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Vol. 101, No. 4, August 2005

GRADUATE LAW PROGRAMS

J.S.D. Program in International Human Rights Law

Since 1992, the Notre Dame Law School has admitted a small number of students to candidacy for the degree of doctor of juridical science (J.S.D.). This program is designed especially for persons who teach in the field of international human rights law and who seek additional education beyond the LL.M. degree level.

For more information contact:

J.S.D. Program Director
Center for Civil and Human Rights
Notre Dame Law School
301 Law School
Notre Dame, IN 46556
(574) 631-8555
E-mail: cchr@nd.edu

LL.M. Program in International Human Rights Law (Notre Dame Campus)

The Notre Dame Law School initiated a master of laws (LL.M.) program in international human rights law in 1988 in response to a growing worldwide need for education in the field of human rights. The program affords lawyers who come primarily from outside the United States the opportunity to engage in specialized study and research in international human rights law. Program participants undertake an intensive analysis of human rights issues guided by specialists in the field, and develop the skills necessary to practice or teach international human rights law.

The LL.M. program also draws upon the resources of the University's Helen Kellogg Institute for International Studies, the Joan B. Kroc Institute for International Peace Studies, the Department of Political Science and other academic units of the University. The interdisciplinary nature of the program allows students to study not only the legal processes and institutions pertaining to human rights, but also the social, economic and political contexts in which human rights are promoted, protected or violated.

For more information, contact:

Director
Center for Civil and Human Rights
Notre Dame Law School
301 Law School
Notre Dame, IN 46556
(574) 631-8555
E-mail: cchr@nd.edu

LL.M. Program in International and Comparative Law (London Campus)

In 1986, the Notre Dame Law School instituted a master of laws (LL.M.) graduate program in international and comparative law at the Notre Dame London Law Centre in London, England. Designed to build upon the full-year and summer programs for J.D. students in London, this LL.M. program allows both American and non-American students to earn a degree from a U.S. law school while studying in England.

The program is designed for law school graduates from common-law countries who seek advanced training, as well as for law school graduates from civil-law countries who seek training in common-law disciplines or who wish to pursue studies comparing their legal systems with those of the United States and Great Britain.

For more information, contact:

Office of Graduate Admissions
Notre Dame Law School
112 Law School
P.O. Box 959
Notre Dame, IN 46556-0959
(574) 631-6626
E-mail: lawadmit@nd.edu

You may also apply on-line through the Law School's web site at <http://www.law.nd.edu>.

DUAL-DEGREE PROGRAMS

The J.D./M.B.A. Program

In 1970, the Law School and the graduate division of the University's Mendoza College of Business introduced a combined four-year program of study leading to the degrees of juris doctor and master of business administration. Students in this dual-degree program divide their time between the Law School and the Mendoza College of Business, studying the full curriculum of both schools. The reduction by one year of what normally would be a five-year program of study is achieved by allowing certain common courses and some elective courses to count toward both degrees.

The M.B.A. program is under the direction of the graduate division of the Mendoza College of Business. The business curriculum combines an intensive study of basic business disciplines with the decision-making experience of case analysis in a unique enterprise workshop and emphasizes a close working relationship between faculty and students.

Students who wish to participate in the joint J.D./M.B.A. program must be accepted for admission by both the Law School and the graduate division of the Mendoza College of Business. For more information, contact both:

Office of Admissions
Notre Dame Law School
112 Law School
P.O. Box 959
Notre Dame, IN 46556-0959
(574) 631-6626
E-mail: lawadmit@nd.edu

M.B.A. Admissions
276 Mendoza College of Business
P.O. Box 399
Notre Dame, IN 46556-0399
(574) 631-8488E-mail: mba.1@nd.edu

The J.D./M.A. in English Program

In 1991, the Law School and the Department of English instituted a program that allows J.D. students to earn an M.A. in English. To complete the M.A., students typically take 21 hours of English courses and count nine hours of courses within the J.D. curriculum toward the M.A. degree. Normally, program participants would pursue the nonresearch M.A.; those who opt for the research M.A. must also complete an additional six hours of thesis research.

Since the Law School allows nine hours of electives, program participants may complete nine of the required 21 hours of course work in English during the regular three-year course of study toward the J.D. degree. The other 12 hours may be completed by enrolling in the University's summer sessions, by enrolling for an additional semester after completing the J.D. degree, or by a combination of these two options. Upon admission to the program, the student creates a program of study with the advice of the director of graduate studies in English and the assistant dean for students in the Law School. The program of studies is coordinated by the Graduate School.

The program is open only to students already admitted to the Law School. Program participants must be admitted to the program through the procedures of the Graduate School and the Department of English. For more information, contact both:

Office of Admissions
Notre Dame Law School
112 Law School
P.O. Box 959
Notre Dame, IN 46556-0959
(574) 631-6626
E-mail: lawadmit@nd.edu

Office of Graduate Recruitment and Admissions
Graduate School
502 Main Building
Notre Dame, IN 46556-5602
(574) 631-7706
E-mail: gradad.1@nd.edu

The J.D./M.E. in Engineering Program

Students interested in environmental, patent or telecommunications law may apply for a dual-degree program through the Law School and the College of Engineering.

