

**SEM: 810. Hate Speech****SEM: 844. Judicial Behavior****SEM: 860. Law & Develop.****SEM: 833. Law & Vulnerability****SEMINAR: Law & Vulnerability****Class Number:** 4822; **Catalog Number-** LAW 833**Credit:** 3 Hours**Instructor(s):** Prof. Fineman, Martha**Prerequisite:** None**Grading Criteria:** Paper (Satisfies Upper-Level Writing Requirement)**Enrollment:** Limited to 16 students!**Preselection Form:** <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/> (<https://emory.us1.list-manage.com/track/click?u=997a5e05af771befba55f622a&id=740de71c83&e=de17cb06a3>)

**Description:** This seminar explores the relationship between law and vulnerability from both a theoretical and a practical perspective. The course is anchored in the understanding that fundamental to our shared humanity is our shared vulnerability, which is universal and constant and inherent in the human condition. It will offer students an opportunity to engage with multiple perspectives on vulnerability, with an emphasis on law, justice, state policy, and legislative ethics. While vulnerability can never be eliminated, society through its institutions confers certain "assets" or resources, such as wealth, health, education, family relationships, and marketable skills on individuals and groups. These assets give individuals "resilience" in the face of their vulnerability. This seminar will explore how a society now is structured, however, certain individuals and groups operate from positions of entrenched advantage or privilege, while others are disadvantaged in ways that seem to be invisible as we engage in law and policy discussions.

*\*Last Updated Spring 2020***SEM: 806A. The Right to War****Fall 2019 Courses**

The following courses are being offered for Fall 2019 semester, please note this list is subject to change.

(AC)= Accelerated Course

(CL)= Cross-listed

(EL)= Experiential Learning/Practical Experience Approved

**847. Adv. Civil Trial Pract.**

**Advanced Civil Trial Practice**

**Class Number:** 4265; **Catalog Number-** LAW 847, 06A.

**Credits:** 2 hours

**Instructor(s):** Prof. Wellon, Robert

**Prerequisite:** Evidence & Trial Techniques

**Grading Criteria:** Class Work & Mock Trial

**Description:** Designed to build on the litigation techniques and skills first encountered in the Trial Techniques Program. Using a simulated case file in an employment case, the class will help develop the skills, strategies, and tactics necessary to be effective courtroom advocates. The course will employ lecture, demonstrations, movie and videotape simulations as well as regular participation by the students and constructive criticism and helpful hints from the course instructors, who are all very experienced litigators and judges. Invited guests who litigate regularly in this area of practice will also participate. Courtroom technology and visual aids will also be explored. The course will conclude with student teams conducting a trial in a real courtroom setting, which is now planned for November 17th where participation is mandatory.

*\*Last Updated Fall 2015*

**617A. Adv. Comm'l Real Estate (EL)****Advanced Commercial Real Estate**

**Class Number:** 4321; **Catalog Number-** LAW 617A.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Minkin, David

**Prerequisite:** Property & Real Estate Finance (recommended)

**Grading Criteria:** Participation, Attendance, & Take-Home Exam

**Description:** What is commercial real estate all about? We will look at getting control of property (purchase and sale agreements), raising equity (limited liability company operating agreements), raising debt (loan documents), creating revenue from the property (leases), and documents related to financial restructure issues, all from the perspective of how they work and how our clients view them. Essential concepts for the course are what are clients' expectations with regard to their attorneys and how do those expectations affect the approach required with respect to negotiations and ultimate documentation? We will review not only real documents used in sophisticated commercial real estate transactions but also business school cases that discuss commercial real estate issues from the business person's perspective. Because the classroom presentations and discussions present much of the required materials, regular attendance is critically important.

We will also try to bring in one or two noted real estate professionals in Atlanta for in-class discussions. For example, we have had in class in past years the CEO of a major national real estate developer, bankers who had worked with major national banks and an expert in troubled real estate workouts.

**Attendance Policy:** Attendance is expected at every class unless the student has talked with the professor beforehand.

*\*Last Updated Fall 2019*

**657. Adv. Legal Research (EL)**

**Advanced Legal Research****ACCELERATED CLASS** (Check OPUS for Dates)**Catalog Number-** LAW 657, 02A2 Sections:**Class Number:** 4483 (Statutory Rsch.-1st 7 weeks)**Class Number:** 4307 (Secondary Sources-2nd 7 weeks)**Credits:** 1 hour (Experiential Learning Approved)**Instructor(s):** Prof. Reid, Richelle & Prof. Deese, Abby**Prerequisite:** None**Secondary Grading Criteria:** Participation, Attendance, Research Homework Exercises, & Final Research Project**Statutory Grading Criteria:** Participation, Attendance, Group Homework, Projects

**Mastery of Secondary Sources Description:** Mastery of Secondary Sources in Legal Research is a practical, skills-based course designed to improve information literacy and prepare students for practice or future study. Through practical applications, including in-class exercises, homework exercises, and a final research project, students will become familiar with critical principles, strategies, and best practices for identifying and using secondary sources for effective and efficient legal research. Topics for class sessions will include research strategy and documentation, advanced search techniques, legal periodicals, interdisciplinary databases, legal encyclopedias, treatises, legal news, and current awareness, transactional law and litigation sources, formbooks, and select state materials. Attendance Policy: This will be a one-credit, graded course meeting on an accelerated schedule for the first seven weeks of the semester. Because student participation and hands-on practice are essential for the learning experience in this course, attendance at each class session is mandatory. Failure to attend will affect the course grade.

Attendance Policy: This will be a one-credit, graded course meeting on an accelerated schedule for the first seven weeks of the semester. Because student participation and hands-on practice are essential for the learning experience in this course, attendance at each class session is mandatory. Failure to attend will affect the course grade.

**Mastery of Statutory Research Description:** Advanced Legal Research- Mastery of Statutory Legal Research is a practical, skills-based course designed to improve information literacy and prepare students for practice or future study. Through practical applications, including in-class exercises, group homework exercises, an oral presentation, and a final research project, students will become familiar with the principles, strategies, and best practices for doing statutory research. Topics for class sessions will include research strategy and documentation, advanced search techniques, the legislative process from introduction of a bill to codification, legislative history, using the US Code in its official and annotated forms, and state codes.

The course will focus primarily on the federal legislative process, however, there will be some coursework dealing with state materials.

Attendance Policy: This will be a one-credit, graded course meeting on an accelerated schedule for the second seven weeks of the semester. Because student participation and hands-on practice are essential for the learning experience in this course, attendance at each class session is mandatory. Failure to attend will affect the course grade. If a student is unable to attend a class, they should notify the instructor as soon as possible to make alternative arrangements. Unexcused absences will result in a grade reduction.

*\*Last Updated Fall 2019***648. Adv. Legal Writing**

**Advanced Legal Writing & Editing**

**Class Number:** 4277; **Catalog Number-** LAW 648, 04A.

**Note:** Lab times/dates will be scheduled at a later date, for now, enroll in the lab placeholder- LB1-4453 along with class.

**Credits:** 2 hours (Pass/Fail Only)

**Instructor(s):** Prof. Terrell, Tim

**Prerequisite:** None

**Grading Criteria:** Take-home Final Exam

**Description:** The basic content of the course is reflected in its required text: S. Armstrong & T. Terrell, *Thinking Like a Writer: A Lawyer's Guide to Writing and Editing* (PLI 3d ed., 2008). A frequent misconception about this course is that it is merely an extension of your experience in ILA. It is not. It will instead often challenge you to reconsider approaches to writing guidance that you have may previously encounter.

The course consists of two components. First, everyone enrolled will meet once a week on Monday afternoon for 1 1/2 hours, and that time will be consumed by lecture and review of numerous writing examples at every level of a document from overall structure to sentences and word choice. Second, all students will be assigned to a small-group discussion section, administered by a teaching assistant who is a third-year who took this course last year. Those sessions will meet once a week for an hour, during which the course materials, and additional examples, will be discussed, and editing exercises will be assigned.

Although this is a writing course, it is unusual in that its emphasis will be on editing rather than original drafting. One of the keys to becoming a good writer is understanding how readers (for purposes of this course that means you) react to documents written by others. That experience then yields important insights regarding the defects in one's own prose, and how to cure them efficiently. To this end, the course will begin with some examination of deeper theories of communication, which will, in turn, allow the course to focus on fundamental writing principles rather than narrower rules or tips. The course will also analyze writing challenges from the top down: We will begin with issues of overall macrostructure and organization and work down toward micro details.

**This class will not count towards satisfying your Upper-Level Writing Requirement.**

*\*Last Updated Fall 2017*

**701. Admin Law****Administrative Law**

**Class Number:** 5224; **Catalog Number-** LAW 701.

**Credit:** 3 Hours

**Instructor(s):** Prof. Volokh, Alexander

**Prerequisite:** Legislation & Regulation

**Grading Criteria:** Scheduled Exam

**Description:** Most areas of contemporary legal practice require lawyers to work with administrative agencies and a large body of law concerning such agencies. This course is a study of how agencies are empowered, the procedures and modes through which agencies carry out their tasks, and legal constraints on these agencies. Topics include constitutional limits on Congress' power to delegate legislative and judicial power to agencies; procedures imposed upon agency adjudication and lawmaking by

the Constitution, the Administrative Procedure Act, and other statutes; the scope of judicial review of agency decisions, including the methods by which courts restrict and control agency discretion, and the limitations on the availability of federal judicial review of federal agency actions. In addition, the course will explore several recent "regulatory reform" initiatives.

*\*Last Updated Spring 2018*

## 605. ADR (EL)

### Alternative Dispute Resolution

**CatalogNumber-** LAW 605

#### 3 Sections:

Law 605, 04A; **Class Number:** 4253 (Williams)

Law 605, 05A; **Class Number:** 4254 (Athans- Experiential Learning Approved)

Law 605, 06A; **Class Number:** 4371 (Williams)

**Credits:** 3 hours

**Instructor(s):** Prof. Athans, Michael & Prof. Williams, Cassandra

**Prerequisite:** None

**Athans Grading Criteria:** TBA

**Williams Grading Criteria:** 1) Preparation for in-class discussions and simulations 2) Professionalism during in-class discussions and simulations 3) Simulation performance: a. Knowledge of the facts b.

**Enrollment:** Limited Enrollment, small capacity course

**Athans' Description:** Ask Prof.

**Williams' Description:** This skills training course addresses negotiation, mediation, and arbitration principles through topical discussions and simulation exercises. One excused absence is allowed, but prior notice must be provided to the professor at least one hour before class meets. Any additional absences will result in a zero grade being averaged for class that day.

This class will include team/group projects. It is important that each of you participate in any assigned team/group projects. Fifty (50%) percent of your grade is based on your class preparation and participation.

*\*Last Updated Fall 2019*

## 560. ALWAR I (LLM)

### American Legal Writing, Analysis, & Research I

**CatalogNumber-** LAW 560

#### 2 Sections:

(GRD1); **Class Number:** 4314

(GRD2); **Class Number:** 4344

**Credits:** 2 hours

**Instructor(s):** Prof. Daspit, Nancy

**Prerequisite:** None, but see Note, below.

**Grading Criteria:** Coursework & Final Memo

**Enrollment:** Enrollment is restricted to LLM students who received their first law degree from a law school/faculty in a country other than the United States; must contact the professor for approval to enroll.

**Description:** ALWAR I introduces students to the concepts of legal analysis and the techniques and strategies for legal research, as well as the requirements and analytical structures for legal writing in the American common law legal system.

**Attendance Policy:** Two or more unexcused absences can result in your grade being lowered. Note: Enrollment is restricted to only LLM students who received their first law degree from a law school/faculty in a country other than the United States.

*\*Last Updated Fall 2019*

## 560B. ALWAR II

### American Legal Writing, Analysis, & Research II

**Class Number:** 4350; **Catalog Number-** LAW 560B, GRD.

**Credits:** 1 hour

**Instructor(s):** Prof. Daspit, Nancy

**Prerequisite:** ALWAR I

**Grading Criteria:** Coursework & Final Motion Brief

**Enrollment:** This class requires permission from Dean Jessica Dworkin.

**Description:** This course continues the study of legal analysis, research and writing for practice in the American common law system. The topics covered include client letters, pleadings, and persuasive writing, along with enhanced instruction covering legal citation and advanced legal research sources and techniques. **Note: International LLM students who want to sit for the Georgia bar exam must take this class.**

If this class is not required for you and you are undecided about taking the class, it is strongly recommended that you attend the first class to be considered for adding the course during the drop/add period.

*\*Last Updated Fall 2019*

## 716. Bankruptcy

### Bankruptcy

**Class Number:** 4252; **Catalog Number-** LAW 716, 10A.

**Credits:** 3 hours

**Instructor(s):** Pardo, Rafael

**Prerequisite:** Contracts & Property (concurrent enrollment NOT allowed)

**Grading Criteria:** Scheduled Final Exam and potential grade penalties for violating classroom policies, including attendance requirement

**Description:** An introduction to the law of bankruptcy. Covers issues relating to eligibility for bankruptcy relief; commencement of a bankruptcy case; property of the bankruptcy estate; the automatic stay and relief therefrom; use, sale, and lease of property of the estate; property that an individual may exempt from the bankruptcy estate; creditor claims against the bankruptcy estate; plan confirmation; and the discharge of debts. This course is a general survey course reviewing the basics of Chapter 7 cases (liquidations), Chapter 13 cases (adjustment of debts of an individual with regular income), and Chapter 11 cases (reorganization).

**Attendance Policy:** I expect you to attend class regularly. If you miss more than twenty-five percent (25%) of the regularly scheduled class sessions, your final grade will be reduced by two quality points on the 4.0 scale (e.g., from a B+ to a D+).

Please note that a canceled class session will not constitute an absence for purposes of the attendance policy. In furtherance of my expectations and requirements regarding class attendance, an attendance sheet will be made available at the podium before the start of each class session. Should you arrive late, please sign the attendance sheet at the end of class. It is your responsibility to sign the attendance sheet (i.e., someone else may not sign on your behalf). Failure to do so will constitute an absence. Should you forget to sign the attendance sheet, I will consider updating my records to reflect your attendance in class only if you send me an e-mail on the same day as the class session for which you forgot to sign the attendance sheet. The e-mail must (1) state that you forgot to sign the attendance sheet that day and (2) request that I update my attendance records. It is incumbent upon you to keep track of your absences throughout the semester. I will not tally them until the semester has ended. Unless you expressly request to know whether you are in jeopardy of violating the attendance policy, no warning will be forthcoming.

*\*Last Updated Fall 2019*

## 635D. Barton Appeal Clinic (EL)

### Barton Appeal for Youth Clinic

**Class Number:** 4304; **Catalog Number-** LAW 635D, 000.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Reba, Stephen

**Prerequisite:** None

**Grading Criteria:** Group work (based on individual student)

**Enrollment:** Must obtain professor's permission

**Description:** In the Barton Appeal for Youth Clinic, students engage in post-conviction representation of Georgia inmates who are incarcerated for crimes they allegedly committed as children. Focusing on direct appeals and habeas corpus litigation, students spend their time researching, writing, and preparing for hearings. Grading is based on the student's individual performance and attendance is required at weekly meetings, which are set according to the students' class schedules court litigation attacking inmates' convictions and sentences. Students should have an interest in criminal procedure, juvenile law, and/or social justice.

*\*Last Updated Fall 2018*

## 635C. Barton Policy Clinic (EL)

### Barton Child Law and Policy Clinic

**Class Number:** 4247; **Catalog Number-** LAW 635C.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Carter, Melissa

**Prerequisite:** Child Welfare Law and Policy, Kids in Conflict, Family Law II, or related seminars. (Preferred, Not Required)

**Grading Criteria:** Assessment of individual student performance and overall contribution to the clinic based on specific demonstrated competencies in the area of research and analysis, professional responsibility, written and oral communication, and project management.

**Enrollment:** Interested students must apply directly with the professor

**Description:** The Barton Policy Clinic is an in-house curricular offering through which students will engage in public policy development and advancement through research, training, and support to the public, the child advocacy community, leadership of state child-serving agencies, and elected officials in Georgia. Students in the clinic work in teams to conduct extensive research, gather data and stakeholder perspectives, analyze legal authority and issue context, identify options for changing policy, plan strategies, and assist organizational clients in efforts to improve the juvenile court, child welfare, and juvenile justice systems. Approximately 9 law and other graduate students are selected each semester to participate in the clinic.

**Attendance Policy:** Students selected for enrollment in the policy clinic receive 3 hours of graded credit for the fulfillment of 150 hours of work. Accordingly, students commit to 11-12 clinic hours per week, which are established at the outset of the semester. Adjustments to the weekly routine are to be requested in advance whenever possible, and hours missed must be made up. Students submit weekly time sheets accounting for their activities and hours, and students must complete the full 14-week semester.

Detailed course information is on the Clinic website: <http://www.bartoncenter.net> (<http://www.bartoncenter.net>)

*\*Last Updated Fall 2019*

## 500X. Business Associations

### Business Associations

**Catalog Number-** LAW 500X; 2 Sections:

**Class Numbers:** (001) 4306; (002) 4381

**Credits:** 3 hours

**Instructor(s):** Profs. Shepherd, George & Prof. Savage, Audra

**Prerequisite:** None

**Savage Grading Criteria:** Scheduled Final Exam & Participation

**Shepherd Grading Criteria:** Homework Exercises & Scheduled Final Exam

**Savage Description:** This course surveys the formation, organization, financing, management, and dissolution of sole proprietorships, partnerships, corporations, limited partnerships, and limited liability companies. The course includes fundamental rights and responsibilities of owners, managers, and other stakeholders. The course also considers the special needs of closely held enterprises, basic issues in corporate finance, and the impact of federal and state laws and regulations governing the formation, management, financing, and dissolution of business enterprises. This course includes consideration of major federal securities laws governing insider trading and other fraudulent practices under Rule 10b-5 and section 16(b).

**Attendance Policy:** Regular attendance is mandatory and participation is expected. Each student can have up to two excused absences

**General Description:** A study of foundational concepts in agency, partnership, and corporation law. Topics include choice of business form, entity formation, organization, financing, and dissolution, as well as the rights and responsibilities of, and the allocation of power among, the business entity's owners/shareholders, management, and other stakeholders. The course also covers closely held enterprises, as well as basic issues in corporate finance and federal securities law. Students will be required to complete weekly homework exercises.

