on the phenomenon of discretion. The rationales for allowing discretion, the proper scope of discretion, and the practical effects of discretion are examined in the context of particular institutional actors, with focus on prosecutorial charging discretion, the practice of plea bargaining, and current debates about sentencing discretion.

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Criminal Law and Torts -- Intersections, Distinctions, and Consequences

Course #: 2458 **Term:** 2020SP **Faculty:** Krishnamurthi, Guha **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 WCC4056

Course Description: Prerequisites: None
Exam Type: No Exam
A substantial body of scholarship has been devoted to the common foundations and distinctions between crimes and torts. This reading group will first examine the theoretical bases for the intersections and distinctions between crimes and torts. It will then consider the resulting practical consequences, from policy, legislation, and litigation-strategy perspectives.

The reading group will focus on the following questions: (1) What are the common foundations and purposes of crimes and torts? What are the differences? (2) What are the practical ways in which these common foundations and differences bear out? What potential problems may arise from the ways in which the criminal law and tort law interact?

The reading group will be divided into two units, each of which will address a set of these questions and will consist of three sessions. We will use a range of texts (judicial opinions, scholarly writing, and popular commentary). The reading group will meet for six two-hour sessions, and participation will be graded credit/fail. Because the focus will be on the U.S. criminal and civil legal systems, a working knowledge of U.S. law is assumed.

Note: This reading group will meet on the following dates: 2/3, 2/17, 3/2, 3/23, 4/6, 4/20
Drop Deadline: February 4, 2020 by 11:59 pm EST

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Criminal Procedure: Adjudication

Course #: 2049 **Term:** 2020SP **Faculty:** Lanni, Adriaan **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	HAU102
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Thu 1:00 PM - 3:00 PM	HAU102
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Course Description: Prerequisite: None

Exam Type: One-Day Takehome

The subject of this course is the criminal process "from bail to jail." We will address some of the main constitutional and policy issues that arise about the structure of this process, including the right to counsel, the influence of prosecutorial discretion, the institution of plea bargaining, the role of the jury, and the choice of sentencing procedures. We will also address some important issues about the outcomes produced by this process, including the problem of wrongful convictions (innocence) and disparate racial and class impacts.

Criminal Procedure: Investigations

Course #: 2050 **Term:** 2020SP **Faculty:** Crespo, Andrew **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 9:30 AM - 11:30 AM	AUS100
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Fri 9:30 AM - 11:30 AM	AUS100
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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 and Fifth Amendments that 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.

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Criminal Procedure: Investigations

Course #: 2050 **Term:** 2020SP **Faculty:** Marceau, Justin **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 1:30 PM - 3:00 PM	AUS100
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Tue 1:30 PM - 3:00 PM	AUS100
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Course Description: Prerequisites: None

Exam Type: In Class

This course covers the constitutional restrictions on police investigations. It considers both physical searches and seizures and also searches and seizures of electronic data. The focus is on the Fourth Amendment, Fifth Amendment, and to a lesser extent, the Sixth Amendment. The course also examines in detail the scope and administration of exclusionary rules.

Criminal Procedure: Investigations

Course #: 2050 **Term:** 2019FA **Faculty:** Simonson, Jocelyn **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:00 PM - 3:00 PM	LAN272
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Thu 1:00 PM - 3:00 PM	LAN272
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Course Description: Prerequisites: None

Exam Type: In Class

This course examines the law governing police behavior, primarily by examining the constitutional doctrines of the Fourth, Fifth, and Sixth Amendments that regulate law enforcement action. Topics covered include search and seizure, stop and frisk, electronic surveillance, probable cause, warrants and their exceptions, police use of force, custodial interrogation, eyewitness identification procedures, and exclusionary remedies. In addition to doctrinal examination, the course will also ask broader policy questions about the regulation, democratic accountability, and scope of police behavior in the United States today.

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Criminal Prosecution Clinic

Course #: 8003 **Term:** 2019FW **Faculty:** Corrigan, John **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: 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 TAW and Evidence separate from their clinical registration.
By Permission: No.
Add/Drop Deadline: August 16, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
Multi-Semester: This is a fall-winter clinic (4 fall clinical credits + 1 winter clinical credit).
Placement Site: Various D.A. Offices throughout Massachusetts.
This clinic and course will focus on the role of and decision-making by the prosecutor in the criminal justice system, with particular attention to the exercise of discretion by the prosecutor in investigation, charging, plea negotiation and sentencing recommendation decisions. It will also involve an examination of the lawyering skills involved in case analysis, interviewing witnesses, and negotiation, and other aspects of case handling and courtroom advocacy, in the context of the District Court.
During the fall and winter terms, the class will consist of one two-hour class per week, in addition to the clinical assignment.
A clinical practice component is required of all students. Students must have at least two full days in their schedule free from 8am to 5pm for the clinical component. Clinical placements are with the Middlesex, Norfolk, Suffolk, or Essex County District Attorneys Office. Under the supervision of assistant district attorneys, students work a minimum of twenty hours per week to represent the Commonwealth in prosecuting District Court criminal cases. While student experiences vary, students are likely to handle arraignments, bail hearings, pretrial conferences, motion hearings, pleas and trials. Some students may handle a jury trial. Clinical placements will begin immediately after the completion of the fall Trial Advocacy Workshop. Readings will consist primarily of multilithed materials. Students are required to keep a journal relating to their fieldwork experiences and to prepare several short practical skills exercises. The classroom component of this clinical course satisfies the Law Schools professional responsibility requirement.
Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

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Crimmigration Clinic

Course #: 8043 **Term:** 2019FA **Faculty:** Torrey, Philip **Credits:** 3.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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). Students who are accepted into this clinic will be enrolled in the required clinical course component by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: No.

By Permission: Yes - applications are due by April 8, 2019. Add/Drop Deadline: August 16, 2019.

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

Placement Site: HLS.

In the Crimmigration Clinic students 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 administrative and federal litigation (appellate courts and district court) concerning criminal bars to immigration relief, detention, and the crime-based grounds of removal. Students have also developed practice guidance for public defender offices around the country, and engaged in legislative advocacy on issues, including sanctuary policies and the use of state prisons to house immigration detainees. Clinical students will also work with the Harvard Criminal Justice Institute to provide advice to their case teams about the immigration consequences of criminal charges.

Clinical work will largely be performed at HLS, under the supervision of Lecturer on Law and HIRC Managing Attorney Phil Torrey or Clinical Instructor Cindy Zapata. On litigation and policy matters, the Clinic will collaborate with local and national non-profit organizations.

Enrollment in the Crimmigration Clinic is by application only (applications are due to Phil Torrey - ptorrey@law.harvard.edu). Students should include a resume and short statement of interest (250 words or less) in their application. Applications are due by April 8, 2019. Once accepted, students will work with the Office of Clinical and Pro Bono Programs to finalize their registrations.

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Crimmigration Clinic

Course #: 8043 **Term:** 2020SP **Faculty:** Torrey, Philip **Credits:** 3.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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). Students who are accepted into this clinic will be enrolled in the required clinical course component by the Office of Clinical and Pro Bono Programs.
Additional Co-/Pre-Requisites: No.
By Permission: Yes - applications are due by April 8, 2019. Add/Drop Deadline: This clinic has an early drop deadline of August 26, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: HLS.
In the Crimmigration Clinic students 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 administrative and federal litigation (appellate courts and district court) concerning criminal bars to immigration relief, detention, and the crime-based grounds of removal. Students have also developed practice guidance for public defender offices around the country, and engaged in legislative advocacy on issues, including sanctuary policies and the use of state prisons to house immigration detainees. Clinical students will also work with the Harvard Criminal Justice Institute to provide advice to their case teams about the immigration consequences of criminal charges.
Clinical work will largely be performed at HLS, under the supervision of Lecturer on Law and HIRC Managing Attorney Phil Torrey or Clinical Instructor Cindy Zapata. On litigation and policy matters, the Clinic will collaborate with local and national non-profit organizations.
Enrollment in the Crimmigration Clinic is by application only (applications are due to Phil Torrey - ptorrey@law.harvard.edu). Students should include a resume and short statement of interest (250 words or less) in their application. Applications are due by April 8, 2019. Once accepted, students will work with the Office of Clinical and Pro Bono Programs to finalize their registrations.

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Crimmigration: The Intersection of Criminal Law and Immigration Law

Course #: 2597 **Term:** 2019FA **Faculty:** Torrey, Philip **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:30 AM - 11:30 AM WCC3018

Course Description: Prerequisites: None

Exam Type: One Day Take-Home

The intersection of criminal law and immigration law is a growing field of law that is at the forefront of today's immigration debate. As immigration laws have become more "criminalized" and criminal laws have become more "immigrationized" it is increasingly important to understand the intersection of criminal law and immigration law. The goal of this course is to give students the skills to recognize and examine immigration consequences of criminal convictions and to analyze how those laws have developed in light of historical trends related to immigration detention, border security, race, poverty, and national security, and Fifth Amendment Due Process jurisprudence.

Some seats in this course are reserved for students in the Crimmigration Clinic. For more information, please view the clinic's Course Catalog description.

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Critical Perspectives on Transgender Law

Course #: 2816 **Term:** 2019FA **Faculty:** Albert, Kendra **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM HAU103

Course Description: Prerequisite: None

Exam Type: No Exam

This reading group explores American law related to and affecting transgender, genderfluid, nonbinary, agender, and gender-nonconforming people. We will discuss contemporary cases involving transgender rights, as well as historical cases where the rights of transgender litigants were directly or indirectly contested. Readings will incorporate case law, sociological perspectives, and direct first-person narratives. By looking at law through the lens of transgender experiences, the class will critique legal assumptions about gender and reflect upon how law as a whole could be made less cis-normative.

Note: This reading group will meet on the following dates: 9/16, 9/30, 10/21, 11/4, 11/18, 12/2

Drop Deadline: September 17, 2019 by 11:59 pm EST

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Critical Race Theory

Course #: 2279

Term: 2020SP

Faculty: Mack, Kenneth

Credits: 1.00

Type: Elective

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

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4061

Course Description: Prerequisite: None

Exam Type: No Exam

This reading group 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.

Note: This reading group will be held on the following dates: 1/27, 2/10, 2/24, 3/9, 3/30, 4/13

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Critical Theory in Legal Scholarship

Course #: 2052

Term: 2019FA

Faculty: Halley, Janet

Credits: 2.00

Type: Elective

Subject Areas: Legal & Political Theory

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

PND102

Course Description: Prerequisites: None

Exam Type: No Exam

Short papers with Long Paper option.

The goal of this seminar will be to help students imagine writing projects of their own which put critical theory from the humanities and from legal studies "to work" in understanding some concrete dimension of the law. Readings will be a selected range of "classics" in literary, social and legal theory, paired with remarkable examples of legal-academic writing strongly engaged with them. Wherever possible, the latter will take the form of one article by a senior scholar and one by a person still in the early stages of a writing career. Our discussions will aim for mastery of the former and a nuanced understanding of the interventions and methods exemplified by the latter.

The target audience of this Seminar is students with ambitions to write legal scholarship - whether LLMS writing scholarly papers, or 2Ls and 3Ls in the early, middle or late stages of framing an academic project. SJDs are welcome to audit. Students may write 6 short response papers or, with permission of the instructor, submit substantial writing within their own scholarly endeavors.

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Cross Border M&A: Drafting, Negotiation & the Auction Process

Course #: 2933 **Term:** 2020SP **Faculty:** Presser, Mitchell **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 6:15 PM HAU104

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Prerequisite: Corporations. For LLM students with applicable experience or courses, permission of the instructor to waive the requisite is required.

Exam Type: No Exam

In today's economy, transactions are becoming increasingly global in nature, often crossing more than one border and implicating the laws and market practices of more than one jurisdiction. Cross-border transactions present unique challenges from both the seller's and buyer's perspective that require an in-depth understanding and appreciation of the key practical and theoretical issues they present. This course will familiarize students with these types of transactions and the unique challenges they present in order to aid them in their transition into the practice of modern-day corporate counsel.

This semester-long course will be divided into three segments. The first segment will consist of four sessions structured as interactive lectures focused on the fundamentals of cross-border M&A transactions, the unique cultural and state challenges they present, basic finance and the basics of an organized sales process. The second segment will consist of five sessions in which students will participate as parties to a transaction and engage in a simulated auction process for the sale of a business division of an international company with a diverse pool of potential buyers. Student groups will negotiate the material aspects of the transaction and mark-up an auction draft purchase agreement. The third segment will consist of three classes where each of the student teams will be asked to present their final proposals to a simulated board of directors by providing their board with an overview of the final purchase agreement, key terms of the transaction, and an explanation of the risks and benefits associated with the negotiated terms.

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

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Current Issues in Corporate Governance

Course #: 2053

Term: 2019FA

Faculty: Fried, Jesse

Credits: 2.00

Type: Elective

Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Seminar

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

WCC3038

Course Description: Prerequisites: Corporations or permission of the instructor.

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.

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Cyber Criminal Law and Procedure

Course #: 2986 **Term:** 2019FA **Faculty:** Berman, Seth **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM HAU104

Course Description: Prerequisites: None

Exam Type: Any Day Take-Home

The Internet has changed the landscape of business, commerce, communication - and also crime. The borderless nature of the Internet has complicated the investigation and enforcement of cybercrime. Cryptocurrency has created a new means of sidestepping currency and money laundering controls. Each day brings news of a new cyberattack on a company, a government entity, and even, perhaps, on the very foundations of our democracy. Meanwhile, new technologies seem to create new ways of committing crimes almost as rapidly as they create new legitimate business opportunities. Neither law enforcement nor businesses have a good idea how to respond.

Substantive criminal law and criminal procedure are straining to catch up with this rapidly evolving criminal landscape. The ability of criminals to operate nearly anonymously and across multiple jurisdictions creates new challenges for judges, prosecutors, defense attorneys, and crime victims. 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 cybercrime impact legal practice? What are the unique legal barriers to prosecuting cybercrime? What constitutional protections attach to people or data abroad? What international issues arise from the different legal and cultural approaches to privacy and security in different jurisdiction?

Though the focus of the course is on cyber-crime law, we will also explore issues common throughout criminal law practice, including search and seizure issues, criminal procedure, prosecutorial ethics, appropriate defense strategy, and the federal sentencing guidelines. We will also briefly explore other avenues outside the criminal law for addressing the cyber-crime risk.

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 as an international data breach investigator and lawyer as well as from recent public examples to teach practice and policy in the area.

This course will be of interest to future prosecutors, defense lawyers and criminal justice policymakers.

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Cyberlaw Clinic

Course #: 8004 **Term:** 2020SP **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 offering 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: December 6, 2019.

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

Placement Site: HLS.

The Cyberlaw Clinic, based at Harvards Berkman Klein 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 areas of law that include Communications Infrastructure; Consumer Protection, Privacy, & Compliance; General Internet Business Law; Government Innovation; Intellectual Property; Litigation and Amicus Advocacy; Online Safety, Digital Civil Liberties, & User Rights; Speech, Media Law, & First Amendment; and Technology & 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, civil liberties, and human rights. 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://clinic.cyber.harvard.edu>.

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Cyberlaw Clinic

Course #: 8004 **Term:** 2019FA **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 offering 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 16, 2019.

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

Placement Site: HLS.

The Cyberlaw Clinic, based at Harvards Berkman Klein 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 areas of law that include Communications Infrastructure; Consumer Protection, Privacy, & Compliance; General Internet Business Law; Government Innovation; Intellectual Property; Litigation and Amicus Advocacy; Online Safety, Digital Civil Liberties, & User Rights; Speech, Media Law, & First Amendment; and Technology & 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, civil liberties, and human rights. 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://clinic.cyber.harvard.edu>

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Cyberlaw Clinic Seminar

Course #: 2674 **Term:** 2020SP **Faculty:** Bavitz, Christopher; Fjeld, Jessica **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC3016

Course Description: Students who enroll in this offering 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: December 6, 2019.
LLM Students: LLM students may apply to the clinic by submitting an application.
This seminar is required for all students enrolled in the Cyberlaw Clinic. The course incorporates instruction about substantive legal issues at the heart of the Clinics practice, case studies and exercises designed to enhance students practice skills, and consideration of questions of ethics and professional responsibility that arise in the Clinics practice. Through regular case rounds presentations and discussions, students have the opportunity to share information with and solicit feedback from Clinic colleagues about their work.
Please see the clinics course description for more information.

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Cyberlaw Clinic Seminar

Course #: 2674 **Term:** 2019FA **Faculty:** Bavitz, Christopher; Fjeld, Jessica **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 WCC3007

Course Description: Students who enroll in this offering 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 16, 2019.
LLM Students: LLM students may apply to the clinic by submitting an application.
This seminar is required for all students enrolled in the Cyberlaw Clinic. The course incorporates instruction about substantive legal issues at the heart of the Clinics practice, case studies and exercises designed to enhance students practice skills, and consideration of questions of ethics and professional responsibility that arise in the Clinics practice. Through regular case rounds presentations and discussions, students have the opportunity to share information with and solicit feedback from Clinic colleagues about their work.
Please see the clinics course description for more information.

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Deals

Course #: 2445 **Term:** 2020SP **Faculty:** Subramanian, Guhan **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:15 PM - 3:15 PM

Tue 1:15 PM - 3:15 PM

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

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

For LLM students, Corporations or its equivalent is a prerequisite, and the Negotiation Workshop is highly recommended.

Exam Type: No Exam

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

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

Topics developed throughout the course include: how negotiators create and claim value through the setup, design, and tactical implementation of agreements; complexities that can arise through agency, asymmetric information, moral hazard, and adverse selection; structural, psychological, and interpersonal barriers that can hinder agreement; and the particular challenges inherent in the roles of advisors as negotiators. The course will also explore the differences between deal-making and dispute resolution; single-issue and multiple-issue negotiations; and between two parties and multiple parties.

Note: This course is jointly listed with HBS as 2267. The class will be comprised of approximately an equal number of students from HBS and HLS, and class sessions will be held on the HBS campus. The course is held on the HBS campus, with the exception of three meetings. On 2/17 & 4/20 from 1:15-3:15 at HLS in WCC 1010, and on 3/26 from 7-9pm, class will be held at HLS in WCC 1019.

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Defending Constitutional Democracy

Course #: 2030 **Term:** 2019FA **Faculty:** Tribe, Laurence **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory; Legal History

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM HAU103

Course Description: Prerequisites: By Permission (see application requirements below). Priority in admission will be given to students who will have completed at least one of the two introductory Constitutional Law courses offered at HLS by the end of Spring 2019. Students who will not have completed either of those two courses by the end of Spring 2019 and are not concurrently taking one of those courses in Fall 2019 are unlikely to be admitted. Although there are no absolute prerequisites, if you fall outside those parameters your statement of interest should provide convincing reasons to believe that you are thoroughly familiar with the materials covered by at least one of those two courses.

Enrollment: Enrollment will be limited to 12 and will be by permission of the instructor, based on written applications that include (1) the applicant's CV and unofficial list of courses and instructors, including those still underway and those the applicant plans to take in Fall 2019, and (2) a brief (no more than 1 or 2 double-spaced pages) statement of background and interest in constitutional law and litigation (including undergraduate major, relevant pre-HLS work experience, and whatever career plans you might already have formulated). No auditors will be allowed.

All applications must be submitted electronically to Kathy McGillicuddy (kmcgill@law.harvard.edu), with copies to Professor Tribe (tribe@law.harvard.edu) by 5 PM on August 26th, and decisions will be made on a rolling basis beginning as early as mid-May. Students who have been admitted will be notified as soon as possible, but definitely by August 29th.

Only students who are prepared to make a firm commitment to enroll in the seminar in the event they are admitted should apply. This includes a commitment to drop whatever fall electives to which you might have been admitted in the event that those electives conflict with this seminar.

Exam Type: No Exam

Course contents: This seminar will assess the challenges for democracy under law, for human rights, and for fact-based government posed by the current political configuration and will explore ways of using constitutional law and politics to pressure and protect the republic and to reinvigorate its most enlightened aspirations.

Other course requirements: In addition to attending and participating in every seminar meeting, each student will be responsible for writing two very short (7 double-spaced pages max) responses to specific questions about the materials that I'll pose at the start of the course or as the course progresses.

Required texts: Tribe, To End a Presidency: The Power of Impeachment (Paperback 2019). All assigned materials will be posted online and/or available in hardcopy form at Hauser 418.

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Defending Constitutional Democracy

Course #: 2030 **Term:** 2020SP **Faculty:** Tribe, Laurence **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Disciplinary Perspectives & Law; Government Structure & Function; Legal & Political Theory; Legal History

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM HAU103

Course Description: Prerequisites: By Permission (see application requirements below). Priority in admission will be given to students who will have completed at least one of the two introductory Constitutional Law courses offered at HLS. Students who will not have completed either of those two courses and are not concurrently taking one of those courses are unlikely to be admitted. Although there are no absolute prerequisites, if you fall outside those parameters your statement of interest should provide convincing reasons to believe that you are thoroughly familiar with the materials covered by at least one of those two courses.

Enrollment: Enrollment will be limited to 12 and will be by permission of the instructor, based on written applications that include (1) the applicant's CV and unofficial list of courses and instructors, including those still underway and those the applicant plans to take in AY2019-20, and (2) a brief (no more than 1 or 2 double-spaced pages) statement of background and interest in constitutional law and litigation (including undergraduate major, relevant pre-HLS work experience, and whatever career plans you might already have formulated). No auditors will be allowed.

All applications must be submitted electronically to Kathy McGillicuddy (kmcgill@law.harvard.edu), with copies to Professor Tribe (tribe@law.harvard.edu) by 4 PM on November 18th, and decisions will be made on a rolling basis, with notifications sent out by December 9. There's no guarantee slots will still be open by that time. Applications began coming in during October.

Only students who are prepared to make a firm commitment to enroll in the seminar in the event they are admitted should apply. This includes a commitment to drop whatever fall electives to which you might have been admitted in the event that those electives conflict with this seminar.

Exam type: No exam.

Required texts Tribe & Matz, To End a Presidency: The Power of Impeachment (Paperback 2019). All assigned materials will be posted online and/or available in hardcopy form at Hauser 418.

Course contents: This seminar will assess the challenges for democracy under law, for human rights, and for fact-based government posed by the current political configuration and will explore ways of using constitutional law and politics to pressure and protect the republic and to reinvigorate its most enlightened aspirations. Those interested in this course should be aware that its contents will be adjusted to account for the fluid situation represented by the impeachment inquiry under way at the time of this writing. It now seems likely that an impeachment trial in the U.S. Senate will take place in Spring 2020, while this course meets. If that is the case, the course materials will shift to a heavier emphasis on the history, purposes, and mechanics of presidential impeachments and their aftermath, with accordingly less emphasis on other topics. If, on the other hand, some development prevents such a trial from taking place, the history of how the impeachment inquiry derailed will be of interest and will consume some of the seminar's time.

Other course requirements: In addition to attending and participating in every seminar meeting, each student will be responsible for writing one very short (4 double-spaced pages max) paper and one longer paper (10 double-spaced pages max).

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Delivery of Legal Services Clinic

Course #: 8037

Term: 2019FA

Faculty: Charn, Jeanne

Credits: 5.00

Type: Clinic

Subject Areas: Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Students who enroll in this offering 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 16, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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. This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic and the possible placements (clinical@law.harvard.edu or 617-495-5202).

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Delivery of Legal Services Clinic

Course #: 8037

Term: 2020SP

Faculty: Charn, Jeanne

Credits: 5.00

Type: Clinic

Subject Areas: Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Students who enroll in this offering 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: December 6, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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. This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic and the possible placements (clinical@law.harvard.edu or 617-495-5202).

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Democracy and the Rule of Law Clinic

Course #: 8049 **Term:** 2019FA **Faculty:** Berwick, Ben; El-Mallawany, Deana **Credits:** 5.00

Type: Clinic **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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 16, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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 ("Protect Democracy") 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 Protect Democracy. Students will be divided into small teams, and each team will help to develop and manage at least one (and, more likely, several) projects. Some examples of such projects include:

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.

Assisting with appellate briefing.

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Drafting amicus briefs, white papers, op-eds, blog posts, and letters or memoranda to government officials.

Participating in moot courts and assisting counsel with preparation for oral arguments.

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.

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.

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Democracy and the Rule of Law Clinic

Course #: 8049 **Term:** 2020SP **Faculty:** Florence, Justin; Schwartztol, Larry **Credits:** 5.00

Type: Clinic **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: December 6, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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 ("Protect Democracy") 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 Protect Democracy. Students will be divided into small teams, and each team will help to develop and manage at least one (and, more likely, several) projects. Some examples of such projects include:

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.

Assisting with appellate briefing.

Drafting amicus briefs, white papers, op-eds, blog posts, and letters or memoranda to government

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officials.

Participating in moot courts and assisting counsel with preparation for oral arguments.

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.

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: 2020SP

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

WCC3011

Course Description: Prerequisite: None

Exam Type: No Exam

This seminar 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 culture, 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.

Note: This course is not available for cross-registration.

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Disability Law

Course #: 2058 **Term:** 2019FA **Faculty:** Field, Martha **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM HAU102

Course Description: Prerequisites: None, but not open to students who have taken another disability law course.

Exam Type: No Exam

This is a course in the Americans with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA). We will focus on the complicated rules and decisions that govern disability today and will also discuss themes such as the pros and cons of mainstreaming; the pros and cons of scientific efforts to eliminate disability by preventing persons with disabilities from being born; the social vs the medical model of disability; and disability pride. During the course students will choose paper topics and should submit a paper (instead of an exam) by April 20, 2020.

Disability, Human Rights, and Development

Course #: 2712 **Term:** 2019FA **Faculty:** Stein, Michael Ashley **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC5052

Course Description: Prerequisites: None

Exam Type: No Exam

This course examines the current and future status of disability rights as a focus for both human rights theory and for thinking about what constitutes development and humanitarian assistance. After reviewing the historical status of disabled persons both practically and within the international human rights system, we will examine the United Nations Convention on the Rights of Persons with Disabilities, the first human rights treaty of the twenty-first century. The CRPD has, through its near-universal ratification, dramatically raised the standards for how disability human rights are conceived, developed, implemented and adjudicated around the globe. It has also catapulted disability rights onto the development and humanitarian agenda, including state-based aid schemes and the Sustainable Development Goals (SDGs). Yet many questions remain open regarding how to make it operational around the world. We will consider what effect the CRPD has had on law reform and development (including development aid and humanitarian assistance), as well as what barriers and systemic concerns remain to be addressed. Throughout, we will look at a few specific disabilities (such as Autism) as a way of identifying themes that cross boundaries, cultures, and approaches to realizing disability rights. Your grade will be determined by a 15-20 page research paper.

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Dispute Systems Design Clinical Seminar

Course #: 2194 **Term:** 2020SP **Faculty:** Mamo, Andrew **Credits:** 1.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 1:00 PM - 3:00 PM WCC3009

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement. Required Clinic Component Harvard Dispute Systems Design Clinic (2-5 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: Negotiation Workshop. Students must have taken the Negotiation Workshop before they are eligible to enroll in this clinic. By Permission: No. Add/Drop Deadline: December 6, 2019. LLM Students: LLM students may apply to this clinic by submitting an application. This 1-credit seminar is the required classroom component for students doing work through the Dispute Systems Design Clinic during the spring of 2020. 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 class sessions in the second half of the semester in order to allow students to focus more intently on their clinical work.

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Disruptive Food Technologies: Law, Politics, and Policy

Course #: 2542 **Term:** 2019FA **Faculty:** Negowetti, Nicole **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM WCC4056

Course Description: Prerequisites: None
Exam Type: No Exam

Feeding a growing population within planetary limits is a key question of our time. This reading group will explore and assess the merits and risks of technological solutions to food insecurity and climate change. We will discuss and debate the key socioeconomic, political, and regulatory issues related to novel food technologies, such as gene-editing, plant-based meat, dairy, and eggs, and cellular agriculture - the emerging science of producing animal products from cells instead of from live animals. The emergence of these technologies can be highly disruptive not only to the agricultural industry and livelihoods of those stakeholders, but to consumers and their sociocultural interactions with the products. We will examine the roles of policymakers, businesses, and the public in deploying disruptive food technologies in a way that advances sustainability, health, and equity.

Note: This reading group will meet on the following dates: 9/12, 9/19, 10/3, 10/17, 10/31, 11/14
Drop Deadline: September 13, 2019 by 11:59 pm EST

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Diversity and Dispute Resolution

Course #: 2929

Term: 2020WI

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

HAU101

Tue 10:00 AM - 12:30 PM

HAU101

Wed 10:00 AM - 12:30 PM

HAU101

Thu 10:00 AM - 12:30 PM

HAU101

Fri 10:00 AM - 12:30 PM

HAU101

Course Description: Prerequisite: None

Exam Type: No Exam

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.

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.

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.

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Doing Public Interest Litigation While in Private Practice

Course #: 2410

Term: 2019FA

Faculty: Singer, Stuart

Credits: 1.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC4056

Course Description: Prerequisites: This course is designed for 2L and 3L students who have taken Civil Procedure. It would be helpful to have taken or to be taking Constitutional Law or Federal Courts, but they are not formal prerequisites.

Exam Type: No Exam

The objective of this reading group is to explore how lawyers in private law firms can undertake major public interest litigation, and to win such cases. The course utilizes the Florida Medicaid litigation as a teaching vehicle. The suit, which sought to ensure adequate access to medical and dental care, lasted for a decade, was in trial for 90 days over three years, resulted in a sweeping decision in plaintiffs favor and led to a settlement substantially improving access to care. The course will review pleadings, court presentations and orders from the Florida Medicaid lawsuit, together with select academic treatment. The focus of the course will be on handling the challenges facing the attorney in private practice seeking to undertake pro bono litigation: identifying and funding important public interest litigation, working together with public interest law firms and groups, overcoming legal hurdles from recent Supreme Court cases concerning civil rights litigation, obtaining class certification, working with expert witnesses, conducting the trial, handling media issues, and negotiating settlements.

Note: This reading group will meet on the following dates: 9/10, 9/17, 10/1, 10/22, 11/12, 11/19.

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Drug Product Liability Litigation

Course #: 2293

Term: 2019FA

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

WCC3018

Wed 5:00 PM - 7:00 PM

WCC3018

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: Sept. 3, 4, 10, 11, 24, 25; October 1, 2, 9, 16, 23, 30; and Nov. 5. 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.

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Drug Product Liability Litigation

Course #: 2293

Term: 2019FA

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: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Prerequisites: None

Exam Type: Any Day Take-Home

Class participation (5%); mid-term (20%); final exam (25%); jury presentation (50%).

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

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

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

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

The three-credit version of the course will meet on the following dates: Sept. 3, 4, 10, 11, 24, 25; October 1, 2, 9, 16, 23, 30; and Nov. 5, 12

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Economic Analysis of Law

Course #: 2062 **Term:** 2019FA **Faculty:** Shavell, Steven **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:15 PM - 2:45 PM	HAU102
Tue 1:15 PM - 2:45 PM	HAU102

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.

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Education Advocacy and Systemic Change

Course #: 2063 **Term:** 2019FA **Faculty:** Cole, Susan **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 WCC4056

Course Description: Students who enroll in this offering 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: August 2, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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 students externship work and the role it plays in the organizations 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, understanding solutions, and choosing from a variety of strategies to bring about needed improvements in the educational system. 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 will discuss their work with the class, 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, what went into the decision of which strategy to choose for addressing the problem. Readings will include original sources, theories of organizational change, and doctrinal background to the system change efforts we explore.

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Education Law Clinic: Externships

Course #: 8009

Term: 2019FA

Faculty: Cole, Susan

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 offering 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: August 2, 2019. LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT. 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, those who have been traumatized by exposure to adverse experiences, have disabilities, have been or are homeless, or have experienced other barriers to success at school, such as bullying (including cyberbullying), 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, EdLaw Project) or a government agency (such as the Massachusetts Department of Elementary and Secondary Education or the General Counsel Cambridge Public Schools).

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. The concurrent course will provide time to reflect upon each student's clinical experience and place the work they and their organization are doing to engage in the process of system change.

This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Most placement organizations are open Monday-Friday from 9am-5pm.

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Education Law Clinic: Individual Representation

Course #: 8006 **Term:** 2019FA **Faculty:** Gregory, Michael **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 offering 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: August 2, 2019. LLM Students: LLM students interested in this clinic should be in contact with the clinic directly. Placement Site: HLS.

Students must attend a mandatory orientation session on Friday, September 6, 2019 from 1:00-4:00 PM. 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, including those 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.

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Education Law Clinic: Legislative and Administrative Lawyering

Course #: 8006

Term: 2020SP

Faculty: Gregory, Michael; Cole, Susan

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 offering 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:

November 27, 2019. LLM Students: LLM students interested in this clinic should be in contact with the clinic directly. Placement Site: HLS.

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, including those 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.

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Education Reform and School Culture

Course #: 2056 **Term:** 2020SP **Faculty:** Gregory, Michael **Credits:** 2.00

Type: Elective **Subject Areas:** Family, Gender & Children's Law; International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCC3016

Course Description: Prerequisite: None

Exam Type: No Exam

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.

Why 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

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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?

Note: This course is jointly-listed with HGSE as EDU A111E.

Election Law

Course #: 2928 **Term:** 2020WI **Faculty:** Stephanopoulos, Nicholas **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 4:15 PM	HAU102
Tue 1:00 PM - 4:15 PM	HAU102
Wed 1:00 PM - 4:15 PM	HAU102
Thu 1:00 PM - 4:15 PM	HAU102
Fri 1:00 PM - 4:15 PM	HAU102

Course Description: Prerequisites: None

Exam Type: Any Day Take-Home

This course examines the law, both constitutional and statutory, that governs the American electoral system. Topics covered include the right to vote, reapportionment and redistricting, minority representation, and campaign finance. The course draws heavily from both legal and political science scholarship. It addresses constitutional provisions including the First, Fourteenth, and Fifteenth Amendments, as well as key statutes such as the Voting Rights Act, the Federal Election Campaign Act, and the Bipartisan Campaign Reform Act. Students will develop an understanding of not only election law doctrine, but also the theoretical and functional underpinnings of the American electoral system.

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

Course #: 2926 **Term:** 2020SP **Faculty:** Kelly, Nancy; Willshire, John **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3012

Course Description: Prerequisites: Prior exposure to asylum or immigration law is helpful but not required.

Exam Type: No Exam. The final grade will be based primarily on an in-class presentation and a final research paper.

According to the United Nations High Commissioner for Refugees (UNHCR), children, including those who are unaccompanied by an adult, comprise 51% of the total global refugee population. Since 2009, the United States has recorded a dramatic increase in the number of child asylum seekers from the countries of El Salvador, Guatemala, and Honduras: 50,036 children were apprehended by Border Patrol in FY2018, compared with 3,304 in FY2009. This surge of children arriving in the United States is the result of complex issues, including race, gender, and the rise of powerful maras, or gangs, which focus much of their violence on young people, whom they seek to recruit into their ranks. The U.S. government's response to the arrival of these children has been to institute a series of measures to undermine their access to protection. Like all refugees, children's claims to legal protection are first and foremost governed by the 1951 UN Refugee Convention and the 1967 Protocol Relating to the Status of Refugees, to which the United States is a party. The interpretation of the U.S.'s procedural and substantive obligations under UN Refugee Convention and 1997 Protocol are guided by international instruments such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the UN Convention of the Rights of the Child. Children flee violence and persecution for reasons similar to adults, but also for other reasons that are unique to their status and experiences as children. As a result, children's claims to refugee protection must be evaluated in light of their age and special circumstances. For example, the UNHCR and the U.S. asylum program recognize that the key term persecution in the definition of refugee requires differential interpretation in cases of children compared to those of adults. The Children's Asylum Guidelines, issued by the U.S. government, specifically state that the harm a child fears or has suffered... may be relatively less than that of an adult and still qualify as persecution. Children have unique emotional vulnerabilities as well as cognitive and developmental differences from adults that must be considered in evaluating their testimony. Such testimony is the key evidence presented in any asylum claim.

This seminar will focus on the growing body of domestic and international law governing procedural protections, substantive rights, and related rights for children in asylum hearings, including drawing from comparative law cases and international sources. Course examples will include discussion of issues presented litigating child asylum claims in federal court, including the First Circuit cases, *Meijilla-Romero v. Holder*, and *Ordonez Quino v. Holder*, both of which were litigated by the Clinic. The course will also draw on the experiences of our clinical program in successfully preparing and presenting child asylum claims in administrative proceedings. We will also rely on international instruments, such as the UN Convention on the Rights of the Child, to interpret the U.S.'s obligations under international law and to define a child's rights framework approach to these claims. The seminar will focus on the historical background to the current conflict in Central America to discuss questions related to credibility and corroboration in child asylum claims, including the use of country condition evidence and expert witnesses to support the testimony presented. The seminar will also consider comparative perspectives, studying other conflicts in which children have become particular targets. Students enrolled in the seminar will analyze treaties, regulations, and secondary sources, as well as the experiences of child migrants through their narratives and case affidavits. The seminar will also address current U.S. policies and practices directed at immigrant

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children.

Empirical Criminal Law

Course #: 2802 **Term:** 2019FA **Faculty:** Yang, Crystal **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC3036

Course Description: Prerequisite: None

Exam Type: No Exam

In the past four decades, the United States has experienced a huge expansion of its prison population, making mass incarceration one of the nations most important social justice issues. Social scientists have responded to this phenomenon with research attempting to understand the causes and consequences of our expansive criminal justice system. This seminar will present the economic models of crime and criminal justice as well as the empirical evidence related to these subjects. We will cover topics spanning the entire breadth of the criminal justice process, including the determinants of crime, policing, prosecution, trial, sentencing, and the effects of punishment on post-incarceration outcomes.

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Empirical Law and Finance

Course #: 2253 **Term:** 2019FA **Faculty:** Cohen, Alma **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC5044

Course Description: Prerequisites: There are no prerequisites for this course. Some background or interest in corporate law, economics, finance, or empirical methods will be helpful, but no technical knowledge in these areas will be necessary. Students who have questions regarding whether the course would be suitable for them should feel free to contact the instructor.

Exam Type: No Exam There will be no exam. Instead, students will be asked to submit, before most sessions, a brief memo on the research to be discussed in the session, and grades will be based primarily on these memos. Students who wish to do so may choose to do an additional one- or two-credit independent research project in tandem with the course.

Empirical tools have been increasingly used in litigation, regulation, and policymaking in corporate law, corporate governance, and securities regulation and litigation. This course will aim to expose students to, and enable them to engage with, empirical work in these fields. To this end, at most of the meetings, professors from law schools and business schools will present and discuss their empirical research with the students.

Note: The course will meet for six Wednesday sessions during the semester. All of these sessions will take place during the first two months of the semester.

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Employment Law

Course #: 2069

Term: 2020SP

Faculty: Sachs, Benjamin

Credits: 4.00

Type: Elective

Subject Areas: Employment & Labor Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Location

Thu 9:30 AM - 11:30 AM

LAN225

Fri 9:30 AM - 11:30 AM

LAN225

Course Description: Prerequisite: 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.

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Employment Law Clinic

Course #: 8012 **Term:** 2019FA **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 offering 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 16, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
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, such as 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 with government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; the U.S. Equal Employment Opportunity Commission; or the U.S. Department of Labor).
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.
This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Most placement organizations are open Monday-Friday from 9am-5pm.

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Employment Law Clinic

Course #: 8012 **Term:** 2020SP **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 offering 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: December 6, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
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, such as 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 with government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; the U.S. Equal Employment Opportunity Commission; or the U.S. Department of Labor).
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.
This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Most placement organizations are open Monday-Friday from 9am-5pm.

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Employment Law Workshop: Advocacy Skills

Course #: 2070

Term: 2019FA

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

WCC3015

Course Description:

Students who enroll in this offering 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 16, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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

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

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Employment Law Workshop: Strategies for Social Change

Course #: 2071 **Term:** 2020SP **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 WCC3012

Course Description: Students who enroll in this offering 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: December 6, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
This course will examine how lawyers can use different strategies to effect social change, with a special emphasis on advancing the right to be free from workplace discrimination based on protected characteristics such as race and sex. After surveying the relevant law and reviewing empirical information about the nature of civil rights violations, we will evaluate possible strategies for social change, including government action, individual and class action litigation, self regulation, alternative dispute resolution, organizing, and social entrepreneuring. All students will have a clinical placement through the Employment Law Clinic. All clinical placements will include exposure to some aspect of employment rights and will play an important role in bringing diverse perspectives to the workshop. The workshop will require completion of an individual or group project. Projects may include some combination of empirical research, legal analysis, program evaluation, or other approaches to examining and improving the effectiveness of existing workplace protections.

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Engaging China

Course #: 2650 **Term:** 2019FA **Faculty:** Alford, William **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 7:00 PM - 9:00 PM WCC5048

Course Description: Prerequisites: None

Exam Type: No Exam

This one unit course will examine the role that China has been playing in a world order in flux. Models of development, trade, and rights are among the areas likely to be addressed. We will consider, inter alia, China's engagement of existing global norms, ways in which China may (or may not) now or in the foreseeable future be shaping such norms, and their impact on China. The intention is to hold all but one of our likely six 2-hour sessions of the class jointly with a comparable class at Renmin University of China, via electronic means — hence, our evening meeting times. (8-10 pm in September and October, 7-9 pm in November due to the Daylight Saving Time change). Each session will cover a specific topic. In past years topics have included trade, law and development, legal education, the legal profession, corporate social responsibility, corporate governance, the Foreign Corrupt Practices Act, rights (through the prism of disability), climate change and the roles of the US and China in Africa - with the precise configuration for 2019-20 to be determined closer to the start of the semester. We conclude the semester with a mock negotiation concerning foreign investment done jointly with students from Renmin University School of Law. Please address any questions to Professor Alford.

Note: This course will meet from 8-10pm in September and October, and 7-9pm in November to accommodate meeting electronically with fellow students at Renmin University.

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

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English Legal History

Course #: 2370 **Term:** 2020SP **Faculty:** Kamali, Elizabeth Papp **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 1:30 PM - 3:00 PM	HAU102
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Tue 1:30 PM - 3:00 PM	HAU102
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Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

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 as MEDVLSTD 117. It meets at HLS.

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Entrepreneurship, Venture Capital and Law in China

Course #: 2894 **Term:** 2019FA **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	WCC4059
Thu 1:00 PM - 3:00 PM	WCC4059
Fri 1:00 PM - 3:00 PM	WCC4059

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: 10/2, 10/3, 10/4, 10/9, 10/10, 10/11

Drop Deadline: October 3, 2019 by 11:59 pm EST

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Environmental Law

Course #: 2074 **Term:** 2019FA **Faculty:** Freeman, Jody **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCC2012

Tue 1:00 PM - 3:00 PM WCC2012

Course Description: Prerequisites: None

Exam Type: One Day Take-Home

This introductory course will focus on the variety of legal mechanisms we use to address environmental harms such as air and water pollution, global climate change, and habitat destruction. We will focus on the key federal environmental statutes, including the National Environmental Policy Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act, and the leading cases in which these statutes have been interpreted by courts. The statutes will be studied in some detail so that students emerge with a basic understanding of their major regulatory provisions. Thematically, the statutes serve as illustrations of different regulatory approaches to environmental problems, from command and control standards to market-based instruments. In addition, we will discuss important matters of policy, including the Obama administrations efforts to address climate change through the use of Executive Power, and the Trump administrations efforts to rescind these policies. The course will also cover developments in constitutional law which significantly affect federal environmental law; and will cover the role of cost-benefit analysis in environmental regulation. Finally, we will discuss the political economy of environmental regulation, specifically the role played by interest groups (both industry and environmental organizations) in producing, implementing and enforcing environmental law.

Students need not be self-identified "environmentalists" to be interested in this course. Nearly every area of law is now affected by environmental regulation, including private law fields such as real estate, bankruptcy and financial regulation. The legal issues presented by environmental problems offer ample opportunities for students to develop important and transferable legal skills, including statutory interpretation, constitutional analysis and application of administrative law doctrines.

Laptops and other electronic devices will not be permitted in class. Regular attendance and participation in class discussion is expected.

Cross-Registration: No undergraduates please, and cross-reg students allowed only with permission of instructor.

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Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2020WI **Faculty:** Jacobs, Wendy; Goho, Shaun **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 offering 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, 2019.
Add/Drop Deadline: November 15, 2019.
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.

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Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2019FA **Faculty:** Jacobs, Wendy; Goho, Shaun **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 offering 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 course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: August 16, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application.
Placement Site: Most clinical work is done on HLS campus; some placements are available at externship locations (government agencies and nonprofits). Students are carefully matched to their projects/placements by the Clinic Director 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.

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Environmental Law and Policy Clinic

Course #: 8008 **Term:** 2020SP **Faculty:** Jacobs, Wendy; Goho, Shaun **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 offering 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: December 6, 2019.
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.

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Environmental Law and Policy Clinical Course

Course #: 2842 **Term:** 2019FA **Faculty:** Goho, Shaun; Joroff, Aladdine **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 6:00 PM WCC3038

Course Description: Students who enroll in this offering 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: August 16, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application.
This course teaches skills and strategies for practicing environmental law as a supplement to enrollment in the Emmett Environmental Law & Policy Clinic. The class examines and works through legal mechanisms for identifying and addressing environmental liabilities in transactions, e.g., the sale of real estate or corporate shares. Students will practice skills such as: parsing and applying statutes and regulations; drafting contract language; interpreting and evaluating environmental assessment reports; issue spotting; and advising clients. These skills are relevant to a wide array of legal work—not just transactional matters. Some learning of environmental laws will be necessary, but mastering black letter law is not the focus of the course. The course is practical, hands-on and participatory. Students will develop and apply skills through class discussions, in-class and written exercises, and peer review.