Students who wish to participate in the joint J.D./M.E. program must be accepted for admission by both the Law School and the Graduate School's Division of Engineering. For more information, contact both:

Office of Admissions
Notre Dame Law School
112 Law School
P.O. Box 959
Notre Dame, IN 46556-0959
(574) 631-6626
E-mail: lawadmit@nd.edu

Office of Graduate Recruitment and Admissions
Graduate School
502 Main Building
Notre Dame, IN 46556-5602
(574) 631-7706
E-mail: gradad.1@nd.edu

Other Dual-Degree Programs

Where appropriate and with the approval of the departments involved, other dual-degree programs may be fashioned to suit individual interests or needs. Inquiries should be addressed to the particular departments involved.

REQUIREMENTS FOR GRADUATION AND GOOD ACADEMIC STANDING FOR THE J.D. PROGRAM

Graduation Requirements

To graduate from the Notre Dame Law School with the juris doctor degree, students must complete 90 hours of approved courses, must maintain a cumulative grade-point average of 2.0 over six semesters, and must be in residence for six semesters. A semester in residence normally is not fewer than 14 credit hours.

Conferral of the degree is contingent upon successful completion of the prescribed program of instruction. The degree may not be conferred upon any student who has been found guilty of dishonest or dishonorable conduct.

Graduation Honors

<i>Cum Laude</i>	3.400
<i>Magna Cum Laude</i>	3.600
<i>Summa Cum Laude</i>	3.800

The specific requirements for calculating graduation honors are described in the *Hoynes Code*, an administrative code that governs the Law School and may be found on the Law School's home page (<http://law.nd.edu>).

Grading and Academic Standing

Grades are divided into letter categories with numerical values as follows:

A.....	4.000	C+	2.333
A-.....	3.667	C.....	2.000
B+.....	3.333	C-	1.667
B.....	3.000	D	1.000
B-	2.667	F	0.000

Individual grade point averages are calculated for use by the student and for internal use by the Law School in determining academic standing and honors. The minimum acceptable grade point average to maintain good academic standing varies with class level. The complete grading policy is distributed to each entering class. A student who fails to maintain the minimum acceptable grade point average will be ineligible to continue into the next semester.

There is no calculation or publication of "ranking" or "class standing." The Law School does, however, publish the mean grade point average for each class level. A student who fails a required course must repeat it and obtain a passing grade. This requirement may be relaxed by the faculty member responsible for the course only if good cause is shown. A student who fails an elective course does not need to repeat the course; however, the student earns no credit toward graduation for any failed course.

Grade Reports

The Office of the Registrar no longer mails a paper copy of grades unless a copy is requested. Grade information is available to students on insideND (inside.nd.edu). The Printed Grade Report Request form is available from the Office of the Registrar Web site.

Cocurricular Courses

Some courses offered are identified as cocurricular. For a complete statement on the policies relevant to cocurricular course work, students should consult the current edition of the *Hoynes Code*.

Course Requirements

Generally, grades are based on a final examination alone. At the discretion of the faculty member responsible for a particular course, multiple examinations, a term paper, or term project may be required in lieu of or in addition to a final examination. To be eligible to take an examination in a particular class, students must attend classes regularly and punctually, and must participate in class to the satisfaction of the faculty member responsible for a particular course.

Examinations are not proctored, but rather, are written on the honor system. Under the Notre Dame Law School Honor Code, every student who enters the Law School is bound neither to give nor to receive unauthorized aid in any examination.

To ensure impartiality, written examinations are taken anonymously, identified only by an examination number which is randomly generated and assigned prior to examinations.

All examination papers and written assignments are read and graded personally by the member of the faculty responsible for a particular course.

Change of Regulations

The Law School and the University reserve the right at any time to change any regulation pertaining to admission to, continued enrollment in, or graduation from the Law School. All law students are bound by University regulations contained in *du Lac: A Guide to Student Life*, published and distributed to all students each fall. Law students must also conform to additional regulations listed in the *Hoynes Code*, an up-to-date copy of which is maintained in the Kresge Law Library and is available online.

TUITION AND FEES

Tuition

The tuition for the 2005–06 academic year is approximately \$31,820.

Miscellaneous Fees

Technology and student activity fees amount to approximately \$400 annually for all law students. In addition, students may be charged a small additional fee for printed matter related to preparation for the study of law. There is no charge for transcripts.

Payment

Tuition and fees must be paid prior to the beginning of the semester. Checks should be made payable to the University of Notre Dame and sent to:

Office of Student Accounts
 University of Notre Dame
 100 Main Building
 Notre Dame, IN 46556-5602

Change of Fees

Tuition and fees may be changed at any time without prior notice, and new charges may be added without prior notice.

WITHDRAWAL REGULATIONS

Any law student who at any time within the school year wishes to withdraw from the University should contact the Office of the Registrar. To avoid failure in all classes for the semester and in order to receive any financial adjustment, the withdrawing student must obtain the appropriate clearance from the Dean of the Law School and from the Assistant Vice President for Residence Life.