**Attendance policy:** Per ABA Rules, "regular and punctual attendance" is required.

*\*Last Updated Fall 2019*

## 658. Capital Defender Practicum (EL)

### Capital Defender Practicum

**Note: THIS PRACTICUM WILL REQUIRE A YEAR-LONG (two semester) COMMITMENT**

**Class Number:** 4485; **Catalog Number-** LAW 658, 000.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Moore, Josh

**Prerequisite:** Criminal law, Criminal Procedure, & Evidence.

**Grading Criteria:** Participation, Attendance, & Coursework

**Enrollment:** Interested students must submit a letter of interest, unofficial transcript, & resume to Josh Moore, Office of the Georgia Capital Defender at [jmoore@gacapdef.org](mailto:jmoore@gacapdef.org) (<mailto:jmoore@gacapdef.org>)

**Description:** This is a three-hour experiential course thought in conjunction with the Office of the Georgia Capital Defender, the state agency responsible for representing all indigent defendants statewide facing death penalty trials or on direct appeal from a death sentence. Second and third-year law students will assist Capital Defender trial attorneys in all aspects of preparing their clients' cases for trial and appeal.

This workshop requires a full-year commitment. As an integral part of the defense team, students assist in conducting investigations, interviewing clients and potential witnesses, putting together forensic evidence, gathering documents, doing research, drafting pleadings, formulating a theory of defense and making strategic decisions for each phase of a capital case. Students will also have the opportunity to do "mock" motions arguments and to present a jury sentencing argument based on the facts of their actual cases. In addition to working directly with attorneys and staff, students gather weekly for discussions about the cases they are working on and topics in death penalty jurisprudence. The students in this clinic are involved in the effort to make a strong case for life at trial and to build factual and legal narratives that will lead to the reversal of death sentences on appeal. This means students will focus heavily on the real (and often tragic) stories of their clients' lives, as opposed to technical or arcane points of law.

The classroom component of this clinic will meet for 2 hours each week at the offices of the Georgia Capital Defender in downtown Atlanta at the State Bar Building. A required text will be assigned. In addition to attending class, students will work on client matters for approximately 10 hours a week.

*\*Last Updated Fall 2019*

## 599B. Career Strategy

**Career Strategy & Design**

**Class Number:** 4526; **Catalog Number-** LAW 599B, 001.

**Credits:** 0 hours

**Instructor(s):** Prof. Rooks, Mareasa

**Prerequisite:** None

**Grading Criteria:** Attendance; Assignment Completion

**Description:** Career Strategy and Design (CS&D) is a mandatory, non-credit course offered to 1L students by the Center for Professional Development & Career Strategy (Career Center). The goal of the course is to help you successfully bridge the gap from law school to practice. The program will benefit students interested in traditional legal careers and those seeking non-traditional paths. Topics include identifying professional strengths, choosing a career path, approaching the job search, creating job search documents, establishing and building relationships, preparing for interviews, and learning about the 1L summer recruiting and 2L fall externship and clinic application processes.

**Attendance Policy:** Attendance is mandatory for all sessions. Conflicts may be considered excused absences for academic or other University-approved reasons (e.g., a make-up class, participation in clinical work, observance of a religious holiday, etc.). Please contact your assigned Teaching Assistant in advance regarding any attendance issues. Make-ups will be provided for students with excused absences.

**698B. Child Protection****Child Protection & International Human Rights**

**Class Number:** 4398; **Catalog Number-** LAW 698B.

**Credits:** 3 hours

**Instructor(s):** Dr. Liwanga, Roger-Claude

**Prerequisite:** None

**Grading Criteria:** Class Participation, Oral Presentation, and Papers

**Description:** Despite the proliferation of international human instruments on the protection of children, there are several million children worldwide who are subjected to hazardous labor, sexual exploitation, trafficking, female genital mutilation and/or illegal judicial detention. The course will: examine the legal framework on child protection; explore the different factors challenging the child's rights protection; analyze child vulnerability cases; and evaluate the needs of children exposed to exploitation. The course will also critically examine the policies and strategies that aim to create a protective environment for children at the international, federal and state levels. The course will start with an introduction to the concept of child protection and its scope. Different violations of children's rights, including child labor, child trafficking, child sexual exploitation, child soldiering, child persecution and child illegal detention will be covered as well.

**Attendance Policy:** Students are expected to attend every class (with notification to instructor beforehand for an excused absence) and required to come to class prepared to discuss the day's readings. Attendance will be recorded on daily sign-in sheets.

*\*Last Updated Fall 2019*

**635. Child Welfare**

**Child Welfare Law and Policy****Class Number:** 4286; **Catalog Number-** LAW 635, 02A.**Credits:** 2 hours**Instructor(s):** Prof. Carter, Melissa**Prerequisite:** None, but this course qualifies as a pre-requisite or co-requisite for students enrolled in the Barton Policy or Legislative Advocacy Clinics.**Grading Criteria:** Participation, Attendance, & Final Paper

**Description:** This course will explore the various factors that shape public policy and perception concerning abused and neglected children, including: the constitutional, statutory, and regulatory framework for child protection; varying disciplinary perspectives of professionals working on these issues; and the role and responsibilities of the courts, public agencies and non-governmental organizations in addressing the needs of children and families. Through a practice-focused study, students will examine the evolution of the child welfare system and the primary federal legislation that impacts how states fund and deliver child welfare services. Students will learn to analyze and evaluate the effectiveness of legal, legislative, and policy measures as a response to child abuse and neglect and to appreciate the roles of various disciplines in the collaborative field of child advocacy. Through lecture, discussion, and a range of analytical writing assignments, students will develop an understanding of this specialized area of the law and the companion skills necessary to be an effective advocate.

**Attendance Policy:** As a collective undertaking to learn and teach together, your attendance, advance preparation and active participation in every class is essential and expected. Attendance will be taken at every class meeting, and participation constitutes up to 10% of your course grade. More than three (3) unexcused absences, chronic tardiness, or a pattern of coming to class unprepared will negatively impact your grade. Accommodations and Excused Absences: Students requesting classroom accommodations relating to special needs or seeking excused absences for religious holidays, illness, or job interviews should notify me by email in a timely manner before the expected absence or need arises. If illness or accident prevents advance notice, students should notify me as soon as possible after the absence.

*\*Last Updated Fall 2019*

**615. Chinese Law****Chinese Law****Class Number:** 4361; **Catalog Number-** LAW 615.**Credits:** 2 hours**Instructor(s):** Prof. Ruskola, Teemu**Prerequisite:** None**Grading Criteria:** Participation & Take-home Final Exam

**Description:** This course is an introduction to the comparative study of Chinese law and legal culture. It starts by analyzing the tradition of imperial Chinese law and its theoretical foundations and then turns to early twentieth-century law reforms and the introduction of socialist law and jurisprudence. The course ends with the study of post-Mao law reforms and their implications for the future of Chinese law. In addition to its substantive focus, the course considers methodological problems involved in the study of law across cultures. Some of the general themes that run throughout the course include the following: To what extent is law a useful analytical category in Sino-American comparison? How is law related to capitalism and socialism, and to culture and socio-economic organization more generally? How and why has Chinese law changed over time? What happens when "Eastern" and "Western" legal cultures come in contact with each other? Attendance is mandatory.

*\*Last updated Fall 2019*

## 860A. Colloq W/S

### **Colloquium Scholarship Workshop: War & Security in Law, Culture, and Society**

**Class Number:** 5225; **Catalog Number-** LAW 860A, 02A.

**Credits:** 2 or 3 Hours

**Instructor(s):** Prof. Dudziak, Mary

**Prerequisite:** Civil Procedure; Constitutional Law; Contracts; Criminal Law; Leg/Reg; Property; & Torts.

**Grading Criteria:** Papers, Participation, & Attendance

**Enrollment:** Limited to 6 students!

**Preselection Form:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>  
(<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Description:** This is a law and graduate seminar which approaches the study of law, war, and national security from an interdisciplinary perspective. The theme for 2019 is: The Politics of Ongoing War. We will read and discuss related books and articles in law, history, and political science that illuminate the ways the culture and politics of U.S. war may undermine political restraints, enabling ongoing conflict. Outside speakers may present works in progress. Students are required to read and comment on course readings and write a 20-page paper. Law students may enroll for an additional credit (for a total of 3 credits), and instead, write a 30-page research paper. The 30-page research paper, which can satisfy the law school writing requirement, will require more extensive research and will involve additional assignments, including a first draft.

**Attendance Policy:** regular attendance and participation are important. Attendance is a factor in participation points which can affect your final course grade.

*\*Last Updated Fall 2019*

## 707. Comparative Law

### **Comparative Law**

**Class Number:** 4421; **Catalog Number-** LAW 707.

**Credits:** 3 hours

**Instructor(s):** Prof. Ruskola, Teemu

**Prerequisite:** None

**Grading Criteria:** Participation & Take-Home Exam

**Description:** This course is an introduction to studying the political, social, cultural, and intellectual phenomenon to which usually refer by shorthand as "law," and we will do so by using comparison as our predominant method of study. To start with, we will consider the basic jurisprudential differences between Anglo-American common law and continental civil law. However, going beyond this traditional comparative framework, we will expand our focus geographically, outside the West, as well as historically, to analyze a variety of jurisprudential concepts in different periods. Among other things, we will examine the jurisprudential foundations of various types of religious law and international law.

Although the course will cover a wide range of topics, geographic areas, and time periods, its two main underlying themes will be the analysis of methodological problems in the cross-cultural and trans-temporal study of legal concepts. Drawing on comparative jurisprudence, legal history, legal anthropology, and other areas of inquiry, the questions that we will attempt to answer include the following: What is law? Is it universally present in all societies? Who gets to decide who has law, and what are the normative implications of having, or not having, it? Is law a useful analytical category in cross-cultural comparison? How is law related to other aspects of culture and socio-economic organization? How does law construct national subjects, racial subjects, and gendered subjects? How and why does law change through time? What happens when the legal institutions of different cultural groups come in contact with each other? What happens when multiple legal orders coexist within one society?

*\*Last Updated Fall 2019*

## 622A. Const'l Crim. Pro.

### **Constitutional Criminal Procedure: Investigations**

**Class Number:** 4400; **Catalog Number-** LAW 622A, 02A.

**Credits:** 3 hours

**Instructor(s):** Prof. Tomkovics, Jim

**Prerequisite:** None

**Grading Criteria:** Scheduled Final Exam

**Description:** This course is devoted to the study of rights guaranteed by the Fourth, Fifth, and Sixth and Fourteenth Amendments to the U.S. Constitution, rights that provide protection against police and prosecutorial practices designed to investigate and prove criminal cases. Included are the 4th Amendment right against unreasonable searches and seizures, the due process guarantee against involuntary confessions, the 5th Amendment privilege against self-incrimination-based constraints upon securing and using confessions extended by the Miranda doctrine, the 6th Amendment right to counsel shelter against efforts to obtain and use admissions of guilt, and the exclusionary rules and remedies that enforce these constitutional guarantees. If there is time, due process and right to counsel protection against eyewitness identification evidence generated by police procedures (e.g., lineups) will also be considered.

**Attendance Policy:** I ordinarily enforce an attendance policy - students must be present for 75% of the course meetings to be eligible for course credit.

*\*Last Updated Fall 2019*

## 675. Constitutional Litigation

### **Constitutional Litigation**

**Class Number:** 4263; **Catalog Number-** LAW 675, 04A.

**Credits:** 3 hours

**Instructor(s):** Prof. Weber Jr., Gerald

**Prerequisite:** Constitutional Law (recommended)

**Grading Criteria:** Participation, Attendance, Two Assignments (no exam)

**Enrollment:** Limited to 15 Students!

**Description:** Constitutional Litigation will explore the substantive, ethical and strategic issues involved in litigating civil rights actions. This course will allow students to both learn basic principles of governmental liability/defense and apply their knowledge of torts, constitutional law and civil procedure in a litigation setting. The course projects will center upon a case problem that may deal with free speech, police brutality, racial profiling, gay and lesbian rights or current civil rights or civil liberties issue. Students are expected to attend class and to be prepared to take an active part in class discussions of assigned materials. Students will have two projects for the semester. No independent research will be required for the projects. Students will utilize cases cited in the readings along with a list of supplementary cases. Students will draft a complaint and explanation of decisions made in drafting their complaint. This project will account for 50% of the student's grade. Students will also draft a short brief supporting or opposing summary judgment or a preliminary injunction. This project will account for 40% of the student's grade. The remaining 10% of the student's grade will be tied to participation in class discussions.

Course will be limited to 15 students given the practice orientation of the course and break-out groups.

*\*Last Updated Fall 2019*

## 759A. Corp. Compliance

**Corporate Compliance: Oversight, Culture, & Management of Foreign Corrupt Practices Act & Other Legal Risks.**

**Class Number:** 5322; **Catalog Number-** LAW 759A.

**Credits:** 2 hours

**Instructor(s):** Prof. Rogers, Dewitt & Prof. Snyderman, Mark

**Prerequisite:** None

**Grading Criteria:** Attendance/Participation, & Take-home Final Exam

**Description:** Compliance programs have become increasingly essential for corporations and other organizations, both as a set of tools to mitigate the risk of compliance failures and as a driver of culture. In just a few years, these programs have evolved from specialized procedures for companies in highly-regulated industries to a necessity for organizations of all types, particularly those with operations in the developing world, where corruption risks are often of paramount concern. This course will offer an overview of the history and standards driving such programs, and, most importantly, will present practical content and best practices on how compliance programs work. The course also will focus on the U.S. Foreign Corrupt Practices Act, the world's preeminent anti-corruption law, the enforcement of which has figured prominently in the development of corporate compliance programs. This course will be of value to anyone considering compliance as an alternative to a more traditional legal career, and those who anticipate working in or advising modern corporations.

**Attendance Policy:** More than two absences must be approved by the instructors. Unapproved absences will affect the final grade.

*\*Last Updated Fall 2019*

## 959. Courtroom Persuasion (EL) (AC)

**Courtroom Persuasion & Drama I**

**Catalog Number-** LAW 959

2 Sections:

(02A) **Class Number:** 4249

(02B) **Class Number:** 4248

**Credits:** 1 hour (Experiential Learning & Accelerated Course)

**Instructor(s):** Prof. Metzger, Janet

**Prerequisite:** Evidence & Trial Techniques

**Grading Criteria:** Participation, Attendance, & Assignment completion.

**Enrollment:** Restricted to 3L's who have completed Evidence and Trial Techniques.

**Description:** This course applies theater arts techniques to the practical development of persuasive presentation skills in any high-pressure setting, especially the courtroom. Using lectures, exercises, readings, individual performance, and video playback, the course helps students develop concentration, observation skills, storytelling, spontaneity, and physical and vocal technique. Small class size encourages frequent opportunities for "on your feet" practice. Held in the Law School courtroom, the class provides the optimal simulation of a real-life experience.

Assignments and in-class exercises are designed to help students learn how to appear and feel confident; project their voice and use more vocal variety; cope with anxiety; stand still and move with purpose; improve eye contact with jurors as well as witnesses; gesture effectively and create a compelling story. The student will complete the course with increased confidence and ample tools for artful advocacy.

Maximum class size: 12 Requirements: Limited to 3L's who have completed Evidence and Trial Techniques. The class meets for 10 weeks plus an in-class final exam not during the exam period. Class periods are 75 minutes.

Attendance Policy: no more than two absences are permitted to receive a passing grade.

*\*Last Updated Fall 2019*

## 622B. Crim. Pro: Adjudication

### **Criminal Procedure: Adjudication**

**Class Number:** 4471; **Catalog Number-** LAW 622B.

**Credits:** 3 hours

**Instructor(s):** Prof. Levine, Kay

**Prerequisite:** Criminal Law

**Grading Criteria:** Attendance, Participation, 6-8 Page Paper, & Modified Open-Book Scheduled Final Exam.

**Description:** In contrast to a more conventional criminal procedure course, we will examine how lawyers and judges actually behave in the criminal courts throughout the United States. Topics include the doctrinal and practical dimensions of discovery, pre-trial detention, jury selection, prosecutorial charging and bargaining, ineffective assistance of counsel, double jeopardy, and speedy trial issues. Perhaps most importantly, we learn about the realities of our overburdened criminal justice system and discuss how prosecutors and defenders can operate within that system without sacrificing the rights of victims or defendants in the name of expediency.

Attendance Policy: This class has a strict attendance policy. Students can miss 3 classes without penalty; at the 4th absence, the grade will be reduced by 1/3 of a step. "at the 7th absence, you will not receive credit for this class." Excused and unexcused absences are treated the same.

*\*Last Updated Fall 2019*

## 767. Cross-Examination

### Cross-Examination Techniques

**Catalog Number-** LAW 767

**(001) Class Number:** 4472; **(002) Class Number:** 5221

**Credits:** 3 hours

**Instructor(s):** Prof. Costa, Jason (002) & Prof. Lott, Rhani (001)

**Prerequisite:** Evidence (concurrently ok)

**Grading Criteria:** Participation, Attendance, Coursework, & Final Presentation

**Description:** This course is designed to conduct an exhaustive exploration of the science and art of cross-examination with extensive in-class exploration and performance of advanced cross-examination techniques. In addition to performance, students will critique and analyze the cross-examinations of their peers and example cross-examinations from high-profile cases.

**Attendance Policy:** Because of the experiential nature of this course, attendance, punctuality, and participation are required for all class meetings and activities. Excessive absences will result in a grade reduction.

*\*Last Updated Fall 2015*

## 897. Directed Research

### LAW 897. Directed Research

**Class Number:** Varies

**Credits:** 1-2 hours

**Instructor(s):** Multiple (Adjunct & Assistant Professors must have full-time professors co-sponsor)

**Prerequisite:** None

**Grading Criteria:** Based on supervising faculty's evaluations of Paper

**Description:** Directed research is an independent scholarly project of your own design, meant to lead to the production of an original work of scholarship. Once you have secured a faculty advisor and have defined your project, you should download the directed research form (see below). In this form, indicate whether you are seeking one unit (a 15 -page paper, double spaced, exclusive of endnotes, tables, appendices, etc.) or two units (a 30-page paper, double spaced, exclusive of endnotes, tables, appendices, etc.).

Complete information and the application form are available on the Law School Registrar homepage under "Important Forms and Links" here (<https://emorylaw.wufoo.com/forms/directed-research-signature-form/>).

## 659M. DD: Comm'l Lend. Trans. (EL)

### Doing Deals: Commercial Lending Transactions

**Class Number:** 4302; **Catalog Number-** LAW 659M, 04A.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Gooch, Kevin

**Prerequisite:** Business Associations, Contract Drafting (concurrently NOT okay), and Deal Skills (concurrent okay)

**Enrollment:** N/A

**Grading Criteria:** Coursework

**Selection:** Preselected Transactional Certificate Students will receive an email informing them how/when to enroll. Non-transactional certificate students who meet the pre-reqs will be able to try to enroll during Open Enrollment.