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Environmental Law and Policy Clinical Course

Course #: 2842 **Term:** 2020WI **Faculty:** Jacobs, Wendy; Goho, Shaun **Credits:** 1.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 5:00 PM - 6:00 PM	HAU103
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Tue 5:00 PM - 6:00 PM	HAU103
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Thu 5:00 PM - 6:00 PM	HAU103
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Fri 5:00 PM - 6:00 PM	HAU103
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Wed 5:00 PM - 6:00 PM	HAU103
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Course Description: Students who enroll in this offering 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, 2019.
Add/Drop Deadline: November 15, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application.
In this clinical course students will participate actively in a variety of classroom instruction activities designed to focus on substantive and administrative/procedural law, ethical issues, practice skills and the clinical experience generally. The activities will be scheduled throughout the term and include team meetings, case rounds and tutorials, written clinic reflection exercises, and discrete "on-call" assignments. Each of these activities is described in the Clinic Manual.

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Environmental Law and Policy Clinical Course

Course #: 2842 **Term:** 2020SP **Faculty:** Goho, Shaun; Joroff, Aladdine **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 6:00 PM WCC3036

Course Description: Students who enroll in this offering 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: December 6, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application.
This course teaches skills and strategies for practicing environmental law as a supplement to enrollment in the Emmett Environmental Law & Policy Clinic. The class examines and works through several of the legal and practical issues involved in enforcing the federal environmental laws through citizen suits. Students will practice skills such as: parsing and applying relevant statutes, regulations, and case law; identifying procedural pathways and strategies for successful judicial challenges to harmful actions; engaging in effective fact gathering; and drafting key documents in a citizen suit (60-day notice letter, standing declarations, and summary judgment briefs). Some learning of environmental laws will be necessary, but mastering black letter law is not the focus of the course. The course is practical, hands-on, and participatory. Students will develop and apply skills through class discussions, in-class and written exercises, and peer review.

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Environmental Law In And After The Trump Administration

Course #: 2662 **Term:** 2019FA **Faculty:** Lazarus, Richard **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3008

Course Description: Prerequisites: None. Students need not have taken environmental law to enroll in the seminar.

Exam Type: No Exam

This seminar will explore the shorter and potential longer-term impact of the Administration of President Donald Trump on environmental law, broadly defined to include pollution control, energy, and natural resources law. Students will review and discuss evolutionary trends in environmental law from the beginning of the 1970s to President Trump's election, the current Administration's ongoing efforts to reform and rollback requirements of existing laws and regulations, and the likely longer-term impact on environmental law of those efforts.

Students will have the option of preparing either one longer research paper, two shorter discussion papers, or five reaction papers.

ERISA

Course #: 2659 **Term:** 2020SP **Faculty:** Rosenberg, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM HAU104

Course Description: Prerequisites: Familiarity with federal income tax recommended but not required

Exam Type: Any Day Take-Home

This two credit course will cover the comprehensive employee benefits regime under the Employee Retirement Income Security Act, otherwise known as "ERISA". Our goal will be to provide students a working understanding of the history and policies driving the legislative and regulatory efforts, the range and types of benefit plans affected, and the issues and challenges facing employers, employees, and fiduciaries.

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Estate Planning

Course #: 2592

Term: 2020SP

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

WCC3009

Course Description: Prerequisite: Trusts and Estates, which may be taken concurrently with this course as well.

Exam Type: No Exam

Grading will be based upon practice exercises and class participation.

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.

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Europe and World Order: Comparative Constitutionalism, Trade, Foreign Policy

Course #: 2574

Term: 2020WI

Faculty: Beneyto, Jose Maria

Credits: 3.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Location

Mon 9:00 AM - 12:15 PM

WCC4068

Tue 9:00 AM - 12:15 PM

WCC4068

Wed 9:00 AM - 12:15 PM

WCC4068

Thu 9:00 AM - 12:15 PM

WCC4068

Fri 9:00 AM - 12:15 PM

WCC4068

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: In Class

This course will provide the students with a comprehensive understanding of the institutional functioning, values and goals, as well as outcomes of the European Union in some core policy areas, like trade, the internal market and external relations. The overall framework will be the discussion of the EUs contribution to comparative constitutionalism (supranationality, human rights, multi-level governance) and to the shaky notion of world order.

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Evidence

Course #: 2079

Term: 2019FA

Faculty: Medwed, Daniel

Credits: 3.00

Type: Multisection

Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Location

Thu 10:00 AM - 11:30 AM

AUS101

Fri 10:00 AM - 11:30 AM

AUS101

Course Description: Prerequisites: None

Exam Type: In Class

This course has three chief objectives: (1) to provide instruction on the technical rules of evidence; (2) to assist you in understanding the theoretical justifications and policy underpinnings for those rules; and (3) to help you begin to apply those rules in "real-life" practice situations. The course focuses on the Federal Rules of Evidence.

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Evidence

Course #: 2079

Term: 2019FA

Faculty: Murray, Peter

Credits: 2.00

Type: Multisection

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

Delivery Mode: Course

Days and Times:

Location

Wed 1:00 PM - 3:00 PM

AUS111

Course Description:

Prerequisites: None

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

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.

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 numerous trial problems as well as of rules and cases. The course also includes computer-aided video exercises in simulated trial settings.

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 each day.

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 also available in Green, Nesson and Murray, Problems, Cases and Materials on Evidence, 4th Ed. (Aspen 2017). The problems that will be assigned are available in Green, Nesson & Murray, Problems in Evidence. A current paperback copy of the restyled Federal Rules of Evidence will also be a convenience.

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Evidence

Course #: 2079

Term: 2019FA

Faculty: Rubin, Peter

Credits: 2.00

Type: Multisection

Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Mon 1:00 PM - 3:00 PM

Location

WCCB015

Course Description: Prerequisites: None

Exam Type: In Class

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

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

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Evidence

Course #: 2079 **Term:** 2020SP **Faculty:** Rubin, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCCB015

Course Description: Prerequisite: None

Exam Type: 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:** 2019FA **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 WCC2004

Tue 8:10 AM - 10:10 AM WCC2004

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.

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Executive Power in the Roberts Court

Course #: 2727 **Term:** 2019FA **Faculty:** Vermeule, Adrian; Sunstein, Cass **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory; Legal History

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC3012

Course Description: Prerequisites: Enrollment is by application. Applicants should send a resume and a one-paragraph statement of interest to Ellen Keng (ekeng@law.harvard.edu) by August 29.

Exam Type: No Exam

We will examine the jurisprudence of the Roberts Court on executive power, in both presidential and administrative forms. Readings will include a mix of caselaw and secondary sources and commentary.

Explanations and fairness in Artificial Intelligence

Course #: 2594 **Term:** 2020SP **Faculty:** Wachter, Sandra **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC4056

Course Description: Prerequisites: None

Exam Type: No Exam

This reading group will examine ethical and legal issues posed by artificial intelligence. Two of the most apparent problems with AI are the lack of explainability and the existence of algorithmic bias. AI often operates as a black box. This can cause societal problems especially when those systems are used to make very important decisions (e.g. criminal justice, loans, insurance). This reading group will address current strategies on how to open-up the AI black box and critically assess whether these tools are helpful to increase algorithmic accountability and ensure unbiased decision-making.

Note: This reading group will meet on the following dates: 2/6, 2/20, 3/5, 3/26, 4/9, 4/23

Drop Deadline: February 7, 2020 by 11:59 pm EST

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Facilitation Workshop: Leading Challenging Conversations in Business, Politics, and the Community

Course #: 2591 **Term:** 2019FA **Faculty:** Viscomi, Rachel; McGaraghan, Neil **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 5:00 PM WCC3034

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Prerequisites: Negotiation Workshop and instructor permission. Enrollment will be limited to 12 students, selected by application (see more information on the application procedure below). Attendance at all sessions is mandatory in order to accommodate various group exercises and simulations. Application Instructions:

To be considered for admission to the Facilitation Workshop, please submit a resume and a narrative statement of interest, no longer than one page, by March 29, 2019, to Tracy Blanchard.

Exam Type: No Exam

Lawyers facilitate. We routinely handle matters that require us to lead groups of people to work together in order to solve problems, reach decisions, and resolve conflicts. We collaborate with clients and colleagues to develop legal strategies, negotiate complex deals, build consensus on policy proposals, and coordinate with colleagues around duties and responsibilities. We may work with community stakeholders, multiple family members, or local officials to increase understanding, resolve a dilemma, or re-build trust. And facilitation is not limited to legal practice - entrepreneurs, consultants, public officials, for-profit and non-profit executives alike facilitate. Yet despite how integral this work is to the modern workplace, few lawyers or other professionals receive training in how to organize, run, and effectively facilitate gatherings of people - especially when there are strong emotions involved.

This 4-credit workshop introduces students to the theory and practice of facilitation, both in traditional legal as well as non-legal contexts. It provides opportunities for students to develop the skills necessary to run effective meetings, work with people in conflict, lead group problem-solving efforts, and more. Like the Law Schools Negotiation Workshop, this Workshop will integrate intellectual and experiential learning by combining readings, lectures, and discussions with frequent exercises, extensive review, live and filmed examples, individual and small group reviews, and careful analysis of the facilitation process and the process of learning from experience. In addition to traditional facilitation skills, we will explore thorny questions of power, inclusion, emotions, and identity.

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Facts and Lies

Course #: 2861 **Term:** 2020SP **Faculty:** Saris, Patti **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3008

Course Description: Prerequisites: None
Exam Type: No Exam
The seminar will explore different kinds of facts, including historic facts, scientific facts, legislative facts, mixed questions of fact and law; and reasonable inferences. We will ask who should resolve factual disputes: judges or juries? How are different burdens of proof and presumptions used as aids to resolve fact dispute? How are different appellate standards applied? How are facts presented in amicus briefs? How do institutional concerns determine who the fact finders are?

The course will also examine lies in court. How are the rules of evidence designed to determine when people lie? How do the laws punish lies? What devices are used at trial to sort out bias?

Facts and lies have outcome-determinate effects in many cases. Doctrines that determine factfinders, burdens of proof, and other topics covered in the seminar are not only theoretically interesting -- they're practically important for effective litigators to master, and they shape the chances that litigants have at succeeding on the merits.

I hope not only to study legal doctrines but also to give students practical litigation experience by hosting speakers, bringing students to an oral argument in federal court, and providing opportunities for legal writing (like drafting a complaint, a summary judgment motion and a judicial opinion).

Fair Trial

Course #: 2312 **Term:** 2019FA **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 8:30 AM - 10:00 AM HAU104

Tue 8:30 AM - 10:00 AM HAU104

Course Description: Prerequisite: None
Exam Type: Any Day Take-Home Students will write a paper (1500 words) and an exam essay (500 words), both due at the end of the exam period.
Fair trial teaches the fundamentals of the Sixth Amendment, the right of a criminal defendant to be confronted by a prosecution based on the testimony of live witnesses, the right to a fair jury as ultimate arbiter of guilt, the central place in the process of cross-examination and the role of counsel, and the corruption of the process introduced by plea bargaining. Limit of 50 students.

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Fairness and Privacy: Perspectives of Law and Probability

Course #: 2672 **Term:** 2019FA **Faculty:** Minow, Martha; Dwork, Cynthia **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times:	Location
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Mon 9:00 AM - 10:10 AM	WCC3007
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Tue 9:00 AM - 10:00 AM	WCC3007
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Course Description: Prerequisites: Admission is by permission of instructors; applicants should submit letters of inquiry with CVs to Rachel Keeler, rkeeler@law.harvard.edu, by August 25, 2019.

Exam Type: No Exam

From old problems like affirmative action to newer ones like the turn to algorithms in criminal justice and credit, law and private actions use group traits to influence or determine the treatment of individuals. When do these practices run afoul of conceptions of fairness in law or in computer science and statistics? When do alternatives even exist? New approaches to data analysis quantify and control individual privacy loss while revealing information about larger groups. When do these concepts run afoul of conceptions of privacy in law? What elements of legal and quantitative reasoning exacerbate or resolve such issues, and how can people with training in one field better collaborate with those from other disciplines? This intensive seminar will bring together advanced students in computer science, statistics, law, and government to tackle these and related questions. Offered concurrently by HLS and SEAS, with interwoven tracks emphasizing, respectively, law and computer science, the tracks will meet jointly and separately.

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Family Law

Course #: 2084

Term: 2019FA

Faculty: Dwyer, James

Credits: 3.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Wed 1:15 PM - 2:45 PM

Thu 1:15 PM - 2:45 PM

Location

WCCB015

WCCB015

Course Description:

Prerequisites: None

Exam Type: In Class

This survey of the main topics in American family law practice begins with state creation of legal parent-child relationships (paternity, maternity, adoption) and legal partner relationships (marriage, including pre-nuptial agreements and the right-to-marry cases). It then studies the laws governing cohabitation (child custody, privacy rights), behavior (e.g., child neglect, domestic violence), decision-making (e.g., parents rights, property management rules for spouses), and finances (e.g., child support, spouses support duty) within those two relationships. It finishes with examination of the rules for dissolving each of the two relationships (termination of parental rights and divorce, including property distribution and alimony). At each of the three stages (creating, regulating, and dissolving), we will contrast the rules for parent-child relationships with those for adult intimate partnerships, always asking whether the rules should be the same or analogous for both, in order to understand better and to critique. The text blends social science, foreign law, and theory with U.S. primary legal sources - state statutes, state court decisions, and federal constitutional doctrine.

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Fashion Law Lab

Course #: 2936 **Term:** 2020WI **Faculty:** Sarian, Nana; Harris, Rebecca **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 4:15 PM	WCC1015
Tue 1:00 PM - 4:15 PM	WCC1015
Wed 1:00 PM - 4:15 PM	WCC1015
Thu 1:00 PM - 4:15 PM	WCC1015
Fri 1:00 PM - 4:15 PM	WCC1015

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

Prerequisites: None

Exam Type: No Exam

This experiential course meets January 6 to 16, 2020 and is taught by Nana Sarian, who has served as General Counsel of Stella McCartney since 2012, and Rebecca Harris, an HLS alum and an attorney at Goulston & Storrs in Boston whose practice focuses on various areas of Fashion Law.

The course will consist of interactive workshops featuring case studies on fashion law. Students will put themselves in the shoes of a lawyer advising a brand, working in small groups to tackle real legal challenges and scenarios faced by in-house fashion counsels on a daily basis from the office and atelier to the runway, with a particular focus on legal analysis and problem solving. Topics will range from intellectual property (including the protection of fashion designs, focusing on the differences between protection in the US and EU), commercial law (including commercial arrangements to license the IP of a brand to third parties for the manufacture and sale of products which traditionally are not produced in-house by a brand, e.g. fragrance or sportswear), contracts for sale (to wholesale and retail customers) as well as the laws relevant to fashion shows/presentations (covering matters as broad as design rights, music licensing, fashion photographers and labor law), supply chains (with a focus on sustainability in fashion), the digital world and social media. Various international guest lecturers from the fashion industry will also be invited to present in class including from Parsons School of Design, as well as Pier Luigi Roncaglia (an IP practitioner based in Italy who specializes in civil litigation in all areas of IP before all Italian courts, the General Court and the Court of Justice of the European Union as well as criminal litigation and anti-counterfeiting) and Claire Bergkamp (Head of Sustainability and Ethical Trade, Stella McCartney).

Nana Sarian developed the Fashion Law Lab and has been teaching the course at HLS since 2017. Rebecca Harris has been part of the teaching team since the course commenced and returns this year as a Co-Lecturer.

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Federal Budget Policy

Course #: 2566

Term: 2020SP

Faculty: Jackson, Howell

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

WCC4056

Course Description: Prerequisite: None

Exam Type: No Exam

Students enrolled in the course will be expected to submit a series of reaction papers to class readings.

The goal of this reading group is to introduce students to the law and practice of government budgeting in the United States. Students will be introduced to the basic structure of the federal budget process, including the Presidents Budget and Congressional budget procedures. We will explore the roles of all three branches of federal government in setting budget policy in the United States, covering government shut-downs, debt ceiling crises, continuing resolutions, and ongoing debates over budget reforms and fiscal challenges. Based on student interest, we may also take up entitlement reform, defense spending, budgeting for infrastructure as well as topics related to state budgeting practices and federal-state relations in budget policy.

Readings will be distributed over Canvas and will include a combination of government documents, law review articles, and draft writings of Professor Jackson, who is currently working on a manuscript related to the topic of this reading group.

Note: This reading group will meet on the following dates: 1/29, 2/12, 2/26, 3/11, 3/25, 4/8, 4/22

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Federal Civil Litigation

Course #: 2089 **Term:** 2020SP **Faculty:** Spencer, Benjamin **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC5048

Course Description: Prerequisites: Civil Procedure. For LLM students with applicable prior courses, permission of the instructor to waive the requisite is required.

Exam Type: No Exam

Your grade in this course will be based on your final proposal, your class participation, your written and oral comments on the proposals of others, and your proposal presentation to the class.

The primary objective in this course is for each student to develop a deeper understanding of the history and purpose of federal civil procedure and of some contemporary issues within the field. The course will culminate with presentations of student projects.

Federal Courts and the Federal System

Course #: 2086 **Term:** 2020SP **Faculty:** Spencer, Benjamin **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM AUS111

Tue 1:00 PM - 3:00 PM AUS111

Course Description: Prerequisites: Civil Procedure and Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment. Students who have not completed these prerequisites may enroll only with the permission of the instructor.

Exam Type: Any Day Take-Home

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; judicial power to create federal law; congressional control over federal courts; federal jurisdiction and justiciability; abstention doctrines; and state sovereign immunity.

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Federal Courts and the Federal System

Course #: 2086 **Term:** 2019FA **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
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Mon 10:20 AM - 12:00 PM	PND101
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Tue 10:20 AM - 12:00 PM	PND101
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Wed 10:20 AM - 12:00 PM	PND101
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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.

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Federal Courts and the Federal System

Course #: 2086 **Term:** 2020SP **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
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Fri 9:30 AM - 11:30 AM	LAN272
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Thu 9:30 AM - 11:30 AM	LAN272
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Course Description: Prerequisite: Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment; students who have not completed that pre-requisite may enroll only with the permission of the instructor. For LLM students, instructor permission is required to enroll in this course.

Exam Type: Any Day Take Home

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.

Federal Litigation-Civil

Course #: 2089 **Term:** 2020SP **Faculty:** Rosenberg, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 8:10 AM - 10:10 AM	WCC1015
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Tue 8:10 AM - 10:10 AM	WCC1015
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Course Description: Prerequisite: 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.

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Federal Tax Clinic

Course #: 8045 **Term:** 2020SP **Faculty:** Fogg, Keith **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: December 6, 2019.

LLM Students: LLM students are eligible to enroll in this clinic.

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

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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.

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Federal Tax Clinic

Course #: 8045 **Term:** 2019FA **Faculty:** Fogg, Keith **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.
Required Class Component: Federal Tax Clinical Seminar (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: August 16, 2019.
LLM Students: LLM students are eligible to enroll in this clinic.
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 issues 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.
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For more information on the Tax Clinic, please contact Keith Fogg, (617) 390-2532.

Federal Tax Clinical Seminar

Course #: 2822 **Term:** 2019FA **Faculty:** Fogg, Keith **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3038

Course Description: Students who enroll in this offering 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 16, 2019. LLM Students: LLM students are eligible to enroll in the clinic.

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.

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Federal Tax Clinical Seminar

Course #: 2822

Term: 2020SP

Faculty: Fogg, Keith

Credits: 2.00

Type: Elective

Subject Areas: Procedure & Practice; Taxation

Delivery Mode: Seminar

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

WCC5046

Course Description: Students who enroll in this offering 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: December 6, 2019. LLM Students: LLM students are eligible to enroll in this clinic.
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.

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Federalism and States as Public Law Actors

Course #: 2310 **Term:** 2020SP **Faculty:** Halligan, Caitlin **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3011

Course Description: Prerequisites: Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Exam Type: No Exam

Grading will be based on 3 short responses to class reading, one 15-page paper, and class participation.

In recent years, states have become vital agents in shaping public law across the political spectrum, often pursuing litigation to advance their policy priorities. Examples include suits regarding immigration policies of both the Obama and Trump administrations; *Massachusetts v. EPA*, in which states compelled the Environmental Protection Agency to regulate greenhouse gas emissions, and subsequent challenges to other federal environmental policies; litigation regarding same-sex marriage; disputes over whether the federal government can withhold funding from "sanctuary cities"; and the use of state securities and consumer protection laws to advance agendas that diverge from federal regulatory priorities. This advanced litigation seminar will critically examine this practice. We will study relevant statutes and legal doctrines, as well as political and practical concerns that shape litigation options and strategic and tactical decisions by states in this arena. In addition to case law and scholarship, students will read briefs, complaints, and other court filings in recent and pending litigation around the country.

Grading will be based on 3 short responses to class reading, one 15-page paper, and class participation.

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Feminist Legal Theory

Course #: 2301 **Term:** 2019FA **Faculty:** Halley, Janet **Credits:** 3.00
Type: Elective **Subject Areas:** Family, Gender & Children's Law; International, Comparative & Foreign Law; Legal & Political Theory

Delivery Mode: Course

Days and Times:	Location
Tue 10:20 AM - 11:50 AM	WCC3007
Mon 10:20 AM - 11:50 AM	WCC3007

Course Description: Prerequisites: None

Exam Type: Last Class Take-Home

Students will write response papers analyzing the reading materials or will take a last-day take-home examination. There will be a paper option, available only with the permission of the instructor.

This course will examine and compare eight major strands of contemporary North Atlantic feminism: liberal feminism, dominance feminism, cultural feminism, socialist/materialist feminism, economic feminism in a liberal market frame, critical race feminism, postmodern feminism, and the relations between feminism and conservatism. We will read classics in feminist legal theory and case studies allowing us to examine and compare the ways in which various strands of feminism have engaged law and law reform. The goals of this course is to enable each student to make informed decisions about which strands of feminist legal theory work best for them and to give all students a strong understanding of how past stages in the development of feminist legal theory and law reform help to shape contemporary expressions of feminism.

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Financial Analysis and Business Valuation

Course #: 1057 **Term:** 2020WI **Faculty:** Coates, John **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 9:00 AM - 12:30 PM	AUS100
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Tue 9:00 AM - 12:30 PM	AUS100
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Wed 9:00 AM - 12:30 PM	AUS100
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Thu 9:00 AM - 12:30 PM	AUS100
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Fri 9:00 AM - 12:30 PM	AUS100
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Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Note: This course is restricted to first-year J.D. students only.

The drop deadline for 1L January Experiential Term (JET) classes is Monday, December 2nd. Students may not drop a course if they do not have an offer to enroll in a different JET course. Most courses are limited to 72 students.

1L JET courses are intensive learning courses. Class attendance is required in each course every day of the term, beginning Monday, January 6th. Students should make their travel plans accordingly. Students should not take on other work commitments during the term.

Exam Type: No Exam

Lawyers routinely use and critically analyze financial statements and business valuations. Of course, corporate lawyers advise organizations and design deals that depend on these skills, and tax lawyers, commercial litigators, and international trade lawyers also use these skills. But less obviously, family lawyers need them in divorce cases, constitutional lawyers use them in takings cases, and class action lawyers use them in products liability cases. In fact, lawyers of all kinds, including prosecutors, other government lawyers, and public interest lawyers, use these skills to present and resolve disputes, and to propose, critique and defend regulation of businesses.

This course will provide students with an opportunity to engage in hands-on, law-related analysis of financial statements and business valuation and analysis. No prior background in these topics is required. We will first analyze basic financial statements; then move to more advanced financial statement analysis; then review basic methods of business valuation; then build information from financial statements into standard valuation model; then see how practitioners argue for wildly different valuations drawing on the same basic financial information. Students will work in teams, and build their knowledge through hands-on experience using case studies of real companies.

Note: There may be days throughout the winter term that require attendance beyond the scheduled times. Please refer to the course syllabus and page for more information.

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Financial and Legal Needs of Low and Moderate Income Households

Course #: 2176 **Term:** 2020SP **Faculty:** Charn, Jeanne **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3012

Course Description: Prerequisites: None

Exam: No Exam

The seminar will examine the opportunities and perils in consumer financial services available to low and moderate income households. We will begin with a survey of (i) sources of unsecured credit (e.g. credit cards, pay-day lenders, check-cashing services); (ii) homeownership as an asset building strategy; (iii) saving rates and policies that encourage saving. With a basic understanding of the financial services landscape, we will explore strategies for providing legal advice and assistance that may enable people to effectively access credit and to build and protect assets. We will focus on assistance for households in crises (such as foreclosure) but we will also consider transactional and preventive services to help people avoid crises. We will explore the role of the solo and small firm bar that serves people of moderate means and on market innovations designed to expand access -- for example, pre-paid and legal insurance programs, unbundled legal services, and self-help. We will pay particular attention to technology driven modes of service delivery. We will also look at legal aid in the UK, Europe and Canada where the needs of moderate income people are a main focus of legal aid policy.

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

Students are welcome to contact the course instructor via e-mail (charn@law.harvard.edu) with questions about the course.

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FinTech

Course #: 2832 **Term:** 2020SP **Faculty:** Jackson, Howell; Tahyar, Margaret **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times:	Location
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Thu 1:00 PM - 3:00 PM	WCC1023
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Fri 1:00 PM - 3:00 PM	WCC1023
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Course Description: Prerequisites: None

Exam Type: No Exam

There will be no examination, but students will be expected to present and comment upon case studies and also write a short reaction paper, which will be due by Spring Break.

The goal of this two-credit course is to explore the impact of emerging technologies on the financial sector. We will examine the ways in which innovations in digital technologies and changes in consumer practices are disrupting traditional business models and financial regulation. Possible topics for coverage include peer-to-peer lending platforms, regulation of financial data, new digital payment systems, robo-advising, algorithmic trading, and technologies employing blockchains and its variants. Class sessions will be built around case studies and reading materials based upon real world topics and cutting edge legal challenges facing entrepreneurs, regulators, lawyers and other gatekeepers.

Note: This class will meet for 12 two-hour sessions on the following dates: 1/30, 1/31, 2/7, 2/13, 2/14, 2/20, 2/21, 2/27, 2/28, 3/5, 3/6, 3/12

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First Year Legal Research and Writing 1A

Course #: 1006 **Term:** 2019FA **Faculty:** Bronsther, Jacob **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM PND102

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

First Year Legal Research and Writing 1A

Course #: 1006 **Term:** 2020SP **Faculty:** Bronsther, Jacob **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC1010

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

Harvard Law School Course Catalog

2019-2020 Academic Year

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First Year Legal Research and Writing 1B

Course #: 1006 **Term:** 2020SP **Faculty:** Braver, Joshua **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC2004

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

First Year Legal Research and Writing 1B

Course #: 1006 **Term:** 2019FA **Faculty:** Braver, Joshua **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCC2004

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

Harvard Law School Course Catalog

2019-2020 Academic Year

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First Year Legal Research and Writing 2A

Course #: 1006 **Term:** 2019FA **Faculty:** Platt, Alexander **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCCB010

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

First Year Legal Research and Writing 2A

Course #: 1006 **Term:** 2020SP **Faculty:** Platt, Alexander **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC1019

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

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2019-2020 Academic Year

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First Year Legal Research and Writing 2B

Course #: 1006 **Term:** 2020SP **Faculty:** Saito, Blaine **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM PND102

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

First Year Legal Research and Writing 2B

Course #: 1006 **Term:** 2019FA **Faculty:** Saito, Blaine **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCC1019

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

Harvard Law School Course Catalog

2019-2020 Academic Year

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First Year Legal Research and Writing 3A

Course #: 1006 **Term:** 2019FA **Faculty:** Krishnamurthi, Guha **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCCB015

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

First Year Legal Research and Writing 3A

Course #: 1006 **Term:** 2020SP **Faculty:** Krishnamurthi, Guha **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC1015

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

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2019-2020 Academic Year

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First Year Legal Research and Writing 3B

Course #: 1006 **Term:** 2020SP **Faculty:** Sturiale, Jennifer **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC1019

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

First Year Legal Research and Writing 3B

Course #: 1006 **Term:** 2019FA **Faculty:** Sturiale, Jennifer **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCC1023

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

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First Year Legal Research and Writing 4A

Course #: 1006 **Term:** 2019FA **Faculty:** Frampton, Thomas **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCC2012

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

First Year Legal Research and Writing 4A

Course #: 1006 **Term:** 2020SP **Faculty:** Frampton, Thomas **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC1023

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

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First Year Legal Research and Writing 4B

Course #: 1006 **Term:** 2020SP **Faculty:** Hornstine, Adam **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC2009

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

First Year Legal Research and Writing 4B

Course #: 1006 **Term:** 2019FA **Faculty:** Zubrzycki, Carly **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCC1010

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

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First Year Legal Research and Writing 5A

Course #: 1006 **Term:** 2019FA **Faculty:** Heikal, Hedayat **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM PND100

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

First Year Legal Research and Writing 5A

Course #: 1006 **Term:** 2020SP **Faculty:** Heikal, Hedayat **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC1015

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

Harvard Law School Course Catalog

2019-2020 Academic Year

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First Year Legal Research and Writing 5B

Course #: 1006 **Term:** 2020SP **Faculty:** Winsberg, Sarah **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM PND101

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Please Note: After 2/4, this course will meet in Pound 100.
The First-Year Legal Writing and Research Program (LRW) is a series of exercises introducing students to the way lawyers analyze and frame legal positions in litigation, conduct legal research, and present their work in writing and in oral argument. Students actively learn research and writing skills by preparing initial and final drafts of memoranda and briefs and by becoming familiar with accessing both print and electronic research materials. In the spring, each first-year student is required to participate in the First-Year Ames Moot Court Program as a part of LRW, and to brief and argue a moot appellate case in a team of two. The course meets once a week for two hours or in one-on-one conferences. It carries two academic credits each semester and is graded honors/pass/low pass/fail. First-year law students in the Program are instructed by fourteen Climenko Fellows--promising legal scholars with high academic achievements and a strong interest in pursuing a career in law teaching--as well as by research librarians and upper-class teaching assistants.

First Year Legal Research and Writing 5B

Course #: 1006 **Term:** 2019FA **Faculty:** Winsberg, Sarah **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCC1015

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

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First Year Legal Research and Writing 6A

Course #: 1006 **Term:** 2019FA **Faculty:** Salib, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM LAN225

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

First Year Legal Research and Writing 6A

Course #: 1006 **Term:** 2020SP **Faculty:** Salib, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC1023

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

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First Year Legal Research and Writing 6B

Course #: 1006 **Term:** 2020SP **Faculty:** Copus, Ryan **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC2009

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

First Year Legal Research and Writing 6B

Course #: 1006 **Term:** 2019FA **Faculty:** Copus, Ryan **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM AUS101

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

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First Year Legal Research and Writing 7A

Course #: 1006 **Term:** 2019FA **Faculty:** Tobin, Susannah **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM LAN272

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

First Year Legal Research and Writing 7A

Course #: 1006 **Term:** 2020SP **Faculty:** Tobin, Susannah **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC2004

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

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2019-2020 Academic Year

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First Year Legal Research and Writing 7B

Course #: 1006 **Term:** 2020SP **Faculty:** Elinson, Gregory **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC1010

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

First Year Legal Research and Writing 7B

Course #: 1006 **Term:** 2019FA **Faculty:** Elinson, Gregory **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:15 PM - 5:15 PM WCC2009

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

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Flashpoints in LGBTQ Litigation

Course #: 2494 **Term:** 2020SP **Faculty:** Bonauto, Mary **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3015

Course Description: Prerequisites: None

Exam: No Exam

This reading group addresses substantive and strategic issues affecting efforts to obtain and retain legal equality for LGBTQ people in the U.S. The materials will encompass efforts in courts, in legislative bodies (all levels) and public opinion as they are connected. Students will learn the trajectory of progress and opportunities and roadblocks going forward at the state and national levels. Topically, we will address: liberty issues, including autonomy around sexuality; non-discrimination paradigms; offensive and defensive First Amendment issues, including religious exemption/free exercise issues; issues around the standard of review for laws classifying based on sex, sexual orientation and gender identity; family formation, and issues facing youth in schools and in their families; and other current topics.

Note: This reading group will meet on the following dates: 1/29, 2/12, 2/26, 3/11, 4/1, 4/15

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Food and Drug Law

Course #: 2091 **Term:** 2020WI **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
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Mon 9:00 AM - 12:30 PM	GRS110
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Tue 9:00 AM - 12:30 PM	GRS110
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Wed 9:00 AM - 12:30 PM	GRS110
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Thu 9:00 AM - 12:30 PM	GRS110
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Fri 9:00 AM - 12:30 PM	GRS110
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Course Description: Prerequisite: 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 20% 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.

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. 2014) and Statutory Supplement (2019).

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Food Law and Policy

Course #: 2359 **Term:** 2019FA **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 WCC3007

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

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 22 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 claim a clinical

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seat in this course will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student in a clinical seat 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 16, 2019 for fall clinical students in this course

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Food Law and Policy

Course #: 2359 **Term:** 2020SP **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 WCC3009

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

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 22 students and it is open to LLM students by permission.

Some seats are reserved for students in the spring Food Law and Policy clinic. Students who claim a clinical

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seat in this course will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student in a clinical seat drops the spring Food Law and Policy clinic, they will also lose their reserved seat in this course. Please note that there is an early drop deadline of December 6, 2019 for spring clinical students in this course.

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

Course #: 8038 **Term:** 2019FA **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 offering 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 16, 2019. 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 clinic at 1607 Massachusetts Avenue, 4th floor.

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

Course #: 8038 **Term:** 2020SP **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 offering 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 spring clinic must enroll in either Food Law and Policy (2 spring classroom credits) or Policy Advocacy Workshop (2 spring classroom credits). Students who enroll in the spring clinic will be enrolled in one of the required courses by the Office of Clinical and Pro Bono Programs. Students are guaranteed a seat in one of these two required courses, but are not guaranteed their first choice. Students enrolled in either course under a clinical seat will lose their seat if they choose to drop the clinic.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 6, 2019.

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 clinic at 1607 Massachusetts Avenue, 4th floor.

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Forced Arbitration

Course #: 2809 **Term:** 2019FA **Faculty:** Gupta, Deepak **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times:	Location
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Mon 1:00 PM - 3:00 PM	WCC5052
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Tue 1:00 PM - 3:00 PM	WCC5052
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Course Description: Prerequisites: None

Exam Type: No Exam

Over the past several decades, workers, consumers and patients have increasingly found themselves subject to binding arbitration clauses imposed by corporations on a take-it-or-leave-it basis. Claims that would previously have been brought in court, often through class actions - discrimination, sexual harassment, wage theft, consumer-protection, or antitrust claims, for example - are now channeled into confidential bilateral arbitration. Or they are simply not brought at all.

This rapid rise in forced arbitration represents one of the most profound transformations of the American civil justice system. It has been criticized for inhibiting the development of law, preventing public disclosure of wrongdoing, distorting outcomes in favor of the drafter, suppressing claims, transferring wealth upwards, and replacing democracy with private legislation. On the other hand, proponents of these arbitration clauses (including a majority of the current U.S. Supreme Court) defend them as voluntary arrangements that facilitate a more efficient alternative to costly and burdensome litigation.

This seminar will explore the history, theory, doctrine, and politics of forced arbitration. Topics will include the Seventh Amendment right to a trial by jury; the legislative history of the Federal Arbitration Act; the U.S. Supreme Courts jurisprudence interpreting that Act, with a special focus on the use of arbitration to preclude class actions; the empirical evidence of arbitrations effects; the implications for contract theory and political theory; and regulatory, legislative, and collective-action responses.

The instructor, Deepak Gupta, is a principal at Gupta Wessler PLLC, an appellate boutique in Washington, DC, and a former Senior Counsel at the Consumer Financial Protection Bureau. He has represented consumers, workers, and small merchants in key cases on forced arbitration before the U.S. Supreme Court, including AT&T Mobility v. Concepcion and American Express v. Italian Colors.

Note: This course will meet on the following dates: 9/9, 9/10, 9/23, 9/24, 10/7, 10/8, 10/21, 10/22, 11/4, 11/5, 11/18, 11/19

Drop Deadline: September 10, 2019 by 11:59 pm EST

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Foundations of International Arbitration: Theory and Practice

Course #: 2973 **Term:** 2020SP **Faculty:** Sobota, Luke; Carlson, Hugh **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCC4059

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

Prerequisites: None

Exam Type: No Exam

Through a combination of lectures and in-class simulations, this course will (i) provide an overview of the foundational aspects that arise in the lifecycle of an international arbitration; (ii) offer training in advocacy principles and techniques; and (iii) provide significant advocacy experience for students through in-class simulations. Course lectures and simulations will extend to both international commercial arbitration and investment arbitration.

Students will be graded on in-class participation, simulation performances, and advocacy outlines. There will be no final exam.

Students will have the option of enrolling in Independent Writing credit for an additional scholarly paper.

From Protest to Law: Triumphs and Defeats in Struggles for Racial Justice, 1950-1970

Course #: 2697 **Term:** 2019FA **Faculty:** Kennedy, Randall **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 3:20 PM - 4:50 PM WCC2004

Tue 3:20 PM - 4:50 PM WCC2004

Course Description: Prerequisite: None

Exam Type: No Exam

The requirement for the course are five six to eight page papers that react to readings and lectures.

This course will examine changes in law wrought by protests against racial injustice that erupted in the mid twentieth century. The principal topics will include disputes over segregation (see, e.g. Brown v. Board of Education and Loving v. Virginia), invidious private racial discrimination (see, e.g. the Civil Rights Acts of 1964 and 1968), and racial disfranchisement (see e.g. the Voting Rights Act of 1965). Considerable attention will be focused on lawyers and judges who played key roles in the drama of the Second Reconstruction.

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Future of the Family

Course #: 2094 **Term:** 2020SP **Faculty:** Bartholet, Elizabeth **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3008

Course Description: Prerequisite: None

Exam Type: No Exam

This seminar addresses a broad range of issues that may include: parenting and procreation; child abuse and neglect; family preservation policy; high-tech infertility treatment; the commercialization of reproduction (sale of eggs, sperm, embryos and pregnancy services); non-traditional family forms (single parenting, gay/lesbian parenting, same-sex unions and marriage, transracial and international adoption); and fetal abuse, sex selection, cloning, stem cell research and the new eugenics options.

This seminar is designed for students interested in writing a research paper on any issue related to the above 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 Clinics). Students will have an opportunity to share their work in class and will receive extensive feedback and guidance.

Students are encouraged to meet with the Professor prior to the start of the Spring term to discuss potential paper topics. Seminar requirements include: regular attendance, active participation, and a research paper. Students are encouraged to write a substantial paper for an additional credit.

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Gender Identity and the Law

Course #: 2467 **Term:** 2020SP **Faculty:** Chen, Alexander **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM GRS110

Course Description: Prerequisites: None

Exam Type: No Exam

From participation in the military to hormone coverage for transgender youth, transgender issues cut to the heart of some of the hardest questions we face today about the relationship between law, politics, science, medicine, public opinion, and identity. This course examines this complex and novel area of law in the context of a changing judicial and political landscape. Students will be encouraged to consider all points of view and delve into the strongest arguments for and against efforts to expand legal protections for transgender people.

Taught by a leading practitioner in the field, this course emphasizes the legal tools and decision-making processes involved in doing pathbreaking civil rights work. Students will gain an insight into the strategic and ethical tradeoffs involved in using the legal and political system to enact societal change.

Topics covered include: overview of gender identity and the development of transgender rights; constitutional and statutory frameworks for legal recognition of gender identity; access to sex-segregated spaces and activities; religion-, speech-, and ethics-based objections; access to health care and reproductive technology; non-binary and intersex identities; race and transgender experience; and unique considerations in military, family, and prison litigation.

Class materials include: case law, case documents, legislative materials, regulatory materials, press accounts, legal scholarship, and sources from other academic disciplines.

Note: Some seats in this course are reserved for students who are accepted into the Spring 2020 LGBTQ+ Advocacy Clinic. Students who are accepted into the clinic will work with the Office of Clinical and Pro Bono Programs to register for this course.

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Gender Violence Legal Policy Workshop

Course #: 2513

Term: 2020SP

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

WCC3011

Course Description: Prerequisites: 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.

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Gender Violence, Law and Social Justice

Course #: 2098

Term: 2020SP

Faculty: Rosenfeld, Diane

Credits: 3.00

Type: Elective

Subject Areas: Family, Gender & Children's Law

Delivery Mode: Course

Days and Times:

Location

Mon 1:15 PM - 2:45 PM

WCC3018

Tue 1:15 PM - 2:45 PM

WCC3018

Course Description: Prerequisite: 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 has the #MeToo movement reshaped the possibility of legal reform? How does the toleration of sexual violence shape peoples 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, public health, psychology, evolutionary biology and women and gender studies.

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Geopolitics, Human Rights, and the Future of Statecraft

Course #: 2235 **Term:** 2020SP **Faculty:** Power, Samantha **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:15 AM - 11:30 AM

Wed 10:15 AM - 11:30 AM

Course Description: Prerequisites: None

Exam Type: Midterm and final, administered through HKS

This course will examine the interplay of geopolitics and human rights, with a focus on how the changing dynamics of the international system are influencing the strategy and statecraft for confronting issues with major security and human consequences. We will probe how such factors as the rise of China, divisions within the U.N., and the challenges facing democracies have shaped international responses to past and present global challenges like climate change, Ebola, and the Syrian civil war. We will also look ahead to potential responses to emerging issues like cyber-interference. The course will use concrete cases to understand the factors behind successful crisis management or mitigation, asking what these lessons portend for the future, and for the actions of governments, NGOs, and activists.

Note: This course is jointly-listed with HKS as IGA-140 and will meet at HKS.

Please note, priority registration is granted to HKS and HLS students, with minimal (if any) openings for cross-registrants from other Harvard graduate schools.

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Global Anticorruption Lab

Course #: 2646 **Term:** 2020SP **Faculty:** Stephenson, Matthew **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3009

Course Description: Prerequisite: 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).

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 to discuss one another's research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute three substantive posts 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.

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Global Anticorruption Lab

Course #: 2646 **Term:** 2019FA **Faculty:** Stephenson, Matthew **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM HAU105

Course Description: Prerequisite: 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 to discuss one another's research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute three substantive posts 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.

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Global Governance

Course #: 2100 **Term:** 2019FA **Faculty:** Sikkink, Kathryn **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 11:45 AM - 1:00 PM

Thu 11:45 AM - 1:00 PM

Course Description: Prerequisites: None
Exam Type: No HLS Exam
This course focuses on the interplay among states, international organizations, multinational corporations, civil society organizations, and activist networks in global governance. Cases are drawn from a broad range of issue areas, including economic relations, human rights, peace and security, and the environment. The objective is to better understand the dynamics and evolution of formal and informal global governance arrangements and what difference they make, in light of globalization and emerging geopolitical changes.

Note: This course is jointly-listed with HKS as IGA-103. It will be held on the HKS campus.

Global Law and Governance

Course #: 2101 **Term:** 2019FA **Faculty:** Kennedy, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM HAU104

Tue 5:00 PM - 7:00 PM HAU104

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.
Prerequisites: None
Exam Type: Last Class Take-Home
This course explores laws role in global affairs. We will examine the history of ideas, legal doctrines, institutional and administrative structures intended to organize and legalize international economic and political life. The readings will provide a common background for exploring and comparing efforts both to remake the world and re-imagine law. As we analyze our inheritance from that tradition, we will assess recent efforts to rethink laws role in light of twenty first century political, economic and cultural challenges.

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Governing Digital Technology

Course #: 2433

Term: 2020SP

Faculty: Zittrain, Jonathan

Credits: 3.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Mon 3:20 PM - 4:50 PM

WCC3018

Tue 3:20 PM - 4:50 PM

WCC3018

Course Description: Prerequisite: None. This course is open to 1Ls only.

Exam Type: No Exam

This course will investigate the evolving nature of online architecture and activities, and the ways in which law and code have been, and will be, leveraged to influence them.

Course themes include the complex interaction between Internet governance organizations and sovereign states, the search for balance between the ease of disseminating information online and the interest of copyright holders, privacy advocates, and others in controlling that dissemination, and the roles of intermediaries and platforms in shaping what people can and cannot do online. The course will entail an intense array of learning and teaching methods. Students will be expected to participate in a variety of activities. May include Berkman Klein Center fellows and affiliates.

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Government Lawyer

Course #: 2103 **Term:** 2019FA **Faculty:** Wroblewski, Jonathan **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC1015

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Required Clinic Component: Government Lawyer: U.S. Attorney Clinic (fall or spring semester). Students who are accepted into this clinic 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 March 28, 2019.
Add/Drop Deadline: May 10, 2019 for fall students; August 26, 2019 for spring students.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT. Prerequisites: None
Exam Type: No Exam. A paper will be required in lieu of an examination.
The course will examine the role 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 policy issues that arise around prosecution, as well as those issues individual prosecutors face 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.

Note: In the 2019-20 academic year, this course will not satisfy the Professional Responsibility requirement.

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Government Lawyer as Change Agent

Course #: 2800

Term: 2020SP

Faculty: Miller, Jonathan

Credits: 1.00

Type: Elective

Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC4056

Course Description: Prerequisites: None

Exam Type: No Exam

State and local government lawyers are increasingly agents of change by using their government position to work creatively on a host of community-informed initiatives. Experience has shown that combating gun violence, civil rights abuses, wage theft, and predatory consumer practices is not optimally accomplished by traditional government investigation and enforcement alone. Government lawyers are therefore creating new tools that build upon traditional investigation and litigation through stakeholder engagement and outreach, technical resources, public advocacy, and training to community partners. This reading group will explore the strengths and weaknesses of this approach to problem-solving by examining different government lawyer responses to varying challenges.

This reading group will be taught by Harvard Lecturer in Law Jonathan Miller who currently serves as the Chief of the Massachusetts Attorney Generals Public Protection and Advocacy Bureau. Mr. Miller has served in the Attorney Generals office since 2008, and was the Chief of the Civil Rights Division before assuming his current position.

Note: This reading group will meet on the following dates: 1/28, 2/11, 2/25, 3/10, 3/31, 4/14

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Government Lawyer: Attorney General Clinic

Course #: 8015

Term: 2019FA

Faculty: Tierney, James

Credits: 5.00

Type: Clinic

Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Students who enroll in this offering 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). 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: August 16, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Placement Site: Various externship placements at the Massachusetts AG Office.

The State Attorney General Clinic offers students an opportunity to work with the Office of the Massachusetts Attorney Generals 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)

Students must enroll for a minimum of 4 clinical credits (16 hours per week) and must have at least one full day available in their schedules to spend at the Attorney Generals Office. Remaining hours may be completed as half-days (or additional full days). Most offices are open Monday-Friday from 9am-5pm. The Office of the Attorney General in Massachusetts does not allow students to participate in the Tenant Advocacy Project, Prison Legal Assistance Project or Harvard Defenders while in the AG Clinic. Other activities or employment may also not be allowed. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic (clinical@law.harvard.edu or 617-495-5202).

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Government Lawyer: Attorney General Clinic

Course #: 8015

Term: 2020SP

Faculty: Tierney, James

Credits: 5.00

Type: Clinic

Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Students who enroll in this offering 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). 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: August 26, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Placement Site: Various externship placements at the Massachusetts AG Office.

The State Attorney General Clinic offers students an opportunity to work with the Office of the Massachusetts Attorney Generals 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) Students must enroll for a minimum of 4 clinical credits (16 hours per week) and must have at least one full day available in their schedules to spend at the Attorney Generals Office. Remaining hours may be completed as half-days (or additional full days). Most offices are open Monday-Friday from 9am-5pm. The Office of the Attorney General in Massachusetts does not allow students to participate in the Tenant Advocacy Project, Prison Legal Assistance Project or Harvard Defenders while in the AG Clinic. Other activities or employment may also not be allowed. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic (clinical@law.harvard.edu or 617-495-5202).

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Government Lawyer: Attorney General Clinic

Course #: 8015

Term: 2020WI

Faculty: Tierney, James

Credits: 2.00

Type: Clinic

Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Students who enroll in this offering 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). 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: August 26, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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 over winter term 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 2019 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. The Office of the Attorney General in Massachusetts does not allow students to participate in the Tenant Advocacy Project, Prison Legal Assistance Project or Harvard Defenders while in the AG Clinic. Other activities or employment may also not be allowed. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic (clinical@law.harvard.edu or 617-495-5202).

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Government Lawyer: Semester in Washington Clinic

Course #: 8016 **Term:** 2020SP **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 offering 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 23, 2019.

Add/Drop Deadline: December 6, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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 32 hours a week in the spring term, although most work full-time. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases. Placements in past years have included the House and Senate Judiciary Committees, the Departments of Justice and State, the White House Counsels Office, the Central Intelligence Agency, and the Federal Communications Commission. Placements are coordinated by the clinic director, Jonathan Wroblewski, in consultation with students. Students admitted to the clinic will meet individually with the clinic director to discuss their areas of interest and placement possibilities. Every effort will be made 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 visit the Semester in Washington page on the OCP website, 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 23, 2019.

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 for a total of 11 spring semester credits).

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Government Lawyer: Semester in Washington Clinic

Course #: 8016 **Term:** 2020WS **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 offering 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 23, 2019.
Add/Drop Deadline: November 15, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
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 full-time over the winter term (40 hours per week) and at least 32 hours per 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 visit the Semester in Washington page on the OCP website, 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 23, 2019.
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 for a total of 13 winter and spring semester credits).

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Government Lawyer: Semester in Washington Clinical Seminar

Course #: 2104 **Term:** 2020SP **Faculty:** Wroblewski, Jonathan **Credits:** 3.00

Type: Elective **Subject Areas:** Government Structure & Function; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Course

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 offering 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 23, 2019.
Add/Drop Deadline: November 15, 2019 for winter-spring clinical students. December 6, 2019 for spring clinical students.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
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 full-time (40 hours per week) over the winter term (if they begin their clinical placement then) and at least 32 hours per 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

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Government Lawyer: United States Attorney Clinic

Course #: 8017 **Term:** 2019FA **Faculty:** Wroblewski, Jonathan **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 offering 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 (2 fall classroom credits). 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 28, 2019.
Add/Drop Deadline: May 10, 2019.
LLM Students: This clinic is not available to LLM students.
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.
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. Attorneys Office.

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Students should have at least one full day available in their schedules for clinical work, and the additional hours worked must be for at least 5 hours at a time (20 hours per week is required). Most offices are open Monday-Friday from 9 a.m.-5 p.m.

Applications are due March 28, 2019 to Maggie Bay (mbay@law.harvard.edu). Applications should include a resume and a statement of interest no longer than 250 words. Students will be notified of their application results by April 1. Accepted students will be enrolled in the clinic and the required fall course component by the Office of Clinical and Pro Bono Programs.

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Government Lawyer: United States Attorney Clinic

Course #: 8017 **Term:** 2020SP **Faculty:** Wroblewski, Jonathan **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 offering 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 (2 fall classroom credits). 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 28, 2019.
Add/Drop Deadline: August 26, 2019.
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.
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.

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Students should have at least one full day available in their schedules for clinical work, and the additional hours worked must be for at least 5 hours at a time (20 hours per week is required). Most offices are open Monday-Friday from 9am-5pm.

Applications are due March 28, 2019 to Maggie Bay (mbay@law.harvard.edu). Applications should include a resume and a statement of interest no longer than 250 words. Students will be notified of their application results by April 1. Accepted students will be enrolled in the clinic and the required fall course component by the Office of Clinical and Pro Bono Programs.

Great Cases of the Supreme Court

Course #: 2208 **Term:** 2019FA **Faculty:** Greenaway, Joseph **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC5044

Course Description: Prerequisites: None. Basic knowledge of constitutional law preferred but not required.

Exam Type: No Exam

Students will be required to submit two or three very short "reaction emails" based on the readings.

What makes a case great? Why do some cases take on a life of their own, requiring study and comment from every angle by generation after generation of lawyers, law professors, law students and students of the Supreme Court? In this reading group, we shall focus on great cases over the course of the history of the Court -- Marbury, Brown, Roe v. Wade, Miranda, and others. The predominant focus will be to discuss the historical context surrounding these cases and dissect them in a manner that will inform their role in the Courts history. The majority of the readings will be the cases.

Note: This reading group will meet on the following dates: 9/26, 10/10, 10/31, 11/7, 11/14, 11/21

Drop Deadline: September 27, 2019 by 11:59 pm EST

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Harvard Dispute Systems Design Clinic

Course #: 8019 **Term:** 2020SP **Faculty:** Viscomi, Rachel **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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 Clinical Seminar (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: Negotiation Workshop. Students must have completed the Negotiation Workshop prior to enrolling in the clinic. Failure to meet the pre-requisite by the clinics add/drop deadline will result in the student being dropped from this clinic and the required course. Students enrolled in the winter-spring 2020 Negotiation Workshop will qualify for meeting this pre-requisite.

Add/Drop Deadline: December 6, 2019.

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

Placement Site: HLS.

Please note: Students who enroll in this spring clinic who have not yet taken the Negotiation Workshop must enroll in the winter-spring 2020 Negotiation Workshop to keep their clinical enrollment. Enrollment in the winter-spring 2020 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 Harvard Dispute Systems Design Clinic advise clients on how they can more effectively engage conflict within an organization. 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. Students will augment the skills and concepts learned in Negotiation Workshop with 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. Past 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 our website.

The Negotiation Workshop is a required prerequisite for the Dispute Systems Design Clinic.

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

Harvard Law School Course Catalog

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Harvard Immigration and Refugee Clinic

Course #: 8020 **Term:** 2019FA **Faculty:** Anker, Deborah **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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 16, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application. International LLM students on F-1 student visas cannot be placed at GBLs.
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, Boston's oldest legal services organization (located in downtown Boston). Students typically work between sixteen and twenty hours per week (4-5 clinical credits).
Students who have taken the course "Emerging Issues in Refugee Protection: The Representation of Child Asylum Seekers" may request a clinical seminar waiver by contacting the clinic directly.

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Harvard Immigration and Refugee Clinic

Course #: 8020 **Term:** 2020SP **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 offering 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: December 6, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application. International LLM students on F-1 student visas cannot be placed at GBLS.
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, Boston's oldest legal services organization (located in downtown Boston). Students are encouraged to sign up for either sixteen and twenty hours per week (4-5 clinical credits).
Students who have taken the course "Emerging Issues in Refugee Protection: The Representation of Child Asylum Seekers" may request a clinical seminar waiver by contacting the clinic directly.

Harvard Law School Course Catalog

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Harvard Legal Aid Bureau 2L

Course #: 8000 **Term:** 2019FS **Faculty:** Caramello, Esme **Credits:** 8.00

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 offering 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 24, 2019.
Add/Drop Deadline: May 1, 2019 (except for students also applying to Law Review or the Board of Student Advisors).
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 17-24.
The Harvard Legal Aid Bureau is a student-run civil legal aid 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, support, and Special Immigrant Juvenile Status 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 potential new areas or modes of practice. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.

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Harvard Legal Aid Bureau 3L

Course #: 8010 **Term:** 2019FS **Faculty:** Caramello, Esme **Credits:** 8.00

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 offering 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 civil legal aid 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, support, and Special Immigrant Juvenile Status 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 potential new areas or modes of practice. 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

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Health Care Rights in the Twenty-First Century

Course #: 2989 **Term:** 2019FA **Faculty:** Costello, Kevin **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3011

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

Prerequisites: None

Exam Type: No Exam

Health care has become a dominant political issue in contemporary America - to the point of swaying national elections and consuming congressional calendars. Underlying this political debate 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 now defunct individual mandate of the Affordable Care Act and relevant Religious Freedom Restoration Act developments. We will place congressional and common law health care rights provisions in the broader context of civil rights jurisprudence, including anti-discrimination regimes. We will evaluate new health care proposals, including Medicare for All and other plans supported by presidential hopefuls. 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. Class participation is expected. The seminar will culminate in a student project arising from the course materials. 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 16, 2019 for students enrolled in reserved clinical seats.

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

Course #: 8033 **Term:** 2019FA **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 offering 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 16, 2019.
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 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, Kentucky, Louisiana and Mississippi) 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 or Health Care Rights in the Twenty-First Century, 2 fall classroom credits) by the Office of Clinical and Pro Bono Programs. Their enrollment in this seminar is dependent on their clinical enrollment (should they drop the clinic, they will also be dropped from the seminar).
For more information about the clinic please email Professor Robert Greenwald at rgreenwa@law.harvard.edu or visit our clinical suite in 1607 Mass Ave, 4th Floor.

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

Course #: 8033 **Term:** 2020SP **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 offering 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 spring clinic must enroll in either Public Health Law and Policy (2 spring classroom credits) or Policy Advocacy Workshop (2 spring classroom credits). Students who enroll in the spring clinic will be enrolled in one of the required courses by the Office of Clinical and Pro Bono Programs. Students are guaranteed a seat in one of these two required courses, but are not guaranteed their first choice. Students enrolled in either course under a clinical seat will lose their seat if they choose to drop the clinic.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: December 6, 2019.
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 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, Kentucky, Louisiana and Mississippi) 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 one of the two required seminars by the Office of Clinical and Pro Bono Programs. Enrollment in either seminar is dependent on your clinical enrollment (should you drop the clinic, you will also be dropped from the seminar).
For more information about the clinic please email Professor Robert Greenwald at rgrgreenwa@law.harvard.edu or visit our clinical suite in 1607 Mass Ave, 4th Floor

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Health Law, Policy, Bioethics, and Biotechnology Workshop

Course #: 2652

Term: 2019FA

Faculty: Cohen, I. Glenn

Credits: 2.00

Type: Elective

Subject Areas: Health Law

Delivery Mode: Seminar

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

GRS110

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>

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Housing Law Clinic

Course #: 8034 **Term:** 2019FA **Faculty:** McDonagh, Maureen **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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 16, 2019.
LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.
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 low-income tenants who are facing eviction and at risk of homelessness. 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 Housing 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.

Housing Clinic students may also participate in the Housing Justice for Survivors Project which represents tenants who are survivors of domestic violence and sexual assault. Housing Justice for Survivors clients may be facing loss of housing as a result of abuse, or may need to quickly relocate to safer alternative housing. Students provide trauma-informed representation to survivors facing housing instability as a result of abuse in a variety of different settings including: housing court, housing authority/administrative proceedings, and affirmative 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.

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Housing Law Clinic

Course #: 8034 **Term:** 2020SP **Faculty:** McDonagh, Maureen **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: December 6, 2019.

LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.

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 low-income tenants who are facing eviction and at risk of homelessness. 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 Housing 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.

Housing Clinic students may also participate in the Housing Justice for Survivors Project which represents tenants who are survivors of domestic violence and sexual assault. Housing Justice for Survivors clients may be facing loss of housing as a result of abuse, or may need to quickly relocate to safer alternative housing. Students provide trauma-informed representation to survivors facing housing instability as a result of abuse in a variety of different settings including: housing court, housing authority/administrative proceedings, and affirmative 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.

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Housing Law Clinical Workshop

Course #: 2199 **Term:** 2019FA **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	WCC4061

Course Description: Students who enroll in this offering 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 16, 2019.

LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.

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.

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Housing Law Clinical Workshop

Course #: 2199 **Term:** 2020SP **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 WCC4062

Course Description: Students who enroll in this offering 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: December 6, 2019
LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.
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.

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Human Rights Advocacy

Course #: 2510 **Term:** 2020SP **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**

Tue 1:00 PM - 3:00 PM WCC3011

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

Required Clinic Component: International Human Rights Clinic (3-5 spring clinical credits). Students enrolled in the spring clinic must enroll in either this clinical seminar or The Promises and Challenges of Disarmament (2 spring classroom credits). Students are not guaranteed their first choice of clinical seminars. Clinical seminar selection and enrollment occurs once a student has enrolled in the 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: December 6, 2019

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

Advocates around the world rely upon human rights law, language, and methodologies in the struggle for social justice. While human rights law provides guidance on an astonishing range of issues—corporate accountability in South Africa, transitional justice in Myanmar, healthcare in Brazil, criminal justice in the United States, immigration policy in Europe, and beyond—advocates nonetheless face a host of challenges and dilemmas when seeking to translate law into meaningful, sustainable change.

This seminar aims to be a critical, contextualized, and participatory exploration of what it means to be a human rights advocate, from a lawyer’s perspective. The course examines fundamental concepts, skills, and approaches to human rights advocacy, including the ethical, strategic, and legal dimensions of this work. Through case studies, role plays, and guided discussion, we will grapple with tough questions that confront every human rights practitioner, including:

- 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?

This course is designed to encourage critical evaluation of the human rights movement, as well as the implications for practice today, while learning how 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 and why advocacy is formulated

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and received. Finally, students will consider the limits of the human rights paradigm and its established methodologies, as well as alternative models and forms of advocacy, including the role of community lawyering in the human rights context.

Human Rights Advocacy

Course #: 2510 **Term:** 2019FA **Faculty:** Htun, Yee Mon **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC3038

Course Description: Students who enroll in this offering 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 Business and Human Rights (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 16, 2019. LLM Students: LLM students may apply to the clinic by submitting an application.
Human rights norms and discourse are employed widely by advocates around the world in their struggles for social justice. This course explores what it means to be a human rights advocate, whether one is engaged in debates over U.S. policy at home and abroad, the role of corporations in alleged violations, or the role of rights in times of transitions from conflict. Through case studies and simulations, this seminar examines the various dimensions and limitations of human rights advocacy, including strategic, ethical, and tactical challenges. What are the different ways that human rights can be used? In developing strategies for meaningful change, how do advocates decide which tactics to use and when? The goal is for students to develop core advocacy skills while thinking critically about their work. To that end, the seminar engages seriously with the major critiques and dilemmas faced by human rights advocates, in particular by lawyer-advocates from the Global North. The seminar also grapples with the limits of established approaches of the movement such as litigation, naming and shaming, and explores community lawyering and human rights. How do we engage without perpetuating power differentials along geopolitical, class, race, gender, and other lines? How do we find ways to work in collaboration with directly affected communities and movements? In addition to case studies, students workshop and reflect on their participation in supervised clinical projects, which include fact-finding investigations, media work, negotiations, advocacy, and litigation. Critical reflection will not be the end, but rather the means to find responsible ways of advancing justice.
A fall clinical practice component is required of all students. Clinical placements are with the International Human Rights Clinic.

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Human Rights and Humanitarianism through the Lens of Documentary Film

Course #: 2983 **Term:** 2020SP **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
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Mon 5:00 PM - 8:00 PM	WCC3013
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Tue 5:00 PM - 8:00 PM	WCC3013
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Wed 5:00 PM - 8:00 PM	WCC3013
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Course Description: Early Drop Deadline: By end of day, Tuesday, January 28, 2019

Prerequisites: None

Exam Type: No Exam

This reading group will examine how visual representations affect the theory and practice of human rights advocacy and humanitarian efforts. Using both film screenings and written texts, we will examine the role of documentary storytelling and imagery in the human rights movement and the continued interconnectedness of media and advocacy in some of today's most pressing human rights issues. How have representations of human suffering simultaneously informed and reformed the social meanings we ascribe to them? This course will explore the visual representations that directly affect public recognition of rights and wrongs.

Note: Additional time reserved for viewing films. This reading group will meet during the first two weeks of the term only.

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Human Rights and International Law

Course #: 2423

Term: 2019FA

Faculty: Neuman, Gerald

Credits: 4.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Mon 1:00 PM - 3:00 PM

WCC5048

Tue 1:00 PM - 3:00 PM

WCC5048

Course Description:

Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: In Class (open)

This course examines critically what it means to embody human rights conceptions in law at the international level, and how human rights law can be implemented through cooperation among national and international institutions. Topics will include the historical origins of modern human rights law; background international law rules that structure human rights law; connections between civil, political, social, and economic rights; comparative discussion of some specific human rights; and global and regional methods of oversight and enforcement. The course will pay particular attention to the UN Human Rights Committee and to the relationship between the United States and the international human rights system. Please note that laptops and other electronic communications devices may not be used in class.

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Human Rights and Social Justice: Comparative Legal Institutions

Course #: 2435

Term: 2020SP

Faculty: Becker Lorca, Arnulf

Credits: 3.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Thu 10:00 AM - 11:30 AM

WCC3012

Fri 10:00 AM - 11:30 AM

WCC3012

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: Last Class Take-Home

Human rights norms and discourse have become a paramount legal institution in the struggle for social justice. United Nation treaties, recognizing social and economic rights and their monitoring and enforcement mechanisms, as well as, litigation and naming and shaming by NGOs are central human rights tools employed by social justice advocates around the world. At the same time, advocates have not only used human rights, the law recognizing rights to individuals and groups, but also international law, that is, the law based on state sovereignty and interstate obligations, to advance social justice purposes.

This course explores and compares these two legal institutions - human rights and international law - as mechanisms to advance social justice. After a brief examination of the historical origins and conceptual differences between human rights and international law, we will compare both institutions. In this comparison, we will study three specific social and economic rights: right to water, health and food; and three international problems with social justice dimensions: humanitarian intervention, indigenous peoples rights and the immigration crisis. What type of social justice do international law and human rights strive for? When are solutions offered by one legal institution more effective than solutions offered by the other? When have human rights and international law acted together to produce social change?

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Human Rights Careers: Strategic Leadership Workshop

Course #: 2399 **Term:** 2019FA **Faculty:** Farbstein, Susan **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC4056

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Required Clinic Component: Either the fall International Human Rights Clinic - 3L Leadership Training with Advanced Seminar or the fall Semester in Human Rights Clinic. Students who are accepted into 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: Yes. Applications for the International Human Rights Clinic - 3L Leadership Training with Advanced Seminar and the Semester in Human Rights Clinic are both due by April 7, 2019.
Add/Drop Deadline: June 1, 2019.
LLM Students: Due to the pre-requisite, LLM students are not eligible to apply.
Placement Site: HLS.

This seminar offers advanced training in human rights advocacy and leadership for students interested in careers in human rights or social justice. 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 sustainable change; 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. Students will also consider and cultivate the leadership skills necessary for a career in human rights, including by examining issues of identity. As part of developing their own leadership style, students will take significant ownership over the learning processes in both the seminar and the Clinic. Students will work to determine their learning priorities and will develop a tailored individual or team project through which they can examine, in depth, an area of interest—whether a substantive area in the field of human rights or a leadership challenge or approach. Recent student projects have focused on op-ed writing and storytelling in the human rights context, dealing with trauma and developing a more sustainable practice, strategic and tactical mapping for human rights campaigns, the ethics of fact-finding and interviewing, and negotiation and coalition-building. Finally, students will workshop their own clinical projects, including by reflecting on the overall impact of the project as well as their own specific leadership role, in order to improve their effectiveness as human rights advocates and as future leaders.

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Human Rights in the UN Treaty Bodies

Course #: 2343

Term: 2019FS

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: By permission of instructor. Students who have taken either the 1L or upper-level International Human Rights introductory course at HLS do not actually need special permission to enroll, but for technical reasons they should contact the instructor so that he can facilitate registration; other students who have not taken that course but believe that they have preparation equivalent to that course 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, the right to life, forced evictions, "hate speech," rights of persons with disabilities, and international monitoring procedures.

Note: The seminar will meet six times each semester, in two-hour sessions.

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.

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Human Rights Law in Japan

Course #: 2670 **Term:** 2020SP **Faculty:** Ramseyer, J. Mark **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC4061

Course Description: Prerequisites: There are no prerequisites, and all readings will be in English.

Exam Type: No Exam

The group will read a variety of material relating to human rights in Japan. We will discuss minority groups, foreigners, sexual relations, birth status, and other issues in which group members might have an interest.

Note: This reading group will meet on the following six dates: 2/3, 2/17, 3/2, 3/23, 4/6, 4/20

Drop Deadline: February 4, 2020 by 11:59 pm EST

Ideal Discourse: JuryX Workshop

Course #: 2411 **Term:** 2020WI **Faculty:** Nesson, Charles **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 4:15 PM WCC1010

Tue 1:00 PM - 4:15 PM WCC1010

Wed 1:00 PM - 4:15 PM WCC1010

Thu 1:00 PM - 4:15 PM WCC1010

Fri 1:00 PM - 4:15 PM WCC1010

Course Description: Prerequisites: None

Exam Type: No Exam

JuryX is a workshop in deliberation. Deliberations will focus on turning-point issues in American jury trial, including nullification, confrontation and plea bargaining. We will study not just issues but methods of deliberation, communication and persuasion. Our intention is to explore justice by creating and deliberating issues of justice in a self-sovereign self-governing group -- a jury. Our goal is to build our understanding of self and justice through a network of trust. With Fern L. Nesson

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Identity, autonomy and data protection in the age of Big Data and Artificial Intelligence

Course #: 2751 **Term:** 2020SP **Faculty:** Wachter, Sandra **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC4056

Course Description: Prerequisites: None
Exam Type: No Exam
Digital technologies can discreetly collect usage and behavioural data in order to anticipate and respond to our behaviours and needs. Data from fitness trackers, internet browsing, mobile phones (geolocation), and countless other devices can be seamlessly and tirelessly captured. This reading group will examine key readings and projects around the past, present and future avenues of data and privacy protection. We will discuss different theories around the importance and value of privacy protection as well as various approaches to data protection (e.g. GDPR, ECHR) in an ever-connected world.

Note: This reading group will meet on the following dates: 1/30, 2/13, 2/27, 3/12, 4/2, 4/16

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Immigration and Refugee Advocacy

Course #: 2115 **Term:** 2019FA **Faculty:** Anker, Deborah **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3036

Course Description: Students who enroll in this offering 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 16, 2019.
LLM Students: LLM students may apply to the clinic by submitting an application. International LLM students on F-1 student visas cannot be placed at GBL.
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.
Students who have taken the course "Emerging Issues in Refugee Protection: The Representation of Child Asylum Seekers" may request a clinical seminar waiver by contacting the clinic directly.

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Immigration and Refugee Advocacy

Course #: 2115 **Term:** 2020SP **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**

Wed 3:00 PM - 5:00 PM WCC3008

Course Description: Students who enroll in this offering 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: December 6, 2019.
LLM Students: LLM students may apply to the clinic by submitting an application. International LLM students on F-1 student visas cannot be placed at GBLS.
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.
Students who have taken the course "Emerging Issues in Refugee Protection: The Representation of Child Asylum Seekers" may request a clinical seminar waiver by contacting the clinic directly.

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Immigration Law

Course #: 2466

Term: 2020SP

Faculty: Neuman, Gerald

Credits: 3.00

Type: Elective

Subject Areas: Constitutional Law & Civil Rights; Regulatory Law

Delivery Mode: Course

Days and Times:

Location

Mon 1:15 PM - 2:45 PM

PND100

Tue 1:15 PM - 2:45 PM

PND100

Course Description: Prerequisites: Prior completion of a course in U.S. Constitutional Law that covers separation of powers and federalism is recommended, but not required.

Exam Type: In Class

Migration policy has become bitterly controversial since January 2017, but not for the first time. This course will examine the legal framework of federal immigration control from a variety of perspectives — historical and contemporary; substantive and procedural; statutory and administrative and constitutional — including the criteria for admission to the United States, the grounds and process of deportation, the peculiar constitutional doctrines persisting in this field, and an introduction to refugee law.

Please note that laptops and other electronic communications devices may not be used in class.

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Impact Defense Initiative: Seminar

Course #: 3003 **Term:** 2019FA **Faculty:** Crespo, Andrew **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 3:00 PM - 5:00 PM WCC4056

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Required Clinic Component: This course consists of a co-bundled clinic (4 clinical credits) and seminar (2 classroom credits). Your enrollment will automatically include both courses

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due by June 21, 2019. Please see below for more information.

Add/Drop Deadline: July 8, 2019.

LLM Students: This clinic is not available to LLM students.

Description: The Impact Defense Initiative is an innovative clinical course that will immerse students in the design and execution of a high-impact strategic litigation campaign undertaken on behalf of indigent criminal defendants in a state-level criminal court system. Over the course of the semester, students will work together in a collaborative and team-driven law office, alongside (and under the supervision of) the course instructor and in partnership with the Public Defender Service for the District of Columbia, one of the nation's leading public-defense agencies. In collaboration with attorneys from that agency, students will identify complex and cross-cutting legal issues that arise systemically across the agency's cases and that entail high-stakes consequences for both its clients and for the fair administration of justice in the District of Columbia. The Impact Defense Initiative will then serve as either outside co-counsel to the affected clients or as a strategic litigation consultant to the agency itself, with the ultimate goal being to develop creative legal arguments, to map out a strategic litigation campaign, and to put that campaign into action through effective and sophisticated motions practice and advocacy.

Students enrolled in the course will serve as full and central members of the Impact Defense Initiative's litigation team, which will consist of the students in the course and the instructor, operating in close collaboration with attorneys at the Public Defender Service. All enrolled students will meet weekly with the instructor and (by video conference) with partnering attorneys at the Public Defender Service. During these weekly sessions, the team will discuss and evaluate potential campaign strategies, develop and assign avenues of potential research, report on prior research assignments, and review and revise concrete deliverables such as briefs or memoranda. Depending on the nature of the issues and projects undertaken, students may also help to strategize and coordinate with additional actors and/or their counsel in order to develop support in the form of amicus briefs or other coordinated litigation tactics. It is also possible (though not certain) that students will have opportunities to travel to Washington, D.C., for pivotal hearings or arguments or for other important case developments.

Depending on the number of projects undertaken over the course of the semester, students can expect to be divided into teams comprising either one or two other classmates. Each team will assume primary responsibility for an assigned issue or project, with efforts undertaken in the assignment process to account for both students' preferences and the need to evenly distribute work so as to meet litigation demands. All students, however, will participate in each weekly session and will contribute to and support the work of students on other teams-perhaps assuming primary responsibility for aspects of other projects as litigation needs arise. Local practice rules do not permit students to sign briefs or make arguments in court. But students enrolled in the course will nonetheless serve as the equivalent of an associate in a public-interest law office, contributing fully to the Initiative's strategic decisions and its substantive work product, with each individual student expected to produce at least one (and potentially more) substantial

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written work products over the course of the semester—for example, a research memorandum, a strategy memorandum, a draft brief, or a substantial component of such documents.

In sum, students in this course will be fully immersed in a flexible, collaborative, and intensive strategic litigation campaign. Through that experience, they will practice and develop a range of skills, including: high-level legal research and analysis; sophisticated written advocacy; innovative litigation strategizing across multiple cases; and collaborative lawyering. Students will be relied upon for their research and writing abilities, their creativity, their professionalism, and their commitment to advancing the interests of the Initiative's clients—and will be given opportunities to hone and develop these skills through close and collaborative supervision from the instructor.

Application Process: Admission to this course is by permission of the instructor. Interested students should submit an application to Maggie Bay (mbay@law.harvard.edu) by no later than June 21, 2019. The application should include the following documents, combined into a single PDF: a cover letter, a resume, a writing sample, and a list of up to three references.

Cover letters should describe, if applicable, any prior or upcoming relevant work experience, including work on behalf of indigent clients, with criminal justice issues, and/or with substantive brief writing or written advocacy beyond the first-year curriculum. No such experience, however, is required for admission to the course, nor should students without such experience feel discouraged from submitting an application. Students who are engaged in potentially relevant work over the summer are welcome to supplement their application with an additional recommender and/or writing sample from their summer job, provided that all materials are received by the application deadline.

Applicants may be asked to interview with the instructor, either in person or by phone or video conference. Admitted students will be notified the week of July 1, 2019 and will be required to confirm enrollment by an add/drop date of July 8, 2019.

Grading: Students will be graded based on a combination of their participation in seminar, their efforts to contribute to the team's project and deliverables over the course of the semester, and the quality of their formal and informal work product (including written work product, comprising both initial drafts and any potential second or additional drafts following feedback).

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Impact Defense Initiative: Clinic

Course #: 8051 **Term:** 2019FA **Faculty:** Crespo, Andrew **Credits:** 4.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: This course consists of a co-bundled clinic (4 clinical credits) and seminar (2 classroom credits). Your enrollment will automatically include both courses

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due by June 21, 2019. Please see below for more information.

Add/Drop Deadline: July 8, 2019.

LLM Students: This clinic is not available to LLM students.

Placement Site: HLS.

Description: The Impact Defense Initiative is an innovative clinical course that will immerse students in the design and execution of a high-impact strategic litigation campaign undertaken on behalf of indigent criminal defendants in a state-level criminal court system. Over the course of the semester, students will work together in a collaborative and team-driven law office, alongside (and under the supervision of) the course instructor and in partnership with the Public Defender Service for the District of Columbia, one of the nation's leading public-defense agencies. In collaboration with attorneys from that agency, students will identify complex and cross-cutting legal issues that arise systemically across the agency's cases and that entail high-stakes consequences for both its clients and for the fair administration of justice in the District of Columbia. The Impact Defense Initiative will then serve as either outside co-counsel to the affected clients or as a strategic litigation consultant to the agency itself, with the ultimate goal being to develop creative legal arguments, to map out a strategic litigation campaign, and to put that campaign into action through effective and sophisticated motions practice and advocacy.

Students enrolled in the course will serve as full and central members of the Impact Defense Initiative's litigation team, which will consist of the students in the course and the instructor, operating in close collaboration with attorneys at the Public Defender Service. All enrolled students will meet weekly with the instructor and (by video conference) with partnering attorneys at the Public Defender Service. During these weekly sessions, the team will discuss and evaluate potential campaign strategies, develop and assign avenues of potential research, report on prior research assignments, and review and revise concrete deliverables such as briefs or memoranda. Depending on the nature of the issues and projects undertaken, students may also help to strategize and coordinate with additional actors and/or their counsel in order to develop support in the form of amicus briefs or other coordinated litigation tactics. It is also possible (though not certain) that students will have opportunities to travel to Washington, D.C., for pivotal hearings or arguments or for other important case developments.

Depending on the number of projects undertaken over the course of the semester, students can expect to be divided into teams comprising either one or two other classmates. Each team will assume primary responsibility for an assigned issue or project, with efforts undertaken in the assignment process to account for both students' preferences and the need to evenly distribute work so as to meet litigation

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demands. All students, however, will participate in each weekly session and will contribute to and support the work of students on other teams—perhaps assuming primary responsibility for aspects of other projects as litigation needs arise. Local practice rules do not permit students to sign briefs or make arguments in court. But students enrolled in the course will nonetheless serve as the equivalent of an associate in a public-interest law office, contributing fully to the Initiative’s strategic decisions and its substantive work product, with each individual student expected to produce at least one (and potentially more) substantial written work products over the course of the semester—for example, a research memorandum, a strategy memorandum, a draft brief, or a substantial component of such documents.

In sum, students in this course will be fully immersed in a flexible, collaborative, and intensive strategic litigation campaign. Through that experience, they will practice and develop a range of skills, including: high-level legal research and analysis; sophisticated written advocacy; innovative litigation strategizing across multiple cases; and collaborative lawyering. Students will be relied upon for their research and writing abilities, their creativity, their professionalism, and their commitment to advancing the interests of the Initiative’s clients—and will be given opportunities to hone and develop these skills through close and collaborative supervision from the instructor.

Application Process: Admission to this course is by permission of the instructor. Interested students should submit an application to Maggie Bay (mbay@law.harvard.edu) by no later than June 21, 2019. The application should include the following documents, combined into a single PDF: a cover letter, a resume, a writing sample, and a list of up to three references.

Cover letters should describe, if applicable, any prior or upcoming relevant work experience, including work on behalf of indigent clients, with criminal justice issues, and/or with substantive brief writing or written advocacy beyond the first-year curriculum. No such experience, however, is required for admission to the course, nor should students without such experience feel discouraged from submitting an application. Students who are engaged in potentially relevant work over the summer are welcome to supplement their application with an additional recommender and/or writing sample from their summer job, provided that all materials are received by the application deadline.

Applicants may be asked to interview with the instructor, either in person or by phone or video conference. Admitted students will be notified the week of July 1, 2019 and will be required to confirm enrollment by an add/drop date of July 8, 2019.

Grading: Students will be graded based on a combination of their participation in seminar, their efforts to contribute to the team’s project and deliverables over the course of the semester, and the quality of their formal and informal work product (including written work product, comprising both initial drafts and any potential second or additional drafts following feedback).

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Index Funds and the Concentration of Corporate Ownership

Course #: 2406

Term: 2020SP

Faculty: Platt, Alexander

Credits: 1.00

Type: Elective

Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Reading Group

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC5046

Course Description:

Prerequisites: None

Exam Type: No Exam

Vanguard, BlackRock and State Street Global Advisors - the so-called "Big Three" index fund managers - now vote approximately 25% of the stock in the largest U.S. public companies. This reading group will explore what this unprecedented consolidation of corporate ownership means for corporate governance, politics, competition, and more. The readings will focus on recent legal scholarship, but will also include materials from industry, regulators, and journalists. The reading group will meet for six two-hour sessions, and participation will be graded credit/fail.

Note: This reading group will meet on the following dates: 2/4, 2/11, 2/25, 3/10, 3/31, 4/14

Drop Deadline: February 5, 2020 by 11:59 pm EST

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Innovation in Legal Education and Practice

Course #: 2689

Term: 2019FA

Faculty: Westfahl, Scott; Yi, Daniel

Credits: 2.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC3019

Course Description: Prerequisite: None

Exam Type: No Exam

Innovation in Legal Education and Practice introduces students to design thinking and teamwork principles and challenges students 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, including a "field trip" to the Harvard iLab. 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" (our version of "Shark Tank").

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.

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Institutional Investors and Alternative Investment Forms: Private Equity, Venture Capital, and Hedge Funds

Course #: 2847 **Term:** 2020SP **Faculty:** Kraakman, Reinier **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3015

Course Description: Prerequisites: The co- or pre- requisite is either a course in corporate law (at Harvard or elsewhere) or employment experience related to alternative investment forms, which need not have been specifically legal. If you have not taken the HLS course, you must contact the instructor for permission to waive the prerequisite.

Exam: No Exam

Students will be asked to submit reaction memos on most weeks.

The course will examine the relationship between institutional investors and each of the principal forms of alternative investment: private equity, venture capital, and hedge funds. The course will compare the legal forms of alternative investment in these areas and review the role of alternative investments in the portfolios of institutional investors. It will also address trends in investment forms initiated by both institutional investors and the PE, VC, or Hedge Fund general partners. These include changes to the terms of limited partnerships that serve as investment vehicles, the phenomenon of "evergreen" funds without fixed terms, and the difficulty of contracting over heterogeneous forms of investment. Examples include co-investing and other special arrangements with favored investors. The course will address recent regulatory and enforcement initiatives for the protection of investors in these alternative forms. Finally, it will touch on the problems of assessing the financial performance of alternative investment vehicle relative conventional investments in the public equity markets.

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International Business Law

Course #: 2560 **Term:** 2019FA **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
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Thu 9:30 AM - 11:30 AM	HAU104
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Fri 9:30 AM - 11:30 AM	HAU104
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Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: Any Day Take-Home

This course aims to provide students with a broad overview of the problems that confront businesses as they go global and how different forms of law work to address such problems. Through a series of examples and case studies, the class will explore the legal and policy implications that arise out of cross-border transactions. How do businesses navigate markets that operate very differently than their own home market? We explore how treaties, national laws, and informal norms shape and constrain business decisions. Among the topics to be explored are how businesses deal with issues such as corporate social responsibility, intellectual property protection, corruption, expropriation, privacy, and enforcement of arbitration awards.

Note: Students who took Law & the International Economy in their 1L year are not eligible to take this course.

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International Commercial Arbitration

Course #: 2122 **Term:** 2020WI **Faculty:** Beckett, Mark; Tan, Daniel **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
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Mon 9:00 AM - 12:15 PM	HAU102
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Tue 9:00 AM - 12:15 PM	HAU102
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Wed 9:00 AM - 12:15 PM	HAU102
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Thu 9:00 AM - 12:15 PM	HAU102
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Fri 9:00 AM - 12:15 PM	HAU102
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Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: Last Class Take-Home

This course provides a rigorous introduction to the field of international commercial arbitration, which has become the default means of settling international disputes. The course will deal with the internationalist elements of the subject matter, but will also examine international commercial arbitration from an American perspective. Students can expect to review both foreign and US commentaries, statutes and case law on the subject. The course will comprise of five main topics: (1) an introduction to the field of international commercial arbitration; (2) the agreement to arbitrate; (3) the arbitrators; (4) the arbitration process; and (5) the arbitral award. The course will also cover in brief the law of foreign investment and the pivotal role of arbitration both in resolving disputes and developing the law in that area.

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International Counterterrorism Law

Course #: 2421 **Term:** 2019FA **Faculty:** Saul, Ben **Credits:** 3.00

Type: Elective **Subject Areas:** Criminal Law & Procedure; Government Structure & Function; International, Comparative & Foreign Law; Regulatory Law

Delivery Mode: Course

Days and Times:	Location
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Tue 10:20 AM - 11:50 AM	WCCB015
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Wed 10:20 AM - 11:50 AM	WCCB015
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Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: Any Day Take-Home

This course explores how international law counters terrorism, from criminal suppression to economic sanctions to war, and from the 1930s to the present day. Key areas include the legal definition of terrorism, criminal cooperation treaties, the international law of self-defence, international humanitarian law, human rights, and refugee law. The course discusses often heated interpretive debates, claims about the inadequacy of, or gaps in, the law, and proposals for law reform. Particular controversies examined include whether terrorism is ever justified; preventive terrorism offences (such as "material support" for terrorism); targeted killings (or extrajudicial assassinations?); drone strikes and the right to life; detention and trial of terror suspects; irregular renditions (illegal abductions?), enhanced interrogation (torture?); economic sanctions and due process; and control measures in occupied territory. The course also explores institutional responses to terrorism by the United Nations 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. The course not only examines controversies over what the law is, but over how and why the law should respond in certain ways, taking into account values such as human rights, the rule of law, and state sovereignty. The study of terrorism, and the laws response to it, is ultimately a study of when public violence is justified, against whom, and for what purposes.

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International Criminal Law

Course #: 2455 **Term:** 2020WI **Faculty:** McCormack, Tim **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Tue 1:00 PM - 4:15 PM	HAU103
Wed 1:00 PM - 4:15 PM	HAU103
Thu 1:00 PM - 4:15 PM	HAU103
Fri 1:00 PM - 4:15 PM	HAU103
Mon 1:00 PM - 4:15 PM	HAU103

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: Public International Law will be helpful but is not a required prerequisite.

Exam Type: In Class

This course will focus on the prosecution of international crimes (genocide, crimes against humanity, war crimes and the crime of aggression) by international and national courts. We will study some of the historical development of the law of these crimes -- including the elements of crimes, modes of liability, and defenses -- as well as the institutional, political, strategic, logistical and procedural challenges faced by prosecutors, defense lawyers, and judges who adjudicate these crimes. The ambition of the course will be to understand the law and its development, as well as the dynamic application of the law in the courts that pursue these cases.

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International Human Rights Clinic

Course #: 8021 **Term:** 2019FA **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 offering 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 Business and Human Rights (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 16, 2019.

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; accountability litigation, including under the Alien Tort Statute and Torture Victim Protection Act; 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, Southeast Asia, and North America, including 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 Business and Human Rights (2 fall classroom credits). While each course is focused on a particular subject matter, both teach the key skills of human rights practitioners and include simulations related to fact-finding and field investigations, media work, and/or negotiation and legislative work. Clinical seminar selection and enrollment occurs once a student has enrolled in the fall clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.

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International Human Rights Clinic

Course #: 8021 **Term:** 2020SP **Faculty:** Farbstein, Susan **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 offering 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 spring clinic must enroll in either Human Rights Advocacy (2 spring classroom credits) or The Promises and Challenges of Disarmament (2 spring classroom credits). Students who enroll in the spring clinic will be enrolled in one of the required courses by the Office of Clinical and Pro Bono Programs. Students are guaranteed a seat in one of these two required courses, but are not guaranteed their first choice. Students may enroll in only one of the two available courses.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: December 6, 2019.
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.

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International Human Rights Clinic - 3L Leadership Training with Advanced Seminar

Course #: 8040 **Term:** 2019FA **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 offering may count the credits towards the JD experiential learning requirement.

Required Class Component: Human Rights Careers: Strategic Leadership Workshop (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: Prior semester of the International Human Rights Clinic.

By Permission: Yes. Applications are due April 7, 2019.

Add/Drop Deadline: June 1, 2019.

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

Placement Site: HLS.

Through the International Human Rights Clinic - 3L Leadership Training with Advanced Seminar, 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.

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International Humanitarian Law/Law of Armed Conflict

Course #: 2296 **Term:** 2020SP **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
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Thu 10:00 AM - 11:30 AM	WCC2009
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Fri 10:00 AM - 11:30 AM	WCC2009
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Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: Public International Law is strongly recommended.

Exam Type: One 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? Throughout the course, we will consider critiques of international humanitarian law, and questions regarding its claims to meaningfully regulate armed conflict.

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International Investment Arbitration

Course #: 2567 **Term:** 2019FA **Faculty:** Banifatemi, Yas; Gaillard, Emmanuel **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 5:00 PM - 7:00 PM	WCC5048
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Tue 5:00 PM - 7:00 PM	WCC5048
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Wed 5:00 PM - 7:00 PM	WCC5048
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Thu 5:00 PM - 7:00 PM	WCC5048
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Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisite: The course is open to 2Ls, 3Ls, LL.Ms, and SJDs. No prior courses required, although broad familiarity with public international law and international commercial arbitration will be an advantage.

Exam Type: No Exam taken in Exam4, however, students will be asked to role play in a moot investment arbitration proceeding in lieu of the final examination.

In 1965, the World Bank adopted the Washington Convention, establishing the International Centre for Settlement of Investment Disputes (ICSID), and allowing private parties to resort directly to international arbitration against States for harm done to their investments. Since then, as a result of the wide adoption of bilateral and multilateral investment protection treaties, there has been an outbreak of investor-State arbitrations that neither the drafters of the Convention nor the international community at large had anticipated.

This course will explore where investment treaty arbitration stands today, after two decades of blooming and growth. In particular: Why have there been calls for reform and for the termination of investment protection treaties? To what extent has the interplay between investment arbitration and international law nourished each of these fields of law? How has the arbitral case law tackled the most complex questions of international law? These questions will be addressed through a deep immersion into the investment arbitration process, as well as through an examination of the concepts of jurisdiction and admissibility (notion of investment; nationality of investors, both physical and juridical persons; temporal application of treaties; abuse of process; etc.); the interaction between contractual and treaty breaches; treaty interpretation; and strategic options in investor-State arbitration.

Enrollment will be limited to 20. Only students who are prepared to make a firm commitment should enroll.