**Description:** This course is designed to give the student an opportunity to (i) explore in depth a variety of secured transactions, recognizing the contrast to unsecured transactions, and the creditor's rights, remedies, and benefits thereunder, (ii) understand the nature and corresponding requirements of secured transactions, including knowledge of, and familiarity with applicable regulations, statutes and rules, and (iii) engage, as counsel, in the representation of secured creditor(s) or borrower(s) in an actual secured transaction from beginning to end throughout the semester.

*\*Last Updated Fall 2018*

## 659P. DD: Complex Restruct. (EL)

### Doing Deals: Complex Restructuring and Distressed Acquisitions in Chapter 11

**Class Number:** 4272; **Catalog Number-** LAW 659P, 05A.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Marsh, Gary

**Prerequisite:** Bankruptcy (concurrently okay) and Contract Drafting (concurrently NOT okay) Prerequisite. Students will complete some advanced exercises during the course.

**Enrollment:** N/A

**Grading Criteria:** Coursework

**Selection:** Preselected Transactional Certificate Students will receive an email informing them how/when to enroll. Non-transactional certificate students who meet the pre-reqs will have to wait until Open Enrollment.

**Description:** This course will take students down the path of a complicated corporate restructuring and/or sale. During class time, students will learn the key features of a modern corporate restructuring and distressed sale, using a hypothetical company for illustrations. Students will also be asked to prepare and present in class one or more summaries/presentations regarding hot topics in the bankruptcy and restructuring world. Outside of class, students will assume the roles of various parties to the restructuring, such as debtor, lenders, key suppliers, key customers, private equity sponsor, and the like. The students will be asked by their "clients" (the instructors) to negotiate transaction terms and to draft definitive documents for various parts of the restructuring. The students will also be asked to prepare various bankruptcy-related transactional documents and pleadings, leading to a contested, bankruptcy court sale of the hypothetical company at the end of the course.

Students will be assessed based on: Participation (10-20%), In-class Presentations (20-30%), Out-of-class Projects (transaction documents, memos, legal briefs, etc.) (20-30%), Final Pleadings and Argument for the sale hearing (20-30%).

*\*Last Updated Fall 2018*

## 659A. DD: Contract Drafting (EL)

**Doing Deals: Contract Drafting**

**Catalog Number-** LAW 659A.

**Class Numbers:** See OPUS for specific section numbers

**Credits:** 3 Hours (Experiential Learning Approved)

**Instructor(s):** Prof. Payne, Sue; & Adjunct Professors

**Prerequisite:** Business Associations (concurrent okay)

**Enrollment:** Limited to 12 students per section (Only 9 seats available during the initial registration period)

**Grading Criteria:** Coursework

**Selection:** Transactional Certificate Students have priority, any remaining seats will be made available during Open Enrollment.

**Description:** This course teaches students the principles of drafting commercial agreements. Although the course will be of particular interest to students pursuing a corporate or commercial law career, the concepts are applicable to any transactional practice.

In this course, students will learn how transactional lawyers translate the business deal into contract provisions, as well as techniques for minimizing ambiguity and drafting with clarity. Through a combination of lecture, hands-on drafting exercises, and extensive homework assignments, students will learn about different types of contracts, other documents used in commercial transactions, and the drafting problems the contracts and documents present. The course will also focus on how a drafter can add value to a deal by finding, analyzing, and resolving business issues.

The grade will be based on specific homework assignments and class participation.

*\*Last Updated Fall 2018*

**659B. DD: Deal Skills (EL)****Doing Deals: Deal Skills**

**Catalog Number-** LAW 659B.

**Class Numbers:** 04A- 4255; 04B- 4301; 04C- 4311; 04D- 4382

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Koops, Katherine; Adjunct Professors

**Prerequisite:** Business Associations (concurrent NOT okay); Contract Drafting (concurrent NOT okay)

**Enrollment:** Limited to 12 students per section

**Grading Criteria:** Coursework

**Selection:** Preselected Transactional Certificate Students have priority, any remaining seats will be made available during Open Enrollment.

**Description:** Deal Skills builds on the skills and concepts learned in Contract Drafting and emphasizes the skills and thought processes involved in, and required by, the practice of transactional law. The course introduces students to business and legal issues common to commercial transactions, such as M&A deals, license agreements, commercial real estate transactions, financing transactions, and other typical transactions. Students learn to interview, counsel, and communicate with simulated

clients; conduct various types of due diligence; translate a business deal into contract provisions; understand basic transaction structure, finance, and risk reduction techniques; and negotiate and collaboratively draft an agreement for a simulated transaction.

Classes involve both individual and group work, with in-class exercises, role-plays and oral reports supported by lecture and weekly homework assignments. The course grade is based on homework, class participation, a negotiation project, and a comprehensive individual project.

*\*Last Updated Fall 2018*

## 659F. DD: General Counsel (EL)

### Doing Deals: General Counsel

**Class Number:** 4308; **Catalog Number-** LAW 659F, 06A.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Notte, Gregg

**Prerequisite:** Business Associations (concurrently NOT okay), Contract Drafting (concurrently NOT okay), and Deal Skills (concurrently okay).

**Enrollment:** N/A

**Grading Criteria:** Coursework

**Selection:** Preselected Transactional Certificate Students will receive an email informing them how/when to enroll. Non-transactional certificate students who meet the pre-reqs may try to enroll during Open Enrollment.

**Description:** In this course, students will develop transactional skills, with emphasis on possible differences in roles of in-house counsel and outside counsel in the context of a hypothetical transaction that will be the focal point of the entire semester. The class will be divided between the lawyers representing the buyer and the lawyers representing the seller. Students will interview the Professor (client) throughout the semester and develop goals, strategies, and documents that will meet the needs of the client. The semester will include the drafting and negotiation of a confidentiality agreement, a letter of intent, an employment agreement, a Master Services Agreement, and a Stock Purchase Agreement.

*\*Last Updated Fall 2018*

## 659N. DD: IP Transactions (EL)

### Doing Deals: Intellectual Property Transactions

**Class Number:** 4287; **Catalog Number-** LAW 659N, 04A.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Lytle-Perry, Courtney

**Prerequisite:** Contract Drafting (concurrently NOT okay) and Deal Skills (Deal Skills concurrently ok)

**Enrollment:** N/A

**Grading Criteria:** Exercises, Class Participation, & Final Paper/Presentation

**Selection:** Preselected Transactional Students will receive an email informing them how/when to enroll. Non-transactional certificate students who meet the pre-reqs may try to enroll during Open Enrollment.

**Description:** This course is designed to offer students with an interest in intellectual property the opportunity to explore a limited number of current and cutting-edge intellectual property topics in depth and to experience first-hand how these legal concepts would manifest in a transactional practice setting. Students will complete a variety of in-class and homework assignments typical of those encountered in transactional IP practice, from contract negotiation and drafting to strategic analysis and client interaction.

The course is intended for students with an interest in this subject area; no specific prior IP courses are required, but if a student has not taken any other IP offerings, please contact the instructor for suggestions of materials to review over the summer. Grading is a combination of small projects, class participation, and a final paper/presentation. There is no exam. Students taking this course as a Capstone Course will complete some additional requirements over the course of the semester. Due to the nature of this course, regular attendance is mandatory!

*\*Last Updated Fall 2018*

## 659D. DD: Private Equity (EL)

### Doing Deals: Private Equity

**Class Number:** 4264; **Catalog Number-** LAW 659D, 04A.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Crowley, Kevin

**Prerequisite:** Business Associations (concurrently NOT okay), Contract Drafting (concurrently NOT okay), Deal Skills (concurrently okay). Recommended Prerequisites/Corequisites: Corporate Finance, Accounting in Action or Analytical Methods.

**Enrollment:** N/A

**Grading Criteria:** Midterm & Scheduled Final Exam, Group course work, & Class participation.

**Selection:** Preselected Transactional Certificate Students will receive an email informing them how/when to enroll. Non-transactional certificate students who meet the pre-reqs may try to enroll during Open Enrollment.

**Description:** The course is designed as a workshop in which law students and business students work together to structure and negotiate varying aspects of a private equity deal, from the initial term sheet stages, through execution of the purchase agreement, to completion of the financing and closing. Private equity deals that are economically justified sometimes fail in the transaction negotiation and documentation phase.

This course will seek to provide students with the tools necessary to understand and resolve difficult issues and complete successful transactions. Students will be divided into teams consisting of both lawyers and business people to review, consider and negotiate actual transaction documents. Issues presented will include often-contested key economic and legal deal terms, as well as common ethical dilemmas. To reinforce the key legal and financial points of an LBO transaction, there will be a short midterm and a final exam.

Course Learning Outcomes: -Understand the various steps of the LBO process -Use an Excel model to evaluate how financing structures and business forecasts impact LBO returns -Prepare some of the basic legal documents and correspondences related to LBOs -Negotiate term sheets with counterparties (buyer or seller) -Review transaction structures & tax impact -Gain an understanding of key contract provisions and how they interrelate -Draft contract terms with clarity and without ambiguity

Attendance Policy: I do not take attendance every class - however class participation will be factored in when assigning final grades.

*\*Last Updated Fall 2019*

## 745. DUI Trials

### DUI Trials

**Class Number:** 4319; **Catalog Number-** LAW 745.

**Credits:** 3 hours

**Instructor(s):** Prof. Tatum, Melissa

**Prerequisite:** Trial Techniques

**Enrollment:** Limited to 12 Students!

**Grading Criteria:** Participation, Motions Completion, & Final Trial Completion

**Description:** This course is designed to allow students to learn DUI statutes and case law, practice the skills necessary to argue DUI motions as a prosecutor or defense attorney, and apply those skills in a mock trial scenario. All phases of trial specific to DUI, including introduction of evidence and expert testimony, will be addressed. Area-specific presenters will be on-hand to explain field sobriety test procedures, motions practice, and specific defenses.

**Attendance Policy:** Attendance is mandatory for motions dates and trial dates. 1-2 absences on regular class dates is permissible.

*\*Last Updated Fall 2019*

## 879L. eDiscovery

### E-Discovery & Litigation Technology

**Class Number:** 4401; **Catalog Number-** LAW 879L.

**Credits:** 1 hour

**Instructor(s):** Prof. Grounds, Alison

**Prerequisite:** None

**Grading Criteria:** Participation, Attendance, & Coursework

**Description:** eDiscovery & Legal Technology is a Pass/Fall Course based on attendance, participation & assignments. A practical course focusing on all phases of eDiscovery in litigation or investigations including applicable legal standards and technical tools/processes for preservation, identification, analysis, and production of electronically stored information (ESI). Taught by eDiscovery partner and guest lecture experts in the field. Hands-on coursework including drafting discovery documents, using Relativity software, and conducting a 26(f) meet and confer.

**Attendance Policy:** Must attend the required number of classes to pass.

Special outside speakers including technologists, practicing attorneys and clients with expertise in eDiscovery and technology. May have unique meetings patterns depending on availability.

*\*Last Updated Fall 2018*

## 662. Education Law

### Education Law & Policy

**Class Number:** 4403; **Catalog Number-** LAW 662, 04A.

**Credits:** 2 Hours

**Instructor(s):** Prof. Waldman, Randee

**Prerequisite:** None

**Grading Criteria:** Participation, attendance, short paper (5-7 pages) and long paper (10-15 pages)

**Description:** This course will survey constitutional, statutory and policy issues affecting children in our public elementary and secondary schools. An emphasis will be placed on issues that impact the children most at risk for educational failure and that contribute to the school-to-prison pipeline. Topics will include the right to an education, school discipline, special education, school climate, and Positive Behavior Interventions and Supports, No Child Left Behind / Every Student Succeeds Act, the rights of homeless youth and youth in foster care, students' rights to free speech in schools and laws designed to address bullying in our schools.

**Attendance Policy:** Attendance will be taken at every class meeting, and attendance and class participation (together) will count as 15% of the total class grade.

*\*Last Updated Fall 2019*

## 669. Employment Discr.

### Employment Discrimination

**Class Number:** 5227; **Catalog Number-** LAW 669, 02A.

**Credit:** 3 Hours

**Instructor(s):** Prof. Dinner, Deborah

**Prerequisite:** Constitutional Law & Leg/Reg (preferred)

**Grading Criteria:** Paper & Scheduled Final Exam

**Description:** This course considers legal prohibitions on employment discrimination. It focuses on Title VII of the 1964 Civil Rights Act, which prohibits employment discrimination based on "race, color, religion, sex, or national origin." Legal readings will be supplemented by materials from history, psychology, philosophy, economics, and literature. The course will address topics including how to define discrimination, frameworks for proving discrimination, sexual harassment, affirmative action, and accommodation. We will examine questions including whether employment discrimination law should focus on protecting classes, eliminating stereotypes, or something else, whether the law should account for research from other disciplines such as psychology, and whether the law should forbid discrimination on the basis of additional categories.

**Attendance Policy:** Students missing six classes, except in cases of serious and prolonged illness, will be required to withdraw from the course.

*\*Last Updated Spring 2019*

## 669X. Employment Discr. Lab

**Employment Discrimination Lab****Class Number:** 4271; **Catalog Number-** LAW 669X, 06A.**Credit:** 1 Hour**Instructor(s):** Prof. Shultz, Chad**Prerequisite:** Employment Discrimination**Grading Criteria:** Participation, attendance, writing, & performance in a jury trial.**Enrollment:** Limited to 8 students! JD Students Preferred.

**Description:** The class walks through a sexual harassment case from meeting the client, discovery, motions, and ultimately a mock jury trial. Students are divided into two law firms (one representing the Plaintiff and the other the Defendant). The class limit is 8 students to allow for the most valuable experience for each lawyer.

We meet for 2 hours, every 2 weeks, for a total of 7 classes, so Attendance is expected! The last class is a jury trial. The class is very interactive and practical. responding, discussing discovery, taking a deposition, writing a summary judgment brief or responding, and participating in a mock jury trial.

*\*Last Updated Fall 2019*

**694. English Legal****English Legal History****Class Number:** 5332; **Catalog Number-** LAW 694, 00D.**Credits:** 3 hours**Instructor(s):** Prof. Volokh, Alexander**Prerequisite:** None**Grading Criteria:** Scheduled Final Exam

**Description:** English legal history began around the year 600; when King Aethelberht of Kent promulgated his famous legal code: "If a person strikes off a thumb, 20 shillings. If a thumbnail becomes off, let him pay 3 shillings. If a person strikes off a forefinger, let him pay 9 shillings. If a person strikes off a middle finger, let him pay 4 shillings. . . ." From Aethelberht to modern-day workers compensation codes (in Georgia, \$60,000 for the loss of a hand) is but a brief step. But in between, we get to cover Domesday Book, Magna Carta, the dissolution of the monasteries, the Instrument of Government, and the Bill of Rights.

More precisely: this course is a survey of the law of England between, approximately, the years 600 and 1800. Why study English legal history? There are at least two possible reasons: (1) to know "how we got here from there" and thus to better understand our modern legal system, or (2) to understand the period on its own terms, that is, to see what it was like to be a lawyer in the 14th century. I'm personally partial to approach (2), but there will be plenty for those who favor approach (1) as well.

We'll cover some private law, some criminal law, and some constitutional law (and we'll discuss why it's correct to talk of "constitutional law" when a country has no written constitution). I anticipate that we'll spend less time on criminal law than on private or con law. The theme of private law is that our law of property, torts, and contracts is largely the result of unplanned accidents, lawyers seeing how far they could stretch existing legal remedies to cover situations they were never designed for.

The theme of con law is that we have our democratic representative institutions thanks to irresponsible, high-spending kings: the more irresponsible the king, the more often he would call an assembly to ask for more money. Little by little, the legal system will come to resemble what we learned as 1Ls.

The readings will be a mix of primary sources (in modern English translation) and secondary sources. No knowledge of foreign languages or English history is required or assumed.

*\*Last Updated Spring 2018*

## 697. Environ. Advocacy W/S

### Environmental Advocacy Workshop

**COURSE REQUIRED FOR ALL STUDENTS ENROLLED IN THE TURNER ENVIRONMENTAL LAW CLINIC. THIS COURSE DOES NOT MEET THE WRITING REQUIREMENT.**

**Class Number:** 4251; **Catalog Number-** LAW 697, 04A.

**Credits:** 2 hours

**Instructor(s):** Prof. Zygmunt, Max

**Prerequisite:** None

**Grading Criteria:** Writing Assignments, Simulations, & Classroom Participation

**Description:** The Environmental Advocacy Workshop will include reading assignments, written exercises, seminar-like discussion, and simulations with an emphasis on legal practice. The course will develop students' abilities to function as successful environmental advocates in many contexts, including client interactions, administrative proceedings, negotiations, and litigation. Other issues covered include advocacy related to environmental protection.

**Attendance Policy:** Students are expected to attend class and actively participate. Unexcused absences make it difficult for a student to participate in class and may be reflected in their classroom participation grade.

*\*Last Updated Fall 2019*

## 620. EU Law I

### European Union Law I: Constitutional and Institutional Issues

**Class Number:** 4346; **Catalog Number-** LAW 620.

**Credits:** 3 Hours

**Instructor(s):** Prof. Tulibacka, Magdalena

**Prerequisite:** None

**Grading Criteria:** Open-book Scheduled Final Exam (60%), Participation (30%), & Attendance (10%)

**Description:** The European Union "the world's largest economy and trading block" is an important source of unique policies and legal norms. These policies and norms are affecting trade and investment relationships globally. The overlapping geopolitical concerns and shared values make the European Union one of the United States' most important partners economically, politically, and socially. U.S. lawyers, public servants, and activists are consequently being called upon to engage with (and understand) European legal principles and practices to an ever-growing degree. With this in mind, the course will examine the theoretical fundamentals of the EU legal system and their practical applications, with the particular emphasis

on the differences and commonalities with the U.S. system. We will begin by reviewing the history of the European Communities and the genesis of the European Union. This will be followed by an analysis of the constitutional framework of the EU, including its political and legal nature, its aims and guiding values, membership, and the division of powers between the EU and the Member States. The institutional makeup and the allocation of powers across the major institutions, sources, and forms of EU law and lawmaking will be examined. We will also cover developments in the protection of fundamental rights, EU citizenship and the structure and role of the EU judicial system. Building on the latter, we will then turn to the EU common market and examine the main principles governing the free flow of goods, services, establishments, capital and persons within the EU. We will conclude with the Union's model of judicial review and the complex interaction between the EU and national legal systems in enforcing EU law.

Classes will combine lectures and interactive sessions where students will explore the case law of the Court of Justice of the European Union and national courts of the EU Member States, analyze hypothetical cases, solve problems, and assess relevant political and legal developments.