Note: This course will meet on the following dates: 9/3, 9/4, 9/5, 9/6, 9/9, 9/10, 9/11, 9/12, 9/16, 9/17, 9/18. On 9/6, the course will meet from 3-5pm; on 9/18, the course will meet from 5-9pm.

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International Investment Arbitration: Policies, Issues, and Challenges

Course #: 2121 **Term:** 2020SP **Faculty:** Tung, Ko-Yung **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 3:00 PM - 5:00 PM WCC3007

Course Description: Prerequisites: None

Exam Type: No Exam

International investment is an important driver for economic development, providing jobs, bringing in technology and critical capital. Accordingly, most countries compete vigorously with each other to promote foreign investments into their domestic economy. There are now over 3,000 bilateral and multilateral investment treaties among over 100 countries that promote foreign investments by providing certain protections and treatment to foreign investments. The principal protections are national treatment, most favored nation treatment, fair and equitable treatment, minimum international law standards, and non-discriminatory expropriation with compensation. Many of these treaties also include investor-state dispute systems ("ISDS") to resolve disputes between the foreign investors and the host countries through binding arbitrations.

However, ISDS has come under severe criticisms from various quarters. It is noteworthy that both U.S. presidential candidates in the 2017 election repudiated the Trans-Pacific Partnership and singled out its ISDS provisions. Further, under the new USMCA (replacing NAFTA), ISDS is no longer available between US and Canada, while ISDS between US and Mexico was preserved. Critics include populists who claim that ISDS favors big foreign investors over domestic companies, environmentalists who charge that foreign investment is favored over the environment, and human rights activists who see foreign investment trumping human rights. Some legal scholars are dismayed by conflicting arbitral awards and by the lack of "legitimacy" in ad hoc private arbitrators deciding public policy issues, impinging on sovereign legislative space.

The reading materials in this Reading Group will explore the nature and consequences of foreign investment in host countries, weigh the policy considerations in drafting investment treaties, and analyze arbitral decisions that highlight the conflicting interests between those of the foreign investors and those of the host state and its citizens. We will also study and evaluate the various proposed solutions to these issues that are now recently proffered by various countries, institutions and legal scholars in the field.

Note: This reading group will meet on the following dates: 3/5, 3/12, 3/26, 4/2, 4/9, 4/16

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International Labor Migration

Course #: 2330 **Term:** 2020SP **Faculty:** Ardalan, Sabrineh; Rosenbaum, Jennifer **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM HAU105

Course Description: Prerequisite: None

Exam Type: No Exam

This seminar will draw on case studies to examine international labor migration flows, governance issues under national and international legal regimes, and innovative approaches to defending migrant worker rights in sending and receiving countries. We will explore the interplay between the modern human rights and labor movements, analyze the advocacy strategies adopted to address workers' rights violations, and evaluate the tradeoffs and tensions inherent in the different approaches.

Through the seminar, students will learn about different forms of international labor migration and labor trafficking from the perspectives of countries of origin and destination and will analyze the international instruments that protect workers' basic rights and freedoms.

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International Law and Human Rights in an Era of Inequality: Views from the Global South

Course #: 2282 **Term:** 2019FA **Faculty:** Becker Lorca, Arnulf **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 WCC3012

Course Description: Prerequisites: None

Exam Type: No Exam

Inequality has swiftly entered public discourse as increasingly stark differences in wealth and income threaten the health of our democracies. But unlike domestic inequality, there is less policy discussions and little concerted international action to tackle global inequality, notwithstanding the enormous differences in wealth and resources between rich and poor nations. This course explores past and present international legal ideas and policy proposals to redistribute resources and burdens from north to south.

The international legal order does not recognize redistributive obligations between nations. States from the global north have consistently opposed the recognition of concrete duties of international cooperation, from opposition to the International Seabed Authority redistributing resources from seabed mining, to opposition against a tax on transnational financial transactions, and against a Global Health Treaty pulling resources to finance R&D on neglected tropical diseases. We will study these and other examples and focus on controversies between north and south on the redistributive dimension of international regulation, like the clash between the common but differentiated responsibility principle and individual pledges in climate change. We will finally study a number of redistributive initiatives from the global south, from the 1970s New International Economic Orders international commodity agreements, regarding coffee and sugar, to the obligation to transfer technology in the nuclear non-proliferation Treaty and the Law of the Sea, to contemporary challenges by Latin-American states to the U.N international drug control regime.

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International Trade Law

Course #: 2132 **Term:** 2019FA **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
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Mon 10:20 AM - 11:40 AM	WCC3018
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Tue 10:20 AM - 11:40 AM	WCC3018
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Wed 10:20 AM - 11:40 AM	WCC3018
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Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.
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 geopolitical tensions between major trading powers as well as on the new issues being addressed through regional trade agreements.

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Introduction to Accounting

Course #: 2133

Term: 2019FA

Faculty: Dharan, Bala

Credits: 1.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

PND101

Course Description: Prerequisites: None

Exam Type: In Class

This 1-credit module fall course is designed to help students develop an understanding of the accounting information presented in corporate financial statements. Students will learn the basics of how the three basic financial statements -- balance sheet, income statement and cash flow statement -- are prepared to capture the financial effects of management decisions, and how accounting reports are analyzed to aid management decisions. The course will be relevant for students who wish to learn the basic language of accounting and its use in capital markets, corporate transactions, commercial litigation, mergers and acquisitions, and other related areas.

Note: The course meets for the first six weeks of the semester, followed by an exam given in the seventh week.

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Introduction to Accounting 3-Week Section

Course #: 2133 **Term:** 2020SP **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
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Thu 1:00 PM - 3:00 PM	PND100
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Fri 1:00 PM - 3:00 PM	PND100
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Course Description: Prerequisite: None

Exam Type: In Class

This 1-credit module 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: This course will meet for the first three weeks of the term, followed by an exam given in the fourth week.

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Introduction to Advocacy: Skills and Ethics in Clinical Practice

Course #: 2134 **Term:** 2019FS **Faculty:** Caramello, Esme; Rossi, Patricio **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

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 offering 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 24, 2019.
Add/Drop Deadline: May 1 (except for students applying simultaneously to Law Review or the Board of Student Advisors).
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 multi-issue, multi-strategic 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 and will not be in clinical registration. The Office of Clinical and Pro Bono Programs will enroll all HLAB 2L members in this course. The classroom component of this clinical course satisfies the Law Schools professional responsibility requirement.

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Introduction to Finance Concepts 3-Day Section

Course #: 2537 **Term:** 2019FA **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
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Wed 1:00 PM - 5:00 PM	PND101
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Thu 1:00 PM - 5:00 PM	PND101
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Fri 1:00 PM - 5:00 PM	PND101
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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 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, market efficiency, cost of equity, and weighted average cost of capital.

The course will be graded on a Credit/Fail basis.

Note: This course takes place before the official start of term. It will meet on Wednesday, August 28th, Thursday, August 29th, and Friday, August 30th, followed by an exam given during the first week of classes.

Drop Deadline: August 28, 2019 by 11:59 pm EST

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Introduction to Finance Concepts 3-Week Section

Course #: 2537

Term: 2019FA

Faculty: Dharan, Bala

Credits: 1.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Mon 5:00 PM - 7:00 PM

Tue 5:00 PM - 7:00 PM

Location

PND100

PND100

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, market efficiency, cost of equity, and weighted average cost of capital.

The course will be graded on a Credit/Fail basis.

Note: This course will meet on the following dates: Sept 3, 9, 10, 16, 17, and 23, followed by an exam given the following week.

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Introduction to GIS

Course #: 2075 **Term:** 2019FA **Faculty:** Avedian, Arevik **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 10:20 AM - 12:00 PM WCC3036

Course Description: Prerequisites: None
Exam Type: No Exam
This course introduces applied use of Geographic Information Systems (GIS). At the end of the course, students will have a working knowledge of GIS, including spatial data models and analysis. Students will demonstrate their understanding of the principles and fundamental concepts of GIS in a culminating project with a focus on application relevant to legal scholars and practitioners.

GIS technology has broad applications in many disciplines and has been increasingly used by legal scholars and practitioners. Students will learn the essential skills of spatial data management, analysis, and visualization through the use of the ArcGIS software package. GIS skills acquired during the class will be used to create and explore maps of gerrymandered US states.

Note: This class will meet during the first 8 weeks of the semester.

Introduction to Intellectual Property Law

Course #: 2187 **Term:** 2019FA **Faculty:** Okediji, Ruth **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 3:20 PM - 4:40 PM WCC1023

Mon 3:20 PM - 4:40 PM WCC1023

Tue 3:20 PM - 4:40 PM WCC1023

Course Description: Prerequisites: None
Exam Type: In Class
This is an introductory course on intellectual property (IP). It will cover the major justifications for the principal forms of IP (patents, copyrights, and trademarks). For each subject, students will learn the rules that govern eligibility, acquisition, scope of protection, exceptions, and infringement.

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Introduction to Islamic Law

Course #: 2538

Term: 2019FA

Faculty: Rabb, Intisar

Credits: 2.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

HAU102

Course Description: Prerequisites: None

Exam Type: No Exam

This course will survey core concepts of Islamic law (sharia) in historical and comparative modern contexts. Popular perceptions of this legal system imagine it to be a static code from 7th-century Arabia. Islamic law is in fact a dynamic legal tradition, with a rich history that reveals processes of "legislation" and interpretation analogous to our own. It also developed substantive rulings and out of institutional structures quite different from our own. Those laws and structures evolved over time, with notable changes accompanying the breakup of the Islamic empire in the 10th and 12th centuries, colonial interventions in the 18th and 19th centuries, and independence movements in the 20th and 21st centuries. How and why did Muslim jurists, judges, and political leaders define or operate within the grammar of Islamic law? Did the law impose religious-moral values or reflect cultural and socially constructed ones? What explains the recent appeal of shari'a in the last few decades and how might we understand Islamic law in our times? This course will equip students with tools to examine these questions in the course of conversations about five core subjects: Islamic legal theory, family law, criminal law, property and contract law, and constitutional law. We will relate each to the central-most question in law of any system today, through focus on Islamic law as a compelling subject of legal history and comparative law with a widespread contemporary reach: how and why do shifts in institutional structures, moral values, and the legal process affect law? Students may opt for a long paper or four short papers for an additional credit.* Students need not have prior knowledge of Islamic law.

* The paper option allows students to conduct in-depth research on a single issue of Islamic law or legal theory using primary sources (cases, legislation, manuals of legal theory, etc. - in English or any other language with which students are familiar). The short-papers option proceeds from the same basis except that students will receive an additional credit through the Digital Islamic Law Lab, through which students will receive feedback on their works-in-progress plus the opportunity to publish their short papers as posts on the Islamic Law Blog.

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Introduction to Japanese Law

Course #: 2136

Term: 2020SP

Faculty: Ramseyer, J. Mark

Credits: 3.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Location

Mon 1:15 PM - 2:45 PM

WCC3036

Tue 1:15 PM - 2:45 PM

WCC3036

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

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.

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Introduction to Social Entrepreneurship

Course #: 2137 **Term:** 2020WS **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 - 4:15 PM	HAU104
Tue 1:00 PM - 4:15 PM	HAU104
Wed 1:00 PM - 4:15 PM	HAU104
Thu 1:00 PM - 4:15 PM	HAU104
Fri 1:00 PM - 4:15 PM	HAU104

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

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.

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Introduction to Trial Advocacy

Course #: 1055

Term: 2020WI

Faculty: Sullivan, Ronald; Sonenberg, Santha;
Blitzman, Jay

Credits: 3.00

Type: 1lwinter

Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Location

Mon 9:00 AM - 12:15 PM

AUS200

Tue 9:00 AM - 12:15 PM

AUS200

Wed 9:00 AM - 12:15 PM

AUS200

Thu 9:00 AM - 12:15 PM

AUS200

Fri 9:00 AM - 12:15 PM

AUS200

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

Note: This course is restricted to first-year J.D. students only.

The drop deadline for 1L January Experiential Term (JET) classes is Monday, December 2nd. Students may not drop a course if they do not have an offer to enroll in a different JET course. Most courses are limited to 72 students.

1L JET courses are intensive learning courses. Class attendance is required in each course every day of the term, beginning Monday, January 6th. Students should make their travel plans accordingly. Students should not take on other work commitments during the term.

Please note Introduction to Trial Advocacy will not satisfy the Trial Advocacy Workshop pre-requisite requirements for upper-level clinics.

Exam Type: No Exam

In the U.S. legal system, a trial is the principle mechanism designed to resolve disputes between adverse parties. Partisan advocates on either side of an issue present evidence to a neutral arbiter - usually a jury, which, in turn acts as a finder of fact. An impartial judge decides matters of law and manages the trial process.

Trial Advocacy is both art and science. At bottom, an effective advocate paints a word picture of an historical event for strangers who were not percipient witnesses to the disputed event. Creating a compelling narrative is an art, which through study and practice, can be developed and mastered. The technique and structure of examinations, statements, and argument is in form similar to a science. It is tried and true method, which through study and practice, can be developed and mastered.

This course is an introduction to effective advocacy. It focuses on predicate areas of advocacy not traditionally covered in trial advocacy courses. ITA begins with a study of case theory. Case theory, as the phrase suggests, represents the narrative an advocate advances to persuade a fact finder to accept the advocates narrative. The course then moves to lawyer-client interaction, including the initial interview, and the thorny ethical issues that relationship may, on occasion, entail. Finally, the course teaches two of the most important tools in the trial lawyers toolkit, direct and cross examination.

Note: There may be days throughout the winter term that require attendance beyond the scheduled times. Please refer to the course syllabus and page for more information.

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Investing in VC Funds

Course #: 2487 **Term:** 2019FA **Faculty:** Fried, Jesse; Reed, Sarah **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC4059

Course Description: Prerequisites: None
Exam Type: No Exam

This course introduces students to the relationship between limited partner (LP) investors and the general partner (GP) managers of a VC fund. Among topics covered are (1) types of LPs; (2) due diligence performed by LPs; (3) the contractual relationship between LPs and the GP, including compensation of the GP; and (4) the post-closing relationship between LPs and the GP. Reading materials will consist mostly of contractual documents and practitioner articles. Grading will be based on weekly memos on the assigned readings.

Note: This course will meet on the following dates: 10/17, 10/24, 10/31, 11/7, 11/14, 11/21
Drop Deadline: October 18, 2019 by 11:59 pm EST

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Investment Management Law: Private Funds and Other Issues

Course #: 2323

Term: 2019FA

Faculty: Champ, Norm

Credits: 3.00

Type: Elective

Subject Areas: Business Organization, Commercial Law, and Finance

Delivery Mode: Course

Days and Times:

Thu 3:15 PM - 6:15 PM

Location

HAU102

Course Description: Prerequisites: None

Exam Type: In Class

This course covers the fundamental legal and regulatory regimes that govern investment management advisory businesses. The course will focus primarily on SEC-registered investment advisers that are managing investment funds or accounts that are privately offered and exempt from the Investment Company Act of 1940. Privately offered funds include private equity funds, hedge funds, real estate funds and other private funds that control several trillion dollars of investment capital. In particular, capital in private equity funds has grown dramatically in recent years.

This course will use a study of statutes, rules, regulations, regulatory decisions, court cases, fund documentation and other materials to familiarize students with the legal issues in the investment management area and the principles that guide the resolution of these issues. Investment management law encompasses several different areas of the law including the federal securities laws, employment law, tax law, partnership and corporate law. It is my goal to integrate these areas into a cohesive view of the legal aspects of the investment management business. Using contacts in the regulatory agencies, investment management industry and bar, I plan to bring guest speakers to give students exposure to industry participants.

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Investments Workshop: Public and Private Equity

Course #: 2923

Term: 2020SP

Faculty: Bosiljevac, Vladimir

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

WCC3008

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

Prerequisites: Sound understanding of financial statements and valuation topics/models. The admission is by permission only and interested students should send a resume and a cover letter to the instructor at vbosiljevac@law.harvard.edu. In the cover letter interested students should explain why they want to take the class and outline their experience with financial statements, valuation and modeling. The deadline for upper-level JD and LLM applications is November 5. The deadline for 1L applications is November 15. Cross-registrants with are encouraged to apply - the deadline for them is January 20, 2020.

Exam Type: No Exam

This class (designed as a workshop) is intended for students who want to deepen and expand their knowledge of applied finance topics and concepts with a focus on equity investments in public and private markets. Students will explore these topics through case studies where they are asked to analyze potential investments using hedge fund and private equity tools and strategies. These case studies will span across different industries (e.g. technology/internet, retail, consumer goods, healthcare, industrials, etc.) and different geographies (developed and emerging markets). However, the primary focus will be the US. After learning various investment methodologies in the first part of the course, students (working in teams of two) will be required to independently develop (with inputs and feedback from the instructor) and pitch two investment theses/ideas in their industry of choice. That investment thesis will be thoroughly discussed (and challenged) in class. Active class participation is required.

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Issues in Arbitration and Law

Course #: 2346 **Term:** 2019FA **Faculty:** Cole, Sarah Rudolph **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC4056

Course Description: Prerequisite: None

Exam Type: No Exam

This reading group is both as an introduction to the arbitration process as well as an opportunity to discuss some of the many controversial legal issues that have arisen in the arbitration context. Arbitration is a binding method of dispute resolution. Parties typically agree to arbitrate disputes before they know what disputes are likely to arise between them. Arbitration has historically been used primarily in labor-management disputes and commercial disputes. More recently and quite controversially, arbitration has been used to resolve statutory claims, such as employment discrimination, antitrust and RICO claims. As the use of arbitration increases, so does the controversy. Through this reading group, students will:

Study the origins and purposes of the Federal Arbitration Act.

Learn about the interplay between the Federal Arbitration Act and state legislation and state courts.

Consider the role of gender, race, class, nationality and background may play in arbitration, including in neutral selection.

Explore the public policy and politics behind encouraging – or regulating – private arbitration.

Consider the types of claims that go to arbitration and whether arbitration is appropriate in all circumstances.

Consider the historical reasons for arbitration and whether arbitration's expansion to deal with most disputes has promoted justice and fairness.

Note: This reading group will be held on the following dates: 9/5, 9/19, 10/3, 10/17, 10/31, 11/7

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Judicial Process in Trial Courts Clinic

Course #: 8022

Term: 2020SP

Faculty: Cratsley, John

Credits: 5.00

Type: Clinic

Subject Areas: Procedure & Practice

Delivery Mode: Clinic

Days and Times:

Location

Course Description:

Students who enroll in this offering 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.

By Permission: No.

Add/Drop Deadline: December 6, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Placement Site: Various internship 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.

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Judicial Process in Trial Courts Clinical Seminar

Course #: 2139 **Term:** 2020SP **Faculty:** Cratsley, John **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC4059

Course Description: Students who enroll in this offering 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: December 6, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
This weekly seminar examines through participant observation the functioning of the judicial process in our trial courts with special attention to different judicial roles in different trial courts. The focus of the class is on the various roles (adjudicatory, administrative, sentencing, educational and symbolic) that judges play in these courts. Students have the unique opportunity to observe and discuss the work of their assigned judges in a clerkship-type setting. Students are also expected to assist their judges with legal research and writing. The contributions of various scholars to understanding the work of judges in these courts is reviewed as well as distinct proposals for reform. Because of the variety of judicial placements, attention is also paid to 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 judiciary's work in these courts is required and serves as a basis for each student's 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.

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Jurisprudence: Legal Ideals

Course #: 2140

Term: 2019FA

Faculty: Sargentich, Lewis

Credits: 3.00

Type: Elective

Subject Areas: Legal & Political Theory

Delivery Mode: Course

Days and Times:

Location

Mon 3:20 PM - 4:50 PM

PND100

Tue 3:20 PM - 4:50 PM

PND100

Course Description:

Prerequisites: None

Exam Type: Last Class Take-Home

The liberal ideal of legality yields both formalization of law (law as formal rules or doctrines) and idealization of law (law as principles and policies). The course examines formalization as portrayed by modern legal positivism (mainly H.L.A. Hart) and criticized by American legal realists. Then we will undertake a study of the idealizing tendency within law. We will consider accounts of legal ideals offered by liberal jurisprudence (mainly Fuller, Hart and Sacks, and Dworkin) and by contemporary critical jurisprudence.

Readings include some illustrative cases and commentary on particular legal doctrines and fields, though the focus is on more highly general theoretical argument. The course aims to develop a definite thesis about the structure and character of legal ideals and to provide a connected account of phenomena emphasized by critical legal studies such as theory in doctrine, conflicting ideals, legal ideology, legal legitimation, and transformative possibility.

Readings for the course are photocopied materials.

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Knowledge As Power in Law and Science

Course #: 2082 **Term:** 2020SP **Faculty:** Kennedy, David; Jasanoff, Sheila **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC5044

Course Description: Prerequisite: By permission. Interested students should send one of the faculty a short statement of interest.

Exam Type: No Exam

Evaluation is a final take home essay.

How do ideas about law and science shape the contours of the contemporary world? Knowledge underwrites legal authority – but how exactly? How do ideas about what is natural, right or ordained become powerful, hegemonic? Both law and science rely on experts to define the basic coordinates by which we locate ourselves and recognize each other, as members of collectives, actors in institutions, and selves possessing subjectivity. But how does each conceive the others role, and affirm or resist it? In this course, we will read and discuss literature from social theory, law, and science and technology studies that bears on these questions, alongside case studies that illuminate expertise in action in a variety of professional, scientific, and legal settings.

Note: This course is jointly-listed with HKS as IGA-518.

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Knowledge Institutions in Constitutional Democracies

Course #: 2304 **Term:** 2019FA **Faculty:** Jackson, Vicki **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3009

Course Description: Prerequisites: None
Exam Type: No Exam
Knowledge institutions are both public and private; some have clear constitutional protections, others do not. Knowledge institutions include a free press, colleges and universities, libraries, NGOs and government offices that collect and disseminate objective data; some social media might be viewed as new kinds of knowledge institutions. Constitutionalists in this country have long been familiar with the centrality of rights of freedom of speech, association and of the free press, to the well-functioning of U.S. representative democracy. But institutions matter as well as rights. Knowledge institutions include public as well as private entities, government offices like the Census Bureau, the EPA, the National Oceanic and Atmospheric Administration, the CDC, and statistical offices in executive departments, like the Department of Justice or the Department of Agriculture. (We might also consider whether courts should be considered knowledge institutions, to the extent that they provide determinations of facts in legal disputes based on a set of regularized procedures? legislative bodies to the extent that they engage in formalized findings of facts?) Questions to explore include: what are common characteristics (if any) of knowledge institutions? how do their roles differ? are their roles in representative democracies different from their roles in other systems of governance? how does the U.S. protect knowledge institutions? how do other constitutional democracies protect knowledge institutions? should existing legal regimes affecting knowledge institutions be changed? This reading group may also help theorize connections among different knowledge institutions in constitutional democracies in ways that cut across existing legal categories.

Note: This reading group will meet on alternate Wednesdays throughout the term. Exact dates TBD.

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Labor & Employment Lab

Course #: 2845

Term: 2020SP

Faculty: Sachs, Benjamin

Credits: 1.00

Type: Elective

Subject Areas: Employment & Labor Law; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

WCC3015

Course Description: Prerequisites: By Permission. Students interested in applying to join the Lab should submit a short (500 word maximum) statement of interest to Professor Sachs by November 5th, 2019. The statement should summarize the student's motivation for taking the Lab and any relevant experience (academic or professional) the student has.

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.

Note: This reading group will meet on the following dates: 2/5, 2/19, 3/4, 3/25, 4/8, 4/22

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

Course #: 2041 **Term:** 2020SP **Faculty:** Dolin, Ron **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC4059

Thu 5:00 PM - 7:00 PM WCC4059

Course Description: Prerequisite: None

Exam Type: 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 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, from all areas of law. Past speakers have come from Google, Facebook, LegalZoom, Harvard, leading law firms, legal tech startups, legal aid organizations, etc. Although there are no specific prerequisites for this class, students with a technical background may be able to focus on a project rather than a final paper.

Note: This course will meet on the following dates: 1/29, 1/30, 2/12, 2/13, 2/26, 2/27, 3/11, 3/12, 4/1, 4/2, 4/15, 4/16

Law and Business

Course #: 2277 **Term:** 2019FS **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: This seminar is only open to current JD/MBA third- and fourth-year students.

Exam Type: No Exam

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.

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Law and Development in Africa: Contemporary Issues, Problems and Prospects

Course #: 2288

Term: 2019FA

Faculty: Kameni, Enga

Credits: 1.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Location

Wed 1:00 PM - 3:00 PM

WCC3011

Thu 1:00 PM - 3:00 PM

WCC3011

Course Description: Prerequisites: None

Exam Type: One Day Take-Home

This course shall cover contemporary issues arising from the intersection of law and development in Africa. In particular, it will examine key legal and development issues in Africa and will cover six main areas including: Evolution of the Law and development movement and relationship between law and development from an African perspective; intra and extra African trade and its implications on Africa's development; Role of human rights, rule of law and good governance in Africa's development; South-South cooperation and Africa's development (example of Sino African relations); the promotion of gender and its role in Africa's development; the role of development finance institutions (DFIs) in support of Africa's development and legal issues of infrastructure and project financing and their role in/ relationship with Africa's development: lessons learnt and the way forward. The discussions on the above six areas will help us to better understand the scope and limitations of law as an instrument of development and explore how law can be used to support development in Africa.

The course will meet 6 times within a 3 three-week period. Efforts will be made to have a guest lecturer with significant experience in each of the classes. These guest lecturers shall be drawn from a vast array of the legal profession including private practice, academia, development finance institutions, multinational corporations, international NGOs etc.

Suggested text books and journal articles will be sent out a week before the start of the course. Before each lecture, students will be required to read these materials. Additional materials may be sent to the students before each class - at least 72 hours. Students will also write 2-3 page reaction papers on specific topics within each of the areas mentioned above before each class.

There will be a take home exam at the end of the course.

Note: This course will meet for six sessions on the following dates: 9/25, 9/26, 10/2, 10/3, 10/16, 10/17

Drop Deadline: September 26, 2019 by 11:59pm EST

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Law and Economic Development

Course #: 2145 **Term:** 2019FA **Faculty:** Kennedy, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM HAU104

Tue 1:00 PM - 3:00 PM HAU104

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: Last Class Take-Home

This course will explore past and present debates about the role of the legal order in economic development. We will explore the relationships among economic ideas, legal ideas and the development policies pursued at the national and international level in successive historical periods. We will focus on the potential for an alliance of heterogenous traditions from economics, law and other disciplines to understand development.

Open to all graduate students.

Law and Economics

Course #: 2146 **Term:** 2019FA **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 HAU102

Course Description: Prerequisite: None

Exam Type: No Exam

This seminar will provide students with exposure to ongoing research in the economic analysis of law. At most of the meetings, invited speakers from Harvard and other universities will present works in progress. Students are required to submit, before sessions, brief written comments on the papers to be presented.

Enrollment in either or both terms is permitted. Some background in economics or law and economics is helpful; however, knowledge of technical economics is unnecessary.

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Law and Economics

Course #: 2146 **Term:** 2020SP **Faculty:** Kaplow, Louis; Shavell, Steven **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM HAU102

Course Description: Prerequisite: None

Exam Type: No Exam

This seminar will provide students with exposure to ongoing research in the economic analysis of law. At most of the meetings, invited speakers from Harvard and other universities 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 Venture Capital and Start-ups

Course #: 2147 **Term:** 2020SP **Faculty:** Ferrell, Allen; Forrest, Richard **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3011

Course Description: Prerequisites: None

Exam Type: No Exam

This seminar will cover topics in the area of start-up company law. Topics include institutional and legal arrangements important to start-up companies, agency problems facing start-up firms and mechanisms to deal with these problems, contractual issues start-up companies face, and the structure and operation of venture capital funds.

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Law and Inequality

Course #: 2479

Term: 2020SP

Faculty: White, Lucie

Credits: 3.00

Type: Elective

Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Course

Days and Times:

Location

Thu 10:00 AM - 11:30 AM

WCC4063

Fri 10:00 AM - 11:30 AM

WCC4063

Course Description: Prerequisites: None

Exam Type: No Exam

In this course we will explore concepts of inequality from a range of disciplinary perspectives. We will also consider meanings and effects of pernicious inequalities in several sociolegal contexts such as geography, race, and poverty/work/labor. Finally we will examine methodologies for "mapping" ways that various legal dynamics drive the genesis, elaboration, reinforcement and maintenance of hierarchies of privilege and disadvantage across individuals, groups, localities, regions and nations and more. As we identify key legal drivers in the production of specific adverse inequalities, we will also explore ways that changes in legal ordering might shift bargaining power, redistribute resources or otherwise ameliorate their negative effects. Students will work in clusters to research a domain of inequality and develop a legal inequality map of its drivers in order to analyze and engage with it.

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Law and Legal Practice in Campaign Debates

Course #: 2077

Term: 2020SP

Faculty: Klain, Ron

Credits: 2.00

Type: Elective

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

Delivery Mode: Seminar

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

HAU105

Course Description:

Prerequisites: None

Exam Type: No Exam

Face-to-face debates between candidates for President are a surprisingly recent development in American democracy, but have already surpassed all other campaign elements to become the most widely-viewed televised events in U.S. politics, and a successful American export to other democracies around the world. This seminar will study the legal, technological, cultural and political factors that created these debates, institutionalized them, and continue to shape them today. Topics will include the interaction between regulatory schemes and technological changes that have impacted political debates, the question of who "owns" these debates (and the consequences), the constitutional issues raised by the exclusion of non-major party candidates from debates, and the negotiation and enforceability of debate format agreements. The role of lawyers, and legal thinking, in formulating candidate debate strategies and in the preparation for debates will also be examined. The course largely focuses on U.S. Presidential general election debates, but will also study other political debates in the U.S., and campaign debates in other countries. The course concludes with a consideration of possible reforms of Presidential debates, and the legal, civic, technological and political factors that shape (and counsel for and against) such reforms. The seminar will hear from guest speakers from the Republican and Democratic perspective, as well as the media and non-partisan debate sponsors. Students will be assigned two short topical papers, a debate-format agreement negotiation exercise, and a longer final paper on debate reform. There is no final exam, but class participation is graded.

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Law and Literature: Utopia and Dystopia

Course #: 2008

Term: 2019FA

Faculty: Boyle, Jamie

Credits: 1.00

Type: Elective

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

Delivery Mode: Reading Group

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

HAU103

Course Description:

Prerequisites: None

Exam Type: No Exam

Utopian and dystopian novels conjure up our deepest hopes and fears about society. They point to horrific futures - totalitarian societies, murderous artificial intelligences, surveillance states and genetically engineered proletarians - as well as hopeful worlds in which we can see our own society's flaws made strange and thus made clear. Lawyers spend a great deal of time thinking about utopias and dystopias. One way to look at a constitution, or a way of interpreting a constitution, is that it is a story about the most likely and terrible dysfunctions that a society could fall prey to: is it the oppression of discrete and insular minorities by bigoted majorities, the oppression of the 99% by the 1%, a Handmaid's Tale theocracy, or is it activist, unelected judges imposing their whims like some kind of jurisprudential Skynet, impossible to defeat at the ballot box? And law has to deal with many of the problems that dystopias portend. Illiberalism plus a social network = many bad things. What to do? And what about future struggles over personhood? Should the legal system recognize the common humanity of our cybernetic brother, treat it like we do a corporation - for good or ill - or ban research on AI instantly? This law and literature reading group will explore these and other issues. The reading will consist mainly of novels, with one movie and the occasional more legally focused document, designed to set up a policy question.

Note: This reading group will meet on the following dates: 9/10, 9/24, 10/8, 10/29, 11/12, 11/26

Drop Deadline: September 11, 2019 by 11:59 pm EST

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Law and Narrative in the Talmud

Course #: 2351 **Term:** 2019FA **Faculty:** Calderon, Ruth **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3009

Course Description: Prerequisites: None

Exam Type: No Exam

The juxtaposition of law and narrative is a characteristic and an important feature of the Talmud. After discussing the formal requirements for some Halachic law, such as: praying, requesting forgiveness, asking for rain, leaving home for a long period of time or giving charity to the poor, the Talmud presents anonymous brief stories presenting various encounters in which rabbinic masters attempt to fulfill these human challenges. Each of the stories raises the question of the power and limits of the law to structure such complex human moments. In the seminar we will examine these Talmudic texts, where the law as a process of generalized rulemaking reaches its limit. We will try to close read the stories, with literary hermeneutic tools, and shed light on the profound and precise analysis of the human motives as seen by the sages who created the stories. Reading the stories as part of the Talmudic sages intellectual and spiritual world resists the divide in traditional Jewish learning between legal literature (Halakhah) and nonlegal literature (Aggadah) by suggesting the possibility of a discourse broad enough to capture both.

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Law and Neuroscience

Course #: 2707

Term: 2020SP

Faculty: Gertner, Nancy

Credits: 2.00

Type: Elective

Subject Areas: Criminal Law & Procedure; Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times:

Location

Thu 5:15 PM - 7:15 PM

WCC3007

Course Description: Prerequisites: By permission of the instructor. Applications will be considered on a rolling basis and should be directed to Judge Gertner (ngertner@law.harvard.edu) with a cc to Alyssa Lary (alary@law.harvard.edu).

Exam Type: No Exam

This seminar examines cutting edge and even controversial linkages between law and neuroscience. We seek to highlight neuroscientific basis for behavior patterns with legal implication including how neuroscience intersects with criminal law, its normative assumptions and criminal punishment, evidentiary rules, memory bias and enhancement, lie and deception detection, adolescent brains and juvenile law. We will look critically at efforts to use neuroimaging in court in connection with in the prediction of criminality and predispositions towards mental illness and addiction, as well as efforts to identify neurobiological influences on the brain. Is there such a thing as a criminally violent brain? Does it make sense to speak of the neurobiology of violence or the psychopathology of crime, and how are (or should) such concepts translated into criminal law. The seminar will necessarily lead us to consider the relationship between law and science, more generally, and neuroscience in particular. Speakers will provide insights into their work and research.

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Law and Psychology: The Emotions

Course #: 2151

Term: 2019FA

Faculty: Cope, David

Credits: 2.00

Type: Elective

Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Seminar

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

WCC3007

Course Description: Prerequisites: None

Exam Type: No Exam

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.

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.

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Law of the Jungle? Can Insurgents and Terrorists Make and Enforce "Law" or Provide "Justice"?

Course #: 2380 **Term:** 2019FA **Faculty:** Saul, Ben **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 WCC3034

Course Description: Prerequisites: None

Exam Type: No Exam

Non-state armed groups - such as rebels, insurgents, guerrillas, militants or terrorists - are often perceived as lawless entities that rule out of the barrel of a gun. But what do "terrorists" actually think of law and justice, and how do they make their own "law" and use it? This reading group first considers how armed groups engage with humanitarian law and human rights law, particularly rules about fighting and civilian protection. It then turns to more interesting questions about how groups that control over territories and populations seek to govern through rebel "law" that opposes the states legal order. Armed groups are often bursting with the law of everyday life (criminal, civil, administrative, public and private) and legal institutions (from law schools to courts). We ask whether and when the diktats of armed groups should be called law at all; discuss why law is an appealing technique of anti-state authority; and question how to evaluate the legitimacy of illegal laws. A better understanding of what terrorists think of law, and how they use it, can potentially improve civilian protection and human rights. Are there also ways that the international community can constructively engage with armed groups to positively influence their legal behaviour? What are the limits of engagement? Are some groups, like ISIS, so beyond the pale that all we can do is kill them?

Note: This reading group will meet on the following dates: 10/22, 10/29, 11/5, 11/12, 11/19, 11/26.

Drop Deadline: October 23, 2019 by 11:59pm EST

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Law, Justice, and Design: Making Legal Systems for Human Beings

Course #: 2872

Term: 2020SP

Faculty: Minow, Martha; Adranly, Roachael

Credits: 2.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Seminar

Days and Times:

Location

Wed 5:00 PM - 8:00 PM

Thu 5:00 PM - 8:00 PM

Course Description: Prerequisite: Enrollment is by permission only; to apply, please send a brief letter of interest to Rachel Keeler (rkeeler@law.harvard.edu) by November 22.

Exam Type: No Exam

This seminar will provide students with an opportunity to focus on the perspectives of individuals who need to access or navigate the legal system without legal representation. Organized as a workshop, the seminar will ask: What tools of design and law can be used to uncover the needs of individuals facing legal challenges without legal representation? What processes, tools, and systems can we design together to obtain effective navigation and good outcomes for unrepresented individuals within the legal system? We will explore these questions via three contexts - eviction from housing, misdemeanors, and asylum. This course will be active, collaborative, and experiential; students will work in teams, interview people involved in these three processes, experience the processes, and develop proposed innovations.

Note: This seminar will meet over four weeks, on the following dates: January 29 & 30, February 26 & 27, April 1, 2, 22 & 23. During the first week on January 29 and January 30, this seminar will meet in Langdell 233. All remaining class meetings will be held in WCC 3013.

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Laws, Markets, and Religions

Course #: 2159 **Term:** 2019FA **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**

Thu 5:00 PM - 7:00 PM HAU103

Course Description: Prerequisites: None

Exam Type: No Exam

This 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. Given the limited number of sessions, the starting point will be about how and why the world religions came about, followed by ideas about how the other social systems complement or compete with them. The readings may also provide comparative insight into the scope and the historical development of the different 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: This reading group will meet on the following dates: 9/5, 9/19, 10/3, 10/17, 11/7, 11/21.

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Lawyering for Justice in the United States

Course #: 1052 **Term:** 2020WI **Faculty:** Gregory, Michael; Umunna, Dehlia; Caramello, Esme **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Wed 9:30 AM - 12:30 PM	WCC3018
Thu 9:30 AM - 12:30 PM	WCC3018
Fri 9:30 AM - 12:30 PM	WCC3018
Mon 9:30 AM - 12:30 PM	WCC3018
Tue 9:30 AM - 12:30 PM	WCC3018

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement. This course is co-taught by Professors Esme Caramello, Tyler Giannini, Michael Gregory, and Dehlia Umunna. Note: This course is restricted to first-year J.D. students only. The drop deadline for 1L January Experiential Term (JET) classes is Monday, December 2nd. Students may not drop a course if they do not have an offer to enroll in a different JET course. Most courses are limited to 72 students.

1L JET courses are intensive learning courses. Class attendance is required in each course every day of the term, beginning Monday, January 6th. Students should make their travel plans accordingly. Students should not take on other work commitments during the term.

Exam Type: No Exam

Many students come to Harvard Law School to learn to correct injustices they have experienced or observed. Lawyering promises to be a concrete method of social justice problem solving, a set of tools that the lawyer can use to make a positive difference. But what does it really look like to "lawyer for justice"? The strategies and tactics of public interest lawyers vary widely depending on their clients, their causes, their geography, and their own interests, talents, and expertise. How do you choose how to lawyer? What tools in the lawyers toolkit are best suited to your task? And what are the limits on the lawyers role? How do lawyers situate themselves in the ecosystem of change agents, offering their unique skills (and credentials) while making space to learn and benefit from other voices and methodologies?

This course will help first-year students explore these foundational questions through interactive sessions led by experienced practitioners teaching and lawyering in the HLS clinical programs and their community partners. Each day, a clinical teacher working on a different social justice problem - immigration, predatory lending, human rights, criminal justice, education, housing, building a solidarity economy, and more - will share their thoughts on what it means to lawyer for justice and will lead students through discussions and exercises that offer first-hand experience of a wide range of lawyering dilemmas and approaches. Collectively, the sessions will cover a diverse set of lawyering techniques, including impact litigation, legislative and policy advocacy, transactional work, community lawyering, media advocacy, system mapping, and the representation of individuals in proceedings in unjust systems. The course will end in a full-day "hackathon" in which students will apply human-centered design principles to the development of strategies and tactics to address one or more contemporary justice problems.

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Note: There may be days throughout the winter term that require attendance beyond the scheduled times. Please refer to the course syllabus and page for more information.

Lawyers! Your Sensibility Needs Work!

Course #: 2478 **Term:** 2020SP **Faculty:** Parker, Richard **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM HAU105

Course Description: Prerequisites: None

Exam Type: No Exam

Very short reaction papers and participation in seminar discussions will be required and evaluated as part of your grade along with a five-page final paper. [If you wish, you may write a 25-page paper for an additional credit.]

As study of literature and history dries up in colleges, as scientism parches law schools, and as specialization stunts legal practice, we lawyers [like other professionals] lose touch with our subjectivity and sensitivity, the sensuality of our experience of the world. That is: our sensibility - fusing a subtle capacity to perceive, to feel, to imagine and portray, and so to create reality as immediate experience and, possibly, as complex meaning.

In this seminar we will take up examples of and discussions of the use of sensibility to create a world and ourselves. All will be drawn from the banished fields of literature and history. We will ask, among other things, what it adds - for us - to the lab-based generalizations of behavioral economics and studies of cultural cognition.

Potential readings include selections by Charles Dickens, Virginia Woolf, William Faulkner, Ralph Ellison, James Agee, James Baldwin, J.D. Salinger, D.M. Thomas, Alice Munro, Susan Sontag, A. J.P. Taylor, Richard Hofstadter, Bernard Bailyn, James G. Scott, Jane Jacobs, Paul Fussell.

Some time ago, the face of a law professor turned red ... then purple ... when I used the word "sensibility" in a workshop. He proclaimed that he had absolutely NO! idea what it means. A proverbial canary ... ?

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Leadership Fundamentals

Course #: 1058 **Term:** 2020WI **Faculty:** Westfahl, Scott; Boak, Meredith **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 9:00 AM - 12:15 PM	PND201
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Wed 9:00 AM - 12:15 PM	PND201
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Thu 9:00 AM - 12:15 PM	PND201
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Fri 9:00 AM - 12:15 PM	PND201
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Tue 9:00 AM - 12:15 PM	PND201
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Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Note: This course is restricted to first-year J.D. students only.

The drop deadline for 1L January Experiential Term (JET) classes is Monday, December 2nd. Students may not drop a course if they do not have an offer to enroll in a different JET course. Most courses are limited to 72 students.

1L JET courses are intensive learning courses. Class attendance is required in each course every day of the term, beginning Monday, January 6th. Students should make their travel plans accordingly. Students should not take on other work commitments during the term.

Exam Type: No Exam

Background. Harvard Law School graduates have a long history of leadership, drawing on the critical thinking, advocacy, and negotiation skills and technical legal knowledge they learn and practice during law school. This course will introduce students to the fundamentals of effective leadership and help them to explore and practice different leadership approaches and skillsets. The course will be highly interactive and team-based, allowing students to learn from each other as well and also to build stronger relationships among their peers. We will learn about leadership through various case examples and also from guest speakers who are leading change in the legal profession, both in the public and the private sector.

Teaching goals of the course/who should consider this course: This course is designed for students who are interested in building a deeper understanding of leadership frameworks, practices, and tools to accelerate their ability to create impact as leaders in their respective fields.

Course content: We will discuss and practice applying fundamental leadership frameworks and tools, and build related professional skills, including:

Personal leadership:

Understanding your own working style and preferences and how to work more effectively across lines of difference

Understanding motivational and influence psychology in order to gain buy-in as a leader

Developing effective listening skills, human-centered design interviewing, negotiating conflict, and giving and receiving feedback

Team leadership:

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Working in teams and leveraging important research about what makes for effective teamwork, such as how to improve team performance and communication, and how to create safe, inclusive team environments

Presenting and communicating effectively as an individual team member and as a team

Understanding and building team resilience to help teams adapt to uncertainty, failure and rapidly changing circumstances

Leadership practices and frameworks:

Applying the leadership practice of public narrative and storytelling to drive change and grow personally and professionally

Applying design thinking principles to lead positive, human-centric change

Leading effectively in a crisis

Developing yourself as a leader:

Building professional and personal networks

Managing the increasingly complex levels of responsibility you encounter as you advance your career

Understanding career management strategies that help you grow and learn more effectively

Course structure and expectations: Through a mixture of leadership case studies with guest speakers, interactive exercises, and extensive work in teams, students will explore the real-world skills and mindsets that leaders call upon to catalyze change across the legal profession. Instructors and teaching assistants will provide regular feedback to teams with respect to written and oral presentations. Especially because this is a team-based course, students are expected to attend each class in order to work in their teams and contribute to team assignments. Students will complete light homework assignments each evening, often with their assigned team, and will have a final team project and presentation at the end of the course.

Note: There may be days throughout the winter term that require attendance beyond the scheduled times. Please refer to the course syllabus and page for more information.

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Leading as a General Counsel: The challenges of being an in house counsel in a volatile world

Course #: 2430 **Term:** 2019FA **Faculty:** Denniston, Brackett **Credits:** 1.00

Type: Elective **Subject Areas:** Kethledge, Raymond M.; Kethledge, Raymond M.; Procedure & Practice

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC4057

Course Description: Prerequisites: None
Exam Type: No Exam
This course will explore readings related to the roles and responsibilities of general counsel and inhouse lawyers, primarily in companies but also in governments and other organizations. It will cover the key issues faced by in house counsel and the important skills and knowledge which such lawyers should have. It will also cover key challenges such lawyers face relating to issues like governance, integrity and compliance, and investigations, both internal and governmental.
Among the issues which we will address are the history and evolution of in house counsel organizations; the relationship of such lawyers to CEOs, boards and other governing leaders and key governance issues that arise in organizations; the distinct legal and governmental challenges confronted outside the United States; and managing transactions, litigation and investigations both in the US and globally.
An important issue which we will discuss is organizational leadership - leadership by both the head and the heart. How to build a diverse and high performing organization? How to lead in pro bono activities? How to build a culture of performance, integrity and passion?
An emphasis of the course and the readings will be on leadership and crisis management, with a special focus on examples of the preeminent role of courage and integrity in addressing hard and cutting edge issues, both in the United States and globally.