**ATTENDANCE IS COMPULSORY**

*\*Last Updated Fall 2018*

## 632X. Evidence

### Evidence

**Catalog Number-** LAW 632X; 2 Sections:

(12A) **Class Number:** 4288

(13A) **Class Number:** 4320

**Credits:** 3 hours

**Instructor(s):** Prof. Seaman, Julie & Prof. Tomkovics, Jim

**Prerequisite:** None

**Seaman Grading Criteria:** There will be two non-cumulative graded in-class quizzes (each worth 20% of the final grade) and a cumulative scheduled final exam (60% of final grade). Your grade may be lowered for lack of preparation or non-attendance.

**Tomkovics Grading Criteria:** Grades are based on the Final Scheduled Exam.

**Seaman Description:** A general consideration of the law of evidence with a focus on the Federal Rules of Evidence. Coverage includes relevance, hearsay, witnesses, presumptions, and burdens of proof, writings, scientific and demonstrative evidence, and privilege.

**Attendance Policy:** You may miss up to three classes during the semester, for any reason or no reason at all, without incurring a grade penalty. If you miss more than three classes, your final grade will automatically be lowered by one grade level (i.e. A to A minus; A minus to B plus; etc.) for each additional missed class. If you miss more than six classes during the semester, you will not receive credit for the class. I will monitor attendance with a sign-in sheet at each class session. You should write your last name legibly in the relevant space next to your typed last name. Signing another person into class for any reason is an honor code violation and may also result in a grade of "F" for the course. It is your responsibility to ensure that you sign the attendance sheet. If you forget to sign it or otherwise fail to sign it for any reason, you will be counted as absent for that date, with no exceptions.

**Tomkovics Description:** This course focuses on a study of the federal rules of evidence. Topics include: the meaning and requirement of relevance; the exclusion of relevant, but prejudicial evidence; the hearsay rule and its many exceptions (a major topic in the course); special rules of relevance pertaining to character evidence, habit evidence, and various other types of

evidence that generate special policy concerns (e.g., subsequent remedial measures, compromise offers, offers to pay medical and similar expenses, pleas and plea discussions, etc.); privileges and competence; the best evidence rule; both lay and opinion evidence; and authentication.

Attendance Policy: I ordinarily enforce an attendance policy - students must be present for 75% of the course meetings to be eligible for course credit.

*\*Last Updated Fall 2019*

## 870. Externship Program (EL)

### Externship Program

**Class Number:** Multiple- See OPUS; **Catalog Number-** LAW 870.

**Credits:** 1 hour (Experiential Learning Approved)

**Instructor(s):** Multiple

**Prerequisites:** Students must register for fieldwork concurrently (listed as a separate course). Students are registered by default in 2-credit fieldwork course, which in combination with the seminar is a total of 3 credits (requiring 150 hours of total work). Certain placements (listed in the information provided on Symplicity) have been approved for 3-5 credits (50 additional hours of work per additional credit), for 3Ls only, and those students must specifically request to be enrolled in higher credits by sending an email to lawexternships@emory.edu (mailto:lawexternships@emory.edu). Student fieldwork schedules are to be worked out between the student and placement based on the student's course schedule.

**Selection:** Application process submitted to Prof. Shalf, Sarah

**Grading Criteria:** Class participation and Successful completion of fieldwork.

**Description:** Step outside the classroom and learn to practice law from experienced attorneys. Take the skills and principles you learn in the classroom and see how they apply in practice. All externships are approved for Experiential Learning credit. Emory Law's General Externship Program provides work experience in different practice settings (all sectors except law firms) so you can determine which suits you best and develop relationships that will continue as you begin your legal career.

Students are supported in their placements by a weekly class meeting with other students in similar placements, taught by faculty with practice experience in that area, in which students have the opportunity to learn legal and professional skills they need to succeed in the externship, receive mentoring independent of their on-site supervisors, and to step back and reflect on their experience and what they are learning from it -- about themselves, and about the practice of law. Our separate Small Firm Externship Program provides 3Ls with experience in specially-selected small law firms for students who express an interest in working the small firm practice setting.

Students apply to the program and once accepted, are matched to law firms that suit their interests and skills. The firms' attorneys participate with the students in our weekly class meeting, which focuses on the practical business and professional skills necessary to succeed in a small firm practice setting. Once an externship offer is accepted (see "Application Information"), students are assigned one of the courses below based on the externship placement's setting, and with rare exceptions, may not take a different course. Information about which courses are assigned to a placement is on Symplicity.

Law 870I- Advanced -- for students in civil externships who have already taken the assigned course Law 870D- Civil Litigation -- placements (government, nonprofit and in-house) with an emphasis on civil litigation Law 870F- Corporate Counsel -- in-house corporate settings Law 870H-Criminal Defense -- federal, state and local criminal defense settings (advanced students repeat this course) Law 870C- Govt. Counsel -- government agencies where litigation is not the primary focus of the office Law 870E- Judicial -- federal and state judicial and quasi-judicial (ALJ) settings Law 870G- Prosecution -- federal and state prosecution settings (advanced students repeat this course) Law 870A- Public Interest -- nonprofit legal services and policy/advocacy organizations Law 870B - Public Policy & Legislative -- in spring only, legislators, caucuses and

policy/advocacy organizations (in fall, those placements are in Public Interest) Law 870L- Small Firm -- private firms of 15 or fewer attorneys (students must specifically apply to this program and agree to be matched to a firm) With the exception of the Advanced class, which meets as a group less frequently, the seminar meets for one hour, once a week.

**Attendance Policy:** Students may have no more than 2 unexcused absences. Certain externship placements have mandatory meetings, either for orientation or for regular on-site meetings, in addition to the seminar meeting. These should be in the externship posting or disclosed in the interview.

**Application Information:** Students first apply for individual externships in the General Program, and to the Small Firm Program, via Symplicity in the semester prior to the externship. Information about the application process and timeline and available placements are available on the Externships Website [<http://law.emory.edu/externships>] (including the Student Guide to Externships linked to that page), and important information specific to the current application period is posted on Symplicity immediately prior to and during the application/offer process (March-May and September-November).

Repeating an externship placement is disfavored and must involve substantially different work; students cannot reapply to the placement and must wait until after the placement has made decisions on new applications before petitioning Prof. Shalf to repeat a placement. Offers are made and accepted through Symplicity, and once an offer is accepted, the Externship Program will register students accordingly. All externship registration requests or questions should be directed to [lawexternships@emory.edu](mailto:lawexternships@emory.edu) (mailto:lawexternships@emory.edu). **Students may not take more than one externship in a single semester, and if they would like to do a clinic or practicum as well as an externship in a single semester, must request advance permission of both the externship director and the clinic or practicum director prior to accepting offers.**

Before accepting an offer, read Symplicity postings and information carefully and ask supervisors about their requirements, to ensure you can meet all of the placement's requirements as well as the seminar meeting requirements, in light of the remainder of your course schedule. Once you accept an offer with an externship placement, you cannot drop the externship or switch placements unless it is impossible to fulfill your commitment due to unforeseeable reasons beyond your control (government shutdown, security clearance problem, etc.). As a condition of registration for an externship, you will be asked to sign an agreement in Symplicity that any other reason for renegeing will be considered a "Withdrawal" or "W."

*\*Last Updated Fall 2019*

## 643. Family Law II

### Family Law II

**Class Number:** 4309; **Catalog Number-** LAW 643, 12A.

**Credits:** 3 hours

**Instructor(s):** Prof. Carter, Melissa

**Prerequisite:** None

**Grading Criteria:** Participation, Attendance, & Take-Home Exam.

**Description:** Family Law II examines the legal constructs and social contexts that have informed the contemporary understanding of what relationships the law regards as constituting a "family" and what protections the law affords to families and their members. Students will engage with the policies and laws that influence the modern definition of families and the role of the state in regulating families. Topics covered will include the parent-child relationship, family creation through adoption and assisted reproductive technologies, alternative family structures, child maltreatment, and the expression and regulation of children's rights.

**Attendance Policy:** As a collective undertaking to learn and teach together, your attendance, advance preparation and active participation in every class is essential and expected. Attendance will be taken at every class meeting, and participation constitutes up to 10% of your course grade. More than three (3) unexcused absences, chronic tardiness, or a pattern of coming to class unprepared will negatively impact your grade. Accommodations and Excused Absences Students requesting classroom accommodations relating to special needs or seeking excused absences for religious holidays, illness, family emergencies, or job interviews should notify me by email in a timely manner before the expected absence or need arises. If the circumstance prevents advance notice, students should notify me as soon as possible after the absence.

*\*Last Updated Fall 2019*

## 721. Fed. Courts

### Federal Courts

**Class Number:** 4347; **Catalog Number-** LAW 721.

**Credit:** 3 Hours

**Instructor(s):** Prof. Nash, Jonathan

**Prerequisite:** Constitutional Law; Civil Procedure

**Grading Criteria:** Scheduled Final Exam, Attendance, & Participation.

**Description:** This course deals with the allocation of judicial business between the state and federal courts, as well as the jurisdictional tensions that arise from a dual judicial system. In addition, the course considers the relationship between the federal judiciary and Congress, particularly as it implicates the legislature's power to structure and limit the federal courts' subject matter jurisdiction. This is a very practical course, as well as one that implicates important theoretical issues about decision-making institutions under our federal system of government.

**ATTENDANCE POLICY:** Attendance is required. I expect you to let me know in advance if you cannot be present in class, or if you will be present but unprepared. I reserve the right to adjust student grades based on attendance and preparation. Beyond that, if you miss in excess of seven (5) classes after the add/drop period ends, you may receive a grade of "F" for the course without additional warning. I will distribute an attendance sheet in each class after the add/drop period; it is your responsibility to sign the sheet. If you do not sign the sheet for a given class, you will be deemed to have been absent for that class.

*\*Last Updated Fall 2019*

## 626. Federal Indian Law

### Federal Indian Law

**Class Number:** 4370; **Catalog Number-** LAW 626.

**Credits:** 3 hours

**Instructor(s):** Prof. Saunooke, Robert

**Prerequisite:** None

**Grading Criteria:** Participation, Attendance, & Paper

**Description:** History of Federal Indian Law and the political, economic, and social influences impacting how the federal government, state governments, and tribes interact and deal with one another for criminal, economic, and jurisdictional issues.

Attendance Policy: Attendance is mandatory at all classes, including a field trip to Cherokee, NC to visit the Cherokee Tribal Court and Tribal government.

*\*Last Updated Fall 2019*

## 760. Fed. Prosecution

### Federal Prosecution Practice

**Class Number:** 4374; **Catalog Number-** LAW 760, 06A.

**Credits:** 3 hours

**Instructor(s):** Prof. Barron, Lynsey

**Prerequisite:** Evidence

**Grading Criteria:** In-class performance, Written assignments, Attendance, & Take-home Final Exam.

**Enrollment:** Limited to 14 students only!

**Description:** This class will explore the powers, principles, and responsibilities that come with being a federal prosecutor. Class segments will focus on the various stages of the criminal justice system, and students will be expected to evaluate facts, issues, and law from both a prosecution and a defense perspective. We will discuss the motivating factors that guide federal prosecution decisions in light of legal, policy, practical, and ethical considerations. The class will involve a mix of lecture and "learn by doing" exercises that will be geared towards developing your analytical, oral, and written advocacy skills. Students will be expected to play the roles of both prosecutor and defense counsel at different points in the class.

Attendance Policy: Class attendance and participation are critical ingredients to success in this class, and will be used to break ties in the grading process. If you have what you believe to be an excusable absence, we can discuss it in advance.

*\*Last Updated Fall 2019*

## 650. Franchise Law

### Franchise Law **\*\*CANCELLED\*\***

**Class Number:** 4260; **Catalog Number-** Law 650, 04A.

**Credits:** 2 hours

**Instructor(s):** Prof. Aronson, Mort

**Prerequisite:** None

**Grading Criteria:** Scheduled Final Exam (80%) and Team Grades (20%)

**Enrollment Limit:** Limited to 25 students!

**Description:** Legal and business considerations, including the pros and cons of franchising; the franchising role in the economy; the franchiser/franchisee relationship; disclosure requirements; relevant state and federal laws; essential elements in representing franchisors and franchisees; basic terms and issues with franchise agreements; legislative issues; trademark issues; encroachment issues; system expansion issues; franchisee associations; new techniques in franchising; e.g. area development agreements, sub-franchising, niche franchising, master franchise agreements; international franchising; the role of alternate dispute resolution in franchising; product quality issues; legislative issues. Case studies of important franchise

companies will be read and evaluated including Holiday Inns, McDonald's, Century 21, Pizza Hut and Dunkin Donuts. Prominent legal political and business franchising representatives will be guest speakers, students will be divided into teams for an oral and written presentation that will account for 20% of their grade.

Note if a student misses more than 2 classes without the Professor's permission such student's name will be removed from the Class Roster.

Attendance Policy: More than two absences without my approval will result in loss of course credit

*\*Last Updated Fall 2019*

## 640X. Fund. of Income Taxation

### Fundamentals of Income Taxation

**Class Number:** 4328; **Catalog Number-** LAW 640X.

**Credits:** 3 hours

**Instructor(s):** Prof. Pennell, Jeff

**Prerequisite:** None

**Grading Criteria:** Midterm & Scheduled Final Exam

**Description:** Introductory study of the general structure of the federal income tax; nature of gross income, exclusions, and deductions; the income tax consequences of property transactions; the nature of capital gains and losses; basis and non-recognition. Regular attendance and satisfactory participation as "class expert" are essential to receiving a passing grade.

*\*Last Updated Fall 2019*

## 890. Fund. of Innovation I (EL)

### Fundamentals of Innovation I

OPEN TO TI:GERSTUDENTS ONLY. PROFESSOR PERMISSION REQUIRED!

**ClassNumber:** 4258; **Catalog Number-** LAW 890, 04A.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Morris, Nicole

**Prerequisite:** None

**Grading Criteria:** Group projects, Participation, & Deliverables

**Description:** Fundamentals of Innovation I is the first of a two-course sequence on various techniques and approaches needed to understand the innovation process. Issues explored will include patterns of technological change, identifying market and technological opportunities, competitive market analysis, the process of technology commercialization, intellectual property protection, and methods of valuing new technology.

Attendance Policy - We have an attendance sheet where we record attendance.

This course is a part of a cross-institutional program and we have students from Georgia Tech who will take this course. Therefore, we will need to course to start at 6pm.

*\*Last Updated Fall 2018*

## 736B. Global Public Health Law

### Global Public Health Law

**Class Number:** 4353; **Catalog Number-** LAW 736B.

**Credits:** 2 Hours

**Instructor(s):** Prof. Brady, Rita-Marie JD, MPH

**Prerequisite:** Public Health Law or Health Law courses are helpful, but not required.

**Grading Criteria:** Participation, Attendance, & Final Course Paper

**Description:** Global Public Health Law will use foundational legal principles of international and domestic law, as well as international regulatory frameworks, guidelines, and their respective actors, and apply them to global public health issues. This will be accomplished using interactive case studies and simulations to further course lectures with classroom interaction. The course utilizes multi-disciplinary perspectives, skill-sets, and source materials to provide a comprehensive approach for studying current global public health law topics. Specific focus areas will include (but are not limited to): infectious disease, environmental health, public health emergencies, human rights and health, injury, and tobacco control. Guest speakers/presenters will provide insights from their respective disciplines highlighting current global public health issues and the unique legal challenges they present.

**Attendance Policy:** Due to the interactive nature of the course, class participation is a grading factor for this course. Class participation includes regular attendance. Note: missing three or more classes would constitute irregular attendance and could impact the student's participation grade. After three absences, the instructor may, at their discretion, remove the student from the course roll. Excessive tardiness (15 minutes late to class) may also lower a student's participation score.

**Enrollment Note:** Priority enrollment is given to students in the School of Law. Public Health Law or Health Law courses are helpful, but not required. The class format will include subject matter lectures by either the instructor or a guest speaker, followed by either small or large group break-out discussions with a focus on multi-disciplinary interaction and actors.

*\*Last Updated Fall 2019*

## 645. Hist. Church-State (CL)

### History of Church-State Relations in the West

**Class Number:** 5231; **Catalog Number-** LAW 645.

**Credit:** 3 hours (cross-listed w/ Candler School of Theology)

**Instructor:** Prof. Witte, John Jr.

**Prerequisite:** None

**Grading Criteria:** Take home exam; Class attendance and Participation.

**Description:** This course will explore the interaction between religious and political authorities and institutions from the time of the Roman Empire until the American founding era. We shall analyze the variety of constitutional and other legal arrangements developed to facilitate the separation, cooperation, and mutual protection of churches and states. We shall analyze the gradual development of religious rights and liberties in the Western legal tradition, but also the systematic and oft-brutal denial of these

rights to Jews, heretics, and other religious outsiders. And we shall analyze the competition among different models of church and state that emerged repeatedly in the West, and the remarkable change introduced by the First Amendment command to disestablish religion and to protect the free exercise rights of all.

The course will focus on four periods: (1) the 4th and 5th century Roman Empire and the establishment of Christianity by Roman law, and the firm new state prohibitions on Judaism and heresy; (2) the High Middle Ages of the 11th to 13th centuries and the rise of papal and clerical power and religious establishment by the church's canon law; (3) the Protestant Reformation movements of the sixteenth century, and the fresh rise of new religious establishments by state civil law as well as new forms of separation of church and state; and (4) the American colonial experience of the 17th and 18th centuries, and the gradual rise of constitutional principles of religious liberty that culminated in the First Amendment and state constitutions.

Readings will consist of a blend of primary and secondary sources, calibrated for the uninitiated but interested reader. Classes will consist of lecture and discussion, with students rewarded for regular classroom participation.

Attendance Policy: Students can miss up to three classes, with prior notification. Further missed classes will require a documented need for accommodation.

*\*Last Updated Fall 2019*

## 690B. Human Rts. Advocacy (EL)

### Human Rights Advocacy

**Class Number:** [4379](#); **Catalog Number-** LAW 690B.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Ludsin, Hallie

**Prerequisite:** Int'l Human Rights or International Law Course (Courses taken in under-grad ok, but must verify you meet before attempting to enroll, those who do not and try to enroll will be subsequently dropped)

**Grading Criteria:** Participation, Coursework, 2 Drafts of Paper, & Final Paper (25-30 pages).

**Enrollment:** Limited to 4 students only!

**Description:** Human Rights Advocacy Course Description: Human rights organizations and human rights lawyers play essential roles in protecting and promoting human rights, the rule of law and democracy, both at home and abroad. They expose injustices and demand accountability for them; they pressure governments to fulfill their democratic and human rights obligations, and they help the voiceless reclaim their voice. This course is designed to build the skills of the budding human rights lawyer to achieve these goals. It will start with a brief overview of international human rights law and then will be divided between lectures focusing on skills development, examining the anatomy of a human rights campaign, and highlighting the ethical dilemmas and barriers to change human rights lawyers regularly face. To reinforce these lessons, each student will be assigned a research project on an issue supplied by human rights organizations from across the globe. Past participating organizations included Human Rights Watch, the Southern Poverty Law Center, the Women's Law Centre (South Africa) and The Carter Center.

The course is 3 credits and is limited to 8 students. It will require either several short written projects or one larger research report for an organization (35%), including a first and second draft (15% and 20%, respectively), along with an annotated outline (15%) and a draft introduction (5%). Class participation counts for 5% of the grade.

Attendance is mandatory except with prior permission from the professor. Each unexcused absence will result in a deduction of 2% of the student's grade.

Depending on project needs, students will receive special training. Last year's special training for the whole class included how to interview persons affected by human rights violations and how to right narrative non-fiction to aid advocacy work.

\*Last Updated Fall 2018

## 609L. Int'l Comm'l Arbitration

### International Commercial Arbitration

**Class Number:** 4323; **Catalog Number-** LAW 609L.

**Credits:** 3 hours

**Instructor(s):** Prof. Reetz, Ryan

**Prerequisite:** None

**Grading Criteria:** Joint Class Exercises & Scheduled Final Exam

**Description:** A consideration of arbitration as a dispute resolution process in the domain of international commerce. Analyzes the composition and the jurisdiction of arbitral tribunals, the procedure followed by arbitrators, effective advocacy in the arbitral context, recognition, and enforcement of foreign arbitral awards, and other related issues. In order to understand the arbitral process, the class will examine numerous key stages of arbitration from drafting the arbitration agreement (start) to enforcement of the award (finish). We will use a hypothetical case to explore the issues and other challenges that arbitrators and counsel must confront throughout the life of the process. This class will be very hands-on and practical. Participation is important and there will be role-playing. As international commercial arbitration cannot exist in a legal vacuum, we will also consider the legal framework that governs it in various civil law and common law countries.

Attendance policy: the American Bar Association's standard requirements for class attendance apply to this course.

\*Last Updated Fall 2019

## 653. Int'l Crim. Law

### International Criminal Law

**Class Number:** 4250; **Catalog Number-** LAW 653, 10A.

**Credits:** 3 hours

**Instructor(s):** Prof. Van der Vyver, Johan

**Prerequisite:** None

**Grading Criteria:** Final Paper

**Description:** On Wednesday, March 14, 2012, the International Criminal Court (ICC) delivered its very first judgment. Thomas Lubanga Dyilo was convicted of the war crime of conscripting or enlisting persons under the age of fifteen years into the armed forces of a militant group and using such persons to participate actively in hostilities. Lubanga was the founder and leader of the Union of Congolese Patriots responsible for the violence that erupted in 2002 in Ituri, an eastern province of the Democratic Republic of the Congo, between the Hema and Lendu ethnic groups. The situation in Ituri was referred to the ICC by the Government of the Democratic Republic of the Congo.

In the Lubanga Case, several complicated issues came up in the course of the pre-trial proceedings, which commenced when a warrant for the arrest of Lubanga was issued by a Pre-Trial Chamber of the ICC in February 10, 2006: Was the conflict in Ituri an international armed conflict or one not of an international character? Is there a difference between the enlistment or conscription of child soldiers if committed in an international armed conflict or in an armed conflict, not of an international character, respectively? What degree of knowledge (*mens rea*) is required on the part of the perpetrator in regard to the age of

a person enlisted or conscripted into the armed forces or used to participate actively in the hostilities? What is the meaning of using a child soldier "to participate actively in hostilities"? The trial and tribulations that attended the pre-trial proceedings in the Lubanga Case also included interesting issues of criminal procedure: The duty of the Prosecutor to obtain evidence for the defense; the effect of (non-) compliance with municipal (Congolese) laws in regard to searches and seizures; requirements to be satisfied for a person to qualify as a "victim" and the right of victims to express their "views and concerns" in the investigation stage of the proceedings.

These problems and questions are some of the substantive issues included in International Criminal Law. The focus of the course is on the structures and proceedings of the ICC. The ICC Statute was adopted by a Diplomatic Conference of Diplomatic Plenipotentiaries on an International Criminal Court, which was held in Rome on June 15 through July 17, 1998. Following 60 ratifications of the ICC Statute, the ICC became a reality on July 1, 2002, with its seat in The Hague in the Netherlands. To date, the ICC Statute has been ratified by 121 States.

Earlier, the Security Council of the United Nations established the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), and subsequently offered its support for a Special Court to prosecute international crimes committed in Sierra Leone (SCSL), and for judicial chambers to bring perpetrators of international crimes in East Timor and Cambodia to justice. Jurisprudence of the ICTY, ICTR, and SCSL, as well as cases decided by the Nuremberg Tribunals, are included in the course.

The course also includes an overview of the history of the establishment of the international tribunals; and as far as the ICC is concerned, its subject-matter, territorial, personal and temporal jurisdiction; the composition of the ICC and its organs; trigger mechanisms for prosecutions in the ICC (the U.N. Security Council, States Parties, and the Prosecutor conducting investigations *proprio motu*); and the rules of admissibility of a case (the principle of complementarity).

When dealing with the definitions of crimes within the subject-matter jurisdiction of the Court (genocide, crimes against humanity, war crimes, and the crime of aggression), we shall single out certain crimes for closer scrutiny, for example the crime of genocide, gender-specific crimes, child soldiers, torture, environmental malpractice, resettlement of populations in occupied territories, and terrorism.

In dealing with the rules of procedure and evidence to be applied in the ICC, special attention will be given to international principles of criminal justice that are at odds with the American criminal law and criminal procedure, for example the concept of *mens rea*, the presumption of innocence, the rule against double jeopardy, the protection of victims, and sentencing factors.

Special attention will also be given to the ongoing conflict between the African Union and the ICC over the indictment of President Al Bashir of Sudan to stand trial in the ICC centered upon the (non-) applicability of sovereign immunity of a sitting head of state.

The United States was one of seven States that voted against approval of the ICC Statute. The course includes concerns of the United States and others (including Israel, India, and some Arab States) that prompted a negative vote or abstention. President Clinton did sign the ICC Statute. The Bush administration, on the other hand, adopted a particular hostile attitude toward the ICC, for example by cancelling the American signature of the ICC Statute, enacting the Military Servicemembers Protection Act of 2002, and imposing sanctions against States that refused to enter into bilateral agreements with the United States that would preclude them from surrendering American nationals for prosecution in the ICC. In 2009, the Obama administration re-engaged with The ICC and the United States is currently a "co-operating non-party State".

*\*Last updated Fall 2019*

## 690A. Int'l Human Rights Prac. (EL)

### International Human Rights Law Practicum

**Class Number:** 4426; **Catalog Number-** LAW 690A.

**Credit:** 3 Hours (Experiential Learning Approved)

**Instructor(s):** Prof. Mickevicius, Henrikas

**Prerequisites:** International Human Rights Law (concurrent ok)

**Preselection:** <https://emorylaw.wufoo.com/forms/international-human-rights-practicum-preselection/>  
(<https://emorylaw.wufoo.com/forms/international-human-rights-practicum-preselection/>)

**Grading Criteria:** 150 work hours per semester, including the weekly seminars, and assignments and projects. Assignments will constitute 70% of the final grade, and seminar attendance and participation 30%.

**Enrollment:** Enrollment is limited to 4-6 students and subject to instructor's approval. Candidates will need to demonstrate a serious commitment to human rights work and an ability to take initiative, work independently, and use discretion. Work on reports alleging Enforced Disappearances "EDs" is subject to a confidentiality agreement. Knowledge of an official U.N. language, other than English, is preferred.

**Description:** The Practicum offers students a one-of-a-kind experiential education opportunity to deepen their knowledge of international human rights law, policies and enforcement mechanisms. The Practicum allows students to act essentially as junior lawyers in collaboration with and under the direct supervision of an Adjunct Professor Henrikas Mickevicius, who 40 years of experience in national and international law practice and are a member of the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID). A signature element of the Practicum will be support for the mandate of the WGEID.

Students will work on substantive projects and short-term tasks related to the WGEID. Weekly 2-hour companion seminars, taught by Prof. Mickevicius, will familiarize them with the relevant legal frameworks—hard and soft law instruments, mechanisms, venues, procedures, and case-law—and the skills they will need to employ to carry out assignments. Students will present and reflect on their findings and receive specific feedback from their instructor and classmates, to progress in their work.

The course accounts for a minimum of 150 work hours per semester, including weekly seminars, assignments, and projects. Assignments will constitute 70% of the final grade, and seminar attendance and participation 30%. There will be no final exam for this course.

*\*Last Updated Fall 2019*

## 676C. IHL Clinic (EL)

### International Humanitarian Law Clinic

**Class Number:** 4246; **Catalog Number-** LAW 676C, 02A.

**Credit:** 3 Hours (Experiential Learning Approved)

**Instructor(s):** Prof. Blank, Laurie

**Prerequisites/Co-requisites:** International Law; International Humanitarian Law; International Criminal Law; International Human Rights; Transitional Justice; or National Security Law, either may be taken concurrently

**Grading Criteria:** Clinic work, Participation, & Presentations

**Enrollment:** By application to the professor

**Description:** The International Humanitarian Law Clinic provides opportunities for students to do real-world work on issues relating to international law and armed conflict, counter-terrorism, national security, transitional justice and accountability for atrocities. Students work directly with organizations, including international tribunals, militaries, and non-governmental

organizations, under the supervision of the Director of the IHL Clinic, Professor Laurie Blank.

The IHL Clinic also includes a weekly class seminar with lecture and discussion introducing students to the foundational framework of and contemporary issues in international humanitarian law (otherwise known as the law of armed conflict).

*\*Last Updated Fall 2018*

## 732. Int'l Law

### International Law

**Class Number:** 4267; **Catalog Number-** LAW 732, 10A.

**Credit:** 3 Hours

**Instructor(s):** Prof. Van der Vyver, Johan

**Prerequisite:** None

**Grading Criteria:** Scheduled Final Exam

**Description:** Public international law primarily regulates the relations between States. But public international law can also be applied to individuals, relationships, and transactions across national boundaries. Public international law also dictates the uses of international common spaces. In short, international law can mean many different things. This course explores, in an introductory fashion, what international law means today, not only for practicing lawyers but also for statesmen, policy-makers, human rights advocates, environmentalists, in short, anyone who has an interest in our world and international relations.

Public international law has its own legal system, with unique ways of making rules and enforcing them. Because of its sense of separation from municipal or domestic legal systems, international law has been criticized as not being "law" at all. We will carefully examine this criticism throughout the course. At the same time, we will also understand that international law and domestic law interact in a number of ways, and at a number of different levels. As a consequence of all this, the class is organized around four units.

The first unit considers what may be called the "*sources and methods*" of *international law*. These are quite different from the cases and statutes you have learned to use thus far in your law studies. This unit will examine, among other things, treaties and the role of custom in making international law.

The second unit will focus on the *subjects and objects of international law*. It used to be accepted that the law of nations considered only States to be worthy of legal attention. Today, individuals, legal persons (including business associations), and organizations are also subjects of international law. We will briefly examine the law of human rights, as well as the constitutional jurisprudence of the leading international organization, the United Nations. Moreover, we will look at new "objects" of international control, including ocean areas and the international environment.

This leads us to the third unit of the course, dealing with *the relationship between domestic law and international law*. This is the part of the course most closely focused on the demands of an American law practice. At the same time, we hope to introduce students to other nations' views on such issues as jurisdiction, diplomatic immunity, sovereign immunity, the act of state doctrine, making and breaking of treaties, and other concerns in the conduct of a nation's foreign relations power.

The fourth and final unit of the class deals with *issues of war and peace*. After all, international law's success as a legal system is largely dependent on its ability to manage and resolve disputes. We will consider, therefore, different approaches for the peaceful settlement of disputes, including the role of international adjudicatory and arbitration bodies, such as the International Court of Justice. We will also look at the limits placed by international law on the use of force and on the conduct of hostilities.

This is intended as a broad survey class. Some topics will, however, be considered in more depth than others, depending on our interests. The course represents just an introductory offering in public international law.

The required text for the class is Mark Janis and John Noyes, *International Law: Cases and Commentary* (5th ed.) (West Publishing).

The pace of the class will be quick, so consistent attendance of lectures is important. So, too, is class participation. Students will often be specially assigned to participate in case studies or other in-class exercises. Your final grade may be slightly adjusted to reflect your individual class participation. Your final grade may be affected if you are absent from class more than five (5) times. Otherwise, the course grade will be based upon a three-hour, in-class, closed-book, final examination consisting of essay questions. The last regularly-scheduled class will be devoted to a summary and review session.

I am delighted to meet with students at any times, depending on my class schedule (I have classes, besides the ones in International Law, on Mondays from 2 to 4 p.m. on Tuesdays and Thursdays from 9 a.m. to 12 30 p.m.). Just drop by or make an appointment. I prefer face-to-face conversations rather than answering e-mail inquiries. My phone number is 404-727-6991, and my E-mail address is [jvand02@emory.edu](mailto:jvand02@emory.edu) (<mailto:jvand02@emory.edu>).

**Attendance Policy:** Regular attendance is required. Missing five classes without prior notification to the Instructor or genuine emergency will result in a reduction of one tier in the final grade (e.g. from A-minus to B plus). Additional unexcused absences will result in a further reduction of the final grade.

*\*Last Updated Fall 2019*

## 631A. Internet Law

### Internet Law

**Class Number:** [4273](#); **Catalog Number-** LAW 631A, 06A.

**Credits:** 2 hours

**Instructor(s):** Prof. Nodine, Larry

**Prerequisite:** Intellectual Property, Copyright, or Trademark strongly recommended as a significant portion of the class will employ these principles. Co-requisites okay.

**Grading Criteria:** Scheduled Final Exam

**Description:** In this course, we will cover jurisdiction over activities on the internet, Internet governance, enforceability of "click to proceed" contracts, domain name disputes, right to privacy, net neutrality and liability of intermediaries like ISPs and websites like eBay and Facebook. Interactive lecture format.

We occasionally invite guest speakers who have special expertise to address the class. For example, I am an arbitrator for domain name disputes administered by WIPO in Geneva. Several former students of this class have worked as case managers at WIPO and they have sometimes Skyped in to discuss their experience.

*\*Last Updated Fall 2018*

## 570A. IALS

### Introduction to the American Legal System

**NOTE: OPEN ONLY TO FOREIGN-EDUCATED LLM STUDENTS**

**Catalog Number-** LAW 570A

**Class Number:** [4330](#) (LLM Section)

**Credits:** 2 hours

**Instructor(s):** TBA

**Prerequisite:** None

**Grading Criteria:** In-class Final Exam

**LLM Description:** This course covers the constitutional principles, history, and governmental structures that shape the American legal system. Designed for lawyers trained outside of the United States, the course introduces basic principles of federalism, common-law reasoning, and an overview of the primary areas of first-year legal study

*\*Last Updated Fall 2017*

## 570B. IALS

**Introduction to the American Legal System**

**NOTE: OPEN ONLY TO JM STUDENTS**

**Catalog Number-** LAW 570B

**Class Number:** 4514 (JM Only)

**Credits:** 3 hours

**Instructor(s):** TBA

**Prerequisite:** None

**Grading Criteria:** In-class Final Exam

**OJM Description:** This course covers the Constitutional principles and governmental structures that shape the American legal system. It examines the structure of the U.S. judicial system and basic principles of legal reasoning. The course also incorporates a series of guest lectures in the primary areas of first-year legal study (contracts, torts, etc.).

*\*Last Updated Fall 2017*

## 670. Jurisprudence (CL)

**Jurisprudence**

**Class Number:** 4375; **Catalog Number-** LAW 670, 10A.

**Credits:** 3 hours (Cross-listed with Theology-ES 687 & Philosophy Department)

**Instructor(s):** Prof. Terrell, Tim

**Prerequisite:** None

**Grading Criteria:** Mid-term Essay & Take-home Final Exam Essay

**Description:** This course is about normative disagreement: disputes about values and systems of values, and in the political realm, quarrels over rights and duties. But the course is not, as you might expect, about how to avoid or resolve discord and conflict, and thus bring us together in harmony around a shared sense of justice. Instead, it will celebrate our contentious spirit, demonstrating that controversies about how we should govern ourselves are in fact inevitable, unavoidable, and never-ending.

But this is not bad news. Disagreement is not, as most seem to assume, inexorably disagreeable. In fact, for lawyers, it should be appreciated, perhaps even celebrated, for fun and profit.

And this good news is not nearly as cynical as it might appear. Law itself, after all, is a monument to the inability of people to get along productively without limits and direction. But this course goes deeper, as it explores the next disconcerting step: What happens when we *also* disagree about the limits and directions *themselves* that are supposed to help us avoid disputes in the first place (and settle them once they arise), that is, when we disagree about the nature of legal guidance *itself*? In the toughest cases you will face, the dispute will actually go underneath traditional elements of law, like court decisions and statutes, to the values that give these sources authoritative life. Confronting those questions is indeed *advanced* legal reasoning, it requires a "philosophy of law", that somehow makes one legal argument stronger than another. That level of the legal game is "jurisprudence."

The course will consist of two overlapping pieces. The first will examine the foundations of legal reasoning in challenging, controversial circumstances (the focus will be on Terrell, *The Dimensions of Legal Reasoning*, Carolina Academic Press, 2016). Because those fundamentals inevitably involve normative values, the second part of the course will explore various philosophical perspectives within political and legal theory (e.g., John Stuart Mill, John Rawls, Ronald Dworkin, Robert Nozick, Drucilla Cornell, and others).

*\*Last Updated Fall 2018*

## 699C. Juvenile Defender Clinic (EL)

### Juvenile Defender Clinic

**Class Number:** 4259; **Catalog Number-** LAW 699C.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Waldman, Randee

**Prerequisite:** Evidence is a co-requisite. Criminal procedure and kids in conflict with the law, juvenile law or family law 2 are strongly encouraged, and priority will be given to those students who have taken these courses.

**Grading Criteria:** Grades are based upon demonstration of lawyering skills throughout the semester. Those skills include: Attorney-client relations, professional responsibility, oral and written advocacy, practice management, case analysis, and reflective skills development

**Description:** The Juvenile Defender Clinic (JDC) is an in-house legal clinic designed to provide students with an opportunity to provide holistic legal representation to children in delinquency and status offense proceedings. Student attorneys represent youthful clients in juvenile court and provide legal advocacy in special education proceedings, school suspension proceedings, and other forums according to the clients' needs, when such advocacy is derivative of a client's juvenile court case. Through the combination of client representation and class sessions, students will learn to integrate theory with practice in a context-based educational setting.