More information about the instructor can be found [here](#).

Note: This reading group will meet on the following dates: 9/30, 10/7, 10/21, 10/28, 11/4, 11/11

Drop Deadline: October 1, 2019 by 11:50 pm EST

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Leading from the Middle

Course #: 2161 **Term:** 2019FA **Faculty:** DeFilippo, Mandy **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC4062

Course Description: Prerequisites: None
Exam Type: No Exam

This course explores how to be an effective leader and an agent for positive change during the first 10-15 years of one's professional career. The course will feature a cross-disciplinary set of materials: traditional texts from literature, classics, philosophy and the social sciences; case studies and business texts; videos of speeches and talks. No specific background or knowledge is required. Key questions to be explored include:

What does "leadership" look like below executive officer or "C suite" level in a large organization? What defines leadership and opportunities to lead at this level?

How do people learn and practice leadership skills in an effective way in the first part of their careers?

Can leaders "from the middle" be true agents for positive change within larger institutions or organizations? How do leaders "from the middle" identify opportunities to make changes or improvements - and, once identified, successfully implement those changes?

Note: This reading group will meet on 6 of the 7 following dates: 10/10, 10/17, 10/24, 10/31, 11/7, 11/14, 11/21

Drop Deadline: October 11, 2019 by 11:59pm EST

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Legal History Seminar: Continental Legal History

Course #: 2166

Term: 2020SP

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

WCC3012

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.

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Legal History Workshop: Race and Policing in Historical Context

Course #: 2596

Term: 2020SP

Faculty: Mack, Kenneth; Lvovsky, Anna

Credits: 2.00

Type: Elective

Subject Areas: Legal History

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

GRS110

Course Description: Prerequisites: None

Exam Type: No Exam

This workshop aims to provide students with a historical perspective on the intersections between law, race, and police institutions in the United States. Assignments and class discussions will feature a mix of major works in the field of legal history, introducing students to critical methodologies and historiographical debates, and workshop presentations by leading historians currently writing on questions of race and policing. Further information about the topics to be covered will be available closer to the Spring semester.

Law students will have the choice of adding a writing credit to this two-credit workshop by completing a substantial paper. Those who choose to write a substantial paper will receive three credits (two classroom, one writing) upon successful completion of the course; those who do not complete substantial papers will receive two classroom credits. All FAS graduate students who enroll in the workshop must complete a substantial paper and will receive four credits upon successful completion of the course.

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

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Legal History: American Legal Education

Course #: 2164

Term: 2020SP

Faculty: Coquillette, Daniel

Credits: 2.00

Type: Elective

Subject Areas: Legal History

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC4059

Course Description: Prerequisites: None

Exam Type: No Exam

A research paper will be required rather than a final examination.

This seminar is designed for students who are genuinely interested in what has happened to them at law school and who would like to examine carefully the nature of their legal education. It is also a practical introduction to the many different careers available in legal education. We will commence with the English and Continental origins of legal scholarship and teaching, examine the development of formal legal education in America from the founding of the Litchfield and Harvard Law Schools to the rise of Legal Realism, and conclude with the pressing controversies facing 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.

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Legal History: Continental Legal History

Course #: 2165 **Term:** 2020SP **Faculty:** Donahue, Charles **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:30 AM - 11:45 AM	WCC3016
Tue 10:30 AM - 11:45 AM	WCC3016
Wed 10:30 AM - 11:45 AM	WCC3016

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

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.

Multilithed materials.

Note: This course is jointly offered with the FAS as Medieval Studies 119. It will meet at both HLS and FAS. It meets at FAS on Mondays and Wednesdays (room TBD) and at HLS on Tuesdays . Please contact the faculty for more details.

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Legal History: History of American Economic Regulation

Course #: 2167 **Term:** 2019FA **Faculty:** Mack, Kenneth **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 3:20 PM - 4:50 PM WCCB010

Tue 3:20 PM - 4:50 PM WCCB010

Course Description: Prerequisites: None
Exam Type: One Day Take-Home
This course examines the history of capitalism in America, viewed through the lens of debates over regulation of economic activity. Beginning in the early days of the republic, it will examine the role of law in capitalist development, focusing on debates over the regulation of corporations, banking and the financial system, race and capitalism, competition policy, and administrative law, continuing through the regulatory reforms of the New Deal. It will then examine movements for deregulation, the roots of the financial crisis of 2007-08, and its aftermath up to the present day. The course will examine the social, institutional and intellectual history of economic regulation.
Note: This seminar is jointly-listed with FAS as History 2477.

Legal Problems in Cybersecurity and Cyber Conflict

Course #: 2776 **Term:** 2020SP **Faculty:** Edgar, Timothy **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 HAU101

Course Description: Prerequisites: None

Exam Type: No Exam

Cybersecurity and cyber conflict pose unique legal problems for governments, companies and citizens. The way those problems are resolved will shape the future of the internet. The United States has established a new military command for cyberspace while simultaneously touting the "freedom to connect" as an aspect of fundamental human rights. Computer systems and networks remain insecure, as sensitive commercial and government data continues to be leaked or stolen at increasing rates. This course will examine the legal problems confronting the United States and its international partners in addressing network and computer insecurity while upholding privacy, civil liberties and other fundamental values.

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Legal Profession

Course #: 2169 **Term:** 2020WI **Faculty:** Gordon, Robert **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 2:00 PM - 4:15 PM	PND102
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Tue 2:00 PM - 4:15 PM	PND102
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Wed 2:00 PM - 4:15 PM	PND102
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Thu 2:00 PM - 4:15 PM	PND102
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Fri 2:00 PM - 4:15 PM	PND102
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Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisites: None

Exam Type: One-Day Take-Home

This course will deal with selected aspects of the history, organization, economics, ethics, and possible futures of the legal profession in the United States. Likely topics will include, in addition to the ABAs Model Rules of Professional Conduct: demographic changes in the profession, the evolution of law firms, bar associations, and law schools from the early twentieth century to the present; the development of corporate law, personal injury, mass torts, prosecutorial and criminal defense practices, and the "public-interest" bar; the dominant professional ethic of adversary-advocacy, and its critics; the regulation of lawyers; the economics of the market for legal services; and the organization and culture of law firm practice. Ethical problems will be examined as they arise in different practice contexts: litigation, corporate counseling, plaintiffs personal-injury, prosecution and defense, and cause lawyering.

Note: This course is only available to JD 3Ls and LLM students.

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Legal Profession

Course #: 2169 **Term:** 2019FA **Faculty:** Wilkins, David **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 1:00 PM - 3:00 PM	WCC2004
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Tue 1:00 PM - 3:00 PM	WCC2004
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Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: Any Day Take-Home

This course offers a look at the organization, economics, operation, and ideology of the legal profession. We will discuss history, current trends and recent developments in the organization and operation of law firms, legal services offices, government legal offices, and corporate legal departments. We will consider professional autonomy, commercialism, and regulation (by clients, by the courts, and by regulatory agencies). We will contrast US legal practice and regulation with other professions in the US (e.g., medicine, accounting, engineering), as well as with legal practice and regulation in other countries, and the prospect for changes driven by globalization and cross-border trade in legal services. We will consider the effects of increasing demographic diversity on the profession. We will discuss ethical problems most often encountered in legal practice, and the effects of the regulation of legal practice on the organizations and institutions that deliver legal services. We will focus on issues and problems faced by entrepreneurs considering whether to start-up a new legal services organization.

Note: This course is only available to JD 3Ls and LLM students.

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Legal Profession

Course #: 2169 **Term:** 2020SP **Faculty:** Wacks, Jamie **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 10:00 AM - 11:30 AM	PND100
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Fri 10:00 AM - 11:30 AM	PND100
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Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: In Class

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 clients 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.

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Legal Profession

Course #: 2169 **Term:** 2019FA **Faculty:** Kaufman, Andrew **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 8:30 AM - 10:00 AM	PND100
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Tue 8:30 AM - 10:00 AM	PND100
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Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisite: None
Exam Type: In Class Grades will be based principally on a final in-class examination but also, to some extent, on class participation or assigned classroom exercises.
This course considers three categories of materials. First, we will study the nature of professionalism in American society with readings and problems dealing with practical issues of professional responsibility faced by lawyers in the daily routine of private practice. Second, we will deal with issues faced by the profession as a whole, including the ways of providing effective legal services to all members of the community, regulation of competition, and the imposition of professional discipline. Third, we will also look at the organization and demographics of the profession, its units of practice, and what professional life is like in the twenty-first century. The course also invites students to address the questions: What kind of lawyer do I want to be, and to what kind of profession do I wish to belong?
The materials will be Kaufman, Wilkins, Wald, and Swisher, Problems in Professional Responsibility for a Changing Profession (6th edition and supplementary materials), and Professional Responsibility Standards, Rules & Statutes (Dzienkowski, latest abridged edition).

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Legal Profession

Course #: 2169 **Term:** 2020SP **Faculty:** Kaufman, Andrew **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 10:20 AM - 11:50 AM	PND102
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Tue 10:20 AM - 11:50 AM	PND102
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Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisite: None

Exam Type: In Class

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

This course considers three categories of materials. First, we will study the nature of professionalism in American society with readings and problems dealing with practical issues of professional responsibility faced by lawyers in the daily routine of private practice. Second, we will deal with issues faced by the profession as a whole, including the ways of providing effective legal services to all members of the community, regulation of competition, and the imposition of professional discipline. Third, we will also look at the organization and demographics of the profession, its units of practice, and what professional life is like in the twenty-first century. The course also invites students to address the questions: What kind of lawyer do I want to be, and to what kind of profession do I wish to belong?

The materials will be Kaufman, Wilkins, Wald, and Swisher, Problems in Professional Responsibility for a Changing Profession (6th edition)(and supplementary materials), and Professional Responsibility Standards, Rules & Statutes (Dzienkowski, latest abridged edition).

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Legal Profession

Course #: 2169 **Term:** 2019FA **Faculty:** Dacey, Timothy **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 10:00 AM - 11:30 AM	PND100
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Fri 10:00 AM - 11:30 AM	PND100
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Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: In Class

Ethical issues can arise in any type of practice and at any point in a lawyers work, often unexpectedly, in medias res. In this course, students will learn how to identify and respond to such issues. The course will focus on the types of problems a lawyer will encounter in daily practice, especially in litigation and transactional work, and on the rules of professional conduct, case law and other considerations that a lawyer is expected to take into account in resolving such issues. We will examine issues both from the perspective of a lawyer starting out in practice and a more experienced lawyer with supervisory responsibility, and will consider the different types of practice and the different institutional settings in which such problems arise. In addition, we will discuss challenges to the professions legal and regulatory framework posed by developments such as outsourcing, the continuing growth of large, multi-national law firms, the increasing role of in-house counsel, and innovations in the marketing of legal services.

Note: This course is only available to JD 3Ls and LLM students.

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

Course #: 2169 **Term:** 2019FA **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	WCCB010
Thu 1:15 PM - 2:45 PM	WCCB010

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

Exam Type: No Exam

Whether in solo, small firm or not for profit legal aid offices, new modes of serving clients of modest means offer promise of expanded access to legal advice and assistance but also pose ethical and professional challenges for the 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 16, 2019 for students enrolled in reserved clinical seats.

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

Course #: 2169 **Term:** 2020SP **Faculty:** Charn, Jeanne **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:15 PM - 2:45 PM	PND102
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Thu 1:15 PM - 2:45 PM	PND102
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Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: 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 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 December 6, 2019 for students enrolled in reserved clinical seats.

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Legal Profession Seminar

Course #: 2170 **Term:** 2020SP **Faculty:** Wilkins, David; Fong, Bryon **Credits:** 2.00

Type: Elective **Subject Areas:** International, Comparative & Foreign Law; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3016

Course Description: Prerequisites: None

Exam Type: No Exam

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 seminars themes.

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.

Note: This seminar will not satisfy the Professional Responsibility requirement.

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Legal Profession: Collaborative Law

Course #: 2169 **Term:** 2019FA **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 WCC3018

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.

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Legal Profession: Government Ethics - Scandal and Reform

Course #: 2169 **Term:** 2020WI **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
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Mon 9:00 AM - 12:15 PM	PND101
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Tue 9:00 AM - 12:15 PM	PND101
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Wed 9:00 AM - 12:15 PM	PND101
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Thu 9:00 AM - 12:15 PM	PND101
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Fri 9:00 AM - 12:15 PM	PND101
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Course Description: Students who enroll in this course may count the credits towards the JD professional responsibility requirement.
Prerequisite: 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

2019-2020 Academic Year

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Legal Research, Writing and Analysis I

Course #: 2541

Term: 2019FA

Faculty: McManus, Amy

Credits: 1.00

Type: Lrwa

Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Location

Course Description: Prerequisites: None

Exam Type: No Exam

This series of lectures and discussions introduces foreign-educated LL.M. students to the foundations of the U.S. legal system and the fundamentals of legal research, writing, and analysis. Exploring how U.S. lawyers analyze and frame legal positions, course topics will include: a comparative look at the American common law system and foreign civil law systems, 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. Incorporating guest lectures by members of the Law School faculty, it will meet for a minimum of twelve hours during LL.M. Orientation in late August. Additionally, the course presupposes completion all the "OL" materials that will be made available online by the first week of August.

Note: This course is graded Credit/Fail; attendance at all sessions is mandatory.

Enrollment is limited to foreign-educated LL.M. students.

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Legal Research, Writing and Analysis II

Course #: 2541 **Term:** 2019FA **Faculty:** McManus, Amy; Chopas, Mary Beth; Sacco, Dena **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 7:15 PM - 9:15 PM WCC3019

Course Description: Prerequisites: None

Exam Type: 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. Before the course begins, enrollees will be randomly divided into smaller sections with one of the instructors listed.

Note: The first meeting of this course, on Tuesday, September 3rd, will be held in WCC 1010.

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Legal Research, Writing and Analysis II

Course #: 2541

Term: 2019FS

Faculty: McManus, Amy

Credits: 2.00

Type: Lrwa

Subject Areas: Procedure & Practice

Delivery Mode: Course

Days and Times:

Tue 7:15 PM - 9:15 PM

Location

WCC3019

Course Description: Prerequisites: None

Exam Type: 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.

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Legal Tools for Protecting Democracy and the Rule of Law in America

Course #: 2994 **Term:** 2019FA **Faculty:** Berwick, Ben; El-Mallawany, Deana **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM WCC3036

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
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 16, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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 the set of integrated advocacy tools available to the public and other government actors to protect our democratic and rule of law institutions. This will include transparency and oversight approaches; the development and conduct of effective litigation raising constitutional, administrative law, and statutory issues; and other tools to prompt pro-democratic reform. 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 generate creative advocacy ideas, 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.

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Legal Tools for Protecting Democracy and the Rule of Law in America

Course #: 2994 **Term:** 2020SP **Faculty:** Florence, Justin; Schwartztol, Larry **Credits:** 2.00

Type: Elective **Subject Areas:** Constitutional Law & Civil Rights; Government Structure & Function; Legal & Political Theory; Legal Profession, Legal Ethics & Professional Responsibility; Procedure & Practice

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM WCC3008

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
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: December 6, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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 the set of integrated advocacy tools available to the public and other government actors to protect our democratic and rule of law institutions. This will include transparency and oversight approaches; the development and conduct of effective litigation raising constitutional, administrative law, and statutory issues; and other tools to prompt pro-democratic reform. 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 generate creative advocacy ideas, 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.

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Legal Writing: Advanced

Course #: 2178

Term: 2019FA

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

WCC3009

Wed 3:20 PM - 4:20 PM

WCC3009

Course Description:

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: Open to 2nd and 3rd year JD students. For LLM students, instructor permission is required

Exam Type: No Exam

This course provides advanced training in legal writing across the range of situations typically met by the practicing lawyer and in the ways that different types of legal writing help to solve clients problems. Using the format of a small class and one-on-one sessions with the instructor, this course will examine the way that practicing lawyers use writing for the varying types of tasks which they perform. The course asks students to distinguish between the types of writing that lawyers use for transactions, litigation, statutes, and client communication and helps them to decide how to use those four types of legal writing in particular situations. Each class session will explore a factual situation that calls for a type of legal writing. After each class, there will be a short writing assignment asking the student to deal with the problem in a paper using the relevant type of legal writing. Between classes, students will meet with the instructor to go over his comments and edits in the way that a junior lawyer can expect to meet with a superior in a law office.

Note: The course will be graded on a Credit/Fail basis.

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Legal Writing: Advanced

Course #: 2178

Term: 2020SP

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

WCC3011

Wed 3:20 PM - 4:20 PM

WCC3011

Course Description:

Students who enroll in this offering 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: This course will be graded on a Credit/Fail basis.

Harvard Law School Course Catalog

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Legislation and Regulation 1

Course #: 1003 **Term:** 2020SP **Faculty:** Tushnet, Mark **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC2004
Tue 10:20 AM - 11:40 AM	WCC2004
Wed 10:20 AM - 11:40 AM	WCC2004

Course Description: Exam Type: One-Day Take-Home

Legislation and Regulation is an introduction to lawmaking in the modern administrative state. It will examine the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions - courts and administrative agencies - interpret and apply these laws. It will consider, in particular, the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts.

Legislation and Regulation 2

Course #: 1003 **Term:** 2020SP **Faculty:** Sunstein, Cass **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: In Class

This course is an introduction to lawmaking in the administrative state, including the enactment of rules by legislatures and administrative agencies, and the interpretation of statutes by administrative agencies and courts. We will study the architecture of the federal administrative state, the institutional dynamics of federal administrative policymaking, and the legal rules that structure relationships between and among legislatures, agencies, courts and other actors.

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Legislation and Regulation 3

Course #: 1003 **Term:** 2019FA **Faculty:** Tarullo, Daniel **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:40 PM	WCC1019
Tue 3:20 PM - 4:40 PM	WCC1019
Wed 3:20 PM - 4:40 PM	WCC1019

Course Description: Exam Type: In Class
This course is an introduction to lawmaking in the modern administrative state. It will examine the legislative process by which Congress passes statutes; the interpretation of statutes by administrative agencies and courts; the structural position of administrative agencies in the constitutional system; the process of agency rulemaking; the institutional dynamics of agency policymaking and policy implementation; and judicial review of agency action.

Legislation and Regulation 4

Course #: 1003 **Term:** 2020SP **Faculty:** Freeman, Jody **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: One-Day Take-Home
This course is an introduction to lawmaking in the modern administrative state. It will examine the legislative process by which Congress passes statutes; theories of statutory interpretation (including purposivism and textualism); tools and techniques of statutory construction (including semantic canons, substantive canons and the use of legislative history); the structural position of administrative agencies in the constitutional system; the process of agency rulemaking; and judicial review of agency action.

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Legislation and Regulation 5

Course #: 1003 **Term:** 2019FA **Faculty:** Stephenson, Matthew **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Wed 8:20 AM - 9:40 AM	WCC1010
Thu 8:20 AM - 9:40 AM	WCC1010
Fri 8:20 AM - 9:40 AM	WCC1010

Course Description: Exam Type: One Day Take-Home
This course is an introduction to lawmaking in the modern administrative state. It will examine how Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the ways that implementing institutions – courts and administrative agencies – interpret and apply these rules. The course will consider the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts. The text for the course is MANNING & STEPHENSON EDS., LEGISLATION AND REGULATION, 3D EDITION (Foundation Press 2017).

Legislation and Regulation 6

Course #: 1003 **Term:** 2020SP **Faculty:** Renan, Daphna **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: In Class
This course introduces lawmaking in the modern administrative state. It looks at the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that courts and administrative agencies interpret and apply these laws. The course also examines the structure of the modern administrative state, the political context that shapes the behavior of governmental actors, and the way legal rules structure relationships among Congress, the President, agencies, courts, and the populace.

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Legislation and Regulation 7

Course #: 1003

Term: 2019FA

Faculty: Davies, Susan

Credits: 4.00

Type: 1course

Subject Areas: Not Applicable

Delivery Mode: Course

Days and Times:

Location

Thu 9:30 AM - 11:30 AM

WCC1015

Fri 9:30 AM - 11:30 AM

WCC1015

Course Description: Exam Type: One Day Take-Home

Legislation and Regulation is an introduction to lawmaking in the modern administrative state. It will examine the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions -- courts and administrative agencies -- interpret and apply these laws. It will consider, in particular, the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts.

Harvard Law School Course Catalog

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LGBTQ+ Advocacy Clinic

Course #: 8054 **Term:** 2020SP **Faculty:** Chen, Alexander **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: Gender Identity and the Law (2 spring classroom credits). Students who are accepted into this clinic will be enrolled in the required clinical course component by the Office of Clinical and Pro Bono Programs.
Additional Co-/Pre-Requisites: None.
By Permission: Yes - applications are due by January 17, 2020.
Add/Drop Deadline: January 31, 2020.
LLM Students: LLM students may apply to this clinic.
Placement Site: Most clinic work is done at the WilmerHale Legal Services Center (Jamaica Plain); some placements are available at externship locations (nonprofits). Students are carefully matched to their projects/placements by the Clinic Director in advance of the semester. The Clinic Director speaks with each enrolled student to determine the appropriate project or placement.
The LGBTQ+ Advocacy Clinic offers students the opportunity to work directly on cutting-edge issues involving LGBTQ+ rights, with a particular emphasis on issues affecting underrepresented communities within the LGBTQ+ community. Clinic offerings include local and national projects covering the spectrum of LGBTQ+ issues. Students will have the opportunity to engage in a range of work encompassing various strategies for advancing LGBTQ+ rights, including impact litigation and amicus work, policy and legislative advocacy, and direct legal services for LGBTQ+ clients.

Enrollment in the clinic is by application only (applications are due to the Clinic Director, Alexander Chen (achen@law.harvard.edu)). Students should include a resume and short statement of interest (250 words or less) in their application. Applications are due by January 17, 2020. Once accepted, students will work with the Office of Clinical and Pro Bono Programs to finalize their registrations.

Harvard Law School Course Catalog

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Litigating in the Family Courts: Domestic Violence and Family Law Clinic

Course #: 8032 **Term:** 2019FA **Faculty:** Odum, 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 offering 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 16, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application.
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 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.
In addition, the 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.
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.
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.

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Litigating in the Family Courts: Domestic Violence and Family Law Clinic

Course #: 8032 **Term:** 2020SP **Faculty:** Odum, 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 offering 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: December 6, 2019. LLM Students: LLM students may apply to this clinic by submitting an application. Placement Site: WilmerHale Legal Services Center (Jamaica Plain). Students in the Family/Domestic Violence 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 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. In addition, the 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. 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. 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.

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Litigating in the Family Courts: Domestic Violence and Family Law Clinical Seminar

Course #: 2085 **Term:** 2019FA **Faculty:** Odum, 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 WCC4056

Course Description: Students who enroll in this offering 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 16, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application.
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.

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Litigating in the Family Courts: Domestic Violence and Family Law Clinical Seminar

Course #: 2085 **Term:** 2020SP **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 WCC4068

Course Description: Students who enroll in this offering 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: December 6, 2019.

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

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.

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Local Government Law

Course #: 2181 **Term:** 2019FA **Faculty:** Bowie, Nikolas **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 10:20 AM - 11:40 AM	LAN272
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Tue 10:20 AM - 11:40 AM	LAN272
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Wed 10:20 AM - 11:40 AM	LAN272
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Course Description: Prerequisites: None

Exam Type: One Day Take-Home

Any given place in the United States is governed by a diverse, overlapping, and conflicting set of governments, from the federal government and counties to water districts and homeowners' associations. All of these governments play a role in addressing any given political issue: immigration policy is determined both by municipal housing authorities and the Department of Homeland Security; a school's curriculum is set as much by a state's education department as by a local school board. Local government law refers to the principles that determine how these governments are structured and how they interact with one another—particularly when they disagree. Just as a constitutional law course focuses on the constitution of the federal government and a state constitutional law course focuses on the constitutions of state governments, this course focuses on the many other constitutions, charters, organic laws, and governing documents that empower and constrain America's many other democracies.

When you finish this course, you will not only be able to identify the many different types of government that operate at the local level, but you will also understand the principles that govern the structure of each government, who is allowed to participate in it, what it may do, and what it may not do. You will know where these principles come from—that they're not natural features of the American landscape, but the product of historically contingent decisions to advance particular values (like centralization or libertarianism) and outcomes (like racial segregation or reducing the effect of property taxes on schools). Most importantly, when you finish this course you will be able to do local government law: apply and challenge these principles to advance your own chosen values and outcomes in the real world.

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Making Change When Change is Hard: the Law, Politics, and Policy of Social Change

Course #: 2578 **Term:** 2020SP **Faculty:** Power, Samantha; Sunstein, Cass **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 3:00 PM - 5:00 PM LAN225

Course Description: Prerequisites: None

Exam Type: No Exam

How does change happen? When, why, and how do people, and whole nations, come to together to influence large-scale policies and actions on issues like the environment, equality, criminal justice? Why do revolutions occur? This course will try to answer these questions, and do so by exploring a diversity of efforts related to societal change. In an effort to draw general lessons for those interested in making change, we will assess a range of political and legal approaches; examine mass movements and the leadership by organizations, governments, and individuals; and attempt to gauge outcomes. Using research from psychology, political science, and economics, and focusing on case studies, the course will explore the ideas behind several arguments: 1) big problems are rarely resolved with comparably big solutions, but instead are better met with small acts of reform; 2) coalition-building among strange bedfellows is usually indispensable; 3) agents of change fare best when they look to measure their impact and never lose sight of the real world results they seek, rather than the expressive highs along the way; 4) informational "cascades" are possible and critical, as people follow one another; and 5) group polarization can be both desirable and dangerous, as groups become more heated and more extreme.

Note: This course is jointly-listed with HKS as DPI-535 and will meet at HLS.

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Making Legal History

Course #: 2666

Term: 2020SP

Faculty: Rosenberg, David

Credits: 1.00

Type: Elective

Subject Areas: Legal & Political Theory; Legal History

Delivery Mode: Reading Group

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

HAU103

Course Description: Prerequisite: None

Exam Type: No Exam

The theme of this reading group is a variation on Josephine Teys *The Daughter of Time*: historians making up history. Instead of the trained skepticism of Teys 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 view of the theory of torts developed by Oliver Wendell Holmes. According to that account, Holmes theory essentially created and controls the current shape and substance of tort liability. In particular, his moralistic and industrial-subsidy and other economic arguments for condemning strict liability won the day for the general rule of letting losses lie where they fall without negligence. Our inquiry will ripen into a genuine whodunit upon discovery that much of the historical record showing that histories of Holmes thinking have hidden and distorted the evidence showing that his theory supported use of *Rylands vs. Fletcher* and other rules of strict liability, most notably for industrial accidents.

To solve the mystery of who did what, when, how and why, we will examine Holmes writings and the changing understanding and representation of them over time. With legal history courses proliferating, and historical arguments exerting increasing influence on judicial decisions, our case study of the history of Holmes thinking can serve as an object lesson in the well-known but too often neglected rule of good practice: check the sources. More generally and positively, exploring Holmes jurisprudence will provide insights into the intellectual wellspring for the leading and enduring explanation of the purposes and processes of court-made law.

Note: This reading group will meet on the following dates: 1/29, 2/12, 2/26, 3/11, 4/1, 4/15

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Making Rights Real: The Ghana Project

Course #: 2326 **Term:** 2019FS **Faculty:** White, Lucie **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 7:00 PM - 9:00 PM

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

Required Clinic Component: Making Rights Real: The Ghana Project (2 winter clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Pre-/Co-Requisites: None.

By Permission: Yes. Applications to the clinic are due by 5:00pm on August 23, 2019.

Add/Drop Deadline: August 26, 2019.

LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 23, 2019.

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 and the specific health rights which the 2019-20 partnership is likely to target.

The workshop, which awards 3 academic credits - 1F/ 1W / 1S - is designed to offer the theoretical frame for the 2019-20 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 23, 2019. Accepted candidates will be enrolled in the clinic and clinical course by the Office of Clinical and Pro Bono Programs.

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Making Rights Real: The Ghana Project Clinic

Course #: 8025 **Term:** 2020WI **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 offering 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 23, 2019.
Add/Drop Deadline: August 26, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application. Applications are due by August 23, 2019.
Placement Site: Ghana.
The Making Rights Real clinic will build on a partnership between Professor White, Harvard law students, and a Ghanaian human rights-oriented civil society organization (CSO) engaged in leading-edge work on community lawyering and policy advocacy on educational equity issues in Ghanas underserved rural north. This winters activities will involve two streams: hands-on policy advocacy that includes assisting with litigation and white papers, and interviewing government officials, and the CSOs policy advocacy staff; and assisting with in community-based workshops in which participants share their childrens experiences in the educational system and gain skills for asserting their educational rights. Our CSO partner uses multi-layered 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. Thus, in addition to our specific assignments, the clinic provides students an immersion experience with an organization widely recognized for its creative work. The clinic will take place primarily in Ghanas high poverty Northern Region, with some activities in Accra.
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 23, 2019. Accepted candidates will be enrolled in the clinic and clinical course by the Office of Clinical and Pro Bono Programs.

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Mass Incarceration and Sentencing Law

Course #: 2918

Term: 2020SP

Faculty: Gertner, Nancy

Credits: 3.00

Type: Elective

Subject Areas: Criminal Law & Procedure

Delivery Mode: Course

Days and Times:

Tue 1:00 PM - 4:00 PM

Location

WCC3016

Course Description: Prerequisites: None

Exam Type: No Exam

This course will first put 20th century sentencing law in sociological and historical context. It will examine the history, philosophy, and administration of the criminal sentencing process, the causes of growth in the US penal population, the historical roots of that growth from the mid 20th century to the present, and the impact of those policies on communities of color and the crime rate. We will then examine more closely the legal framework that enabled those policies, including the war on drugs, emphasis on retribution over rehabilitation, the changes in sentencing law and the structure of sentencing decisionmaking. Particular attention will be devoted to substantive sentencing standards (the insights of neuroscience, evidence based lessons from diversion programs) in addition to the procedures governing those decisions. The course will explore different kinds of sentencing regimes-state guideline systems, international models on which sentencing standards have evolved from common law decision making or judge-imposed guidelines (Australia, Israel, England), in addition to the federal sentencing guidelines. We will consider the interplay between principles of proportionality, severity, and parsimony on sentencing law.

This course will be divided into two parts: the first part of the term will involve the substantive law of sentencing, and the sociological and historical context in which it evolved as described in the original course description. But the second part of the term will be somewhat unusual. I will invite judges (federal and state), prosecutors, defense lawyers to join the class in addressing particular sentencing issues, with discussions centered around hypothetical cases. All the participants will sentence; they will review the cases, determine the sentences, and discuss them at the class sessions. The issues will be cases involving addiction and drug offenses, mental health, the neuroscience of childhood adversity, juvenile offenders, sex offenders, and issues of race and gender. The idea is not only to look at sentencing at the meta level, but also at the level of the concrete case, which may challenge the generalizations of the sentencing law.

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Mass Media Law

Course #: 2038 **Term:** 2020SP **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 WCCB015

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.

Maximizing Joint Gains: How Taxes Affect Business Decisions

Course #: 2341 **Term:** 2019FA **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 1:15 PM - 2:45 PM WCC3018

Tue 1:15 PM - 2:45 PM WCC3018

Course Description: Prerequisites: None

Exam Type: In Class

This course is taught from a book written by B-school professors for B-school students. It is entirely self-contained: there are no prerequisites. We will learn the basic rules of federal income taxation without worrying about the details, and we will determine how those rules affect business decisions. The assignments will require detailed computations (largely of present values). The exam will not require any computations but the students will be asked to describe (with words and equations) how the computations would be made. We will look at a variety of topics including choice of deferred compensation for high net worth individuals, choice of business organization, funding choices, form of merger and acquisition activity, and choice of location (domestic and foreign). The text is Scholes et al., Taxes and Business Strategy (6th ed. 2019).

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Mediation

Course #: 2183

Term: 2020SP

Faculty: Hoffman, David

Credits: 3.00

Type: Elective

Subject Areas: Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Course

Days and Times:

Thu 4:00 PM - 7:00 PM

Location

WCC3019

Course Description: Prerequisite: None

Exam Type: No Exam

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.

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.

There is no required text other than photocopied materials.

Some seats are reserved for students in the spring Mediation clinic. Students who claim a clinical seat in this course will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student in a clinical seat drops the spring Mediation clinic, they will also lose their reserved seat in this course. Please note that there is an early drop deadline of December 6, 2019 for spring clinical students in this course.

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Mediation Clinic

Course #: 8026

Term: 2020SP

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 offering may count the credits towards the JD experiential learning requirement.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Mediation (3 spring classroom credits). Some seats are reserved for clinical students. Once a student enrolls in this clinic, the Office of Clinical and Pro Bono Programs will enroll them in the required course. If a student drops this clinic, they will also lose their seat in the required class component.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: January 11, 2019.

LLM Students: This clinic is not available to LLM students, with limited exceptions by permission.

Placement Site: HLS and Boston-area courts.

Mandatory Trainings: All students must attend a 32-hour mandatory training session in either the fall or spring semester. It is anticipated that the fall semester training dates will be:

October 5-6 and October 19-20. HMPs anticipated spring semester training dates will be: February 8-9 and February 22-23.

Clinic placements are with the Harvard Mediation Program (HMP), and entail the opportunity to observe and conduct mediations in Boston-area court sessions for small claims cases and harassment prevention orders. Clinic students must (1) complete HMPs mandatory 32-hour basic mediation training in either the fall or spring semester; (2) attend a court session weekly to mediate or observe; (3) work one hour per week in the HMP office; and (4) submit a weekly journal reflecting on their mediation experiences plus a short "final report" at the end of the semester. The court session commitment is the same day and time every week (generally Wednesday, Thursday or Friday morning, or Tuesday afternoon as detailed in the HMP application, and usually requires about three hours, including travel time. For more information about this clinic, including training session dates and scheduling information, please visit the Harvard Mediation Program website.

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Mergers and Acquisitions

Course #: 2186 **Term:** 2019FA **Faculty:** Strine Jr., Leo **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC1019

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. 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 submitting a petition on my.harvard.edu and emailing Chief Justice Strine's HLS assistant, Kathy Goldstein: kgoldstein@law.harvard.edu.
Exam Type: In Class

The class assumes a knowledge of the fundamentals of American corporate law and without that, a student will be at a profound disadvantage.

This course, taught by the Chief Justice of the Delaware Supreme Court and former Chancellor of the Delaware Court of Chancery, will focus on the law affecting corporate mergers and acquisitions including both third-party and going-private deals. Though state corporate law will be heavily emphasized, it will also address laws affecting cross border M&A and expose students to key recurring issues of comparative law relevant to M&A practice. The course will also deal substantially with merger agreements, considered as contracts, and the important contractual principles and issues that are relevant in almost every M&A transaction. The course will have a practical bent and will address the real-world problems faced by parties contemplating, attempting, or resisting acquisitions, as well as the policy dilemmas faced by courts called upon to assess such transactions. To further this goal, several key classes will involve the participation of leading practitioners.

Note: This course overlaps with Professor Coates Mergers and Acquisitions Processes and Structures offering; students may only enroll in one of these courses.

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Mergers and Acquisitions Workshop: Boardroom Strategies and Deal Tactics

Course #: 2185

Term: 2020WI

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 - 4:15 PM

WCC1019

Tue 1:00 PM - 4:15 PM

WCC1019

Wed 1:00 PM - 4:15 PM

WCC1019

Thu 1:00 PM - 4:15 PM

WCC1019

Fri 1:00 PM - 4:15 PM

WCC1019

Course Description: Prerequisite: Corporations or permission to waive the requisite.

Exam Type: In Class

Successful M&A lawyers (and bankers) provide leadership and judgment in the boardroom and tactical execution at the negotiating table. Taught by a Mergers & Acquisitions partner at Wachtell, Lipton, Rosen & Katz, this workshop is intended to give students exposure to both the macro strategic issues faced by directors in M&A situations (buy-side and sell-side; hostile, friendly and crisis) as well as the tactical issues involved in negotiating acquisition agreements and other transaction documents. Topics to be explored include how buyers select, and then woo, their targets and what tactics buyers might pursue to keep the price low and eliminate competition; how target boards respond to acquisition overtures and evaluate bids; how to best structure a sale or auction of a public company; management-led buyouts and the potential for conflicts of interest; distressed company acquisitions and negotiating key provisions of an acquisition agreement, such as representations, "deal protection", closing conditions, walk-away rights and related penalties, and deal financing.

The workshop is based around case studies of several real transactions or strategic situations, and makes use of real transaction documents. Students will be expected to make presentations and participate in class discussions and mock strategy and negotiating sessions. Some sessions may feature guest speakers who have been involved in recent deals.

Business school students are very much welcome to cross-register into this course (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.

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Migration and Human Rights

Course #: 2424 **Term:** 2019FA **Faculty:** Bhabha, Jacqueline **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 10:15 AM - 11:30 AM

Thu 10:15 AM - 11:30 AM

Course Description: Prerequisites: None

Exam Type: No HLS Exam

Migration is a central moral issue of our time and its impacts will alter our world throughout this century. It affects the lives of millions, unsettles established governments, creates sharply polarizing policy dilemmas and posits far-reaching administrative, economic and political challenges. This course will focus on distress migration, including refugee flight and other forms of forced displacement, evaluated through the lens of human rights. It will address the multifaceted drivers of this complex phenomenon, including armed conflict, environmental stress and climate change, global inequality, demographic pressures and increasing globalization. Migration actors from a range of field sites will contribute; some will attend in person, others will be skyped into the classroom conversation to create a more global classroom discussion and to enhance project based learning.

The course will consider historical precedents to the current refugee and migration "crisis," using case studies of massive past population displacements (eg Greek-Turkish population exchange post World War I, partition of British India and Palestine peri/post World War II) as instructive guides for contemporary problems. The course will raise ethical and philosophical issues related to the duties owed to "outsiders" to probe the moral, religious and political underpinnings of current approaches. It will introduce students to the international and regional legal framework governing refugee protection and migration more broadly. It will engage with the multiple risks migrants face before, during and after their journeys and with and with current policy developments, at the municipal, national, regional and international level, including the ongoing efforts of the United Nations to craft two new Global Compacts on Refugees and on Migration. Finally the course will enable students to apply legal and other approaches to the analysis of migration challenges. The material for this will be a range of contemporary case studies, including refugee situations in the Mediterranean and Sub Saharan Africa, conflict-fueled migration as well as migration flows arising from environmental displacement in the Middle East, disaster fueled migration in Asia, irregular migration in the Americas, and seasonal internal migration in Asia involving bonded-labor.

Note: This course is jointly listed with HKS as IGA-355M. It is held at HKS during their Fall 1 term.

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Military Law and Justice

Course #: 2418 **Term:** 2019FA **Faculty:** Ryan, Margaret; Hardy, Liam **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Fri 9:30 AM - 11:30 AM WCC5048

Course Description: Prerequisites: LLMs must have taken or be concurrently enrolled in Constitutional Law or Federal Courts. For students who may have taken applicable courses elsewhere, permission to waive the requisite is required.

Exam Type: No Exam

This seminar will examine constitutional issues in the context of the U.S. military justice system. To that end, students will become familiar with the constitutional and statutory framework establishing that system as well as case law from federal courts analyzing the legal issues that arise from its operation. Over the course of the semester we will examine issues related to the position of an Article I court within the federal system, particularly jurisdiction, as well as areas of constitutional law such as aspects of criminal procedure, Due Process, and First Amendment jurisprudence, albeit in the military context. Finally, while a military background is not necessary to fully engage with the course material, we will examine some issues unique to the military justice system.

The goal of this seminar is to both improve your understanding of constitutional issues as they relate to the military justice system and help you develop an organized framework for approaching legal problems. As such, each topic will begin with the text of the underlying constitutional provision, followed by the text of the relevant statute, and finally the body of case law related to each topic. From time to time, we will also read scholarly articles and advocacy documents that will help put these issues into context.

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Mind and Criminal Responsibility in the Anglo-American Tradition

Course #: 2831 **Term:** 2020SP **Faculty:** Kamali, Elizabeth Papp **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM WCC3013

Course Description: Prerequisites: None

Exam Type: No Exam

Grades will be based upon short responses to each weeks readings and class participation.

This seminar will explore the deep roots of the modern doctrine of mens rea and will consider a variety of related issues, including insanity, infancy, provocation, and duress. Readings will include a variety of primary and secondary sources from a broad time span in Anglo-American history, from the medieval to the modern. Our goal will be to understand the role of mind in defining the bounds of criminal responsibility at various points in time over the long duration of common-law history, relying upon secondary literature as well as close readings of primary source texts. Students will develop a comparative perspective on issues of mind that continue to perplex lawyers today, while also building a set of critical reading skills that are essential to the work of legal historians and practicing lawyers alike.

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Monuments and Memorialization

Course #: 2792 **Term:** 2019FA **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 WCC4061

Course Description: Prerequisites: None

Exam Type: No Exam

Although there is no examination or lengthy paper required, I do ask each student to prepare one response paper, of approximately 750 words, regarding the readings assigned that particular week. A central purpose of the paper(s) is to set the agenda for the class discussion, which is certainly the most important aspect of the course.

The past year several years especially have seen intense controversy over the use of public space to display monuments designed to memorialize ostensible heroes or events or to the continued naming of public buildings after potentially tarnished individuals or groups. As it happens, the Duke University Press published in 2018 a 20th Anniversary edition of the 1998 book by Professor Levinson, *Written in Stone: Public Monuments in Changing Societies*, which contains a new 20000-word Preface and Afterword, focusing particularly, but not exclusively, on debates about Confederate monuments in the United States. Special attention is paid to the decisions made at a number of prominent universities, including Harvard, Yale, Princeton, and the Universities of Texas, Virginia, and Mississippi. Law enters the discussion with regard especially to determining what level of government should control any such decisions. It also touches, for example, on campaigns to remove monuments honoring Cecil Rhodes at Oxford and in South Africa.

In addition to the new edition of *Written in Stone*, students will be expected to read several of the reports issued at the various universities (including the Harvard Law School, concerning the official crest of HLS) and a remarkable speech by Mayor Mitch Landrieu of New Orleans about the removal of various statues, most prominently that of Robert E. Lee, from the public space of that city. No doubt other examples will arise by the time the course begins meeting in September 2019. Attention will also be paid to some of the various statutes passed by state legislatures that limit the ability of localities to remove statuary and to the (few) cases that challenge some of the statues on First Amendment or Equal Protection grounds.

As always, I have requested that some seats be left open for LLMs or SJD students who might be interested, insofar as the issue of monuments and memorialization is clearly a world-wide one.

Note: This reading group will be held on the following dates: 9/3, 9/17, 10/1, 10/22, 11/5, 11/12

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Music and Digital Media

Course #: 2189 **Term:** 2020SP **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 WCC3007

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.

National Security Law

Course #: 2190 **Term:** 2019FA **Faculty:** Baker, James **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC4063

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 Students will be required to write 3 short thought papers during the semester.

This seminar will address various aspects of the law governing national security. Topics will include constitutional issues regarding national security, electronic surveillance conducted pursuant to the Foreign Intelligence Surveillance Act (FISA), 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.

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National Security Law and Practice

Course #: 2671 **Term:** 2020SP **Faculty:** Olsen, Matthew **Credits:** 1.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3016

Course Description: Prerequisites: None

Exam Type: No Exam

This one-credit course will examine a series of current legal and policy issues at the intersection of national security law and technology. An enduring challenge for national security lawyers is keeping pace with technological change and innovation. We will explore a range of selected topics involving emerging technologies that confront national security lawyers and policy makers, including: intelligence surveillance; encryption; lethal targeting and artificial intelligence; and cyber security. We will focus on discrete issues from the perspective of government decision-making and operational practice.

Matt Olsen was the director of the National Counterterrorism Center from 2011 to 2014. He also served as General Counsel at the National Security Agency and as a federal prosecutor.

Note: This is a one-credit course and will meet for six 2-hour classes during the semester on the following dates: Feb. 27, Mar. 5, Mar. 12, Mar. 26, Apr. 2, and Apr. 9.

Natural Law and Positive Law

Course #: 2192 **Term:** 2020SP **Faculty:** Sargentich, Lewis **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC5048

Course Description: Prerequisites: None

Exam Type: No Exam

There will be no paper or exam, and class will be graded credit/no credit.

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?

Note: This reading group will meet on the following dates: 1/30, 2/13, 2/27, 3/12, 4/2, 4/16

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Natural Resources Law

Course #: 2193

Term: 2019FA

Faculty: Anderson, Robert

Credits: 2.00

Type: Elective

Subject Areas: Environmental Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Location

Tue 9:10 AM - 10:10 AM

HAU102

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 the History of Federal Public land acquisition, disposal and conservation, Rangelands, Forest Lands, National Park Service and National Wildlife Refuge Lands, Minerals, Forests, and Energy Resources. Special attention will be paid to issues of Natural Resource Management on American Indian Lands and water law. The course also addresses state responsibilities for natural resources management (focusing on the public trust doctrine).

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Negotiation and Diplomacy

Course #: 2733 **Term:** 2020SP **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**

Wed 4:15 PM - 7:15 PM

Course Description: Prerequisite: A prior or concurrent Negotiation Workshop 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 world's 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 history's 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 (James Baker, George Shultz, Henry Kissinger, Madeleine Albright, Colin Powell, Condoleezza Rice and Hillary Clinton) 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 to 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 HKS and follow

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the HKS academic calendar, ending on 4/29/2020. 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.

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Negotiation Workshop

Course #: 2195 **Term:** 2020WS **Faculty:** Mnookin, Robert **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 9:00 AM - 5:00 PM LAN225

Tue 9:00 AM - 5:00 PM LAN225

Wed 9:00 AM - 5:00 PM LAN225

Thu 9:00 AM - 5:00 PM LAN225

Fri 9:00 AM - 5:00 PM LAN225

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Special drop deadline: Friday, November 1, 2019.

Prerequisite: None

Exam Type: No Exam

*Cross-Registrants: Please note that cross-registrants interested in taking the Workshop must participate in the online application process for the Workshop. The deadline to apply is noon on Friday, October 4, 2019. For more information please visit the course website: <http://hnmcp.law.harvard.edu/application-crossreg/>.

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.

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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 Monday, January 6, 2019. 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 Saturdays (specific dates TBD). The Workshop will meet for its final class on Friday, January 24, 2019.

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 1, 2019. The course may not be dropped after this date without the written permission of the instructor. Students who drop after this date will receive a WD on their transcript.

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Negotiation Workshop

Course #: 2195 **Term:** 2020SP **Faculty:** Heen, Sheila **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 3:10 PM - 7:20 PM LAN225

Thu 3:10 PM - 7:20 PM LAN225

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

Prerequisite: None

Exam Type: No Exam

*Cross-Registrants: Please note that cross-registrants interested in taking the Workshop must participate in the online application process for the Workshop. The deadline to apply is noon on Friday, October 4, 2019. For more information please visit the course website:

<http://hnmcp.law.harvard.edu/application-crossreg/>.

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 one weekend 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.

In addition to participating in the daily activities, students will be expected to keep a weekly journal and to produce a number of short, written products throughout the term. 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 November 29, 2019. The course may not be dropped after November 29, 2019 without the written permission of the instructor and students who drop after this date will receive a WD on their transcript.

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Negotiation Workshop

Course #: 1051 **Term:** 2020WI **Faculty:** Heen, Sheila; Emery, Alonzo; Goldstein, Deborah **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 5:00 PM	WCC2009
Tue 9:00 AM - 5:00 PM	WCC2009
Wed 9:00 AM - 5:00 PM	WCC2009
Thu 9:00 AM - 5:00 PM	WCC2009
Fri 9:00 AM - 5:00 PM	WCC2009

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

Note: This course is restricted to first-year J.D. students only.

The drop deadline for 1L January Experiential Term (JET) classes is Monday, December 2nd. Students may not drop a course if they do not have an offer to enroll in a different JET course. Most courses are limited to 72 students.

Successful completion of the Negotiation Workshop will satisfy pre-requisite requirements for upper-level courses and clinics.

1L JET courses are intensive learning courses. Class attendance is required in each course every day of the term, beginning Monday, January 6th. Students should make their travel plans accordingly. Students should not take on other work commitments during the term.

Exam Type: No Exam

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 sometimes end earlier). There will be simulations and videotaping on some evenings. Class attendance is essential and required at all sessions including the first day of the workshop and the evening sessions.

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The Workshop will be limited to 72 students who will be divided into three 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 at least two short papers.

Note: There may be days throughout the winter term that require attendance beyond the scheduled times. Please refer to the course syllabus and page for more information.

New Technologies and the Law of War

Course #: 2439 **Term:** 2020SP **Faculty:** Kalpouzos, Ioannis **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**

Mon 5:00 PM - 7:00 PM WCC3009

Course Description: Prerequisites: Previous courses in Public International Law and/or International Humanitarian Law are recommended.
Exam Type: No Exam
Technological innovations pose many challenges to the application of existing laws of war to contemporary battlefields. Drones, cyber, and increasingly autonomous AI-systems invite us to rethink how the fundamental principles of distinction, proportionality, necessity and humanity should be understood and followed in modern warfare. They also raise questions about the legal responsibility of both public and private parties for violations of the laws of war and about existing and future mechanisms of accountability.
In exploring how modern technologies shape law and war, we will discuss the duty to employ all feasible precautions in attacks, the determination of direct participation in hostilities, and the prohibition on weapons causing superfluous injury or unnecessary suffering. In the context of enforcement and accountability, we will explore the impact of new technologies on questions of liability, evidence, and command responsibility. We will discuss the appeals for new regulation and the overarching question to what extent new weapons technologies mechanize human judgment in warfare.

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Nietzsche for Lawyers

Course #: 2834 **Term:** 2019FA **Faculty:** Parker, Richard **Credits:** 2.00

Type: Elective **Subject Areas:** Disciplinary Perspectives & Law; Legal & Political Theory; Legal Profession, Legal Ethics & Professional Responsibility

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM HAU102

Course Description: Prerequisites: None
Exam Type: No Exam
"Truly speaking," wrote Emerson "it is not instruction, but provocation, that I can receive from another soul." In this course, we'll read selections by Nietzsche [plus one book: The Genealogy of Morals] in that spirit. The premise is that provocation by this Master Provocateur may be just the therapy that law students need. One former law student, after all, advised that anything we read "must be the axe for the frozen sea within us." [Kafka.]
In our last meeting, we'll discuss a great movie: Deer Hunter.
No prior study of Nietzsche is needed. His biography; his "intent"; the phases of his twenty-year career; the context [historical, philosophical] in which he wrote; his interpretation by others; indeed "the" meaning of his writing ... all of that fosters erudite avoidance ... and so will be out of bounds. The course is for "amateurs" able to take Nietzsches passionate, enigmatic words personally - and, so, able to be provoked by them.
Each student will volunteer to initiate discussion of at least one passage or problem each week. Short final paper required.

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Nonprofit Policy and Practice

Course #: 2156 **Term:** 2019FA **Faculty:** Hemel, Daniel **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3036

Course Description: Prerequisites: None

Exam Type: No Exam

This reading group explores key legal and policy issues affecting the nonprofit sector. Topics covered include: the federal tax treatment of charitable contributions; the role of private foundations and donor advised funds; the management of university endowments; the regulation of social welfare and political organizations; the oversight and enforcement functions of state attorneys general; and the emerging effective altruism movement. Guests from area organizations will visit the reading group to offer practitioner perspectives. The reading group seeks to familiarize participants with important nonprofit-related policy debates and to provide participants with a broad view of various career paths in nonprofit law and management.

Note: This reading group will meet on the following dates: 9/23, 10/7, 10/21, 10/28, 11/11, 11/18

Drop Deadline: September 24, 2019 by 11:59 pm EST

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Nuremberg -- Law, The Individual and the Group

Course #: 2117 **Term:** 2020SP **Faculty:** Sands, Philippe **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:00 AM - 12:00 PM	HAU104
Tue 10:00 AM - 12:00 PM	HAU104
Wed 10:00 AM - 12:00 PM	HAU104

Course Description: Prerequisites: None

Exam Type: No Exam

This course will explore the origins of modern international criminal law and looks at their impact on current directions. It takes the trial of Nazi leaders at the International Military Tribunal in Nuremberg - with a particular focus on genocide (protection of groups) and crimes against humanity (protection of individuals) - to explore the impact in the 1990s, when the international criminal law project was "re-born" with the creation of the ad-hoc international criminal tribunals and then the International Criminal Court. The course examines how law is created, interpreted and represented, and shapes our understanding of events over time and among different communities, and through different disciplines and mediums. Using Professor Sands book East West Street as a core text, we will consider the role of individuals and how the precedent of Nuremberg has been represented in law, history, literature, and film over the decades; how it has come to have different meanings at different times and in different places in the world; and how it has shaped subsequent developments, from the Yugoslav and Rwanda Tribunals, to the International Criminal Court, and proceedings in domestic courts, such as Pinochet. The course will thus be a study of law itself, how it operates in the world, and of the origins of international criminal law.

Note: This course will meet over 4 weeks from 2/3/2020 to 2/26/2020.

Drop Deadline: February 4, 2020 by 11:59 pm EST.

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Organizing for Economic Justice in the New Economy

Course #: 2067 **Term:** 2020SP **Faculty:** Block, Sharon **Credits:** 2.00

Type: Elective **Subject Areas:** Employment & Labor Law

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC5052

Course Description: Prerequisites: None

Exam Type: No Exam

Wages have been stagnating for decades. Income inequality is growing. A new category of people -- "gig workers" -- don't even know if they have an employer. The right to unionize has been eviscerated. In the face of these trends, how can working people organize and mobilize for economic justice? And what does the law do to enable or impede their efforts? A new generation of leaders is experimenting with innovative ways to enable workers to gain power in their workplaces, our communities and the economy. This course will explore the legal framework and challenges for these new organizations and movements, analyze their potential in achieving the scale and sustainability necessary to make lasting change, and challenge students to predict how the law can and should evolve to meet the needs of the next generation of American workers.

Partnership Tax

Course #: 2298 **Term:** 2019FA **Faculty:** Abrams, Howard **Credits:** 3.00

Type: Elective **Subject Areas:** Taxation

Delivery Mode: Course

Days and Times: **Location**

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

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 (6th ed. 2019).

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Pass-Thru Corporate Taxation

Course #: 2280

Term: 2020SP

Faculty: Abrams, Howard

Credits: 1.00

Type: Elective

Subject Areas: Taxation

Delivery Mode: Reading Group

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

WCC4056

Course Description: Prerequisite: Taxation should have been completed previously and Corporate Taxation is a pre- or co-requisite.

Exam Type: No Exam

This reading group will provide an introduction to the taxation of S Corporations and affiliated groups of corporations filing consolidated returns. The coverage in this reading group will dovetail with the course on Corporate Taxation.

Note: This reading group will meet on the following dates: 1/27, 2/10, 2/24, 3/9, 3/30, 4/13

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Patent Law

Course #: 2197 **Term:** 2020WS **Faculty:** Fisher, William; Okediji, Ruth **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 4:15 PM	WCCB015
Tue 1:00 PM - 4:15 PM	WCCB015
Wed 1:00 PM - 4:15 PM	WCCB015
Thu 1:00 PM - 4:15 PM	WCCB015
Fri 1:00 PM - 4:15 PM	WCCB015

Course Description: Prerequisites: None
Exam Type: 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.
Note: This winter-spring version of Patent Law includes one spring writing credit, for a total of 4 credits (3 winter classroom credits + 1 spring writing credit). The course and writing are bundled; your enrollment in the course will automatically enroll you in the required writing.

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Patent Law

Course #: 2197 **Term:** 2020WI **Faculty:** Fisher, William; Okediji, Ruth **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 1:00 PM - 4:15 PM	WCCB015
Tue 1:00 PM - 4:15 PM	WCCB015
Wed 1:00 PM - 4:15 PM	WCCB015
Thu 1:00 PM - 4:15 PM	WCCB015
Fri 1:00 PM - 4:15 PM	WCCB015

Course Description: Prerequisites: None

Exam Type: 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.

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Patent Trial Advocacy

Course #: 2934 **Term:** 2019FA **Faculty:** Tompros, Louis **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 10:20 AM - 11:50 AM WCC3013

Tue 10:20 AM - 11:50 AM WCC3013

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Prerequisites: There are no formal prerequisites, although an understanding of the rules of evidence is assumed for the trial at the end of the course. For this reason, students who are unfamiliar with the rules of evidence are strongly encouraged to take Evidence simultaneously. No technical background or prior experience with patent law is required.

Exam Type: No Exam

This three-credit simulation course will allow students to act as trial counsel in a federal civil action, from the initiation of litigation through trial and judgment, in the unique context of a patent case. Patent trials present particular challenges for lawyers. Effective patent litigators must be strong courtroom advocates, but must also be able to teach technical concepts effectively to both judges and juries, all the while navigating the doctrinally complex and policy-driven world of patent law.

Students will prepare briefs, make oral arguments, take and defend depositions, develop and deliver opening and closing statements, and present and cross-examine witnesses. The course will follow a patent-focused hypothetical case through a motion to dismiss, a claim construction hearing, depositions, and trial. The first two thirds of the course will cover the pretrial and trial preparation period, and the last third will be a student-litigated simulated patent jury trial.

The course will focus on a patent case as an example of a challenging civil trial, and students will get grounding in patent doctrine as part of the simulation. The focus of the course will, however, be on teaching the broader litigation skills necessary to present technically and legally complex cases to judges and juries.

The instructor for this simulation course is Louis Tompros, a partner at WilmerHale, who has fifteen years of experience litigating intellectual property cases in federal courts throughout the United States.

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Pathways to Leadership Workshop for the Public/Non-Profit Sector

Course #: 1056 **Term:** 2020WI **Faculty:** Crawford, Susan **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 9:00 AM - 1:00 PM

Tue 9:00 AM - 1:00 PM

Wed 9:00 AM - 1:00 PM

Thu 9:00 AM - 1:00 PM

Fri 9:00 AM - 1:00 PM

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

Note: This course is restricted to first-year J.D. students only.

The drop deadline for 1L January Experiential Term (JET) classes is December 2nd. Students may not drop a course if they do not have an offer to enroll in a different JET course. Most courses are limited to 72 students.

1L JET courses are intensive learning courses. Class attendance is required in each course every day of the term, beginning Monday, January 6th. Students should make their travel plans accordingly. Students should not take on other work commitments during the term.

Location: This course will be held in Milstein West B.

Exam Type: No Exam

Harvard Law School graduates have a long history of becoming leaders in public service, the public interest world, and the non-profit sector, often drawing on the critical thinking, advocacy, negotiation, and technical legal knowledge and skills they have learned and practiced during law school. The Pathways to Leadership Workshop for the Public/Non-Profit Sector is a course designed to provide students with frameworks, tools, and perspectives that will accelerate and enhance their ability to succeed in leadership roles in the future.

Through a mixture of leadership case studies drawn from the public/nonprofit sector, interactive exercises, visits from guest speakers, and extensive work in teams, students will explore the real-world skills that leaders call upon to catalyze change.

Specifically, students will: become more adept at understanding their own motivations and preferences and more aware of their own blind spots; become better-skilled at team formation and understand best practices for collaboration; become conversant with styles of leadership and tools and practices that work well with these styles; begin the work of becoming better negotiators--a skill that lawyer-leaders call on and develop throughout their careers; consider and work through hard moral and ethical dilemmas; become better at publicly describing the sources of their personal missions; understand best practices and skills associated with collaborating across differences in social identity; and, throughout, work on leadership-oriented communication and presentation skills. This is a highly practical, skills-based, experiential offering.

Instructors and teaching assistants will provide regular feedback to teams with respect to written and oral

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presentations. As a final exercise, student teams will integrate the skills and tools they have gathered during the workshop (as well as through their varied life experiences) and connect theory to application through working together to solve a difficult leadership problem.

Note: There may be days throughout the winter term that require attendance beyond the scheduled times. Please refer to the course syllabus and page for more information.

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Policy Advocacy Workshop

Course #: 2583 **Term:** 2020SP **Faculty:** Broad Leib, Emily; Greenwald, Robert **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCC3008

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

Prerequisite: None

Exam Type: No Exam

The Policy Advocacy Workshop is a hands-on seminar that will explore the methods, tools, and skills used to conduct legislative and regulatory advocacy. Many law students are interested in using their legal education as a pathway to engage in policymaking. This course will provide students with a range of active opportunities to learn about, discuss, and practice written and oral policy advocacy via simulations and assignments.

Students will learn about the process of issue spotting policy opportunities, developing policy advocacy campaigns, drafting legislation and regulations, and using written and oral advocacy to push for policy change. Students will learn how to effectuate policy reforms that could have real world application by drafting written materials and presenting oral advocacy to demonstrate an implementation strategy for a range of policy reform ideas.

After a few weeks of introductory reading and discussion, there will be short written assignments or preparation for in-class simulations due each week. The students not participating in the assignment for the week will workshop and provide input on the writing and presentations of their classmates, and discuss strategies and skills for improvement.

Each week will focus on a different type of skill or written document relevant to policy advocacy. These will include:

- Issue spotting and policy development
- Petitioning agencies and commenting on agency regulations
- Legislative research and drafting
- Writing policy briefs
- Communications and media strategy
- Grassroots advocacy
- Creating fact sheets and sign-on letters
- Testifying for policymakers

Classroom sessions will also include presentations from guest lecturers who have relevant policy experience, including advocacy organizations, think tanks, and policymakers. Rather than a final examination, grades will be determined on the basis of their written submissions, in-class role plays, class participation, and a final project.

Some seats are reserved for students in the spring Food Law and Policy Clinic or spring Health Law and Policy Clinic. Students who enroll in a clinical seat in this course and then drops their clinical enrollment will also lose their reserved seat in this course. Please note that there is a drop deadline of December 6, 2019 for students in this course enrolled in reserved clinical seats.

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Political Economy and Its Future

Course #: 2390 **Term:** 2020SP **Faculty:** Unger, Roberto Mangabeira; Rodrik, Dani **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM LAN272

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 of the recent past 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.

Note: This course is jointly-listed with FAS as Societies of the World 31 and HKS as DEV-233.

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Poverty, Human Rights, and Development

Course #: 2202 **Term:** 2019FA **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
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Thu 10:00 AM - 11:30 AM	WCC3036
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Fri 10:00 AM - 11:30 AM	WCC3036
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Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: No Exam

This course uses a multidisciplinary lens to explore the linkages between global poverty, human rights, and development from an historical, theoretical, institutional, and policy-making perspective. Its departure point is the emergence of a recent "human rights and development" trend, both in academia and policy, as a result of the combined failure of development economics and the human rights movement to effectively address the challenge of global poverty and inequality.

The first part of the course draws on foundational readings from law, development economics, political science, moral philosophy, and social anthropology to introduce historically and normatively situated approaches to development and human rights. The second part explores key themes and current policy debates in the field as they play out at the levels of international financial institutions, national level development strategies, and the private sector. The third part focuses on how human rights to food, health, housing, and a decent livelihood, for instance, can be advanced in developing countries. In this final section of the course, student groups will design and teach workshops about bringing social rights, poverty alleviation, and equitable development together in grounded ways. In addition to readings, response papers, and class exercises, the course will require each student either to take part in teaching an in-class student workshop or write a final paper.

Students will have the option of adding an additional writing credit.

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Powering the U.S. Electric Grid

Course #: 2931 **Term:** 2019FA **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**

Wed 5:00 PM - 7:00 PM WCC5046

Course Description: Prerequisite: None

Exam Type: No Exam

In this reading group, we will explore historic and ongoing legal and policy debates over the fuels that power the U.S. electric grid. We will begin with proposals by the federal government to construct mega-dams in the first half of the twentieth century and continue to current controversies about rooftop solar. The fuels that generate electricity have implications for economic growth and environmental quality (including climate change), and they have unfolded in a complex political environment. To provide context, we will read about the utility industry's business model, the electric grid's operations, and the tradeoffs among different energy sources, including fossil fuels like coal and emission-free energy sources like nuclear and wind. Through these debates, we'll watch an industry evolve and speculate on where it may be headed.

Note: This reading group will meet on the following dates: 9/25, 10/2, 10/16, 10/23, 11/6, 11/13
Drop Deadline: September 26, 2019 by 11:59 pm EST

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Predatory Lending and Consumer Protection Clinic

Course #: 8035 **Term:** 2020SP **Faculty:** Bertling, Roger; Merrill, Toby; Connor, Eileen **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: December 6, 2019.
LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.
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

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contact Roger Bertling, (617) 390-2572. For more information on the Project on Predatory Student Lending, contact Toby Merrill, (617) 390-2576.

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Predatory Lending and Consumer Protection Clinic

Course #: 8035 **Term:** 2019FA **Faculty:** Bertling, Roger; Merrill, Toby; Connor, Eileen **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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 16, 2019.
LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.
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

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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:** 2020SP **Faculty:** Bertling, Roger; Merrill, Toby; 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 HAU103

Course Description: Students who enroll in this offering 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: December 6, 2019.
LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.
The Predatory Lending and Consumer Protection Clinical Seminar is a required component of a clinical placement in the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center.
This workshop is the required classroom component that complements the work of combating abuses of consumers by the financial services industry and fighting back against the negative consequences that can result from those abuses. Specifically, our clinical work focuses on consumer debt collection, for-profit colleges, car financing, utility and credit card debt, bankruptcy, and mortgage servicing.
The seminar introduces students to the substantive law germane to the clinics areas of practice, trains students in the skills needed to litigate effectively, such as depositions, motion drafting and oral argument, and provides the opportunity for students to think strategically about their cases and to consider larger policy frameworks.
Students are graded based upon their participation in class, their completion of written work assigned for class, and performance of in-class exercises.
A clinical practice component is required of all students. Enrollment is through clinical registration. Clinical placements are with the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

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Predatory Lending and Consumer Protection Clinical Seminar

Course #: 2204 **Term:** 2019FA **Faculty:** Bertling, Roger; Merrill, Toby; 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

WCC3034

Course Description: Students who enroll in this offering 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 16, 2019.
LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.
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 clinic's areas of practice, trains students in the skills needed to litigate effectively, such as depositions, motion drafting and oral argument, and provides the opportunity for students to think strategically about their cases and to consider larger policy frameworks.
Students are graded based upon their participation in class, their completion of written work assigned for class, and performance of in-class exercises.
A clinical practice component is required of all students. Enrollment is through clinical registration. Clinical placements are with the Predatory Lending and Consumer Protection Clinic at the WilmerHale Legal Services Center. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

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Presidential Power in an Era of Conflict

Course #: 2949 **Term:** 2020SP **Faculty:** Eggleston, W. Neil **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3036

Course Description: Prerequisites: Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment
Exam Type: No Exam

This course will explore the modern exercise of Presidential power in foreign affairs, military and covert actions, domestic affairs, and executive actions. We will consider the Vesting Clause, the Necessary and Proper Clause, and the Take Care Clause; the Presidents war powers, treaties, and other diplomacy; the appointment and confirmation of Officers; the power to grant pardons and commutations; and ethical issues in Presidential administrations. The course will examine the extent of and constraints on Presidential power and the ways in which executive branch conflicts with the other two branches of government are addressed and resolved. While focusing on contemporary issues and recent disputes, the course will draw on historical precedent to give students a grounded and contextual understanding of Presidential power.

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Preventing Mass Atrocities: War and Justice in the 21st Century

Course #: 2945 **Term:** 2020WI **Faculty:** Ocampo, Luis Gabriel Moreno **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 9:00 AM - 12:00 PM

Tue 9:00 AM - 12:00 PM

Wed 9:00 AM - 12:00 PM

Thu 9:00 AM - 12:00 PM

Fri 9:00 AM - 12:00 PM

Course Description: Prerequisites: None

Exam Type: No Exam

The course will explore the real functioning of global order in the 21st century, aiming to develop new strategies to prevent mass atrocities and to control international terrorism. It will expose the emergence of two international paradigms to manage violence that crosses borders: The national War on Terror launched in 2001 to protect the US, authorizing to kill "enemies" inside countries with which the United States is not at war, and the transnational criminal justice system established by the Rome Statute implemented since 2003 based on the idea that there are no enemies to kill but criminals with rights to be controlled, investigated and, eventually, punished. The course will use a series of cases study to analyze the functioning of the War on Terror and the Rome Statute, their interaction, and explore the ways to harmonize them. Both models are shaping the nation-states and the UN Security Councils decision-making process.

Students will participate in role-playing exercises to experience how a variety of stakeholders made legal, military and political decisions. The course will analyze unresolved crisis like Afghanistan, Darfur, Syria, Ukraine and Palestine. To promote interdisciplinary thinking prominent scholars and practitioners will be invited as guest lecturers. The course is cross-listed, and students different nationalities and professional backgrounds - political, diplomatic, military, legal and journalistic, - will provide a fundamental intercultural and interdisciplinary contribution.

Note: This course is jointly-listed with HKS as IGA 367M. It will be held at HKS in Littauer Bldg 280 and will meet between 9:00am and 12:00pm from Monday, January 6th through Friday, January 17th, 2020. The HLS drop deadline is January 7, 2020 by 11:59 pm EST.

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Principles of Dispute Systems Design

Course #: 2059 **Term:** 2019FA **Faculty:** Krol, Rachel **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 1:00 PM - 3:00 PM WCC3019

Course Description: Prerequisites: For JD students, the Negotiation Workshop is required to enroll. There is no prerequisite for LLM students.

Exam Type: No Exam

Lawyers are often called upon to help design systems for managing and/or resolving conflicts that support or supplant existing legal structures. Implicitly or explicitly, every institution and organization has a system for managing disputes. In some cases, the system may be formal, with administrative hearings, courts, tribunals, and complex appeal and review processes. In other cases, organizations may have few if any formal means for managing conflict. In these instances, conflicts may either be handled through informal negotiation and mediation or by ignoring it altogether. As individuals, institutions, organizations, and nations become more aware of the ever-rising cost of conflict (in economic, relational, and human terms), many are seeking to design and implement systems to manage disputes with greater effectiveness and efficiency. Though lawyers have traditionally been viewed primarily as advocates who resolve already-ripened disputes through litigation and negotiation, a growing interest in more efficient and tailored approaches to conflict management has highlighted the special opportunity for lawyers to serve as creative "dispute process architects." This seminar will introduce students to the theory and promise of dispute systems design with an aim to train students to play this new and more creative professional role. After an overview of various dispute resolution processes and a thorough introduction to the basics of dispute systems design, the course will offer for analysis several domestic and international case studies of dispute systems design in practice. These may include an examination of cross-border e-commerce, university harassment policies, transitional justice programs and truth commissions in the aftermath of atrocities, and institutional integrated conflict management systems in U.S. organizations.

15 seats are reserved for students enrolled in the fall Dispute Systems Design Clinic. A student's enrollment in a reserved clinical seat is dependent on the student's enrollment in the fall Dispute Systems Design Clinic. Once a student has enrolled in the fall clinic, the Office of Clinical and Pro Bono Programs will enroll them in this required course. Please see the clinic's description for more information or contact the Office of Clinical and Pro Bono Programs. Students enrolled in this course through reserved clinical seats have an early drop deadline of August 16, 2019.

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Private Law Workshop

Course #: 2206 **Term:** 2019FA **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 WCC5044

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.

Procedural Law's Trans-Substantivity Principle

Course #: 2790 **Term:** 2020SP **Faculty:** Sturiale, Jennifer **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC5051

Course Description: Prerequisites: None

Exam Type: No Exam

Trans-substantivity is the idea that procedural laws should not vary in their application from one substantive context to the next. It is a principle of the design of procedural law. There is significant debate surrounding whether, and if so the extent to which, procedural law is and should be trans-substantive. This reading group will explore this debate by considering the meaning and application of the principle of trans-substantivity in a number of procedural contexts. We will begin by considering the history of the concept. We will then consider modern debates regarding trans-substantivity, and from there move to considering the principles application in discovery, the Erie doctrine, and in the context of class actions. Finally, in the last class, we will explore using the principle tactically as a litigation strategy by considering the Supreme Courts reliance on, or divergence from, the principle. The reading group will meet for six two-hour sessions, and it will be graded credit/fail.

Note: This reading group will meet on the following dates: 2/3, 2/10, 2/24, 3/9, 4/6, 4/13, 4/20

Drop Deadline: February 4, 2020 by 11:59 pm EST

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Progressive Alternatives: Institutional Reconstruction Today

Course #: 2391 **Term:** 2020SP **Faculty:** Unger, Roberto Mangabeira **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 1:00 PM - 3:00 PM HAU104

Course Description: Prerequisites: None

Exam: Takehome, not administered by HLS

An exploration of the past and future agenda of progressives, whether self-described as liberals or as leftists. What should they propose, now that they no longer believe in the usefulness of governmental direction of the economy or in the sufficiency of redistributive social programs? A basic concern is the relation of programmatic thought to the understanding of change and constraint.

In the recent historical period, progressives have sought to humanize the established order rather than to reimagine and remake it. Here the main focus is on institutional or structural change in the market system and in democratic politics. Among the themes to be discussed are the nature and future of the knowledge economy, the status of labor vis-a-vis capital, the relation of finance to production, the making of a high-energy democracy that no longer needs crisis to make change possible, and the education required by such economic and political alternatives. A central theme throughout is the content and implications of the idea of freedom.

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.

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Property 1

Course #: 1004 **Term:** 2019FA **Faculty:** Mann, Bruce **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: One Day Take-Home
This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

Property 2

Course #: 1004 **Term:** 2019FA **Faculty:** Mann, Bruce **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: One Day Take-Home
This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

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Property 3

Course #: 1004 **Term:** 2020SP **Faculty:** Brady, Maureen **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 3:20 PM - 4:40 PM	WCC2009
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Tue 3:20 PM - 4:40 PM	WCC2009
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Wed 3:20 PM - 4:40 PM	WCC2009
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Course Description: Exam Type: In Class

This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as leases, conveyances, recording, and other methods of title assurance; the role of property law in producing and remedying racial and economic inequality; private land use planning methods; and zoning, health and safety regulations, and takings doctrine. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

Property 4

Course #: 1004 **Term:** 2019FA **Faculty:** Donahue, Charles **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:20 PM - 2:40 PM	WCC1023
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Thu 1:20 PM - 2:40 PM	WCC1023
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Fri 1:20 PM - 2:40 PM	WCC1023
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Course Description: Exam Type: One Day Take-Home with 1-hour In Class

Basic introduction to property and the role of law in the construction of social relations and markets; an introduction to transfers of property both between living persons and across generations; and initial development of skills in institutional design and critical examination of the effects of different legal arrangements on the social and economic relations they regulate.

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Property 5

Course #: 1004 **Term:** 2019FA **Faculty:** Mack, Kenneth **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC2004
Tue 10:20 AM - 11:40 AM	WCC2004
Wed 10:20 AM - 11:40 AM	WCC2004

Course Description: Exam Type: One Day Take-Home
This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Topics will cover aspects of commercial land transfers such as leases, conveyances, recording, and other methods of title assurance; the role of property law in producing and remedying racial and economic inequality; private land use planning methods; and zoning, health and safety regulations, and takings doctrine. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

Property 6

Course #: 1004 **Term:** 2020SP **Faculty:** Singer, Joseph **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Exam Type: One-Day Take-Home
This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

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Property 7

Course #: 1004 **Term:** 2019FA **Faculty:** Smith, Henry **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:20 AM - 11:40 AM	WCC1019
Tue 10:20 AM - 11:40 AM	WCC1019
Wed 10:20 AM - 11:40 AM	WCC1019

Course Description: Exam Type: In Class
This course deals with characteristic arrangements under American law for the creation and transfer of rights to control and exploit property. The relationships of these arrangements to efficient resource use, the pattern of wealth distribution, and other social concerns will be explored as they are reflected in both judicial decision-making and legislative reform. Subject to variations of emphasis among professors, topics will cover aspects of commercial land transfers such as sale contracts, mortgages, leases, conveyances, recording, and other methods of title assurance; and means of limiting private land-use in the public interest such as zoning, health and safety regulations, protection of minority or economically disadvantaged groups, eminent domain, and taxes. The historical categories and assumptions of American real property law will be considered with a view to examining their relevance to modern social and economic conditions.

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Property Theory

Course #: 2336

Term: 2019FA

Faculty: Penner, James

Credits: 2.00

Type: Elective

Subject Areas: Legal & Political Theory

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

HAU105

Course Description: Prerequisites: None

Exam Type: No Exam

This course explores the way in which the concept of property has figured in political and legal theory.

For better or worse the concept of property figures centrally in many theories of the state and of legitimate political authority. For example, in his seventeenth century work the Second Treatise of Government John Locke claimed, roughly, that men leave the state of nature and enter into civil society under a political authority in order to ensure the protection of their property rights. To take another two examples, both Kant and Hegel, (again, roughly) argued that the initial recognition of one person by another as a property owner was the foundation of the entire system of the law and the state. Our purpose in this first part of the module will be to see what the attractions are of locating the concept of property so centrally in political theory, and weighing the success of different ways of doing so.

This leads to a discussion of several important issues that weigh heavily in the relation of property to political theorising: the notion of self-ownership and the way self-owners, as those with dominium over themselves, relate to each other, and what might be called the distributive paradigm, under which we conceive of our fundamental rights as a distribution of freedom. This raises basic issues about the concept of distributive justice and the role it does? should? play in our thinking about interpersonal and personal-state relations. Here we shall return to Locke to consider the way in which the concept of money, debt, accounting, and spoiling resources, reveal contemporary concerns about economic injustice.

In the final part of the course we shall turn to property and legal theory, exploring questions such as: What sort of right is a property right? What is ownership, and in particular, what powers (such as the power to transfer property) are essential powers that go with having title to property? What is the significance of possession for property rights? How is property in land, our rights to the surface of the earth, particularly important regarding not just legal theory, but political theory, and the role of the nation state. Whilst these questions have been discussed in the political and legal literature since time immemorial, there has been a burst of excellent recent literature making these and related topics really cutting edge stuff.

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Prosecution Clinical Seminar

Course #: 2328

Term: 2019FW

Faculty: Corrigan, John

Credits: 4.00

Type: Elective

Subject Areas: Criminal Law & Procedure; Disciplinary Perspectives & Law; Government Structure & Function; 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 professional responsibility requirement.

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Open to 3Ls only

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 TAW and Evidence separate from their clinical registration.

By Permission: No.

Add/Drop Deadline: August 16, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

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

Please Note: This course will start meeting after the conclusion of fall TAW.

This course will focus on the role of and decision-making by the prosecutor in the criminal justice system, with particular attention to the exercise of discretion by the prosecutor in investigation, charging, plea negotiation and sentencing recommendation decisions. It will also involve an examination of the lawyering skills involved in case analysis, interviewing witnesses, and negotiation, and other aspects of case handling and courtroom advocacy, in the context of the District Court.

During the fall and winter terms, the class will consist of one two-hour class per week, in addition to the clinical assignment.

A clinical practice component is required of all students. Students must have at least two full days in their schedule free from 8am to 5pm for the clinical component. Clinical placements are with the Middlesex, Norfolk, Suffolk, or Essex County District Attorneys Office. Under the supervision of assistant district attorneys, students work a minimum of twenty hours per week to represent the Commonwealth in prosecuting District Court criminal cases. While student experiences vary, students are likely to handle arraignments, bail hearings, pretrial conferences, motion hearings, pleas and trials. Some students may handle a jury trial. Clinical placements will begin immediately after the completion of the fall Trial Advocacy Workshop. Readings will consist primarily of multilithed materials. Students are required to keep a journal relating to their fieldwork experiences and to prepare several short practical skills exercises. Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

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Public Health Law and Policy

Course #: 2497 **Term:** 2019FA **Faculty:** Greenwald, Robert; Rosenberg, Amy **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3011

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

Prerequisites: This seminar 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 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 and public 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 employs experiential learning techniques, such as role plays, simulations, and discussion posts to spark debate between different sides of often controversial issues. Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, produce a written policy paper, and develop a range of problem-solving, policy analysis, research and writing, oral communication, advocacy and leadership skills.

Some seats are reserved for students in the fall Health Law and Policy clinic. Students who claim a clinical seat in this course will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student in a clinical seat 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 16, 2019 for fall clinical students in this course.

Enrollment in this seminar is limited to 20.

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Public Health Law and Policy

Course #: 2497 **Term:** 2020SP **Faculty:** Greenwald, Robert; Rosenberg, Amy **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC5048

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

Prerequisites: This seminar is open to an LLM student 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 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 and public 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 employs experiential learning techniques, such as role plays, simulations, and discussion posts to spark debate between different sides of often controversial issues. Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, produce a written policy paper, and develop a range of problem-solving, policy analysis, research and writing, oral communication, advocacy and leadership skills.

Some seats are reserved for students in the spring Health Law and Policy clinic. Students who claim a clinical seat in this course will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student in a clinical seat 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 December 6, 2019 for spring clinical students in this course.

Enrollment in this seminar is limited to 20

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Public International Law

Course #: 2212 **Term:** 2020SP **Faculty:** Blum, Gabriella **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 9:50 AM - 11:50 AM HAU104

Fri 9:50 AM - 11:50 AM HAU104

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.
Prerequisites: None

Exam Type: One-Day Take-Home

This is an introductory course to public international law. The first part of the course examines the nature, sources, and methods of international law, the relationship between international law and domestic U.S. law, the determination of international responsibility and the resolution of international disputes, and the bases of national jurisdiction over international conduct. In the second part of the course we will study select substantive areas of international law, including the use of force and the laws of war, human rights, international criminal law, and international trade law. Where relevant, the course will follow current events.

Public International Law

Course #: 2212 **Term:** 2019FA **Faculty:** Modirzadeh, Naz **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC3018

Thu 1:00 PM - 3:00 PM WCC3018

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: Any Day Take-Home

This is an introductory course to public international law. The first part of the course provides a classical foundation to the sources and subjects, as well as key tenets and core concepts, of international law. We will also discuss the role of public international organizations such as the United Nations in developing, interpreting, and shaping the international legal system. The second part of the course will focus on selected topics, including the use of force, international human rights law, international humanitarian law, and international refugee and migration law. These topics may change based on contemporary events and debates. We will also explore critical perspectives from within the field, as well as external challenges to the legitimacy of public international law.

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Public Law Workshop

Course #: 2213 **Term:** 2020SP **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 5:00 PM - 7:00 PM WCC3016

Course Description: Prerequisite: Instructor permission is required for enrollment. Applicants should send a statement of interest and resume to Ellen Shapiro-Smith at eshapirosmith@law.harvard.edu by October 31.

Exam Type: No Exam

Students will be required to write weekly questions and one response paper.

The Public Law Workshop reads contemporary work, in legal theory and adjacent disciplines, on the legal and political foundations of constitutional law, interpretive practice, and the administrative state. Invited speakers will present papers on topics relevant to the workshops themes.

Public Problems: Advice, Strategy, and Analysis

Course #: 2398 **Term:** 2019FA **Faculty:** Barron, David; Fung, Archon **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 3:00 PM - 5:00 PM WCC3007

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 year of the HLS/HKS joint degree program. It will use a series of case studies to examine how to analyze, advise and strategize the resolution of a series of difficult real world public problems at the intersection of law and policy from the vantage point of government decision makers at the city, state and federal levels, as well as from the vantage point of nongovernmental organizations and advocacy groups.

Students enrolled at the Kennedy School who have already received a JD or have completed the first year of law school, or students at the law school who have received a public policy degree or are presently enrolled in a public policy program other than the HKS program may also take this seminar with the permission of Professors Barron and Fung.

Note: This course is jointly-listed with HKS as DPI-562.

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Race and the Law

Course #: 2051

Term: 2020SP

Faculty: Jenkins, Alan

Credits: 2.00

Type: Elective

Subject Areas: Constitutional Law & Civil Rights; Legal History

Delivery Mode: Seminar

Days and Times:

Tue 5:00 PM - 7:00 PM

Location

WCC4063

Course Description: Prerequisites: None

Exam Type: No Exam

This seminar will explore the role of race and ethnicity in American constitutional text, history, and jurisprudence. Areas of focus will include changing conceptions of lawful and unlawful discrimination, the treatment of implicit and institutional bias, and the fluctuating relevance of discriminatory intent. The class will also explore how external dynamics such as protest, backlash, and popular culture have interacted with constitutional interpretation and enforcement. Weekly seminar meetings will include discussion of a broad range of materials, including case law, scholarly writings, and multi-media from several disciplines. In later weeks, students will share and discuss draft and final papers.

Class participation and successful completion of written and oral assignments will count for a significant portion of students final grade. Assigned material will include cases, legislation, legal scholarship, social science literature, and mass media works.

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Reading Group in Taxation: New Directions for International Taxation

Course #: 2906

Term: 2020SP

Faculty: Warren, Alvin

Credits: 1.00

Type: Elective

Subject Areas: Regulatory Law; Taxation

Delivery Mode: Reading Group

Days and Times:

Wed 5:00 PM - 7:00 PM

Location

WCC3008

Course Description: Prerequisites: Taxation

Exam Type: No Exam

This reading group will examine the breakdown of the longstanding international system for taxation of multinational corporations, as well as proposed new approaches, including recent U.S. tax legislation.

Note: This reading group will meet for the first 6 Wednesdays of the semester.

Please note, students who completed the Reading Group in Taxation in Spring 2019 are not eligible to enroll.

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Reading Talmudic Stories

Course #: 2353 **Term:** 2019FA **Faculty:** Calderon, Ruth **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC4057

Course Description: Prerequisite: None

Exam Type: No Exam

The Talmud contains hundreds of stories about rabbinic sages and other historical figures who lived during the late Second Temple and Rabbinic Periods, which spanned the first few centuries of the Common Era.

For generations these stories were neglected by literary audiences and were considered the province of rabbis and historians. This is no longer the case, as in the past decades the stories were rediscovered and became the subject of literary and cultural study and other new interpretations.

Each story has at least two ways of being read: conventionally and - to invoke a term used by Walter Benjamin - against the grain. When a particular story is read conventionally, it is understood as describing an incident that accords with the accepted values that ostensibly governed the rabbinic world. When read against the grain, it criticizes those accepted norms and values.

The reading group will invite students to read, study and explore the pedagogy in chavruta - small study groups.

Note: This reading group will meet on the following dates: 10/2, 10/9, 10/16, 10/23, 10/30, 11/6
Drop Deadline: October 3, 2019 by 11:59 pm EST

Redesigning Humans: What Limits?

Course #: 2978 **Term:** 2020SP **Faculty:** Elhauge, Einer **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM HAU101

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.

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Regulation of Financial Institutions

Course #: 2219 **Term:** 2019FA **Faculty:** Tarullo, Daniel **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 10:20 AM - 11:50 AM	PND102
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Tue 10:20 AM - 11:50 AM	PND102
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Course Description: Prerequisite:s None

Exam Type: Last Class Take-Home

This course explores the regulation of financial institutions and financial markets. Principal emphasis will be on the prudential regulation of banking organizations and their affiliates, with attention both to the economic and political rationales for regulation and to core statutory and regulatory doctrines. There will be briefer treatment of securities firms, asset managers and insurance companies. The course will also cover consumer protection and the oversight of systemic risk. While the primary focus of the course will be on financial regulation in the United States, there will be some attention to international aspects of financial regulation.

The casebook will be Barr, Jackson & Tahyar, Financial Regulation: Law and Policy (Foundation Press 2nd ed. 2018). Some additional materials will be posted to the courses Canvas website.

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Regulation of International Finance

Course #: 2124 **Term:** 2020SP **Faculty:** Tarullo, Daniel **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
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Tue 10:20 AM - 11:50 AM	PND101
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Wed 10:20 AM - 11:50 AM	PND101
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Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: Last Class Take-Home

This course will examine international arrangements for the regulation of finance. Arrangements covered include the International Monetary Fund, the Financial Stability Board, the Basel Committee on Banking Supervision, the European Union, and the General Agreement on Trade in Services within the World Trade Organization. Specific substantive topics will be chosen to illustrate their activities. We will consider the substantial differences among these arrangements in institutional and governance structures, legal status, and relationship to domestic regulation. A recurring theme will be the tensions between the presumptive shared interests of governments in predictable rules or financial stability, on the one hand, versus divergent national commercial interests or regulatory preferences, on the other.

Note: This course is jointly listed with HKS as BGP-631.

Religious Freedom Research Seminar

Course #: 2482 **Term:** 2019FA **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
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Thu 1:15 PM - 3:15 PM	WCC5052
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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.

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Repairing Wrongs: Crimes and Torts

Course #: 2655

Term: 2020SP

Faculty: Bronsther, Jacob

Credits: 1.00

Type: Elective

Subject Areas: Criminal Law & Procedure; Legal & Political Theory

Delivery Mode: Reading Group

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC5047

Course Description:

Prerequisites: None

Exam Type: No Exam

If Alice assaults Billie, she has committed both a crime and a tort in the same instant. The state can criminally punish her and Billie can sue her for damages. Through the close reading of philosophical texts, this Reading Group tries to make sense of these overlapping legal systems. Themes include the moral justification of criminal punishment and tort law remedies, the difference between criminal and tortious wrongs, the public/private law distinction, the means by which individuals can "repair" their wrongs, and the dual expansion of both criminal and tort liability. The Reading Group will meet for six two-hour sessions, and participation will be graded credit/fail.

Note: This reading group will meet on the following dates: 2/4, 2/18, 2/25, 4/7, 4/14, 4/21

Drop Deadline: February 5, 2020 by 11:59 pm EST

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Research Seminar in Law, Economics, and Organizations

Course #: 2157 **Term:** 2020SP **Faculty:** Kaplow, Louis; Bebchuk, Lucian; Spier, Kathryn **Credits:** 1.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 12:30 PM - 2:00 PM HAU105

Course Description: Prerequisite: 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 as ECON 3114, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

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Research Seminar in Law, Economics, and Organizations

Course #: 2157 **Term:** 2019FA **Faculty:** Kaplow, Louis; Bebchuk, Lucian; Spier, Kathryn **Credits:** 1.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 12:30 PM - 2:00 PM HAU105

Course Description: Prerequisite: 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 as ECON 3114, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

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Research Seminar in Law, Economics, and Organizations

Course #: 2157 **Term:** 2019FS **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: Prerequisite: 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 as ECON 3114, 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.

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Restitution

Course #: 2307 **Term:** 2020SP **Faculty:** Smith, Henry **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:15 PM - 2:45 PM WCC5052

Tue 1:15 PM - 2:45 PM WCC5052

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.