**Attendance Policy:** Students must be present for all office hours and the weekly clinic meetings.

*\*Last Updated Fall 2018*

## 651. Labor Law

### Labor Law

**Class Number:** 4324; **Catalog Number-** LAW 651.

**Credits:** 2 hours

**Instructor(s):** Prof. Wilson, Brent

**Prerequisite:** None

**Grading Criteria:** Attendance; Class Participation; & Scheduled Final Exam

**Description:** Focuses primarily on the National Labor Relations Act and Representation Case and Unfair Labor Practice Case Rules, Procedures and Case Decisions of the National Labor Relations Board(NLRB) and Federal Courts. Discussion of developments under the Trump NLRB and recent reversals and expected reversals of decisions of the Obama NLRB. Historical matters regarding the Labor Movement in the U.S. Coverage of additional matters such as union campaigns, collective bargaining negotiations, grievance, and arbitration procedures and a comparison of the National Labor Relations Act and the NLRB to the Railway Labor Act and the National Mediation Board.

Course Objectives JD Students: To provide a working understanding of U.S. Federal Labor Law applicable to private industry and labor unions to prepare you to advise, advocate for and represent clients in private practice as well as serve as legal counsel to labor unions, private industry and government with an emphasis on:

1. Knowing and Understanding substantive and procedural federal labor law;
2. Interpreting, applying and analyzing applicable case law;
3. Representing clients in administrative and judicial proceedings.

Course Objectives Juris Masters Students: To provide students with a foundation in U.S. Federal Labor Law to prepare them to serve in Human Resources, Union Business Agent and Labor Relations roles with an emphasis on :

1. Understanding the administrative and judicial processes;
2. Understanding certain legal concepts in order to equip you to explain and describe to others;
3. Applying the foregoing to your professional role and your chosen profession/ industry.

*\*Last Updated Fall 2019*

## 695. Land Use

### Land Use

**Class Number:** 4407; **Catalog Number-** LAW 695.

**Credits:** 2 Hours

**Instructor(s):** Prof. Strum, Kasey

**Prerequisite:** None

**Grading Criteria:** Class Participation & Scheduled Final Exam

**Description:** This course will explore the legal principles underlying the public regulation of private land use, from traditional judicial doctrines, such as nuisance and eminent domain, through statutory comprehensive planning regimes and environmental laws. We will cover traditional zoning and planning issues, such as Euclidian zoning, nonconforming uses, variances, and special exceptions. The course will also introduce students to the content and controversies of land use and environmental laws.

Attendance Policy: Students are expected to attend class and actively participate. Unexcused absences make it difficult for a student to participate in class and may be reflected in their participation grade.

*\*Last updated Fall 2019*

## 870K. Landlord-Tenant I (EL)

### Landlord-Tenant Mediation Practicum I

**Class Number:** 4486; **Catalog Number-** LAW 870K.

**Credits:** 3 hours per semester (Experiential Learning Approved)

**Instructor(s):** Prof. Powell, Bonnie

**Prerequisite:** None

**Grading Criteria:** Attendance and Participation

**Enrollment:** Application process submitted thru Symplicity. Note that this a year-long course, you will need to re-enroll in the Spring.

**Description:** I. Instructors Director/Adjunct Professor Bonnie Powell phone: 404.918.3581 (cell) email: bonnie@powellADR.com Assistant Directors Teresa DiPonzio Hank Kimmel phone: 678.437.2765 (cell) phone: 404.735.9132 (cell) email: tadiponzio@gmail.com email: hwkimmel@gmail.com (mailto:hwkimmel@gmail.com )

II. Clinic Hours and Training Class and mediation sessions will be on Tuesdays from 8:45 am - 4:00 pm or Thursdays from 8:45 am - 4:00 pm in the Fulton County Justice Center Tower, 185 Central Avenue, Courtroom 1B.

Students will coordinate with Bonnie Powell during registration to select a clinic day. Additional clinic hours will be available throughout the year at the DeKalb County Magistrate Court. All students who receive and accept an offer to participate in the clinic must complete a criminal background check application within 30 days of accepting the offer. Students must pass the Georgia Office of Dispute Resolution criminal background check to participate in the clinic. There will be mandatory mediation training in August. Training dates will be emailed to all clinic participants in April, and training logistics will be finalized in July. All students will receive a certificate of attendance upon completing the 28-hour general civil mediation training. Attendance is required for each day of training. If you are unable to complete training, please do not interview for or accept an offer from this clinic.

Your training, as well as your background check and registration with the Georgia Office of Dispute Resolution, will be paid for by the Fulton County ADR Board and will be active for a period of 15 months.

III. Course Philosophy and Goals This course focuses on the process by which mediators assist others in resolving disputes. The clinic is designed to give students a thorough understanding of the mediation process and practical mediation experience. You will study the theory, strategy, skills, and public policy issues involved in the mediation of disputes, and you will put your skills to work by mediating real cases in the Fulton County State/Magistrate Dispossessory Court. By the end of the year, you should be able to: -Know the differences between arbitration and mediation; -Define terms, concepts, and core values key to mediation; -Effectively mediate non-complex issues; -Listen, question, problem solve, negotiate and use professional judgment; -Work well with parties, understand parties' interests, and help parties generate creative solutions for resolving legal problems; -Understand the limits of your skills and the limits of the mediation process, and appreciate the advantages and disadvantages to mediation and to litigation as dispute resolution mechanisms. -Be more thoughtful about your professional work and your own approaches to dispute resolution, both as advocates and as mediators.

IV. Course Materials For mediation training purposes and future reference material, the following book will be provided for your use throughout the school year. The Art of Mediation by Mark D. Bennett, Scott Hughes and Michelle Hermann (2nd ed., NITA 2010). You will also receive an electronic copy of a landlord-tenant outline by Dennis Goldstein and David Webster. You will need to have access to this outline during the majority of the lectures in the fall. Recommended Reading: Getting to Yes: Negotiating Agreement Without Giving In, by Roger Fisher, Bill Ury and Bruce Patton (2nd ed., Penguin 1991). This book is available in libraries, bookstores and online.

**Attendance Policy:** V. Attendance, Punctuality, and Dress Code Attendance are required. However, I understand conflicts arise. If you must miss class, you must send me an email prior to the day you plan to miss. If an emergency arises the day of class, you must call or text me. Please do not send an email message if you are canceling the day of class. Often I am unable to

check email until late in the day and by then it will be too late to find a replacement for you if needed. Punctuality is essential. You are expected to arrive on time to prepare for the session's caseload. Traffic and/or parking issues are not acceptable excuses for tardiness. Consider both to be ongoing factors when traveling to the courthouse and include them in your travel time. Each student must complete a daily timesheet. The timesheets will be checked twice a month to make sure you are on track to meet your requirement of 150 hours per semester. No student shall be permitted to end the semester early regardless of the number of hours worked. All students are required to be in business attire.

VI. Conflicts of Interest If you have previously worked with an organization that represents landlords or tenants, please inform me at the beginning of the semester. You should not mediate cases where there is a conflict of interest. VII. Fieldwork Experience This clinic will require you to work with parties who have already filed an action in Dispossessory Court. Our goal is to mediate cases and provide an opportunity for parties to reach a resolution before proceeding on to litigation. In Week 1, you will observe experienced mediators. In Week 2, you will co-mediate with experienced mediators. In Week 3, you will begin mediating cases on your own. You can expect to mediate between 2-10 cases per day.

VIII. Grading Policy This course is ungraded: the two possible grades are "Credit" and "No Credit." If you complete the course requirements, you will receive a grade of "Credit."

IX. Class Presentations In the spring semester, you will be required to present on a topic related to either Alternative Dispute Resolution or Landlord/Tenant law. The topic will be one of your choosing subject to my approval. You may present individually or as a group. You will receive credit of up to three hours for research and preparation. Individual presentations should be 20-30 minutes in length. Group presentations should be 45-60 minutes in length. You are free to organize your presentation however you like and you are free to choose whether to use powerpoint (or an equivalent) to aid in your presentation. Presentation Dates: mid-January-March.

X. Confidentiality An essential aspect of your learning experience relies heavily on our Mediation Case Rounds discussions and our ability to discuss sensitive issues that arise in mediation. During this time, we will discuss specific issues you encounter. Beyond our class Mediation Case Rounds, you must abide by the Georgia ADR rules on confidentiality. We will have a lengthy discussion on confidentiality during training.

XI. Feedback and Observation Each student will be observed at least twice in the first semester and once in the second semester. The first observation will occur when you begin mediating on your own and will focus primarily on your ability to deliver an opening statement with all the necessary elements and transition from opening statements to discussion. The second observation will be toward the end of the semester and will focus on your mediation style and the use of various mediation tools, including the use of caucus.

XII. Journaling You will be required to submit five journal entries. The journal entries should be at least two, but not more than three, pages. Double space, please. No bullet points or incomplete sentences. Due dates will be given during the year. Below are suggested topics for your journal entries. You may deviate from the suggestions below. Topics must be pre-approved by the instructor. Journal 1: During training, what did you learn about mediation that surprised you the most and why? What were your expectations, if any, before training? Journal 2: Describe a situation during one of your sessions when you faced an ethical dilemma. If you haven't encountered an ethical dilemma, comment about an ethical dilemma discussed during one of the case studies. Journal 3: Reflect back to the beginning of the semester. What did this experience teach you about your own skills or challenges with conflict as a mediator? Journal 4: After a semester of mediating, have you changed the way you communicate or negotiate? Provide an example and the results of the change in behavior. Journal 5: When you find yourself at an impasse, what works for you in terms of generating movement? What you learn and the experience you have in this clinic in large part depends on your effort. You will get out of it what you put into it. Every mediation session is an opportunity to improve your skills and enhance your experience.

*\*Last Updated Fall 2019*

## **708. Law & Religion (CL)**

### **Law and Religion: Theories, Methods, and Approaches**

**Class Number:** 4357; **Catalog Number-** LAW 708.

**Credits:** 3 hours (Course is cross-listed w/ Candler School of Theology as ES 680)

**Instructor(s):** Prof. Pill, Shlomo

**Prerequisite:** None

**Grading Criteria:** Participation, Attendance, & Paper

**Enrollment:** 8 slots are reserved for Journal of Law and Religion students, and 5 slots are reserved for JD students and 3 seats are reserved for students cross-registered from Candler School of Theology.

**Description:** Interdisciplinary scholarship is often lauded for challenging assumptions, contributing new perspectives, and leading to groundbreaking new insights that would not be possible without crossing disciplinary borders. While there are certainly benefits to interdisciplinary scholarship, such approaches also pose a unique set of challenges. The success of interdisciplinary scholarship depends on the scholar's ability to communicate to audiences who often use different nomenclature, evidence, and analytical methods. A failure to appreciate these challenges can lead to attempts at interdisciplinary scholarship that are reductive, one-sided, vague, or confused.

In this course, students will survey the interdisciplinary field of law and religion. The course will begin by discussing the nature of the field known as law and religion. What areas of inquiry constitute this field? What do we mean when we talk about "law" and "religion"? The course will then cover different substantive areas and methodological approaches by reading, analyzing, and critiquing examples of law and religion scholarship from leading scholars. Students will be asked to think about the choices that scholars make: What is the relationship between law and religion in this example of scholarship? What does the scholar draw on as evidence for her argument? How does the scholar construct his argument? How does the scholar think about law? How does the scholar think about religion? These and other questions will help students understand how different approaches function; what they can achieve; what they cannot achieve; and why a scholar would choose a certain approach. This course is recommended for students in advance of a significant writing project in law and religion, including a journal comment, major seminar paper, or thesis.

**Attendance Policy:** Regular class attendance is expected. A student may be absent from one class period without penalty. Further unexcused absences will reduce the student's class participation grade by 1/3 of a letter grade per absence. Further excused absences are given only in extenuating circumstances and following consultation with the Law School's Assistant Dean for Academic Engagement and Success or the equivalent administrator at other academic units. Students should plan their absence accordingly. Chronic tardiness will also impact the student's class participation grade.

The course will meet once a week for a three-hour block.

*\*Last Updated Fall 2019*

## 628B. Law & Sustainability

### Law, Sustainability, and Development

**Class Number:** 4385; **Catalog Number-** LAW 628B.

**Credit:** 3 Hours

**Instructor:** Prof. Samandari, Atieno

**Prerequisite:** None

**Grading Criteria:** Attendance, Participation, Reflections, Group Project, & Take-home Final Exam.

**Description:** This course examines the role of law and the legal system in economic and social development, with a focus on emerging markets and developing countries. It will explore how law, in its various forms, may bring about or impede development, however, defined, and how development may affect or change the legal system of the country concerned. International organizations, foreign aid agencies, and local and international nongovernmental organizations have become extraordinarily active in this field, spending hundreds of millions of dollars every year. The conceptions of development that underlie those efforts are diverse development may be seen as growth or improvement in, among other things, income, education, health, and human rights.

We will take a similarly expansive view of "law," recognizing that in many contexts it blurs into politics, governance, and social custom. The course will seek to challenge conventional approaches to law and development and enhance the appreciation of the point of view of developing countries and marginalized communities regarding development. The course will begin by interrogating the concept of 'development' and some of the problems that it encompasses. We will then explore the role of law and how/whether it may be used as an effective instrument for developing and implementing solutions to development problems. The course will cover a broad (but by no means exhaustive) set of issues in law and development and will take a critical perspective and include growing awareness of the importance of sustainability in development.

**Attendance Policy:** Attendance, conscientious preparation for, and participation in all classes are expected from each student. Any class absence must be communicated to the professor in a timely manner.

There is no standard text, readings will be assigned each week and students are to read the relevant material in advance of each class. Participation in class discussion and short essays: 20% Each student will select 4 topics from the syllabus early in the semester and prepare 2 pages of reflections, questions, criticisms, or comments on the readings assigned for those topics. Reflections are to be submitted by email to the Professor by 6pm on the Friday preceding the class in which they will be discussed. The comments will be anonymously distributed to all students prior to the relevant class. Group presentations: 30% Students will make group presentations on one development topic of the group's choice (e.g. health, environment, gender, FDI, international aid, sustainability etc.) highlighting the role of law in that issue. Each group presentation will last approximately 15 minutes with 10 additional minutes to respond to questions from the class (Total presentation time per group including questions and answers will be 25 minutes). Final Exam: 50% Completion of the seminar requires timely submission of a final take-home exam.

*\*Last Updated Fall 2019*

## 747. Legal Prof.

### Legal Profession

**Catalog Number-** LAW 747, 02A/02B.

2 Sections:

**(02A) Class Number:** 4316 (Elliott)

**(02B) Class Number:** 4467 (Romig)

**Credits:** 3 hours

**Instructor(s):** Prof. Elliott, James & Prof. Romig, Jennifer

**Prerequisite:** None

**Grading Criteria:** Participation, Attendance, Team Projects, & Scheduled Final Exam

**Description:** Study of the rules (primarily the ABA's Model Rules of Professional Conduct) and deeper principles that govern the legal profession, including the nature and content of the attorney-client relationship, conflicts of interest, appropriate advocacy, client identity in business contexts, ethics in negotiation, and issues of professionalism. Attendance is considered in the final grade.

*\*Last Updated Fall 2018*

## 622D. Mental Health

### **Mental Health Issues in the Criminal Justice System**

**Class Number:** 4349; **Catalog Number-** LAW 622D.

**Credits:** 2 hours

**Instructor(s):** Prof. Deets, Annie

**Prerequisite:** Criminal Law & Constitutional Law

**Grading Criteria:** 75%- Final Paper (10-15 Page Policy Paper); 10%- 5 Page Reflective Paper on Crazy; 15%- Oral Presentations/Class Participation.

**Description:** Mentally disabled individuals often find themselves entangled in the criminal justice system due to a lack of resources and support in the community. Our jails and prisons have become warehouses for those suffering from mental disability. It has been estimated that over half of those individuals in our jails and prisons suffer from some kind of mental disability.

This course is designed to provide law students with a working knowledge of the major areas of mental health in the context of the criminal justice system. This course will explore the impact and interaction of mental disability and criminal law. Topics will include: mental illnesses: comparison and contrasts between clinical and legal definitions; functional implications of mental disorders; criminal forensic evaluations; competence to stand trial; insanity and related defenses; disposition of those adjudicated incompetent or not guilty by reason of insanity; competence to be executed; involuntary hospitalization; involuntary treatment; right to treatment; right to refuse treatment; ethical considerations in representing this population; rights of criminally and civilly committed persons; and diversion treatment courts.

This course is intended to be interactive and while the core of the course is pre-determined, some of the content will be adapted to address interests and needs of students. The structure of most sessions will begin with case presentations highlighting the day's topic, followed by a didactic portion from the instructor, ending with an interactive discussion between class members and invited panelists. The class will also observe mental health issues in the criminal justice system first hand by visiting local jails, prisons, state mental hospitals, and courts.

Grades will be based on class participation, a 3-5 page paper, a group presentation, and a 15-20 page policy paper objectively weighing and assessing the tensions between individual rights and community public safety concerns and to conclude with reform proposals consistent with established legal principles directed at reconciling the tensions. The subject of the paper shall be focused on one of three areas examined by the course. 1) Examining the Mental Health Care in the Jail, Prison, and Mental Health Hospitals 2) Competency, Insanity and Mens Rea Reexamined 3) Traditional Punishment and Diversion Treatment Alternatives to Punishment - Social Morality, Public Safety, and Recidivism Examined Proposed texts: Crazy: A Father's Search Through American's Mental Health Madness-Pete Earley Videos: Frontline (PBS), The New Asylums; and The Released.

**Attendance Policy:** Attendance is required and excessive unexcused absences will impact your grade.

*\*Last Updated Fall 2019*

## 652. Nat'l Security

### **National Security Law**

**Class Number:** 5232; **Catalog Number-** LAW 652, 10A.

**Credit:** 3 Hours

**Instructor(s):** Prof. Blank, Laurie

**Prerequisite:** None

**Grading Criteria:** Scheduled Final Exam

**Description:** This course surveys the framework of domestic and international laws that authorize and restrain the pursuit of the U.S. government's national security policies. Central issues include the sources, foundation and structure of national security law; the participants in the national security system, their constitutional roles, and the nature of power-sharing among branches of government; and the law applicable to specific national security issues such as the use of military force, the activities of the intelligence community, and counter-terrorism activities.