Restorative Justice

Course #: 2654 **Term:** 2020SP **Faculty:** Lanni, Adriaan **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3015

Course Description: Prerequisite: None

Exam Type: No Exam

This seminar will examine the theory and practice of restorative justice, with particular emphasis on its application to criminal offenses. Readings will focus on the theories of restorative and transformative justice and empirical research evaluating existing restorative programs in the United States and abroad. We will also examine several existing models for implementing restorative justice. The class will include in-person and video visits from practitioners describing their work and modelling their practice. Seminar grades will be based on short response papers. An additional one or two credits of independent clinical credit may be available for 2Ls and 3Ls (by application) to participate in a restorative criminal diversion program in the Boston area.

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Rhetoric in Law and Politics

Course #: 2639 **Term:** 2020SP **Faculty:** Vermeule, Adrian; Gersen, Jacob **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM WCC4059

Course Description: Prerequisites: Enrollment is by permission and limited to upper-level students. Interested students should send a resume and one-paragraph statement of interest to Ellen Keng (ekeng@law.harvard.edu) by January 1.

Exam Type: No Exam

We will study rhetoric and its techniques in law and politics, including constitutional debates, judicial opinions, political crises, and other contexts. Readings will emphasize primary sources (historical and literary) from the classical, medieval and modern traditions, rather than secondary analysis.

Roman Law

Course #: 2223 **Term:** 2019FA **Faculty:** Donahue, Charles **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3008

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) Gaius Institutes, a first-year textbook for students of Roman law, written around 160 AD.

Note: This reading group will meet on the following dates: 9/5, 9/12, 9/19, 9/26, 10/3, 10/10, 10/17

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Secession and Reconstruction

Course #: 2372 **Term:** 2019FA **Faculty:** Lessig, Lawrence; Levinson, Sanford **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC3011

Course Description: Prerequisites: None

Exam Type: No Exam

There will be a brief essay (900 words) each week, and a paper on a topic of your choosing at the end.

This seminar will cover the intellectual backdrop of secession, through Reconstruction, ending just before Plessy. Students interested in a deeper understanding of this critical period in American history - and willing to do substantial reading - are encouraged to join the class.

Securities Regulation

Course #: 2224 **Term:** 2019FA **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**

Thu 9:30 AM - 11:30 AM WCCB015

Fri 9:30 AM - 11:30 AM WCCB015

Course Description: Prerequisites: Most students find it helpful to have completed or to take concurrently a course in Corporations before taking Securities Regulation.

Exam Type: In Class

This course offers an introduction to the two most important federal securities laws: the Securities Act of 1933 and the Securities Exchange Act of 1934. The course explores the elaborate disclosure obligations these statutes impose on the distribution and trading of investment securities. Topics to be covered include the preparation of disclosure documents, exemptions from disclosure requirements, the relationship between disclosure obligations and anti-fraud rules, the duties of participants in securities transactions, and the applicability of federal securities laws to transnational transactions. The course will also explore the public and private enforcement of securities laws in the United States.

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Securities Regulation

Course #: 2224 **Term:** 2020SP **Faculty:** Jackson, Howell **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 3:20 PM - 4:50 PM	WCC1019
Tue 3:20 PM - 4:50 PM	WCC1019
Wed 3:20 PM - 4:50 PM	WCC1019

Course Description: Prerequisite: None

Exam Type: In Class and Last Class Take-Home

In addition to an in-class examination, an additional take-home question will be distributed after the last class and submitted on the date of the final examination.

This course is designed to offer an overview of the work of the Securities and Exchange Commission, the structure of U.S. capital markets, and key policy challenges facing the Commission today. The course will begin with an introduction to the regulation of securities offerings under the Securities Act of 1933 and to disclosure and other requirements imposed on public companies under the Securities Exchange. We will then turn to SEC supervision of securities firms and oversight of capital markets. Attention will also be given to the Commission's enforcement practices and current debates regarding the efficacy and legality of those practices. As time permits, we will touch upon issues of cross-border coordination in the public oversight of both capital raising and enforcement activities.

Note: The course will meet for 24 ninety-minute sessions during the semester, mostly on Mondays and Tuesdays but with some Wednesday sessions; the exact schedule will be announced before the semester begins.

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Securities Regulation: Law and Policy

Course #: 2272 **Term:** 2019FA **Faculty:** Stein, Kara **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC5052

Course Description: Prerequisites: None

Exam Type: No Exam

As a result of technology and global competition, capital markets have been changing at a breathtaking pace. In this course, we will examine whether and how securities law is keeping up with these changes, and what forces may affect securities regulation in the future.

This course will be broken up into four modules of three weeks each. Our first module will focus on the conditions that originally led to federal regulation of our securities markets. We will then pivot to the the 2008 financial crisis and the resulting legislation -- the Dodd-Frank Wall Street Reform and Consumer Protection Act.

In the second module, we will focus on changes in our capital formation methods, such as Regulation A+, crowdfunding and crowdsourcing, initial coin offerings, and blockchain technology.

The third module will focus on key issues concerning the relationships between corporations and their shareholders. In addition to focusing on corporate governance issues, we will explore how technology may be changing expectations and interactions between investors and companies.

Finally, the fourth module will examine the changing regulatory paradigm in financial markets. Focusing on self-regulatory organizations such as FINRA and the Congressionally created Public Company Accounting Oversight Board (PCAOB), this module will study the role these organizations perform in the marketplace -- and overlapping regulatory oversight by the federal government.

The course will have a practical focus with an emphasis on case studies that illustrate the intersection of securities law and policy, and the difficult choices securities regulators face in each of these areas.

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Seeing Criminal Justice: Examining the Interplay of Visual Media, Storytelling and Criminal Law

Course #: 2984 **Term:** 2019FA **Faculty:** Cohen, Rebecca Richman **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Wed 5:00 PM - 8:00 PM HAU105

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 impressions of the criminal justice system; they challenge or affirm our norms; they help us make sense of the world and its complexities. Yet these stories often stand in tension with one another. Police body cameras, videotaped confessions, mitigation and victim impact videos, primetime television, citizen journalism, and documentary films often produce narratives that compete with each other, and with our own entrenched beliefs. Together, we will explore different approaches to understanding how visual technologies, particularly with respect to video, have shifted the way we come to understand criminal justice narratives. 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 audience, authorship, truth, and objectivity as we consider how visual media may be used as a conduit to communicate criminal justice stories.

Additional time reserved for viewing films.

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Semester in Human Rights

Course #: 8042 **Term:** 2019FA **Faculty:** Farbstein, Susan; Giannini, Tyler **Credits:** 7.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Required Class Component: Human Rights Careers: Strategic Leadership Workshop (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, 2019.
Add/Drop Deadline: June 1, 2019.
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 2019. 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, 2019).

Limited to 3Ls who have previously spent at least one semester in the IHRC.

Students will take the fall course, Human Rights Careers: Strategic Leadership Workshop (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:

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 and submit to Maggie Bay in Office of Clinical and Pro Bono Programs (mbay@law.harvard.edu).

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 Emma Golding (egolding@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

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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?

Sex Equality

Course #: 2226

Term: 2019FA

Faculty: MacKinnon, Catharine

Credits: 3.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Mon 1:00 PM - 3:05 PM

WCC3009

Tue 1:00 PM - 3:05 PM

WCC3009

Wed 1:00 PM - 3:05 PM

WCC3009

Course Description: Prerequisites: None

Exam Type: Open book, Any Day Take-Home, or 3 short papers throughout the term for lottery-selected group of students who apply.

The relation between sex equality under law and sex and gender inequality in society is interrogated in theory and practice in the context of relevant social science, history, and international and comparative law. Mainstream equality doctrine is probed on its own terms and through an alternative. Cases largely on U.S. law focusing on concrete issues--including work, family, rape, sexual harassment, lesbian and gay rights, abortion, prostitution, pornography--structure the inquiry. Race, economic class, and transgender issues are mainstreamed. The purpose of the course is to understand, criticize, and expand the law toward sex and gender equality, including between women and men, as well as to expand the equality paradigm.

Casebook: MacKinnon, Sex Equality Third edition (Foundation, 2016).

Note: This course will meet for the first six weeks of the term.

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Sexual Harassment: the Law, the Politics, the Movement

Course #: 2118 **Term:** 2019FA **Faculty:** MacKinnon, Catharine **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC5052

Wed 5:00 PM - 7:00 PM WCC5052

Course Description: Prerequisites: None

Exam Type: No Exam

Students will be required to write a seminar paper no longer than 30 pages.

An examination of the key legal and social issues raised by sexual harassment in doctrine and reality, with focus on cases under Title VII (discrimination in employment) and Title IX (discrimination in education).

Note: This seminar will meet for the first six weeks of the term.

Social Media and the Law

Course #: 2152 **Term:** 2019FA **Faculty:** Feldman, Noah; Bickert, Monika **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM AUS100

Course Description: Prerequisites: None

Exam Type: One Day Take-Home

A vast percentage of human discourse now takes place on social media platforms, nearly all of which are privately owned. This course asks: What are the consequences of this historical development for free expression, safety, equality, and human flourishing? What values or principles ought to inform platforms as they evaluate what expression to regulate, and how to do it? Should those be universal or local, absolute or relative? What institutions, internal, external, and governmental, should shape the regulatory process? How do (and how should) plural global actors with varying legal systems and varying values influence content governance? What are the consequences of pluralism for global platforms? What role, if any, is there for international institutions or law?

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Social Policy and the Tax Code

Course #: 2339 **Term:** 2020SP **Faculty:** Saito, Blaine **Credits:** 1.00

Type: Elective **Subject Areas:** Taxation

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC4062

Course Description: Prerequisites: None
Exam Type: No Exam
While tax law is often considered the purview of business lawyers with its focus on money and finance, we all have an interest in understanding the tax system as a major means of implementing social policy. This reading group examines how we use the tax system to deliver key policies that are a bit outside of what most people consider to be taxation. The course will begin with some fundamentals that outline the framework and the critique of social policy through the tax system. It then examines a series of tax policy interventions in the areas of wage support for the working poor, housing, health care, and student loans. This reading group meets six times in the semester for two hours and is graded credit/fail. While the basic federal income tax class is helpful, it is not required, and those interested in broader social policy and social justice issues are welcome.
Note: This reading group will meet on the following dates: 2/4, 2/18, 3/3, 3/24, 4/7, 4/21
Drop Deadline: February 5, 2020 by 11:59 pm EST

Solving the Problem of High Priced Patented Pharmaceuticals

Course #: 2539 **Term:** 2020SP **Faculty:** Rosenberg, David **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3007

Course Description: Prerequisites: None
Exam Type: No Exam
This seminar investigates the causes, consequences, and solutions for the problem of high priced patented pharmaceuticals. Focusing on the system of pharma patent (and related exclusive marketing) rights, we examine its social benefits and costs from the perspectives of theory, governing statutes and regulations, and actual practice (including pharma R&D investment burdens, strategies, and gaming). We then consider the leading proposals for reforming or replacing the pharma patent system that would promote both socially optimal access to pharmaceutical innovations, and socially optimal investment in their development. The seminar will conclude with students working in groups to write and present short graded papers, each evaluating the proposed changes and recommending improvements or alternative approaches.
This course is taught with Gregory Glover, graduate of Harvard University (BA 81), Harvard Law School (JD 86), Duke University Medical School (MD 87), and Principal, Pharmaceutical Law Group, Washington DC.

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Special Education Advocacy for Students Impacted by Trauma

Course #: 2993 **Term:** 2019FA **Faculty:** Gregory, Michael **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM WCC4061

Course Description: Enrollment in this clinic will fulfill the HLS JD pro bono requirement.
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: August 2, 2019.
LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.
Students must attend a mandatory orientation session on Friday, September 6, 2019 from 1:00-4:00 PM. In this seminar associated with the Education Law Clinic's Individual Representation Clinic 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 pre-hearing conference in which students practice oral advocacy and receive direct feedback. 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 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.

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Sports and the Law: Examining the Legal History and Evolution of America's Three "Major League" Sports: MLB, NFL and NBA

Course #: 2229 **Term:** 2019FA **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 1:00 PM - 3:00 PM WCC3019

Course Description: Prerequisites: None
Exam Type: Last Class Take-Home
Class participation and successful completion of weekly assignments will count for a significant portion of the students final grade.
This basic Sports Law course will offer an overview of the three major sports that dominate the American sports scene today: Major League Baseball, the National Football League, and the National Basketball Association. The Course will devote approximately equal time to each of these 3 major sports, and compare/contrast the similarities and differences among them, from an historical legal perspective. Specifically, it will evaluate the evolution of the 3 major leagues, and examine how Supreme Court and other courts landmark decisions have affected the path of their progress. In so doing, practical examples of the cutting edge issues for practitioners in each of these 3 leagues will be offered. "Hypothetical" examples of negotiating, drafting and litigating the most significant issues in each of these 3 sports will be analyzed in group settings. Negotiation strategies, contract-drafting techniques and litigation-related resolutions will be explored within each group.
Enrollment is available to second year, third year and LLM students. For JD students who take this course, it will satisfy one half of the Option 2 writing requirement.
Students taking this course and who are interested in sports law clinical placements during winter or spring 2018 are strongly encouraged to enroll in the 2-credit fall 2018 "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 9 weeks.
Students who are interested in the winter or spring 2018 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."

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Sports and the Law: Representing the Professional Athlete

Course #: 2230 **Term:** 2020WI **Faculty:** Carfagna, Peter **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Employment & Labor Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment

Delivery Mode: Course

Days and Times:	Location
Mon 1:30 PM - 4:15 PM	WCC3018
Tue 1:30 PM - 4:15 PM	WCC3018
Wed 1:30 PM - 4:15 PM	WCC3018
Thu 1:30 PM - 4:15 PM	WCC3018
Fri 1:30 PM - 4:15 PM	WCC3018

Course Description: Prerequisite: 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 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.

Enrollment is available to second year, third year, and LLM students.

Note: This course will meet for the first two weeks of the term from January 6 to January 17.

This course fulfills the pre-requisite for the Sports Law Clinic. Please see the clinics description or review the Sports Law Clinic Guide for more information.

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Sports Law Clinic

Course #: 8028

Term: 2020WI

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 offering 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 2019); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (fall 2019); Sports and the Law: Representing the Professional Athlete (winter 2020). By Permission: Yes. The deadline to apply is October 10, 2019. Please see below for additional instructions. Add/Drop Deadline: November 15, 2019.LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.Placement Site: Various externship placements.

Clinical students work full-time over the winter term on-site at their placement organization. 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, 2019. 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 (pcafagna@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 2019 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."

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Sports Law Clinic

Course #: 8028 **Term:** 2020SP **Faculty:** Carfagna, Peter **Credits:** 5.00

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

Delivery Mode: Clinic

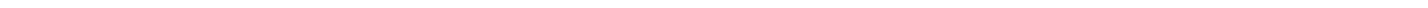
Days and Times: **Location**

Course Description: Students who enroll in this offering 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 2019); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (fall 2019); Sports and the Law: Representing the Professional Athlete (winter 2020).
By Permission: Yes. The deadline to apply is October 10, 2019. Please see below for additional instructions.
Add/Drop Deadline: December 6, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
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, 2019. 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. This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Most placement organizations are open Monday-Friday from 9am-5pm.
Students who are interested in the winter or spring 2019 Sports Law Clinic are strongly encouraged to enroll in both of Prof. Carfagna's 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."

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Sports Law: Advanced Contract Drafting

Course #: 2349 **Term:** 2019FA **Faculty:** Carfagna, Peter **Credits:** 2.00

Type: Elective **Subject Areas:** Business Organization, Commercial Law, and Finance; Employment & Labor Law; Intellectual Property, Cyberlaw and Technology, and Arts & Entertainment; Procedure & Practice

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC3019

Course Description: Students who enroll in this offering 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 Independent Writing credits 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 2018 are strongly encouraged to enroll in the fall 2018 "Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA."

Note: The last class session will be held on 11/13 from 1-5pm.

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 2018 Sports Law Clinic are strongly encouraged to enroll in both of Prof. Carfagna's 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."

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State Constitutional Law

Course #: 2507 **Term:** 2020WI **Faculty:** Sutton, Jeffrey; Bowie, Nikolas **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 10:00 AM - 12:15 PM	HAU104
Tue 10:00 AM - 12:15 PM	HAU104
Wed 10:00 AM - 12:15 PM	HAU104
Thu 10:00 AM - 12:15 PM	HAU104
Fri 10:00 AM - 12:15 PM	HAU104

Course Description: Prerequisite: None

Exam Type: No Exam

Each student will be responsible for one in-class presentation and two 6-8 page papers.

This survey course explores the nature and significance of state constitutional law, a topic that has long lived in the shadow of federal constitutional law but that has become increasingly relevant in recent years. The course covers rights and structure, and in both settings it compares the federal model to the various state models. Of particular emphasis is the role of the state courts in protecting liberty and property rights under their own constitutions, and most notably whether they should construe these guarantees to offer protections that the federal courts have not provided in construing the federal constitution. Examples include litigation involving school funding, marriage, property takings, criminal procedure, the free exercise of religion, among others. We also will consider the amendment procedures of the state constitutions, the election of state court judges, the non-unitary executive under most state constitutions and other structural issues.

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State Energy Law

Course #: 2974

Term: 2020SP

Faculty: 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

HAU104

Course Description: Prerequisite: None

Exam Type: No Exam

The course will require one short paper (3-4 pages) and one long paper about a topic of the students choosing.

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 ratemaking. This course 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, we 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 development policies; oil and gas production; and, regional and multi-state energy partnerships.

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Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions

Course #: 2324 **Term:** 2020WI **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
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Mon 9:00 AM - 12:30 PM	PND102
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Tue 9:00 AM - 12:30 PM	PND102
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Wed 9:00 AM - 12:30 PM	PND102
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Thu 9:00 AM - 12:30 PM	PND102
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Fri 9:00 AM - 12:30 PM	PND102
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Course Description: Prerequisites: No specific prerequisites, but introductory income tax strongly recommended, entity taxation desirable, & knowledge of corp law, securities regulation, bankruptcy, & accounting helpful. However, course book & course book appendix contain adequate discussion & supplemental material so student can (with careful reading) adequately comprehend these topics.

Exam Type: In Class

Course covers tax, legal, & economic principles applicable to series of interesting, complex, current entrepreneurial transactions, utilizing venture capital (VC) or private equity (PE) 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 corps and flow-through single-tax S corps, partnerships, or LLCs for variety of VC or PE financed transactions, (5) devising equity-based exec comp program, (6) PE financed restructuring or workout (in or out of bankruptcy) for troubled over-leveraged enterprise and utilizing troubled corps NOL post restructuring, (7) exit scenarios for successful VC or PE financed enterprise (such as IPO, series of SEC rule 144 stock sales, sale of company, or merger of company into larger enterprise), & (8) forming VC, PE, or LBO fund.

Substantive subjects include federal income tax, federal securities regulation, state corp, partnership, & LLC law, federal bankruptcy law, state & federal fraudulent conveyance law, & other legal doctrines, as well as accounting rules (exec comp and acquisition accounting) & practical structuring issues (including use of common & preferred stock, subordinated or mezzanine debt, convertible debt & preferred stock, warrants, options, & substantial-risk-of-forfeiture stock), all reviewed in transactional context, with discussion of policy underpinnings & likely future evolution.

The course book (which includes the appendix) is Levin and Rocard Structuring Venture Capital, Private Equity, and Entrepreneurial Transactions (2019 edition).

Note: The last class session will be held on Tuesday, January 21, 2020.

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Supreme Court Decision Making

Course #: 2505

Term: 2020SP

Faculty: Singer, Joseph

Credits: 2.00

Type: Elective

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

Delivery Mode: Seminar

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

HAU103

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

Prerequisites: None

Exam Type: No Exam

How do supreme courts decide hard cases? How do they justify the results they reach by persuasive opinions? How do judges on multimember courts attempt to persuade other judges and to reach agreement when cases are hard? How can you write an opinion that not only justifies the result with acceptable reasons but attempts to persuade judges on the other side and to speak to the losing party to explain why they lost? This seminar will enable you to act as a supreme court justice, sit in conference, discuss cases, and write opinions (majority, concurring, and dissenting). Some of the cases will be current cases before the U.S. Supreme Court. Others may have you sitting as a state supreme court deciding an issue of statutory interpretation or common law. We will discuss each case and one student will be assigned to write a proposed majority opinion for that case. After circulating that opinion, other students can write concurring and dissenting opinions and we will discuss the case a second time, using those written opinions as the basis for discussion. The goal is to practice persuasion, oral and written justification, and the art of collective judicial decision making.

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Supreme Court Litigation

Course #: 2233 **Term:** 2020WI **Faculty:** Goldstein, Thomas; Harrington, Sarah; Singh, Tejinder **Credits:** 1.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Course Description: Students who enroll in this offering 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 1, 2019.
Add/Drop Deadline: November 15, 2019.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
Placement Site: Washington D.C. This course is co-taught by Tom Goldstein, Tejinder Singh, Sarah Harrington, and Jonathan Massey.
This winter-term class is taken concurrently with the Supreme Court Litigation Clinic. Students are immersed in the practice of law before the United States Supreme Court. Both the class and clinic will take place in Washington, D.C.
The clinic and course consist of three major components:
(1) Intensive work on cases before the Court. Students will be assigned to small teams, each working closely with an instructor to write and file a petition for a writ of certiorari, brief in opposition to certiorari, merits brief, amicus brief and/or to prepare for oral argument in a pending case.
(2) Seminars. The instructors will facilitate classroom discussions about Supreme Court practice - including strategy, procedure, brief writing, and oral advocacy.
(3) Events. 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.
The work is extremely rewarding, giving students an opportunity to work side by side with experienced Supreme Court practitioners litigating before the Court. The work is also quite intensive, precluding students from undertaking any significant non-class-related activities during the winter term. While we do our best to make the schedule manageable, the clinic requires us to complete a large amount of work in a short amount of time, and so students should be prepared to work long hours, including potentially on weekends. Students 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 generally will be responsible for providing themselves meals and transportation within the city. In recent years, students have stayed at the Hyatt Regency Bethesda, which is located directly above a Metro stop, across the street from the office, and a short walk away from many restaurants and grocery stores.
Enrollment is through an application process. Interested students must submit a resume, a writing sample, and one or more references. The writing sample may consist of one or two writing products, totaling fifteen to twenty pages (the sample(s) should accurately indicate the students current writing ability, and so should not be significantly edited by anyone other than the author). The reference(s) should include the references name and contact information. Application materials should be sent to Maggie Bay (mbay@law.harvard.edu) by October 1, 2019. Enrollment is limited to 10 students.

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Supreme Court Litigation Clinic

Course #: 8030 **Term:** 2020WI **Faculty:** Goldstein, Thomas; Harrington, Sarah; 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 offering 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 1, 2019. Add/Drop Deadline: November 15, 2019. LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT. Placement Site: Washington D.C. This course is co-taught by Tom Goldstein, Tejinder Singh, Sarah Harrington, and Jonathan Massey. This winter-term clinic is taken concurrently with the Supreme Court Litigation clinical course. Students are immersed in the practice of law before the United States Supreme Court. Both the class and clinic will take place in Washington, D.C. The clinic and course consist of three major components:

- (1) Intensive work on cases before the Court. Students will be assigned to small teams, each working closely with an instructor to write and file a petition for a writ of certiorari, brief in opposition to certiorari, merits brief, amicus brief and/or to prepare for oral argument in a pending case.
- (2) Seminars. The instructors will facilitate classroom discussions about Supreme Court practice - including strategy, procedure, brief writing, and oral advocacy.
- (3) Events. 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.

The work is extremely rewarding, giving students an opportunity to work side by side with experienced Supreme Court practitioners litigating before the Court. The work is also quite intensive, precluding students from undertaking any significant non-class-related activities during the winter term. While we do our best to make the schedule manageable, the clinic requires us to complete a large amount of work in a short amount of time, and so students should be prepared to work long hours, including potentially on weekends. Students 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 generally will be responsible for providing themselves meals and transportation within the city. In recent years, students have stayed at the Hyatt Regency Bethesda, which is located directly above a Metro stop, across the street from the office, and a short walk away from many restaurants and grocery stores. Enrollment is through an application process. Interested students must submit a resume, a writing sample, and one or more references. The writing sample may consist of one or two writing products, totaling fifteen to twenty pages (the sample(s) should accurately indicate the students current writing ability, and so should not be significantly edited by anyone other than the author). The reference(s) should include the references name and contact information. Application materials should be sent to Maggie Bay (mbay@law.harvard.edu) by October 1, 2019. Enrollment is limited to 10 students.

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Systemic Advocacy for Safe and Supportive Schools

Course #: 2774 **Term:** 2020SP **Faculty:** Gregory, Michael; Cole, Susan **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC3009

Course Description: Students who enroll in this offering 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: November 27, 2019.

LLM Students: LLM students interested in this clinic should be in contact with the clinic directly.

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.

Two of these meetings will be on Tuesday morning from 8-10 am, so students must be free to meet during those times. To compensate for these extra meetings at the beginning of the term, 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 28, 8 - 10 am*Thu, Jan 30, 5 – 7 pm Tue, Feb 4, 8 - 10 am*Thu, Feb 6, 5 – 7 pm Thu, Feb 13, 5 – 7 pm Thu, Feb 20, 5 – 7 pm Thu, Feb 27, 5 – 7 pm Thu, Mar 26, 5 – 7 pm Thu, Apr 2, 5 – 7 pmThu, Apr 9, 5 – 7 pmThu, Apr 16, 5 – 7 pmThu, Apr 23, 5 – 7 pm

* = irregular course meeting times

Please also note that students are required to schedule a substantial portion of their clinic office hours for the associated clinic (Education Law Clinic: Legislative and Administrative Lawyering) on Tuesdays, Wednesdays and Thursdays because these are the days the Massachusetts legislature is typically in session. In addition, there will be clinic meetings on Tuesday mornings from 9-10 am that begin during the third week of the semester and that will count toward students clinical hours for the week.

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.

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Systemic Justice

Course #: 2747 **Term:** 2020SP **Faculty:** Hanson, Jon **Credits:** 4.00

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

Delivery Mode: Course

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

Course Description: Prerequisites: None. This class is recommended (but not required) for The Justice Lab.

Exam Type: No Exam

Students will have several assignments, including a group or individual policy paper on a problem of their choosing and a related presentation.

This course will employ insights from numerous disciplines, including history, mind sciences, economics, and law to explore some of the deep, common, and overlapping causes of injustice. It will examine and draw lessons from a handful of well-known injustices— from antebellum slavery to twentieth-century marketing of tobacco. Focusing on varied sources of power, the course will analyze interconnections between policy problems and the cycles that contribute to inequality and injustice. Based on those understandings, the course will name and inventory causes of injustice, impediments to justice, and ways better to pursue justice through law and social activism. The course will pay special attention to the relationship between power, inequality, legitimacy, and the law. Finally, the course will pull those lessons into the present as students examine, workshop, and write about current problems.

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Taxation

Course #: 2234 **Term:** 2020SP **Faculty:** Kaplow, Louis **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:10 AM - 10:10 AM WCC1023

Tue 8:10 AM - 10:10 AM WCC1023

Course Description: Prerequisites: None

Exam Type: In Class

This course is an introductory study of federal income taxation covering inclusion and exclusion of items in computing gross income; deductions from gross income; tax accounting; capital gains and losses; and the treatment of the family and trusts. Consideration will be given to the interaction of legislative, executive, and judicial agencies in the making, administering, and interpreting of the tax law; to the goals of the tax law and possibilities for future development of it; to the private lawyers professional role with respect to administration of the tax law; and to the impact of the tax law on private property transfers and other transactions.

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

Taxation

Course #: 2234 **Term:** 2019FA **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 8:00 AM - 9:25 AM WCC1019

Thu 8:00 AM - 9:25 AM WCC1019

Fri 8:00 AM - 9:25 AM WCC1019

Course Description: Prerequisite: 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 prerequisite for J.D. students in the advanced tax courses.

The materials for the course are Graetz, and Schenk, Federal Income Taxation (8th edition, 2018), and CCH Federal Income Tax, Code and Regulations, Selected Sections (2019-2020 edition).

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Taxation

Course #: 2234 **Term:** 2019FA **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
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Mon 10:20 AM - 11:40 AM	AUS101
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Tue 10:20 AM - 11:40 AM	AUS101
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Wed 10:20 AM - 11:40 AM	AUS101
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Course Description: Prerequisites: None

Exam Type: In Class

This course is an introductory study of federal income taxation covering inclusion and exclusion of items in computing gross income; deductions from gross income; accounting and timing considerations; capital gains and losses; and the treatment of the family and gifts. Consideration will be given to the interaction of the legislative, executive, and judicial roles in the making, administering, and interpreting of the tax law; to the goals of the tax law and possibilities for future development of it; to the strategic behavior of taxpayers in response to the tax law; and to the impact of the tax law on private property transfers and other transactions. A principal goal of this course is also to teach students to analyze and apply a complex federal statute.

Unless waived by the instructor, Taxation is generally a pre-requisite for J.D. students in the advanced tax courses.

Taxation

Course #: 2234 **Term:** 2020SP **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
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Mon 3:20 PM - 4:40 PM	HAU104
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Tue 3:20 PM - 4:40 PM	HAU104
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Wed 3:20 PM - 4:40 PM	HAU104
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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 generally is a pre-requisite for J.D. students in the advanced tax courses.

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Taxation

Course #: 2234 **Term:** 2019FA **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
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Wed 1:00 PM - 3:00 PM	LAN225
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Thu 1:00 PM - 3:00 PM	LAN225
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Course Description: Prerequisite: 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, Schenk & Alstott, Federal Income Taxation (8th edition, 2018) and CCH Federal Income Tax: Code and Regulations - Selected Sections (2019-2020 edition).

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Taxation of Business Corporations

Course #: 2274 **Term:** 2020SP **Faculty:** Brennan, Thomas **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Mon 10:20 AM - 11:40 AM	LAN272
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Tue 10:20 AM - 11:40 AM	LAN272
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Wed 10:20 AM - 11:40 AM	LAN272
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Course Description: Prerequisite: Taxation. Please note, students who completed Corporate Tax A or Corporate Tax B are not eligible to enroll in this course.

Exam Type: In Class

This course covers the major tax law and policy issues involved in the organization, operation, and restructuring of U.S. corporations, including the tax treatment of corporate shareholders. The course provides the tax background necessary for understanding and participating in the creation of many types of business transactions of both publicly and closely held enterprises, including acquisitions, liquidations, mergers, and divisions. In the U.S., the structure of these major corporate transactions is very heavily influenced by the applicable tax provisions.

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Teaching Copyright

Course #: 2636 **Term:** 2020SP **Faculty:** Fisher, William **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Tue 7:00 PM - 9:00 PM WCC3016

Course Description: This course has an early drop deadline of December 1.

Prerequisites: 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 2020. Harvard Law School students who satisfy these requirements may enroll by emailing Judith Duvivier-Qashat at jduvivierqasat@law.harvard.edu by November 20. 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 20.

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](mailto: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.

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Tech Ethics: AI, Biotech, and the Future of Human Nature

Course #: 2857 **Term:** 2019FA **Faculty:** Sandel, Michael; Melton, Doug **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 3:45 PM - 5:45 PM

Course Description: Prerequisites: None

Exam Type: Last Class Take-Home

The course explores the moral, social, and political implications of new technologies. Will biotechnology and AI enable us to hack humanity? Should we edit the genes of our children, extend the human lifespan, and genetically enhance our athletic ability and IQ? Can algorithms be fair? Will robots make work obsolete? Can smart machines outthink us? In an age of big data and social media, is privacy over? Is democracy?

The course will ask how science and technology are transforming the way we work, learn, make friends, raise children, care for our health, conduct our politics, and understand what it means to be human.

Note: This course is jointly listed with FAS as GENED 1058 and HBS as 1558 and will be held on the HBS campus (Klarman Hall). It will take place on Thursdays 3:45-5:45pm.

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Technology and Inequality

Course #: 2777 **Term:** 2019FA **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
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Thu 10:00 AM - 11:30 AM	WCC3019
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Fri 10:00 AM - 11:30 AM	WCC3019
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Course Description: Prerequisites: None

Exam Type: No Exam

Since the 1970s, income for the median worker in the United States has stagnated. At the same time the share of income and wealth held by the top 1% and the top 0.1% has increased substantially. There is a serious argument that rising economic insecurity and inequality is playing an important role in the crisis of democratic societies.

What causes economic inequality? To what extent is inequality the product of natural processes of technological development in globalized markets, and to what extent is it a function of political, legal, and other institutional choices?

The course is intended to foster an understanding of institutional design sensitive to the multi-dimensional causes of complex social problems.

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, or 3D printing will further exacerbate inequality, or whether they can be harnessed toward producing arrangements conducive to broad-based economic security. How do these interact with grand reform programs like a universal basic income or a universal jobs guarantee? How do they make us understand equally ambitious but more focused projects, like a revision of antitrust enforcement or significant changes in top marginal income or wealth taxes? Can technology itself offer a complete or partial solution? Can it be integrated with cooperative, commons-based, non-profit, municipal, or entrepreneurial models to offer systemic solutions?

The course requires two or three focused team short papers and presentations during the semester, and a final individual paper.

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The Anthropology of Law: Perspectives from Africa and Elsewhere

Course #: 2535

Term: 2020SP

Faculty: Comaroff, John

Credits: 2.00

Type: Elective

Subject Areas: International, Comparative & Foreign Law

Delivery Mode: Course

Days and Times:

Location

Wed 12:00 PM - 2:45 PM

Course Description:

Prerequisites: None

Exam Type: No Exam

The course will meet weekly, Wednesdays 1.00-3.30. The early weeks will be devoted to (i) classical readings in legal anthropology and (ii) theoretical questions, old and new, concerning the nature of the law, its culture/s and practices. The later weeks will address the topics of (iii) law and colonialism, (iv) liberalism, difference, and legality in the postcolonial world, (v) crime and policing, and (vi) the judicialization of politics across the globe. Throughout, attention will be given to comparative perspectives in both time and space - and to the lessons to be learned from the anthropology of law, and its decoloniality, for interrogating the present moment in the USA and Europe.

Note: This course is jointly-listed with FAS as AAAS 190X. It will meet at FAS in Barker 211.

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The Conduct of Life in Western and Eastern Philosophy

Course #: 2392 **Term:** 2020SP **Faculty:** Unger, Roberto Mangabeira; West, Cornel **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Thu 1:00 PM - 3:00 PM LAN272

Course Description: Prerequisites: None

Exam: Takehome, not administered by HLS

A study of approaches in the philosophical traditions of the West and the East to the conduct of life. Philosophical ethics has often been understood as meta-ethics: the development of a method of moral inquiry or justification. Here we focus instead on what philosophy has to tell us about the first-order question: How should we live our lives?

This year a major concern will be the study and contrast of two such orientations to existence. One is the philosophical tradition focused on ideas of self-reliance, self-construction, and nonconformity (exemplified by Emerson and Nietzsche). The other is a way of thinking (notably represented by Confucius) that puts its hope in a dynamic of mutual responsibility, shaped by role and ritual and informed by imaginative empathy.

Note: This course is jointly-listed with FAS as GENED 1128 and HDS as 2313.

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The Corporation as a Citizen

Course #: 2431 **Term:** 2019FA **Faculty:** Holston, Mike; Dimitrief, Alex **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC4063

Course Description: Prerequisites: None

Exam Type: No Exam

What is the role of the corporation in the world today? This course will focus first on the question of to whom a corporation is accountable and discuss shareholder primacy vs stakeholder primacy (and who those stakeholders are). We will look at the role of senior management, the board of directors, employees, major institutional investors and asset managers in answering that question. We also will examine the role corporations play in certain key issues such as the political process and political spending, taxes, trade, philanthropy and as a voice on social issues. The class will be led by two professors but also will include guest lecturers who have experience with these questions.

Note: This reading group will meet on the following dates: 9/10, 9/24, 10/8, 10/22, 11/5, 11/19

Drop Deadline: September 11, 2019 by 11:59pm EST

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The Craft of Lawyering in a Technology World

Course #: 1059 **Term:** 2020WI **Faculty:** Lee, William; Ellsworth, Felicia; Frazier, Sarah **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:30 PM	WCC1010
Tue 9:00 AM - 12:30 PM	WCC1010
Wed 9:00 AM - 12:30 PM	WCC1010
Thu 9:00 AM - 12:30 PM	WCC1010

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

Note: This course is restricted to first-year J.D. students only.

The drop deadline for 1L January Experiential Term (JET) classes is Monday, December 2nd. Students may not drop a course if they do not have an offer to enroll in a different JET course. Most courses are limited to 72 students.

1L JET courses are intensive learning courses. Class attendance is required in each course every day of the term, beginning Monday, January 6th. Students should make their travel plans accordingly. Students should not take on other work commitments during the term.

Exam Type: No Exam

We will use a series of case studies to explore the role of lawyers and the craft of lawyering in an increasingly complex technology world. The problems will involve issues of privacy, cybersecurity, intellectual property and other technology based issues. Our problems will arise in both the civil and criminal context and we will engage in a series of exercises to explore the analytical, writing, presentation and negotiation skills necessary to effectively perform the multiple roles of lawyers in the technology world.

Note: There may be days throughout the winter term that require attendance beyond the scheduled times. Please refer to the course syllabus and page for more information.

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The Economy of Internet Monopolization

Course #: 2641 **Term:** 2020SP **Faculty:** Ghosh, Dipayan **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC4061

Course Description: Prerequisites: None

Exam Type: No Exam

This course will focus on the business models underpinning modern internet platforms and the public concerns they have raised given such harrowing incidents as the proliferation of Russian disinformation, the spread of hateful messages inciting the violence in Myanmar, and the radicalization of youth toward extreme political views in Brazil. Class sessions will address the economics underlying consumer internet platforms such as Facebook, Google, and Twitter; the commercialization of algorithmic decision-making by the internet industry; the emergence of such negative externalities as the disinformation problem and the spread of hate speech; the politics of content policy; antitrust and competition policy concerning technology firms; and ongoing regulatory efforts around the world, among other topics.

Dipayan Ghosh is a Lecturer on Law and Co-Director of the Technology & Democracy Project and Joan Shorenstein Fellow at the Shorenstein Center on Media, Politics and Public Policy at the Harvard Kennedy School, where he works on digital privacy, artificial intelligence, and civil rights. Ghosh previously worked on global privacy and public policy issues at Facebook, where he led strategic efforts to address privacy and security. Prior, Ghosh was a technology and economic policy advisor in the Obama White House. He served across the Office of Science & Technology Policy and the National Economic Council, where he worked on issues concerning big data's impact on consumer privacy and the digital economy. Ghosh has served as a Public Interest Technology fellow at New America, the Washington-based public policy think tank. He received a Ph.D. in electrical engineering & computer science at Cornell University and completed postdoctoral study in the same field at the University of California, Berkeley.

Note: This reading group will meet on the following dates: 2/4, 2/18, 3/3, 3/31, 4/7, 4/21

Drop Deadline: February 5, 2020 by 11:59 pm EST

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The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624

Term: 2019FA

Faculty: Umunna, Dehlia

Credits: 1.00

Type: Elective

Subject Areas: Criminal Law & Procedure

Delivery Mode: Reading Group

Days and Times:

Location

Mon 5:00 PM - 7:00 PM

WCC4063

Course Description: Prerequisite: 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 \$70 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: This reading group will meet on the following dates: 9/9, 9/23, 10/21, 11/4, 11/11, 12/2
Drop Deadline: September 10, 2019 by 11:59 pm EST

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The Effects of Mass Incarceration: Experiences of Prison and Parole

Course #: 2624 **Term:** 2020SP **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 WCC3018

Course Description: Prerequisite: 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 \$70 billion per year. There are major debates on incarceration issues swirling in the general public and in the legal community ranging from the morality and efficacy of solitary confinement to the effects of prison overcrowding to the proper administration of parole to the appropriateness of life sentences without parole for a variety of populations and crimes. The effects of incarceration fall disproportionately on communities of color and perpetuate the cycle of poverty.

Through a combination of practical experiences and written texts, students will examine the experience and effects of incarceration and parole locally, nationally, and internationally. Experiences in the seminar will include: touring local prisons or jails, meetings with lifetime parolees and formerly incarcerated individuals, and a wide variety of written texts including essays, case studies, and research.

Students numbered 1-5 on the waitlist who plan to enroll if the opportunity arises should attend the first class, as long as other course scheduling permits.

The Ethics and Governance of Artificial Intelligence

Course #: 2728 **Term:** 2019FA **Faculty:** Zittrain, Jonathan **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 WCC3038

Course Description: Prerequisites: None

Exam Type: No Exam

This reading group will examine key readings and projects surrounding the ethics and governance of the opaque complex adaptive systems that are increasingly in public and private use. We will range among the proliferation of algorithmic decisionmaking, autonomous systems, and machine learning and explanation; the search for balance between regulation and innovation; and the effects of AI on the dissemination of information, along with questions related to individual rights, discrimination, and architectures of control.

Note: This reading group will meet on the following dates: 9/10, 10/1, 10/22, 10/29, 11/5, 11/12

Drop Deadline: September 11, 2019 by 11:59 pm

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The History of Law in Europe

Course #: 2700

Term: 2019FA

Faculty: Herzog, Tamar

Credits: 2.00

Type: Elective

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

Delivery Mode: Course

Days and Times:

Location

Mon 12:45 PM - 2:45 PM

Course Description: Prerequisites: None

Exam Type: No Exam

This is a discussion class on the history of law in Europe (including both England and the Continent, as well as Europe's overseas domains) from the fall of the Roman Empire (5th century) to the establishment of the European Community (20th century). Organized chronologically, it engages with the sources and nature of Law, the organization of legal systems and the relationship between law and society, law and law-maker, law and the legal professions.

Note: This course is jointly-offered with FAS as HIST 1921. It will meet on the FAS campus in CGIS S450.

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The International Law of the Sea

Course #: 2958

Term: 2020SP

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

WCC1010

Course Description: Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: 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 (treaties), 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 naval operations, marine environmental law and climate change; marine resource conservation and fisheries, submarine cables that carry 97 percent of global communications, shipping that carries some 90 percent of international trade, offshore energy and seabed mining; marine genetic resources, human rights and irregular migration at sea; maritime law enforcement, such as piracy and drug trafficking, and litigation and dispute resolution procedures.

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The International Law Workshop

Course #: 2129 **Term:** 2019FA **Faculty:** Alford, William; Blum, Gabriella **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM HAU104

Course Description: Prerequisites: There are no prerequisites for this workshop, but it is generally intended for students with a strong academic bent.

Exam Type: No Exam

This workshop is intended to provide students with the opportunity to enmesh themselves in scholarly writing about international law by exploring challenges scholars in this field face and bringing to the workshop a range of scholars engaged in some of the most interesting new work in it. 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 be expected to question the presenter during the session. The final grade will take account of class participation. 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 Blum.

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The Pro-defendant Bias in the Adjudication of Mass Injury Cases

Course #: 2113

Term: 2020SP

Faculty: Rosenberg, David

Credits: 1.00

Type: Elective

Subject Areas: Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

HAU103

Course Description: Prerequisite: None

Exam Type: No Exam

Privately financed civil liability actions presenting claims of mass injury serve law enforcement objectives of preventing and redressing such business and government illegalities as toxic torts, product defects, environmental pollution, consumer and securities fraud, corporate misgovernance, antitrust conspiracy, employment discrimination, civil rights deprivations, professional malpractice, and constitutional violations. In this reading group, we will examine the Supreme Court's invocation of the "ideal" and "that everyone should have his own day in court" to justify radically restricting use of class action and other collectivized methods of adjudicating mass injury cases. Analysis of the principal rulings from the perspectives of theory and practice will expose how the Court's embrace of this individualistic, anti-collectivist ethos has structurally biased adjudication of mass injury cases in favor defendants. Focusing on key modes of collectivized adjudication — including trial and settlement of class and consolidated actions; sampling; risk-based liability; "third party" claim assignment and financing; and insurance-fund judgments — we will consider whether, contrary to the Court's supposition, individual justice can best be done by collective means. Though essential to practical as well as basic understanding of mass injury litigation, the insights as well as questions we shall consider receive superficial if any treatment in other courses.

Note: This reading group will meet on the following dates: 2/5, 2/19, 3/4, 3/25, 4/8, 4/22

Drop Deadline: February 6, 2020 by 11:59 pm EST

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The Promises and Challenges of Disarmament

Course #: 2509 **Term:** 2020SP **Faculty:** Docherty, Bonnie **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 1:00 PM - 3:00 PM WCC3012

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Required Clinic Component: International Human Rights Clinic (3-5 spring clinical credits). Students enrolled in the spring clinic must enroll in either this clinical seminar or Human Rights Advocacy (2 spring classroom credits). Students are not guaranteed their first choice of clinical seminars. Clinical seminar selection and enrollment occurs once a student has enrolled in the spring clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.
Additional Co-/Pre-Requisites: None.
By Permission: No.
Add/Drop Deadline: December 6, 2019.
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 treaty's promise. To conclude, the seminar will examine new disarmament challenges, asking what types of weapons should be dealt with in the future and how.

In addition to being exposed to the substance and strategies of disarmament, students will build advocacy skills by doing fact-finding and treaty negotiation simulations. A spring clinical practice component in the International Human Rights Clinic is required of all students. Clinical placements are with the International Human Rights Clinic.

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The Role of the Article III Judge

Course #: 2016 **Term:** 2020WI **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
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Mon 1:00 PM - 3:30 PM	GRS110
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Tue 1:00 PM - 3:30 PM	GRS110
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Wed 1:00 PM - 3:30 PM	GRS110
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Thu 1:00 PM - 3:30 PM	GRS110
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Fri 1:00 PM - 3:30 PM	GRS110
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Course Description: Prerequisites: Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment or Constitutional Law: First Amendment

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 Frankfurter's 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.

Note: This course will meet for the first two weeks of winter term.

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The Role of the State Attorney General

Course #: 2237 **Term:** 2019FA **Faculty:** Tierney, James; Brann, Peter **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:00 PM - 3:00 PM WCC3007

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Required Clinic Component: Government Lawyer: Attorney General Clinic (fall, winter and spring semesters). Students who enroll in any of the three clinic offerings 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: August 16, 2019 for fall students; August 26, 2019 for winter and spring students.
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.
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.

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.

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The Role of the State Attorney General

Course #: 2237

Term: 2020SP

Faculty: Tierney, James; Brann, Peter

Credits: 2.00

Type: Elective

Subject Areas: Government Structure & Function; Procedure & Practice

Delivery Mode: Course

Days and Times:

Location

Mon 1:00 PM - 3:00 PM

WCC3019

Course Description: 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 class is not open to students who are taking/have taken the Attorney General Clinic.

Note: This offering does not count towards Experiential Learning credits.

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The Rule of Law: A Global History

Course #: 2913 **Term:** 2020WI **Faculty:** Tushnet, Mark; Meierhenrich, Jens **Credits:** 2.00

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

Delivery Mode: Course

Days and Times:	Location
Wed 1:00 PM - 3:15 PM	PND100
Thu 1:00 PM - 3:15 PM	PND100
Fri 1:00 PM - 3:15 PM	PND100
Tue 1:00 PM - 3:15 PM	PND100
Mon 1:00 PM - 3:15 PM	PND100

Course Description: Prerequisites: None
Exam Type: No Exam

This course introduces students to the theory and history of the rule of law, one of the most frequently invoked - and least understood - ideas of political thought. What exactly is the rule of law? Is it still a harbinger of liberty or just the latest manifestation of neocolonial domination? Is it a moral ideal or merely a means to an end? Can it really facilitate democracy, development, and economic growth? And why is the rule of law compatible with authoritarianism? In answer to these and related questions debated in law and the social sciences as well as in international organizations, governments, think tanks, and NGOs the world over, this interdisciplinary seminar traces the rise of the rule of law as an essentially contested concept. From the Magna Carta to colonialism, and from the end of communism to "Black Lives Matter," it asks critical questions about the principles of the rule of law (as imagined by lawyers, philosophers, political scientists, and practitioners in the real world) as well as on its practices, pathologies, and promotion in domestic politics and international affairs. The seminar introduces students to important advocates of the rule of law (from A. V. Dicey to Friedrich Hayek to Barry Weingast to the United Nations) and also to notable critics (including Thomas Hobbes, Carl Schmitt, Judith Shklar, David Trubek, and adherents of Critical Race Theory). Through close readings of seminal texts and a global analysis of key cases and historical periods, students will gain an in-depth understanding of the promise - and limits - of one of the most foundational concepts of the modern world.

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The Senate as a Legal Institution

Course #: 2779

Term: 2019FA

Faculty: Feingold, Russell

Credits: 4.00

Type: Elective

Subject Areas: Government Structure & Function

Delivery Mode: Course

Days and Times:

Location

Mon 1:00 PM - 3:00 PM

AUS111

Tue 1:00 PM - 3:00 PM

AUS111

Course Description: Prerequisites: None

Exam Type: In Class

Elements used in grading: Class participation, attendance and final exam.

This course will familiarize students with major, and/or emerging legal and constitutional issues concerning the U.S. Senate. In so doing, it will examine: 1) the Senates nature as a complex legal institution, and 2) the issue of the Senates legitimacy in the context of the current and largely unprecedented criticism of the Senate from all parts of the political spectrum. This first portion of the course will consider institutional-legitimacy issues facing the Senate, including the appointment of senators to fill vacancies as well as disputes concerning Senate rules and procedures such as the filibuster and holds. The second part of the course will explore how the Senate interfaces with the Constitution and the Supreme Court. It will examine how senators should regard the issue of constitutionality in voting on legislation, be it campaign-finance reform, internet decency, or health care. This part of the course will also consider how senators should approach proposed constitutional amendments. The final portion of the course will review the wide range of issues that have emerged in recent years regarding the constitutional relationship between the Senate and the Executive Branch, including the increasingly acrimonious issue of the standard to apply to executive appointments under the advice and consent power. Particular emphasis on this part of the course will be given to issues that have gained greater prominence since 9/11, including the relationship between enacted, constitutional legislation and the presidential assertion of Article II powers, as well as the Senates abdication of its Article I war-declaration power.

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The Supreme Court--from Docket to Doctrine

Course #: 2338

Term: 2019FA

Faculty: McKenzie, Troy

Credits: 1.00

Type: Elective

Subject Areas: Disciplinary Perspectives & Law; Procedure & Practice

Delivery Mode: Reading Group

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC4062

Course Description:

Prerequisites: None

Exam Type: No Exam

This reading group will take an inside view of doctrinal development at the Supreme Court of the United States. Using historical materials from the papers of former members of the Court, we will explore a line of decisions to learn how the justices selected cases from the docket, deliberated on the merits, and produced opinions. For each stage of that process, we will review briefs, opinion drafts, and internal memoranda of the justices and their law clerks.

Our attention will focus on two inter-related topics. First, we will discuss the extent to which the Courts internal rules governing case selection and opinion assignment shaped the outcome as each case traveled from docket to decision. Second, we will consider how the Courts approach to a particular case reflected prior decisions and anticipated decisions to come. Ultimately, our goal will be to assess the path of the law as it develops through case-by-case adjudication at the Court.

Note: This reading group will meet on the following dates: 9/24, 10/1, 10/8, 10/22, 11/5, 11/12

Drop Deadline: September 25, 2019 by 11:59 pm EST

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The Surveillance Society

Course #: 2851 **Term:** 2020SP **Faculty:** Lessig, Lawrence **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Mon 5:00 PM - 7:00 PM WCC5052

Course Description: Prerequisites: By permission of instructor. Please send applications consisting of your statement of interest and curriculum vitae to Valentina de Portu at vdeportu@law.harvard.edu. The application deadline is November 4, 2019. Note: If you have not received an email receipt from Ms. de Portu, please email her again today.

Exam Type: No Exam

Weekly essays (short - 1 page) on the readings will be required, as well as a final paper.

In this seminar, we will do a close and slow reading on a range of work describing the emerging technologies of surveillance wrapped into every aspect of social life. Our aim will be to understand the trajectory of this environment, both economic and political, in both the west and China.

The U.S. Congress and Law Making

Course #: 2251 **Term:** 2020SP **Faculty:** King, David **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 2:45 PM - 4:00 PM

Wed 2:45 PM - 4:00 PM

Course Description: Prerequisites: None
Exam Type: No HLS Exam
The United States Congress is the "board of directors" for the Federal Government, and it plays the central role in most national policy decisions. Yet how it works - the real story of how it works - is largely unknown, even among people who have worked in policymaking for a long time. Taught by the faculty chair of Harvards Bipartisan Program for Newly Elected Members of Congress, this course puts students in the midst of legislative politics through academic readings and real-world cases. The course begins with the theory and history of legislatures and ends with a simulation involving lobbyists, journalists, and would-be legislators. It is ideal for anyone considering working with the Congress or state legislatures.

Note: This course is jointly-listed with HKS as DPI-120. It will be held on the HKS campus.

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The U.S. Constitution and Positive Obligations

Course #: 2840

Term: 2020SP

Faculty: Jackson, Vicki

Credits: 1.00

Type: Elective

Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Reading Group

Days and Times:

Location

Wed 5:00 PM - 7:00 PM

WCC3012

Course Description: Prerequisites: None

Exam Type: No Exam

The conventional understanding of the U.S. Constitution is that it is a "negative" constitution, which provides primarily for what government cannot do, rather than for what government must do. But this account is incomplete, for it was also plainly a purpose of the 1789 Constitution to bring into being a working government. The Constitution's structural articles include a number of "shall" commands (for example, in Article I that a census "shall be made" every ten years, or in Article II that the President "shall take care that the laws be faithfully executed"). This reading group will explore how there has come to be so much focus on the "negative" aspects of the Constitution, and read leading critiques and defenses of this understanding. Considerable scholarly debate is found over the meaning - positive or negative - of the Fourteenth Amendment's safeguarding of "the equal protection of the laws"; we will explore such debates and also consider the views of political scientists and historians about the animating purposes of the original Constitution. We will consider the issue of positive constitutionalism both through the perspective of justiciable rights and through the perspective of obligations, whether or not justiciable, that the Constitution imposes on constitutional actors outside the federal courts - including members of Congress and the President, and members of state legislatures and Governors. And we will consider the issue of positive constitutionalism both from the perspective of the Constitution as it originally came into force and from the perspective of the Constitution as it has changed over time.

Note: This reading group will meet on alternate Wednesdays throughout the term. Exact dates TBD.

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Theories About Law

Course #: 2319 **Term:** 2019FA **Faculty:** Sargentich, Lewis **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM PND100

Course Description: Prerequisites: None
Exam Type: No Exam
There will be 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.

To Politics and Beyond

Course #: 2337 **Term:** 2019FA **Faculty:** Calderon, Ruth **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Thu 5:00 PM - 7:00 PM WCC5052

Course Description: Prerequisites: None
Exam Type: No Exam
This seminar seeks to address the unique challenges arising from Israel's dual identity as a Jewish nationstate and a liberal democracy. We will explore some core challenges and issues in the Israeli political scene, such as religion and state in a Jewish context, the complexity of a democratic nationstate, equality, the Law of Return and more. We will study texts such as the Declaration of Independence, basic law human dignity and liberty, and the national law. We will relate these texts to the efforts to legislate a basic law of equality, a new law for civil union, a secular law for Shabbat, the seventh year of Smitah as an opportunity to forgive debt and how these efforts failed.

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Torts 1

Course #: 1005 **Term:** 2019FA **Faculty:** Boyle, Jamie **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:20 PM - 2:40 PM	WCC2009
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Thu 1:20 PM - 2:40 PM	WCC2009
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Fri 1:20 PM - 2:40 PM	WCC2009
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Course Description: Exam Type: One Day Take-Home

A tort is a civil wrong. This course will cover various classes of torts: intentional torts, negligence and some forms of strict liability, such as liability for defective products. The first portion of the class will focus on the law of intentional torts and will develop and practice some of the standard forms of legal argument, both precedential and non precedential. The second portion of the class focuses on the law of negligence and on the historical and social struggles that shaped and changed the law. The third portion of the class deals with strict liability and delves into the economic analysis of tort law, and its critics. Finally, there will be a brief review of proposals for tort reform.

Torts 2

Course #: 1005 **Term:** 2019FA **Faculty:** Cole, Sarah Rudolph **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:20 PM - 2:40 PM	WCC1010
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Thu 1:20 PM - 2:40 PM	WCC1010
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Fri 1:20 PM - 2:40 PM	WCC1010
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Course Description: Exam Type: In Class

When a person commits a wrong, causing injury to another, tort law provides a system that allows the injured person to recover damages for harm suffered, if the wrongdoer has violated a duty toward the person injured. Tort law identifies what is a wrong, what an injured person must demonstrate in order to recover damages, what a defendant must establish in order to avoid liability, and the remedies available to successful plaintiffs. This course will consider intentional torts, negligence, and strict liability as well as the theories underlying the American system of tort law.

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Torts 3

Course #: 1005 **Term:** 2020SP **Faculty:** Sargentich, Lewis **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Wed 1:40 PM - 3:00 PM	PND101
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Thu 1:40 PM - 3:00 PM	PND101
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Fri 1:40 PM - 3:00 PM	PND101
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Course Description: Exam Type: In Class

This course concerns the legal protection afforded in civil proceedings against interference by others with security of one's person, property or intangible interests. It is not directly concerned with the law of property and contract, which form the subject of other courses, but it explores relationships with these bodies of law. Three fundamental theories of liability emerge: intentional interference, negligence, and strict liability. The influence of these theories and of associated policies is studied in the context of recognized categories of tort liability, particularly battery, negligence, trespass, nuisance, strict liability, product liability and also no-fault plans. Through these illustrations the course seeks to develop an understanding of the laws search for basic principles to govern the resolution of human conflicts, particularly disputes having to do with the harmful side-effects of productive activity.

Professor Sargentich will use Keeton, Sargentich, and Keating, Tort and Accident Law (4th ed. 2004).

Torts 4

Course #: 1005 **Term:** 2019FA **Faculty:** Hemel, Daniel **Credits:** 4.00

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

Delivery Mode: Course

Days and Times:	Location
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Thu 9:30 AM - 11:30 AM	WCC2009
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Fri 9:30 AM - 11:30 AM	WCC2009
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Course Description: Exam Type: In Class

This course provides an introduction to the law of torts. It covers - among other topics - negligence and strict liability, battery and assault, trespass, false imprisonment, conversion, intentional infliction of emotional distress, and defamation. Themes that run throughout the course include: the power and limits of economic reasoning in tort law; the connections and contrasts between tort law and criminal law; the relationship between tort law and social norms; the influence of politics, culture, gender, race, and class on the evolution of tort law; the role of moral reasoning in tort law; and the advantages and disadvantages of tort law relative to alternative mechanisms for regulating behavior and compensating injuries. The course seeks to provide students with a working knowledge of key tort law doctrines as well as a broader perspective on the policies and values that tort law implicates.

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Torts 5

Course #: 1005 **Term:** 2019FA **Faculty:** Lazarus, Richard **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 1:10 PM - 3:10 PM WCC1023

Tue 1:10 PM - 3:10 PM WCC1023

Course Description: Exam Type: In Class

A tort is a wrong. To commit a tort is to violate a duty owed to another not to injure her, such that the other is granted a power to hold the wrongdoer accountable. Tort law determines what counts as a tort, what a plaintiff must prove to obtain recourse, the defenses by which a defendant can avoid liability, and the remedies available to successful plaintiffs. Examining negligence, medical malpractice, battery, assault, trespass, and other torts, this course will explore tort law and larger theoretical questions that it raises.

Torts 6

Course #: 1005 **Term:** 2019FA **Faculty:** Hanson, Jon **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:15 PM - 2:45 PM WCC2012

Thu 1:15 PM - 2:45 PM WCC2012

Fri 1:15 PM - 2:45 PM WCC2012

Course Description: Exam Type: One Day Take-Home

This course will review the doctrines and history of tort law, various positive and normative theories of tort law, the psychological, social, economic, and political forces and dynamics influencing tort law and tort reform, and the interconnections of tort law to other areas of law. Please note, class time includes space for section planning.

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Torts 7

Course #: 1005 **Term:** 2020SP **Faculty:** Gersen, Jacob **Credits:** 4.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 1:00 PM - 3:00 PM WCC2004

Fri 1:00 PM - 3:00 PM WCC2004

Course Description: Exam Type: One-Day Take-Home

This course concerns the legal protection afforded in civil proceedings against interference by others with security of one's person, property or intangible interests. It is not directly concerned with the law of property and contract, which form the subject of other courses, but it explores relationships with these bodies of law. Three fundamental theories of liability emerge: intentional interference, negligence, and strict liability. The influence of these theories and of associated policies is studied in the context of recognized categories of tort liability, particularly assault, battery, interference with peace of mind, negligence, trespass, nuisance, product liability and also no-fault plans. Through these illustrations the course seeks to develop an understanding of the laws search for basic principles to govern the resolution of human conflicts, particularly disputes having to do with the harmful side-effects of productive activity.

Trademark and Unfair Competition

Course #: 2462 **Term:** 2020SP **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**

Thu 1:15 PM - 2:45 PM HAU104

Fri 1:15 PM - 2:45 PM HAU104

Course Description: Prerequisite: 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.

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Transactional Law Clinical Workshop

Course #: 2247 **Term:** 2020SP **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 WCCB010

Course Description: Students who enroll in this offering 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: December 6, 2019.
LLM Students: LLM students are eligible to enroll in this clinic through Helios.
This course is the classroom component of the clinical practice for students enrolled in one of the Transactional Practice Clinics (TLC). Students in the Workshop will choose to concentrate their clinical practice in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Recording Artist Project (entertainment), Community Enterprise Project (CEP) (please note that students interested in the CEP will need to submit an application instead of enrolling through Helios – please see the CEP course catalog description for more information about the application process). In the classroom and the clinical work, students will have the opportunity to explore and directly experience the various roles performed by transactional lawyers in providing legal services to small businesses, non-profit organizations, real estate parties, community development corporations, or individuals and companies in the arts and entertainment industry. Students will develop legal skills utilized by transactional lawyers and will gain the perspective of transactional practice in the context of actual client representation. Depending upon their clinical concentration and clients needs, students typically will have opportunities to engage in entity formation; contract negotiation and drafting; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; or other transactional legal work. Students will be exposed to the various challenges faced by clients engaged in transactional activities and to the laws, policies and institutions impacting their ability to succeed. In addition, the course will engage students in critical reflection about the ethical, strategic and policy dimensions of their clinical work; as well as invite reflection about their own professional development. In the classroom component of the course, every student will participate in "rounds" sessions, by presenting a challenging case for class discussion and by critiquing and analyzing the presentations of fellow students.
A clinical practice component is required of all students. Clinical placements are with the Transactional Practice Clinics (www.harvardtlc.org).
Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website (<http://www.law.harvard.edu/academics/clinical>) for clinical registration dates, early add/drop deadlines, and other information about the clinical.

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Transactional Law Clinical Workshop

Course #: 2247 **Term:** 2019FA **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 WCCB010

Course Description: Students who enroll in this offering 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 16, 2019.
LLM Students: LLM students are eligible to enroll in this clinic through Helios.
This course is the classroom component of the clinical practice for students enrolled in one of the Transactional Practice Clinics (TLC). Students in the Workshop will choose to concentrate their clinical practice in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Recording Artist Project (entertainment), Community Enterprise Project (CEP) (please note that students interested in the CEP will need to submit an application instead of enrolling through Helios – please see the CEP course catalog description for more information about the application process). In the classroom and the clinical work, students will have the opportunity to explore and directly experience the various roles performed by transactional lawyers in providing legal services to small businesses, non-profit organizations, real estate parties, community development corporations, or individuals and companies in the arts and entertainment industry. Students will develop legal skills utilized by transactional lawyers and will gain the perspective of transactional practice in the context of actual client representation. Depending upon their clinical concentration and clients needs, students typically will have opportunities to engage in entity formation; contract negotiation and drafting; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; or other transactional legal work. Students will be exposed to the various challenges faced by clients engaged in transactional activities and to the laws, policies and institutions impacting their ability to succeed. In addition, the course will engage students in critical reflection about the ethical, strategic and policy dimensions of their clinical work; as well as invite reflection about their own professional development. In the classroom component of the course, every student will participate in "rounds" sessions, by presenting a challenging case for class discussion and by critiquing and analyzing the presentations of fellow students.
A clinical practice component is required of all students. Clinical placements are with the Transactional Practice Clinics (www.harvardtlc.org).
Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website (<http://www.law.harvard.edu/academics/clinical>) for clinical registration dates, early add/drop deadlines, and other information about the clinical.

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Transactional Law Clinics

Course #: 8031 **Term:** 2019FA **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 offering 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 16, 2019.LLM
Students: LLM students are eligible to enroll in this clinic through Helios. Placement Site: HLS.
Students enrolled in the Transactional Law Clinics will engage in actual legal practice with real clients involved in transactional matters. Students practice under the supervision and mentoring of an experienced practitioner in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Entertainment Law (Recording Artists Project), Community Enterprise Project (CEP) (please note that students interested in the CEP will need to submit an application instead of enrolling through Helios – please see the CEP course catalog description for more information about the application process). TLC clients include entrepreneurs, small businesses, non-profit organizations, real estate parties, community development corporations, and individuals and companies in the art and entertainment industry. Students will have direct hands-on responsibility for handling their cases and will gain experience in various aspects of transactional practice. Depending upon their clinical concentration and client needs, students typically have opportunities to engage in entity formation; start-up financing; contract negotiation and drafting; applications for tax-exemption; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; and other transactional legal work. TLC students typically experience professional growth in areas such as strategic judgment, transactional thinking ability, communication skills, client management, document drafting and review, ethical awareness, and practice-oriented research and writing.

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Transactional Law Clinics

Course #: 8031 **Term:** 2020SP **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 offering 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: December 6, 2019.
LLM Students: LLM students are eligible to enroll in this clinic through Helios.
Placement Site: HLS.
Students enrolled in the Transactional Law Clinics will engage in actual legal practice with real clients involved in transactional matters. Students practice under the supervision and mentoring of an experienced practitioner in one or more of the four TLC clinics: Business and Non-Profit, Real Estate, Entertainment Law (Recording Artists Project), Community Enterprise Project (CEP) (please note that students interested in the CEP will need to submit an application instead of enrolling through Helios – please see the CEP course catalog description for more information about the application process). TLC clients include entrepreneurs, small businesses, non-profit organizations, real estate parties, community development corporations, and individuals and companies in the art and entertainment industry. Students will have direct hands-on responsibility for handling their cases and will gain experience in various aspects of transactional practice. Depending upon their clinical concentration and client needs, students typically have opportunities to engage in entity formation; start-up financing; contract negotiation and drafting; applications for tax-exemption; commercial financing; business acquisition; commercial leasing; licensing and permitting; trademark and copyright; corporate governance and compliance; real estate transactions and development; affordable housing development; zoning; condominium development; and other transactional legal work. TLC students typically experience professional growth in areas such as strategic judgment, transactional thinking ability, communication skills, client management, document drafting and review, ethical awareness, and practice-oriented research and writing.

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Trauma, Refugees and Asylum Law

Course #: 2576

Term: 2019FA

Faculty: Ardalan, Sabrineh

Credits: 2.00

Type: Elective

Subject Areas: Human Rights

Delivery Mode: Seminar

Days and Times:

Location

Wed 3:00 PM - 5:00 PM

WCC3011

Course Description: Prerequisites: None

Exam Type: No Exam

Refugees are among the most vulnerable populations in our legal system today and are among the most challenging to represent. They are the quintessential trauma survivors. Because trauma affects refugees memories, emotions, and demeanor, representation requires lawyers to surmount barriers to elicit information about the harm suffered in order to narrate the refugees story persuasively and effectively. For these reasons, lawyers often work closely with mental health professionals and medical doctors both to treat refugees and to substantiate their claims.

Critical as it is to the success of refugees legal cases, collaboration among lawyers, medical doctors, and mental health professionals raises provocative and important issues. Lawyers, mental health clinicians, and doctors each have expertise in their own fields, but view their mandates through different lenses.

This seminar will address the intersection of immigration and refugee law, trauma, and psychology, drawing on literature from both law and psychology, as well as on immigrant and refugee narratives as told through various genres and media. Guest speakers will include doctors, psychologists, social workers, immigrants, refugees, and advocates.

Social work perspectives will be integrated throughout the course, and students will learn about and participate in a series of self-reflection and mindfulness exercises. The course will highlight the importance of self-care and debriefing strategies among professionals who work with clients exposed to trauma.

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Trial Advocacy Workshop

Course #: 2249 **Term:** 2019FA **Faculty:** Sullivan, Ronald **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

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

Prerequisites: For JD students there are no formal prerequisites, although familiarity with the rules of evidence is assumed throughout the course. For LLM students, permission of the instructor is required.

Exam Type: No Exam

Early drop deadline of Friday, August 16, 2019 Please note: There will be a mandatory meeting on Wednesday, April 10, 2019, in Austin 100 at 12:00 p.m. for all students enrolled in the Fall 2019 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 hours (maximum) of class conflicts per week (HLS courses only). Students must be available for trials from 2:00 p.m. to 9:00 p.m. on 9/11, 9/12, 9/13, 9/18, 9/19 and 9/20. 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 3, 2019 to Friday, September 20, 2019 (there is no class on Monday, September 2, 2019 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:

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.

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.

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.

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.

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Texts: Mauet, Trial Techniques (required), plus multilithed materials and case files. Murray, Basic Trial Advocacy (optional)

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

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Trial Advocacy Workshop

Course #: 2249 **Term:** 2020WI **Faculty:** Sullivan, Ronald **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Course Description: Students who enroll in this offering may count the credits towards the JD experiential learning requirement.
Prerequisite: For JD students there are no formal prerequisites, although it is highly recommended (but not required) that students complete a course in Evidence prior to taking this course. Familiarity with the rules of evidence is assumed throughout the course. For LLM students, permission of the instructor is required.

Exam Type: No Exam

Early drop deadline of August 30, 2019

Please note: There will be a mandatory meeting in November 2019 (date and time TBD) for all students enrolled in the Winter 2020 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 20, 2020, due to the Martin Luther King, Jr. Holiday).

The Winter Trial Advocacy Workshop will take place beginning Monday, January 6, 2020 to Friday, January 24, 2020. 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

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

This course has an early drop deadline of Friday, August 30, 2019. The course may not be dropped after Friday, August 30, 2019, without the written permission of the instructor.

Trusts and Estates

Course #: 2250 **Term:** 2020SP **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 1:00 PM - 3:00 PM AUS101

Tue 1:00 PM - 3:00 PM AUS101

Course Description: Prerequisite: None

Exam Type: In Class

This course examines freedom of disposition in American succession law by way of: (a) intestate succession; (b) wills (including execution, revocation, interpretation, and contests); (c) will substitutes (i.e., nonprobate transfers) and planning for incapacity; and (d) trusts (including creation, fiduciary administration, modification, termination, spendthrift and other asset protection trusts, and charitable trusts).

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U.S. Aspects of International Income Taxation

Course #: 2236 **Term:** 2020SP **Faculty:** Shay, Stephen **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 8:30 AM - 10:00 AM WCC3007

Tue 8:30 AM - 10:00 AM WCC3007

Course Description: Prerequisites: 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: Any-Day Takehome

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.

Urban Law and Policy

Course #: 2516 **Term:** 2020SP **Faculty:** Brady, Maureen **Credits:** 1.00

Type: Elective **Subject Areas:** Legal History; Regulatory Law

Delivery Mode: Reading Group

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC4062

Course Description: Prerequisites: None

Exam Type: No Exam

This reading group will focus on doctrine and theories in land use, local government, and property law by examining the physical development of Boston and Cambridge from 1630 to the present. Readings and class sessions will address, among other topics, colonial land development; transportation history surrounding railroads and streets; the rise and proliferation of zoning and other land use controls; urban renewal; de jure and de facto segregation; and ongoing challenges in housing.

Note: This reading group will meet on the following dates: 1/28, 2/11, 2/25, 3/10, 3/31, 4/14

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Valuing and Modeling M&A and LBOs

Course #: 2678 **Term:** 2020SP **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**

Mon 1:00 PM - 3:00 PM WCC3007

Tue 1:00 PM - 3:00 PM WCC3007

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

Prerequisites: The admission is by permission only and interested students should send a resume and a cover letter to the instructor at vbosiljevac@law.harvard.edu. The deadline for LLM and upper-level JD applications is November 5. The deadline for 1L applications is November 15.

Exam Type: No Exam

The goal of this class is to provide students with the investment banking toolkit for assessing and modeling M&A and leveraged buyout (LBO) transactions that is used in Wall Street investment banks.

Students will learn how to model and evaluate mergers and LBOs in Excel as investment bankers do (background topics such as accounting will be covered). They will learn about the strategic reasons and tactics for mergers and acquisitions, LBOs, corporate divestiture, restructurings, and hostile takeovers from investment bankers perspective. Case studies of mergers, acquisitions and LBOs drawn from a variety of different industries throughout the world will be examined.

The class workload and assignments will be challenging, requiring students to apply learned concepts, tools and techniques to real-world problems. Active participation is required.

There is no final exam. Instead, there will be a final take-home project requiring students to build an advanced merger model and a pitchbook (40-50 hours workload) as one would do in an investment bank. Course materials will include textbooks, HBS cases, and modeling video tutorials.

No prior experience in finance is required. On contrary, the ideal student is highly motivated with no practical investment banking experience. Students who have worked in investment banking or private equity (either as analysts prior to law school or as summer interns) should not take this course.

This course is intended for students who want to embark on a career in finance or who will practice corporate law (mergers and acquisitions, capital markets, corporate transactions and other related fields).

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Venture Law and Finance

Course #: 2252 **Term:** 2019FA **Faculty:** Fried, Jesse **Credits:** 3.00

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

Delivery Mode: Course

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

Thu 1:00 PM - 3:00 PM

Fri 1:00 PM - 3:00 PM

Wed 1:00 PM - 3:00 PM PND102

Thu 1:00 PM - 3:00 PM PND102

Fri 1:00 PM - 3:00 PM PND102

Course Description: Prerequisites: 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

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: This course will meet on the following dates: September 5, 6, 18, 19, 25, 26, 27; October 24, 25, 30, 31; November 1, 6, 7, 13, 14, 20, 21

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Veterans Law and Disability Benefits Clinic

Course #: 8039 **Term:** 2020SP **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 offering 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: December 6, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application. Please Note: LLM students may take this clinic for 2 clinical credits.
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 three projects within the Clinic: (1) The Veterans Justice Project: representing veterans in administrative and state and federal court appeals to challenge wrongful denials of veterans benefits and to ; (2) Estate Planning Project: representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) Safety Net Project: 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.

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Veterans Law and Disability Benefits Clinic

Course #: 8039 **Term:** 2019FA **Faculty:** Gwin, Elizabeth; Montalto, Dana **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 offering 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 16, 2019.
LLM Students: LLM students may apply to this clinic by submitting an application. Please Note: LLM students may take this clinic for 2 clinical credits.
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 three projects within the Clinic: (1) The Veterans Justice Project: representing veterans in administrative and state and federal court appeals to challenge wrongful denials of veterans benefits and to ; (2) Estate Planning Project: representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) Safety Net Project: 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.

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Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520 **Term:** 2019FA **Faculty:** Gwin, Elizabeth; Montalto, Dana **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 WCC3009

Course Description: Students who enroll in this offering 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 16, 2019.
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.

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Veterans Law and Disability Benefits Clinical Seminar

Course #: 2520 **Term:** 2020SP **Faculty:** Nagin, Daniel; Gwin, Elizabeth **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 WCC4063

Course Description: Students who enroll in this offering 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: December 6, 2019.
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.

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Voting Rights Litigation and Advocacy Clinic

Course #: 8053 **Term:** 2020SP **Faculty:** Greenwood, Ruth **Credits:** 5.00

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

Delivery Mode: Clinic

Days and Times: **Location**

Course Description: Students who enroll in this offering 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: Voting Rights Litigation and Advocacy Tools (2 spring classroom credits). The clinic and course are bundled; your enrollment in the clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: Election Law.

By Permission: Yes - applications are due by November 15, 2019.

Add/Drop Deadline: December 6, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Placement Site: Various externship placements.

The Voting Rights Litigation and Advocacy Clinic focuses on voter suppression and redistricting law and policy, but students may choose a placement that includes work in other areas of election law including election administration, campaign finance, political party regulation, and ethics. The work may be at the local, state, and/or national level, and could focus on the needs of a particular community or a broader audience. Students in the Voting Rights Litigation and Advocacy Clinic will have placements at externships with non-profit litigation and advocacy groups, such as the American Civil Liberties Union, Campaign Legal Center, and Common Cause.

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 programs. Most clinical work will be done remotely, although there may be opportunities to travel for those working for organizations based in New York or Washington, D.C.

Application: Enrollment in the Voting Rights Litigation and Advocacy Clinic is by application only. Applications are due to Ruth Greenwood (rgreenwood@law.harvard.edu) by the end of the day on November 15, 2019. Students should include a resume and a short statement of interest (500 words or less) in their application. Once accepted, students will work with the Office of Clinical and Pro Bono Programs to finalize their registrations.

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Voting Rights Litigation and Advocacy Workshop

Course #: 3005

Term: 2020SP

Faculty: Greenwood, Ruth

Credits: 2.00

Type: Elective

Subject Areas: Not Applicable

Delivery Mode: Seminar

Days and Times:

Location

Tue 5:00 PM - 7:00 PM

WCC5051

Course Description:

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Required Clinic Component: Voting Rights Litigation and Advocacy 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: Election Law.

By Permission: Yes - applications are due by November 15, 2019.

Add/Drop Deadline: December 6, 2019.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

This seminar is for all students enrolled in the Voting Rights Litigation and Advocacy Clinic. Participants will build on their knowledge from the Election Law course by learning how to apply it in the litigation and advocacy contexts. The seminar will use examples from the voter suppression and redistricting areas to teach students how to design and litigate impact cases (from investigating and filing a complaint, through lay and expert discovery, to presenting a case at trial and writing appellate briefs). The seminar will also teach students how to draft and advocate for and against voting rights legislation at the local, state, and national levels.

Please see the Voting Rights Litigation and Advocacy Clinic course description for additional information.

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Water Law

Course #: 2292

Term: 2020WI

Faculty: Salzman, James

Credits: 2.00

Type: Elective

Subject Areas: Environmental Law; Regulatory Law

Delivery Mode: Course

Days and Times:

Location

Mon 9:00 AM - 12:15 PM

WCCB015

Tue 9:00 AM - 12:15 PM

WCCB015

Wed 9:00 AM - 12:15 PM

WCCB015

Thu 9:00 AM - 12:15 PM

WCCB015

Fri 9:00 AM - 12:15 PM

WCCB015

Course Description: Prerequisites: None

Exam Type: One Day Take-Home

Course coverage includes: origin, development, and current status of prior appropriation and riparian water law systems; ground water controls; U.S. water pollution control law; the public trust doctrine; federal/state relations in water use regulation and delivery; and interstate allocations. Indian and other federally reserved water rights are also covered.

Note: This course will meet for the first 8 days of the term.

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What Kind of Lawyer Do You Want to Be?: An Introduction to Legal Practice in Different Practice Settings

Course #: 1053 **Term:** 2020WI **Faculty:** Rakoff, Todd; Wacks, Jamie **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Mon 9:00 AM - 12:15 PM	WCC1015
Tue 9:00 AM - 12:15 PM	WCC1015
Wed 9:00 AM - 12:15 PM	WCC1015
Thu 9:00 AM - 12:15 PM	WCC1015
Fri 9:00 AM - 12:15 PM	WCC1015

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

Note: This course is restricted to first-year J.D. students only.

The drop deadline for 1L January Experiential Term (JET) classes is Monday, December 2nd. Students may not drop a course if they do not have an offer to enroll in a different JET course. Most courses are limited to 72 students.

1L JET courses are intensive learning courses. Class attendance is required in each course every day of the term, beginning Monday, January 6th. Students should make their travel plans accordingly. Students should not take on other work commitments during the term.

Exam Type: No Exam

What kind of lawyer do you want to be? This course is designed to introduce you to some of the practical skills and analytical approaches that lawyers use to help clients to achieve their goals in different practice settings, with an eye toward helping you to identify the practice area(s) in which you would like to specialize, as well as the style(s) of lawyering with which you feel most comfortable. Each problem that we will cover emphasizes a different kind of client with a different kind of problem, requiring a lawyer in a different kind of role, emphasizing a different kind of skill. In addition to highlighting the differences in these roles, the course will explore themes and ethical issues that permeate each of these areas of practice, albeit in different ways, and it will highlight some of the professional and personal challenges that you may face throughout your legal career.

More specifically, during this course, you will try on different lawyer hats in the context of pro bono and public interest lawyering and in private practice, sometimes in the civil and sometimes in the criminal context. The skill sets that you will try out include interviewing clients, interpreting and negotiating contracts, and making charging and sentencing recommendations as prosecutors and criminal defense attorneys. Many of these exercises will involve role playing and simulations. As you try on these lawyer hats and sample different styles of lawyering, you also will hear from lawyers practicing in these fields who will participate as guest speakers.

Over the course of the January Experiential Term, you will do some work in groups and some work on your own. Daily attendance in class and participation in group exercises after class are required.

Note: There may be days throughout the winter term that require attendance beyond the scheduled times. Please refer to the course syllabus and page for more information.

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What's Next for the Supreme Court: Cases on the Docket, October Term 2019

Course #: 2668

Term: 2019FA

Faculty: Strauss, David

Credits: 1.00

Type: Elective

Subject Areas: Constitutional Law & Civil Rights

Delivery Mode: Reading Group

Days and Times:

Mon 5:00 PM - 7:00 PM

Location

WCC4062

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 2019-2020 Term. Students will play different roles from week to week: as advocates for the respective sides in a case; as other lawyers representing the parties, analyzing litigation strategy; and as justices who will decide the cases.

Note: This reading group will meet on the following dates: 9/23, 10/7, 10/21, 10/28, 11/11, 11/18
Drop Deadline: September 24, 2019 by 11:59 pm EST

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When Technology Disrupts the Law

Course #: 2631 **Term:** 2020SP **Faculty:** Wachter, Sandra **Credits:** 3.00

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

Delivery Mode: Course

Days and Times:	Location
Thu 10:00 AM - 11:30 AM	WCCB015
Fri 10:00 AM - 11:30 AM	WCCB015

Course Description:

Prerequisites: None

Exam Type: No Exam

Emerging technologies such as Artificial Intelligence, smart robotics, Internet platforms, blockchain and the Internet of Things are shaping our daily lives and society as a whole. These systems are deeply embedded in our community. AI changes how we make decisions (e.g. loan or insurance decisions), smart robotics, connected cars and Internet platforms transform how we work and offer goods and services, and blockchain allows new forms and modes (e.g. smart contracts) of commerce.

Whilst the advantages of disruptive technologies are widely cited, legal and ethical challenges are also undeniable. Thus, it is also time to assess whether current and traditional legal frameworks as well as new governance strategies are fit for purpose to guard against the novel risks posed by new systems.

In this interactive class we will discuss the challenges in governing emerging and disruptive technologies, with a special focus on Europe. Does data protection law (e.g. the General Data Protection Regulation) protect privacy in the age of inferential analytics? Is non-discrimination law equipped to combat bias and unjust algorithmic decision-making? Is AI detrimental to effective human rights protection? Do labour laws support workers in the gig economy? Are traditional liability rules sufficient to guard against harms caused by smart robotics and autonomous cars? Can smart contracts replace the need for contract law and judicial systems?

Apart from conceptualising the problems surrounding new technologies, this class will discuss traditional and novel governance proposals and shed light on their promise, feasibility and shortfalls. Among other things we will discuss current research advances in explainable AI (xAI), bias detection and mitigation and other tools to increase accountability in algorithmic systems. New approaches of holistic privacy protection such as the governance of inferences and group privacy will be assessed. Global AI and robotics governance strategies to address problems associated with the increase of automation will be evaluated. This course will illustrate these and other issues through review and critical analysis of academic literature, governance proposals, existing laws, and case law.

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White Collar Crime and Public Corruption

Course #: 2863 **Term:** 2019FA **Faculty:** Taub, Jennifer **Credits:** 1.00

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

Delivery Mode: Reading Group

Days and Times: **Location**

Wed 5:00 PM - 7:00 PM WCC3012

Course Description: Prerequisite: None

Exam Type: No Exam

This reading group will explore how the public suffers when elite offenders use white collar crime to gain and sustain wealth, social status, and political influence. Unlike street crime, typically committed by the poor and disempowered, the sorts of criminal schemes executed by the wealthy are not as easily detected, prosecuted, or punished. This is not just a failure of law enforcement, it is also a social justice issue.

What is white collar crime? Sociologist Edwin Sutherland coined the term "white collar crime" 80 years ago in a controversial address he delivered to the American Sociological Association Annual Meeting in 1939. He challenged the prevailing theories of criminologists that poverty and psychopathy were chief causes of crime. Almost a decade later, Sutherland published his monograph entitled *White Collar Crime*. Looking mainly to the status of the offender, Sutherland defined it as "crime committed by a person of respectability and high social status in the course of his occupation." Most lawyers would say it includes felonies motivated by money. Fraud, embezzlement, insider trading, conspiracy, bribery of public officials, campaign finance fraud, money laundering, tax evasion, RICO, environmental crime, and public-welfare offenses including food and drug mislabeling and adulteration. Plus, the cover-up crimes like perjury, false statements, witness tampering, and obstruction of justice.

In addition to parsing statutes and reading landmark decisions involving white collar crime and public corruption, we will also focus on current high-profile indictments and investigations.

Note: This reading group will meet on the following dates: 9/4, 9/18, 10/2, 10/16, 10/30, 11/6

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White Collar Criminal Law and Procedure

Course #: 2254 **Term:** 2020SP **Faculty:** Apps, Antonia; Savarese, John **Credits:** 2.00

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

Delivery Mode: Course

Days and Times: **Location**

Wed 3:00 PM - 5:00 PM WCC1015

Course Description: Prerequisite: None

Exam Type: Last Class Take-Home

The past several years have seen a number of significant developments in white collar criminal prosecutions. Over the last decade, the government has demanded massive financial settlements in white collar prosecutions, including several in which federal prosecutors have sought indictments of corporate entities and demanded guilty pleas as part of the resolution. Recent pronouncements by the Department of Justice suggesting a softening of this approach for companies that self-disclose and cooperate. Prosecutors have also indicated their intention going forward to increase their focus on individual prosecutions, leveraging internal investigations conducted by corporations and insisting that corporations must provide evidence of individual wrongdoing in order to get cooperation credit. There have also been significant developments in numerous areas of white collar law, including insider trading, public corruption, and the Foreign Corrupt Practices Act, to name a few. And investigations that were once limited to the United States now frequently involve regulators and prosecutors across the globe.

This course will examine those developments and will focus on (1) case studies in corporate criminal law enforcement, including how federal law, emerging prosecutorial practices, and corporate cooperation guide and shape the resolution of white collar investigations; (2) evolving government expectations about the role of corporations and corporate counsel; (3) ethical and legal dilemmas in conducting a corporate investigation; (4) the emergence of the deferred prosecution agreement and efforts to regulate it; (5) the black-letter law of corporate criminal liability, including the challenges posed by this standard for companies in light of the collateral consequences of indictment; (6) recent developments in insider trading, the FCPA, and public corruption, among other areas; and (7) the impact on US prosecutions of foreign regulators investigating cross-border conduct. The course will also address various law enforcement investigative techniques commonly used by prosecutors and issues pertaining to sentencing in white collar cases.

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Workshop in Empirical Law and Economics

Course #: 2450

Term: 2019FS

Faculty: Cohen, Alma

Credits: 1.00

Type: Elective

Subject Areas: Disciplinary Perspectives & Law

Delivery Mode: Course

Days and Times:

Location

Course Description: Prerequisites: There are no formal prerequisites for the course. However, the course is aimed for students with a significant interest in empirical research. Students who have questions regarding whether the course would be suitable for them should feel free to contact the instructor.

Exam Type: No Exam

This one-credit course seeks to contribute to students that are planning to work on an empirical research project during 2019-2020 or later on. The course will follow a similar format to a non-credit series of dinner sessions that took place during 2018-2019 in which HLS student fellows conducting empirical research presented and got feedback on their projects.

Empirical work has been increasingly used in policymaking, litigation, regulation, and research regarding many legal areas, including criminal law, torts, environmental law, administrative law, the litigation process, corporate law, securities regulation, and so forth and so on. Some HLS students are planning to conduct empirical research (for a fellowship, independent written work, an LLM thesis, or some other purpose), and the course will provide them with an opportunity to present their project and get comments and feedback that would help improving their work. Some HLS students are planning to conduct empirical research later on in the future, and the course will expose them to how empirical research is designed, conducted, critically thought about, and improved by addressing identified problems.

The course will consist of six sessions all taking place in the 7-9pm slot to reduce the risk of conflict with other courses (dinner will be served). The first three sessions will take place in the fall semester (on the Thursdays of October 3, 10, and 17) and the last three sessions will take place in the spring semester (on the Wednesdays of February 19 and 26 and March 4).

There will be no examination. Instead, students doing an empirical project will be asked to do a presentation in class about their project, and students not doing an empirical project during 2019-2020 will be asked to submit, before sessions, a brief memo on the materials to be presented in the session. Grades will be based on such presentations or brief memos primarily, but could be raised in case of good class participation.

Students who wish to do their empirical project in conjunction with the course may do so for additional credit.

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Writing about the Law for General Audiences

Course #: 2735 **Term:** 2019FA **Faculty:** Wittes, Benjamin **Credits:** 2.00

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

Delivery Mode: Seminar

Days and Times: **Location**

Tue 5:00 PM - 7:00 PM WCC3036

Course Description: Prerequisites: None

Exam Type: No Exam

This workshop will explore the process and many forms of writing about law for non-specialist audiences. From the blog post to the oped to the magazine feature article to the long-form argument, the class will offer a practical introduction to general interest legal writing.

Wrongful Convictions and Post-Conviction Remedies

Course #: 2379 **Term:** 2019FA **Faculty:** Medwed, Daniel **Credits:** 3.00

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

Delivery Mode: Course

Days and Times: **Location**

Mon 3:20 PM - 4:50 PM HAU102

Tue 3:20 PM - 4:50 PM HAU102

Course Description: Prerequisites: None

Exam Type: No Exam

The emergence of DNA testing has not only assisted law enforcement in solving crimes, but also helped to expose a problem that many observers of the criminal justice system long suspected: that a sizable number of innocent people have been convicted in the United States. Given that biological evidence suitable for post-conviction DNA testing is available in only a smattering of cases, the exonerations generated by DNA represent the tip of the innocence iceberg, so to speak. This class will explore (1) the primary factors that contribute to the phenomenon of wrongful convictions; (2) the types of post-conviction remedies available to litigants seeking to reverse a wrongful conviction; and (3) potential reforms that could be implemented to guard against the conviction of the innocent.