*\*Last Updated Spring 2018*

## 657B. Nat'l Security Rsch. (AC) (EL)

### National Security Law Research

**Class Number:** 5233; **Catalog Number-** LAW 657B, 001.

**Credit:** 1 Hour (Accelerated & Experiential Learning Approved Course)

**Instructor(s):** Prof. Glon, Christina

**Prerequisite:** None

**Grading Criteria:** Participation, Attendance, and Final Project.

**Description:** National Security Law Research will offer an introduction to a few of the many statutes, agencies, and regulations that operate to secure and protect our homeland. Using statutes such as the Homeland Security Act or the Intelligence Reform and Terrorism Prevention Act, this class will examine how statutes and regulations work together to detect and prevent threats to the United States through agencies such as the CIA, the DOJ, the Treasury, and the DHS. Research exercises will be designed to help cultivate a thorough understanding of the interplay between statutes and regulations as well as allow students to develop appropriate research strategies for a variety of homeland security issues. National Security Law Research will be a 1-credit, graded course, meeting once a week for a two-hour time period using the accelerated class model.

**Attendance Policy:** Because student participation and hands-on practice are essential for the learning experience in this course, attendance at each class session is mandatory. Failure to attend will affect the course grade.

*\*Last Updated Fall 2019*

## 656. Negotiations (EL)

### Negotiations

**Catalog Number-** LAW 656, 06A/06B/06C

3 Sections:

**(06A) Class Number:** 4894 (Athans- Experiential Learning Approved)

**(06B) Class Number:** 4895 (Perry)

**(06C) Class Number:** 5014 (Perry)

**Credits:** 2 hours

**Instructor(s):** Prof. Athans, Michael; and Prof. (Lytle) Perry, Courtney

**Prerequisite:** None

**Note:** THIS COURSE IS NOT OPEN TO STUDENTS WHO HAVE TAKEN ALTERNATIVE DISPUTE RESOLUTION OR BUSINESS SCHOOL NEGOTIATIONS!

**Athans Grading Criteria:** Attendance, Participation, Coursework, Journals, & Final Paper. No Exam

**Athans Description:** The Negotiations course is a skills training class to address negotiation theory and practice. The students participate in simulations every week after the first, and attendance is required, with one absence permitted without impacting the final grade. There are written submissions in the form of 2-page journals for each class and a final paper in the 10-12 page range.

There is a different topic every week, and students will try to implement the information learned that week to build on their negotiation and problem-solving strategy skills.

**Perry GradingCriteria:** Ask Professor

**Perry Description:** Ask Professor

*\*Last Updated Fall 2018*

## 754. Patent law

### Patent Law

**Class Number:** 4360; **Catalog Number-** LAW 754, 001.

**Credits:** 3 Hours

**Instructor(s):** Prof. Holbrook, Tim

**Prerequisite:** None

**Grading Criteria:** Scheduled Final Exam & Class participation

**Description:** This course begins with a discussion of the theoretical justifications for patents. It then explains the nature of the patent document itself. Next, the course explores the core patentability requirements of patentable subject matter, utility, novelty, non-obviousness, and adequate disclosure. Included in this coverage are the new provisions under the America Invents Act. The course then shifts from validity to infringement, covering claim construction, infringement, limits on patent scope, and defenses. The course concludes with a discussion of remedies and an overview of post-issuance administrative proceedings at the USPTO

**Attendance Policy:** Class attendance and participation are vital to success in this class. Students will be required to sign a roster at the beginning or end of each class. If a student forgets to sign the roster, the student may email the professor on the same day of the class, explaining the failure to sign in. At the professor's discretion, he will add the student to the roster. If a student fails to sign in for 10 or more classes, the student's grade will be dropped a partial letter grade (e.g. from an A- to a B+). Class participation, both quantity, and quality, will be a factor in determining the final grade. Students can be moved up one partial letter grade if their participation is outstanding (i.e. from an A- to an A). If a student is chronically unprepared or absent, he or she can be knocked down a partial letter grade (from B- to C+, for example). This is in addition to any penalty for missing ten or more classes. So a student could be dropped two partial grades (e.g. from B+ to B-). Students are expected to be prepared on the days they are up, or to have found a substitute for that day.

For the purposes of class preparation, the class will be divided into three groups alphabetically. Thus, an individual student will be potentially called on once every three class sessions. Voluntary participation is, of course, welcomed and students receive full credit for voluntary contributions. If a student is not prepared on a day that his group is up, or if a student is going to be absent, then that student may swap responsibility for that day with another student before the class.

*\*Last Updated Fall 2019*

## 755. Pretrial Lit. (EL)

### Pretrial Litigation

**Class Number:** 4257; **Catalog Number-** LAW 755, 06A.

**Credits:** 4 hours (Experiential Learning Approved)

**Instructor(s):** Profs. Geary, Don; Bessen, Diane; & Hydrick, Stacey.

**Prerequisite:** Primarily for 3L students who are interested in civil litigation. Students must have already taken Trial Techniques class. 2L students must get permission from Lead Adjunct to take this class.

**Grading Criteria:** Coursework, Participation, Attendance & Oral Argument.

**Enrollment:** See Prereqs.

**Description:** This is a civil case litigation skills/simulation course. There are no exams but there are approximately six (6) written assignments along with preparation for two (2) oral arguments. Students will work as two-person teams to draft pleadings, written discovery, and conduct evidentiary and motions hearings.

**Attendance Policy:** Attendance is required although excused absences are permitted so long as the Adjuncts have been notified prior to the absence.

The class is meant to expose 3L students to actual, practical skills utilized by civil trial litigators. There will also be approximately six (6) guest speakers throughout the semester to discuss and introduce certain topics, as well as a final class of first and second-year associates who previously took this class, who are now practicing attorneys.

*\*Last Updated Fall 2019*

## 616. Real Estate Fin.

### Real Estate Finance

**Class Number:** 4376; **Catalog Number-** LAW 616, 12A.

**Credits:** 3 hours

**Instructor(s):** Prof. Hughes, Jr., James

**Prerequisite:** None

**Grading Criteria:** Scheduled Final Exam

**Description:** This course first examines in detail the elements of basic real estate conveyances including the sales contract, instruments of conveyance and title assurance (recording acts, title insurance, warranties). The second half of the course is devoted to alternative methods of financing a real estate acquisition including various mortgage instruments, transfers of mortgaged property, and foreclosure questions.

*\*Last updated Fall 2017*

## 711. Religion & Culture

### Religion, Culture, and Law in Comparative Practice

**Class Number:** 5238; **Catalog Number-** Law 711

**Credit:** 2 hours

**Instructor:** Prof. Ludsin, Hallie

**Prerequisites:** None

**Grading:** Take-home exam and short weekly assignments

**Description:** Debates rage worldwide over what role religion and culture should play in law and governance and whether granting them a role conflicts with democratic principles. Increasingly, religious and ethnic groups are demanding that religious and cultural practices form the basis of the legal system or, at the very least, a separate legal system governing only their members. Western policymakers are finding it difficult to respond to these claims. While they see them as possibly antithetical to the principles of tolerance and equality built into liberal democratic theory, there is something uncomfortable about rejecting these demands when they come from a majority of a population or from a minority group that has suffered severe discrimination. This course will explore the issues that arise in the debates about the appropriate role for religion and culture in democratic governance. It will examine different models for incorporating religion and culture into law as well as at models that wholly reject this incorporation using case studies from the US, Europe, Asia, and Africa

*\*Last Updated Spring 2016*

## 741. Remedies

### Remedies

**Class Number:** 5235; **Catalog Number-** LAW 741, 00D

**Credit:** 3 Hours

**Instructor(s):** Prof. Partlett, David

**Prerequisite:** None

**Grading Criteria:** Scheduled Final Exam

**Description:** Rights in tort, contract, and constitutional law are enforced in court. Whether the remedies that enforce rights are part of the substantive right or supplementary to it, remedies are theoretical and practically essential in understanding, and being fully equipped to practice in, both private and public law. This course will cover legal and equitable remedies. Restitution and monetary damages (including the "rightful position" principle, consequential damages, and damages for dignitary and constitutional harms) form the core, while injunctions "preventive, reparative, and structural" supplement remedies with which students will be familiar from courses in torts, contracts, property, and constitutional law. Other topics will include declarative judgments, contempt, and attorneys' fees, which are necessary to understanding the power of the courts to deliver justice. Reference will be made to the scope of self-help and apology, and similar non-monetary relief.

*\*Last Updated Spring 2015*

## 667A. Securities Enforcement

### Securities Enforcement: Procedures & Issues

**Class Number:** 4409; **Catalog Number-** Law 667A.

**Credits:** 2 hours

**Instructor(s):** Prof. Jospin, Walter & Prof. Lipson, Aaron.

**Prerequisite:** LAW500 (Business Associations); or LAW667 (Securities Regulation); or LAW673 (Securities: Brokers/Dealers); or LAW683 (White Collar Crime); or LAW875 (Advanced Issues in White Collar Crime).

**Grading Criteria:** Class Participation and Take-Home Final Exam

**Enrollment:** Limited to 10 Students!

**Description:** This course will examine the enforcement of the federal securities laws from the perspectives of the U.S. Securities and Exchange Commission ("SEC") staff, the Department of Justice, and defense counsel. An important focus of the course will be discussing the relevant statutes, regulations, case law, and other legal principles, and applying them to practical situations that arise in securities enforcement investigations. The required weekly reading will consist of securities enforcement cases, statutes, regulations, and other relevant documents. Given the highly evolving subject matter, many classes will include a short discussion of recent developments. As events occur during the semester, we may supplement or replace the reading materials for additional materials. We also will invite guest instructors with relevant government and private practice experience to address specific topics. Additionally, at points throughout the semester, we will have "practical" classes that will involve workshops in which students will be expected to demonstrate their understanding of the course material in simulated real-world settings.

**Attendance Policy:** As class will meet only once per week, absent exceptional circumstances, students may miss no more than two classes during the semester. Additionally, attendance at the first class is mandatory.

*\*Last Updated Fall 2019*

## 725A. Sentencing Pract.

### Sentencing Practice

**Class Number:** 4410; **Catalog Number-** LAW 725A.

**Credits:** 3 hours

**Instructor(s):** Prof. Marbutt, Jason

**Prerequisite:** Criminal Procedure

**Enrollment:** Limited to 14 Students!

**Grading Criteria:** Participation, Mock Sentencing Hearings, & Scheduled Final Exam.

**Description:** The vast majority of cases do not end in a trial; they end by plea. The vast majority of trials do not end in acquittals; they end in convictions. What happens next? The purpose of this class is to examine the sentencing process. The class will be 80% experiential learning, and 20% legal knowledge. We will discuss the basic legal framework for a sentencing hearing, and we will engage in a series of mock-sentencing hearings. The fact patterns are based on real-world cases that are challenging- ethically, legally, morally, and emotionally. Students will take on the role of prosecution or defense (and witnesses as needed). They will present their case to a Judge, including questioning witnesses and arguing for an appropriate sentence.

We will have guest speakers to help guide us through the issues of the case, and we will have class discussions about, "What's it worth?" The guest speakers will be professionals who dealt with the real-world case that our fact patterns are based on. The ultimate goal is for each student to have a better understanding of the factors that influence sentencing while gaining skill in articulating those factors to others.

Attendance Policy: Attendance is required and part of our grade.

*\*Last updated Fall 2019*

## 725B. Sentencing (AC)

### **Sentencing: Past, Present, & Future**

**Class Number:** 5325; **Catalog Number-** LAW 725B.

**Credits:** 1 hour (Accelerated Course)

**Instructor(s):** Prof. Wood, Lisa

**Prerequisite:** Criminal Law

**Grading Criteria:** Class participation (1/2); Reflective journal (1/2); pass/fail course

**Enrollment:** Please send a letter of interest and resume to the email address- lori\_phillips@gas.uscourts.gov (mailto:lori\_phillips@gas.uscourts.gov)

**Description:** The Sentencing Workshop explores theories of punishment, the Constitutional and policy restraints on sentencing schemes, the current practice of sentencing in various states and in the federal government, and the possibilities of reform.

**Note:** Accelerated Course meets T/Th/F for two hours (September 9-20)

Attendance policy: Must attend all classes.

*\*Last Updated Fall 2019*

## 891. Sp. Topics I (EL)

### **Special Topics in Technology I**

**Note:** OPEN TO TI:GER STUDENTS ONLY. PROFESSOR PERMISSION REQUIRED.

**Class Number:** 4266; **Catalog Number-** LAW 891, 04A.

**Credits:** 3 Hours (Experiential Learning Approved)

**Instructor(s):** Prof. Morris, Nicole

**Prerequisite:** None

**Grading Criteria:** Participation, Attendance, & Paper

**Description:** Special Topics in Technology Commercialization I is a capstone course designed to acquaint students with many of the legal issues associated with starting a new business enterprise. The course objective is to give students an introduction to the legal problems they are likely to encounter in an entrepreneurial setting either as lawyers for the enterprise or as owners of an equity position in the enterprise. Students will learn current case law that highlights the legal principles involving parties

and situations facing startups. These include choice of entity, financing arrangements, selection of a company name and trademark, protecting the intellectual property of the new company, supply chain management, business operational agreements.

**Attendance Policy:** Expectations and Class Participation Class attendance and participation are vital to success in this class. Participation, both quantity, and quality will be a factor in determining the final grade. Students can be moved up one partial letter grade if their participation is outstanding (i.e. from an A- to an A). If a student is chronically unprepared or absent, he or she can be knocked down a partial letter grade (from B+ to B, for example). Voluntary participation is, of course, welcomed and students receive full credit for voluntary contributions.

Grading 70% of the final grade will be based on a 15-20 page paper (double space, 12 pt. Times New Roman font) discussing any legal issue related to technology innovation. 25% of the final grade will be a 5-10 page draft of your innovation paper. Substantive feedback and comments will be provided on the topic and the draft paper so that the student is adequately prepared to complete the final paper.

*\*Last Updated Fall 2019*

## 719. Trademarks

### Trademark Law

**Class Number:** 4363; **Catalog Number-** LAW 719, 001.

**Credits:** 3 hours

**Instructor(s):** Prof. Bagley, Margo

**Prerequisite:** None

**Grading Criteria:** Scheduled Final Exam

**Description:** This course examines the law governing trademarks and other means of identifying products and services in the minds of consumers. Instruction primarily will focus on the federal statute governing trademarks and unfair competition, the Lanham Trademark Act of 1946, but students will learn about state laws and state law doctrines in the field as well. Topics include the protectability of marks, including words, symbols, and 'trade dress'; federal registration of marks; causes of action for infringement, dilution, and 'cybersquatting'; and defenses, including parodies protected by the First Amendment.

**Attendance:** Class attendance and preparation are both mandatory, and I reserve the right to take attendance, as well as the quality of classroom participation, into account in assigning final grades for the semester. Any student missing more than four (4) regularly scheduled class sessions, without a compelling justification for being absent (such as being sick or having an interview) is subject to being dropped from the course.

*\*Last Updated Fall 2019*

## 671A. Trial Practice (EL) (AC)

### Trial Practice Advocacy

**Catalog Number-** LAW 671A

**2 Sections:**

**Class Number:** 4468

**Class Number:** 4413 (Accelerated Course- Mock Trial Section)

**Credits:** 2 hours (Experiential Learning Approved)

**Instructor(s)- Non-Mock Section:** Prof. Norman, Justin; PD Liz Markowitz; ADA Gardner, Lindsay; & ADA Hylton, Simone

**Instructor(s)- Mock Section:** Prof. Norman, Justin & Prof. Deets, Annie

**Prerequisite:** None, but Evidence recommended (concurrently ok).

**Enrollment:** Both sections are capped at 16 students, the mock trial section is only for incoming students accepted into the program.

**Grading Criteria:** Attendance/Participation, Advocacy Experiences, Trial Notebook, & Final Trial Assignment

**Description:** This course is meant to be a pre-cursor to Trial Techniques and is a more hands-on approach to concepts that will be discussed generally in Trial Techniques, for those who have already completed Trial Techniques, this course will focus more on various trial advocacy styles and techniques.

The course will cover the following areas: housekeeping matters, motions in limine, opening statements, direct and cross-examinations, how to object & respond to objections, the introduction of evidence, impeachment, and closing arguments.

You are presumed to have read each day's assignments & PPT slides before attending the lecture, but please note the readings are meant to supplement your understanding of the materials covered in class and the course will not be based on the textbook.

In this class, emphasis will be placed on the demonstration of techniques rather than substantive law. As is true for practicing trial attorneys, preparation and organization are the keys to success. Therefore, you will also be required to participate in advocacy experiences held at local courthouses.

There will be a final trial but your grade will also be dependent on your performance and participation throughout the semester as students will be expected to perform/act out each portion of a trial.

Please note that for the final trial assignment: You are expected to be able to perform your opening statement and closing argument without reading them. In other words, NO NOTES. You will participate as an advocate, witness and possibly a juror.

At the end of this course, you should be able to accomplish three objectives:

- Understand the purpose and techniques involved in all components of a civil and/or criminal trial as evidenced by successfully trying a case at the end of this course;
- Exhibit a working knowledge of the Federal Rules of Evidence by demonstrating, in class, the ability to correctly and timely make and defend evidentiary objections during an opening statement, direct examination, cross-examination or closing argument; and
- Reveal an understanding of the Model Rules of Professional Conduct by conducting all aspects of a trial in a respectful, ethical manner on both the plaintiff/prosecution side as well as the defense side of a case.

**Attendance Policy:** Attendance/Participation is critical for success in this course as it only meets once a week, students expecting to receive a passing grade may miss no more than 2 classes.

*\*Last Updated Fall 2019*

## 674. T & E

### Trusts and Estates

**Class Number:** 4245; **Catalog Number-** LAW 674, 08A.

**Credits:** 4 hours

**Instructor(s):** Prof. Pennell, Jeff

**Prerequisite:** Property

**Grading Criteria:** Midterm & Scheduled Final Exam

**Description:** Study of the law of intestate succession, limitations on testamentary powers, formalities necessary for executing or revoking wills and trusts, incorporation by reference and the doctrine of independent legal significance, problems of construction and interpretation of wills, trusts, and will substitutes, plus limited study of the use of future interests in trust and powers of appointment.

Regular attendance and satisfactory participation as "class expert" are essential to receiving a passing grade.

*\*Last Updated Fall 2019*

## 697C. Turner Clinic (EL)

### Turner Environmental Law Clinic

**Class Number:** 4268; **Catalog Number-** LAW 697C.

**Credits:** 3 hours (Experiential Learning Approved)

**Instructor(s):** Prof. Goldstein, Mindy

**Prerequisite:** Environmental Advocacy (concurrently ok)

**Grading Criteria:** Legal work & Participation

**Enrollment:** Email prof. for approval. More information can be found at [www.law.emory.edu/turner](http://www.law.emory.edu/turner)  
(<http://www.law.emory.edu/turner>)

**Description:** The Turner Environmental Law Clinic provides important pro bono legal representation to individuals, community groups, and nonprofit organizations that seek to protect and restore the natural environment for the benefit of the public. Through its work, the Clinic offers students an intense, hands-on introduction to environmental law and trains the next generation of environmental attorneys. Each year, the Turner Environmental Law Clinic provides over 4,000 hours of pro bono legal representation. The key matters occupying our current docket "fighting for clean and sustainable energy; promoting sustainable agriculture and urban farming; and protecting our water, natural resources, and coastal communities" are among the most critical issues for our city, state, region, and nation. The Clinic's students benefit and learn from immersion in these real-world complex environmental representations.

Attendance Policy: Students are required to work in the Clinic 150 hours/semester and attend a weekly Clinic meeting.

*\*Last Updated Fall 2019*

## 685A. Veterans Benefits

### Veterans Benefits Law

**Class Number:** 4325; **Catalog Number-** LAW 685A.

**Credits:** 2 hours

**Instructor(s):** Prof. Early, Drew

**Prerequisite:** None, but Administrative Law is recommended

**Grading Criteria:** 25% class participation and 75% written exam.

**Description:** This course introduces students to the body of administrative law and associated rules that govern the administration of veterans' benefits, both through the Department of Veterans Affairs and the relevant courts. It teaches the law and procedure applicable to claims by veterans and their families at all stages of the Veterans Affairs (VA) adjudication process: initial fact-finding by VA regional offices, appellate claims to the Board of Veterans Appeals, and appellate review by the United States Court of Veterans Claims.

In addition to instruction in relevant doctrine and policy exposure, students will engage in exercises directed to the basics of the disability rating process, to establishing the service connection to a disability, and to discharge review. Students will also be exposed to typical claims issues raised in veterans' cases handled by the Emory Law Volunteer Clinic for Veterans. Law students interested in administrative law, personal injury, and civil litigation will benefit from this course, as will students interested in public service, who will be better prepared to serve as pro bono counsel to veterans in the future.

This field will be one of growing importance, as the war in Afghanistan winds down and the military continues to shrink. Attendance is mandatory as there is a significant class participation component to grading, with one excused absence authorized. There is a written scheduled exam administered during the exam period.

Attendance Policy: As there is such a high-class participation component to the course, attendance is mandatory.

**Textbook:** Veterans Law Cases and Theory by Prof James Ridgway of GMU (who is also the senior staff attorney at VA's Board of Veterans Appeals).

*\*Last Updated Fall 2019*

## 683. White Collar

### White Collar Crime

**Class Number:** 4414; **Catalog Number-** LAW 683.

**Credits:** 3 hours

**Instructor(s):** Prof. Cloud, Morgan

**Prerequisite:** None

**Grading Criteria:** Scheduled Final Exam

**Description:** This course examines criminal liability for organizations, including corporations, partnerships, sole proprietorships, and government offices. We will study how an organization's agents, including employees, officers, and directors, can incur personal criminal liability and create liability for the entity, as well. The crimes we will study include those at the center of many current legal and political controversies. These include perjury, obstruction of justice, false statements, mail and wire fraud, computer fraud, conspiracy, and racketeering. The course includes analysis of the responsibilities and potential liabilities of lawyers representing organizational clients.

Attendance policy: Attendance is required for all class sessions. I will take attendance at the start of each class session, using a signature roster. You must only sign your own name on the roster. It is a violation of the honor code to sign another student's name. During the semester, you are entitled to miss three (3) classes. You must send me an email (to morgan.cloud@emory.edu (mailto:morgan.cloud@emory.edu)) stating that you will miss, or have missed a class, including the date of the class. If you miss more than three classes during the semester and the additional absences have not been specifically approved by the professor, your final grade will drop by 1/3 of a step (from an A- to a B+, for example).

*\*Last updated Fall 2019*

## 649. Writing for Judicial

### **Judicial Opinion Writing: Writing for the Judicial Chambers**

**Class Number:** 5237; **Catalog Number-** LAW 649

**Credit:** 2 Hours

**Instructor(s):** Prof. Parrish, Robert

**Prerequisite:** None

**Grading Criteria:** 1. Bench memo 2. Final judicial opinion 3. Class participation

**Description:** This course will introduce you to the writing process that judges and law clerks use to complete their work. By the end of the course, you should feel comfortable researching, drafting, and revising appellate opinions and trial orders. You should also feel more confident about thinking through legal questions and articulating your reasoning out loud. We will examine the division of labor between judges and law clerks, as well as the different perspectives of judges and litigants in resolving legal disputes.

The course is designed for students who are considering clerkships, students leaning towards litigation, or students interested in the philosophical underpinnings of decision-making. Moreover, as part of the legal writing program here at Emory, the course will perfect your skills of analysis, research, and oral and written communication.

**Attendance Policy:** As the class meets only once per week, students are only permitted one unexcused absence for the semester. Any additional absences will result in a fixed percentage decrease in the student's final grade.

**Please note** that the final judicial opinion assignment will be derived largely from the bench memo assignment. Students are in reality completing one large writing project divided into two parts. We will also take a class day to visit the chambers of one of the local courts to get a first-hand perspective from the clerks and judge of their experiences and seek some advice for those wishing to join their ranks.

*\*Last Updated Fall 2019*

## SEM: 869. Corp. Accountability

### **SEMINAR: 869. Corporate Accountability and Social Justice**

**Class Number:** 5347; **Catalog Number-** LAW 869, 001.

**Credits:** 3 hours

**Instructor(s):** Prof. Vertinsky, Liza

**Preselection:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/> (<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Prerequisite:** None, but recommended for ECGAR students.

**Grading Criteria:** Participation, presentation, & Paper

**Enrollment:** Limited to those preselected initially, any remaining students will be made available during Open Enrollment.

**Description:** This seminar will examine the relationships between corporations and their employees, their customers, their local communities, and the environment. It will cover a variety of contemporary topics in corporate governance and accountability that may include trends in regulatory strategies, executive compensation, board structures, the corporate social responsibility movement, corporate sustainability, shareholder activism and the use of alternative business models such as benefit corporations.

**Attendance policy:** Attendance and preparation for class are required and your grade will reflect both. If you have to miss a class you must inform your professor in writing before the class you will miss. In the absence of special circumstances approved by the professor, you may not miss more than two classes during the semester.

*\*Last Updated Fall 2019*

## SEM. 811: Critical Race

### SEMINAR: Critical Race Theory

**Class Number:** 5236; **Catalog Number-** LAW 811

**Credit:** 3 Hours

**Instructor(s):** Prof. Brown, Dorothy

**Grading Criteria:** Paper, participation, Attendance; weekly 1-2 page papers on reading assignments.

**Prerequisite:** Completion of 1st Year of law school

**Preselection:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/> (<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Enrollment:** Limited to 15 Students, Class will not be open during Open Enrolment, must obtain Prof. permission to be enrolled.

**Description:** Critical Race Theory centers race and racism at the center of American law. This class will examine racial biases in judicial decisions, particularly those covered in the first year of law school: Torts; Contracts; Criminal Procedure; Criminal Law; Property; and Civil Procedure.

**Attendance Policy:** Students are expected to attend every class given that it meets only once per week.

*\*Last Updated Fall 2019*

## SEM: 867. Global Histories

### SEMINAR: 867. Global Histories of Sovereignty

**Class Number:** 5323; **Catalog Number-** LAW 867.

**Credits:** 3 hours

**Instructor(s):** Prof. Ruskola, Teemu

**Preselection:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/> (<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Prerequisite:** None

**Grading Criteria:** Participation & Research Paper

**Enrollment:** Limited to those preselected, Class will not be open during Open Enrollment, must obtain Prof. permission to be enrolled.

**Description:** This seminar explores international law and theories of sovereignty through a comparative and historical lens, examining them from multiple perspectives beyond the North Atlantic world. We will read and discuss books and articles from several disciplines on distinctive conceptions of sovereignty in different places at different times, and we will investigate their implications for international law today. Students will read, discuss, and write short reflection papers on course readings. In addition, each student will write a research paper on a topic chosen together with the instructor.

**Attendance Policy:** Mandatory attendance.

*\*Last Updated Fall 2019*

## SEM. 817: Implement Int'l Law

### SEMINAR: Implementation of U.S. Law in International Law

**Class Number:** 4322; **Catalog Number-** LAW 817.

**Credits:** 3 hours

**Instructor(s):** Prof. Van der Vyver, Johan

**Preselection:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/> (<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Prerequisite:** None

**Grading Criteria:** Paper

**Enrollment:** Class is available during Open Enrollment until capacity is met.

**Description:** An overview of American foreign policy, highlighting among other things what has come to be known as American exceptionalism and contrasting that with the post-World-War I American policy of isolationism, the promotion of American interests in international law, and a shift in American foreign policy brought about by the Obama administration; The prosecution of offenses against the law of nations in the United States, with special emphasis on Article VI, Clause [2], and Article 1, Section (8), Clause [10], of the Constitution, and with special reference to the prosecution of torture and genocide in the United States; Non-ratification by the United States of the Convention on the Rights of the Child, with special emphasis on the influence of religious groups that oppose the ratification on biblical grounds, and the role of federalism (the rights of the child are almost exclusively within the jurisdiction of states) that may preclude the federal authorities from ratifying the Convention; The United States and the jurisprudence of international tribunals, with special emphasis on reluctance of the United States to submit itself to the jurisdiction of such tribunals, the Nicaragua Case in which the International Court of Justice in the 1980s condemned the United States for its assistance to the Contras, and the fairly recent judgment of the U.S. Supreme Court in the case of *Medelln v. Texas*, as well as decisions of the American Commission on Human Rights relating to non-compliance by the United States with the Vienna Convention on Consular Relations (by not always informing an alien detainee of his or her right to consular assistance); The International Criminal Court (ICC), with special emphasis on the positive role played by the United States in the drafting of the ICC Statute, hostility of the Bush administration toward the ICC, and re-engagement by the Obama administration with the ICC in 2009 to become a cooperating non-party State; and how this is to be reconciled with the American Servicemembers Protection Act, which in essence prohibits the United States from cooperating in any way with the ICC.

Military Interventions by the United States, with special reference to provisions in the U.N. Charter that instruct Member States not to settle their international disputed through the taking up of arms, questions as to legality under the norms of international humanitarian law of anticipatory self-defense, humanitarian interventions, and wars of liberation, the Reagan Doctrine, and the recent armed interventions in Kosovo, Afghanistan, and Iraq.

*\*Last updated Fall 2019*

## SEM. 843: Int'l Environmental Law

### **SEMINAR: International Environmental Law & Vulnerability**

**Class Number:** 5876; **Catalog Number-** LAW 843.

**Credits:** 3 hours

**Instructor(s):** Prof. Samandari, Atieno

**Preselection:**

**Prerequisite:** None, however, a background in Int'l Law will be helpful

**Grading Criteria:** 30-page Seminar Paper

**Enrollment:** Class is available during Open Enrollment until capacity is met.

**Description:** This seminar will examine the development of international environmental law, focusing on the major areas of global environmental protection including climate change and biodiversity loss. The course will unpack principles underlying the regime, including, the “polluter pays” principle, precaution, sustainable development, vulnerability, and others. We will delve into new developments in climate change law around the world. We will also learn about the growing movement towards granting legal person-hood to nature. The goal is to understand the current trajectory of international environmental law and the need for global environmental cooperation to expand in a socially just manner.

*\*Last Updated Fall 2019*

## SEM: 816. Int'l Patent Law

### **SEMINAR: International and Comparative Patent Law**

**Class Number:** 4487; **Catalog Number-** LAW 816.

**Credit:** 3 Hours

**Instructor(s):** Prof. Bagley, Margo

**Preselection:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/> (<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Prerequisite:** IP Survey, or Patent Law, concurrent enrollment is permissible. Relevant patent experience may be deemed a substitute with permission from Professor Bagley

**Grading Criteria:** Participation, Coursework, & Final Paper

**Enrollment:** After preselection, any remaining seats will be made available during Open Enrollment.

**Description:** This course will provide an introduction to key aspects of U.S., international, and comparative patent law and the myriad policies at play in ongoing global patent harmonization conflicts. The value of patents is increasing in many areas while at the same time the scope of patent-eligible subject matter is in flux. We will explore the impact of these forces in the creation and implementation of international agreements concerning patents, such as the Paris Convention, Patent Cooperation Treaty, the Agreement on Trade-Related Aspects of Intellectual Property, and various bilateral agreements. Against the backdrop of the U.S patent system, we also will consider the importance of regional patent systems such as the

European Patent Convention, as well as features of other major patent players such as India, Japan, and China, and emerging issues on the continent of Africa. A discussion of current issues such as access to medicines, protection of traditional knowledge, multinational patent litigation, and the patenting of controversial inventions will be an integral part of the course.

**Attendance:** Class attendance and preparation are both mandatory, and I reserve the right to take attendance, as well as the quality of classroom participation, into account in assigning final grades for the semester. This course is a seminar which only meets once per week; thus any student missing more than two (2) regularly scheduled class sessions, without a compelling justification for being absent (such as being sick or having an interview) is subject to being dropped from the course.

*\*Last Updated Fall 2019*

## SEM: 804. Law & Literature

### SEMINAR: Law & Literature

**Class Number:** 4417; **Catalog Number-** LAW 804, 02A.

**Credits:** 3 hours

**Instructor(s):** Prof. Duncan, Martha Grace

**Preselection:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/> (<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Prerequisite:** None

**Enrollment:** Limited to 15 students, any remaining will be made available during Open Enrollment!

**Grading Criteria:** Attendance, Participation, and a Research Paper

**Description:** This seminar will examine the portrayal of law, crime, and punishment in novels and plays. Among other works, the class will read and discuss Agamemnon, by Aeschylus; The Crucible, by Arthur Miller; Chronicle of a Death Foretold (by Gabriel Garcia Marquez); Fuenteovejuna (a Golden-Age Spanish play by Lope de Vega); The Stranger, by Camus; and Crime and Punishment, by Dostoevsky.

**Attendance Policy:** Since this class meets only once a week, students are expected to attend every class.

*\*Last updated Fall 2019*

## SEM: 868. Law, Rts, & Info. Civilztn

### SEMINAR: 868. Law, Rights, & the Information Civilization

**Class Number:** 5324; **Catalog Number-** LAW 868.

**Credits:** 3 hours

**Instructor(s):** Prof. Cloud, Albert

**Preselection:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/> (<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Prerequisites:** None

**Grading Criteria:** Class Participation and Written Paper

**Enrollment:** Limited to those pre-selected, remaining seats will NOT be made available during Open Enrollment.

**Description:** The seminar will examine the fundamental and unpredictable twenty-first-century upheaval in human society, including politics, economics, communications, education, social media, commerce, human relationships, and of course, law and the nature of rights through which we are living. Class discussions will be organized around a new and celebrated book: SHOSHANA ZUBOFF, *THE AGE OF SURVEILLANCE CAPITALISM: THE FIGHT FOR A HUMAN FUTURE AT THE NEW FRONTIER OF POWER* (2019). The book is available for purchase in hardcover (ISBN No. 978-1-61039-569-4) and ebook (ISBN No. 978-1-61039-570-0) formats.

The first part of the semester will be devoted to discussions of issues raised in Zuboff's book, the second part will be devoted to discussions of student papers. Class will meet once a week for two hours. Students will have great latitude in selecting the topics for their papers. Each student's grade will be based upon both class participation and the written paper.

**Attendance Policy:** Consistent with ABA and Emory School of Law rules, students are required to attend all scheduled class meetings. This rule is particularly important because the course meets only once a week and emphasizes class discussion by students. Therefore, any absence must be approved by Professor Cloud. Grades will be reduced for students who have unexcused absences.

*\*Last Updated Fall 2019*

**SEM: 866. Law & Work (CL)****SEMINAR: Law & Work in Historical Perspective**

**Class Number:** 5346; **Catalog Number-** LAW 866, 001.

**Credits:** 3 hours (Cross-listed with HIST 585)

**Instructor(s):** Prof. Dinner, Deborah

**Preselection:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/> (<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Prerequisite:** None

**Grading Criteria:** Participation, Reflection Papers & Final Paper

**Enrollment:** Limited to those pre-selected, no Open Enrollment seats for this course.

**Description:** This seminar will examine law and work in the United States from a historical perspective. The purpose of the seminar will be to gain a historical understanding of how and why common law, statutory law, and constitutional law evolved to regulate the workplace, the relationship between employers and employees, and worker organizing. We will study forms of labor subject to the law as well as labor that takes place beyond the reach of the law. This will enable us to examine how the law has alternatively enhanced and diminished workers' power. The course will engage students in historical methodologies with particular attention to historical causation, contingency, and the relationship between law and society.

We will cover five major topics. We will begin in the early nineteenth century with the common law of master-servant relations and analyze how common law principles continue to shape the legal relationship between employer and employee. Next, we will examine how workers and their advocates responded to the risks employees faced following the advent of industrial capitalism, examining social insurance and its alternatives. Proceeding from the late-nineteenth century through the New Deal period, we will analyze the emergence of law regulating the collective bargaining process and the legal evolution of unions. Fourth, we will study the relationship between immigration and the labor system across the twentieth century. Last, we will examine gender and labor: paid and unpaid.

This is a reading- and writing-intensive class. Students will be responsible for weekly readings, weekly critical response papers, one oral presentation on supplemental readings, and a research paper that satisfies the law school's writing requirement. Those students who have already met the writing requirement will be able to instead complete a shorter and less research-intensive paper if they so choose.

*\*Last Updated Fall 2019*

## SEM: 838. Products Liability

### SEMINAR: Products Liability

**Class Number:** 4327; **Catalog Number-** LAW 838.

**Credits:** 3 hours

**Instructor(s):** Prof. Vandall, Frank

**Preselection:** <https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/> (<https://emorylaw.wufoo.com/forms/lsr-fall-2019-seminar-preselection/>)

**Prerequisite:** Products Liability (recommended)

**Grading Criteria:** Paper

**Enrollment:** Limited to those preselected initially, any remaining seats will be made available during Open Enrollment

**Description:** This seminar provides an opportunity for a student to write a paper on a developing aspect of products liability theory. Topics considered and materials will vary from year to year. The course in Products Liability is recommended, but not required.

*\*Last Updated Fall 2017*

## Spring 2019 Courses

The following courses are being offered in Spring 2019, please note this list is subject to change.

(AC)= Accelerated Course

(CL)= Cross-listed

(EL)= Experiential Learning/Practical Experience Approved

**679. Access to Justice Prac. (EL)**

**701. Administrative Law**

**632A. Adv. Evidence**

**875A. Adv. Iss. White Collar**