On the first day of classes, a full tuition credit will be made. Following the first day of classes, the tuition fee is subject to a prorated adjustment/credit if the student (1) withdraws voluntarily for any reason on or before the last day for course discontinuance at the University, or (2) is suspended, dismissed or involuntarily withdrawn by the University, for any reason, on or before the last day for course discontinuance at the University, or (3) is later obliged to withdraw because of protracted illness, or (4) withdraws involuntarily at any time because of military service, provided that no credit is received for the classes from which the student is forced to withdraw.

Upon return of the student forced to withdraw for military service, the University will allow that student credit for the portion of tuition charged for the semester in which the student withdrew and did not receive academic credit.

Room and board charges will be adjusted/credited on a prorated basis throughout the entire semester.

Students receiving University and/or federal Title IV financial assistance who withdraw from the University within the first sixty percent (60%) of the semester are not entitled to the use or benefit of University and/or federal Title IV funds beyond their withdrawal date. Such funds shall be returned promptly to the entity that issued them, on a pro rata basis, and will be reflected on the student's University account.

This Withdrawal Regulation may change subject to federal regulations. Examples of the application of the tuition credit calculation are available from the Office of Student Accounts upon request.

CURRICULUM

First Year

The first-year curriculum is required and demanding. It covers the fundamentals of law using primarily the case method. Course and semester-hour requirements are as follows.

<i>First Semester</i>	<i>Credits</i>
Civil Procedure	2
Contracts I	3
Criminal Law	3
Legal Research I	1
Legal Writing I	2
Torts	4
	———
	15
 <i>Second Semester</i>	 <i>Credits</i>
Civil Procedure II	3
Contracts II	2
Constitutional Law	3
Ethics I	1
Legal Research and Writing II (Moot Court)	2
Property	4
	———
	15

Second and Third Years

The following courses must be completed prior to graduation.

<i>Required Courses</i>	<i>Credits</i>
Business Associations	4
Ethics II, Legal Aid I Ethics or Legal Externship Ethics	1
Federal Income Taxation	4
Jurisprudence	3
	———
	12

Students who entered in the fall of 2003 and thereafter must also complete the Upper Level Writing Requirement before enrolling for their final semester.

LAW SCHOOL COURSES

Numerical List of Law Courses

This numerical list of courses indicates the courses that have been offered by the Law School in recent years. Individual courses may or may not be offered in a particular semester or academic year at the discretion of the Law School administration.

60104	503	Contracts I	70306	603B	The Death Penalty
60105	504A	Contracts II	70307	662	First Amendment
60302	507A	Criminal Law	70308	636B	Constitutional Theory
60304	509	Civil Procedure I	70309	662A	First Amendment
60305	510	Civil Procedure II	70311	609	Federal Courts
60306	603	Constitutional Law	70312	609A	Fed Cts-Cont.Prblms/Prac & Pol
60307	603A	Constitutional Law	70313	689	Law of Education
60703	512	Legal Research I	70314	650	Legislation
60705	514	Legal Writing I	70315	610	Administrative Law
60707	513	Legal Research & Writing II-MC	70316	658A	Complex Civil Litigation
60801	511	Ethics I	70317	672C	Local Government
60901	501A	Torts	70319	680B	Consumer Law
60902	501	Torts I	70321	630	Admiralty
60903	502	Torts II	70323	640C	Copyright & the Constitution
60906	505B	Property	70327	631A	Environmental Law
70100	639A	Accounting for Lawyers	70328	642C	Env Law for Transactional Lwyr
70101	601	Business Associations	70329	631B	Energy Law
70103	602	Secured Transactions	70331	631C	Minerals Law
70105	661	Commercial Law - Sales	70333	631D	Water Law
70107	626	Securities Regulation	70335	631E	Agricultural Law
70108	627	Business Planning	70337	631F	Housing Law
70109	627A	Business Torts	70339	631G	Land Use Control Law
70111	641	Real Estate Transactions	70340	642D	Pollution Law
70115	677A	Corporate Reorganization	70341	631H	Public Lands Law
70117	625	Antitrust Law	70345	642	Land Use Planning
70119	677	Bankruptcy	70348	631I	Biodiversity & the Law
70121	601C	Not-for-Profit Organizations	70349	642A	Environmental Law
70123	601B	Corporate Finance	70353	611	Labor and Employment Law
70125	646B	Payment Systems	70355	685	Employment Discrimination Law
70127	601A	Mergers & Acquisitions	70357	685A	Employee Benefits Law
70129	655	Equitable Remedies	70358	662C	Race & the Law
70131	640	Copyright and Trademark	70359	508B	Constitutional Crim Procedure
70133	640A	Trade Regulation/Intellectual Property	70360	662B	Civil Rights Law
70135	640B	Cyberlaw	70361	673A	Complex Criminal Litigation
70139	663B	Econ & Environmental Justice	70362	628A	Federal Criminal Law
70201	604	Evidence	70364	662D	Civil Rights Litigation
70203	655A	Remedies	70365	673B	Federal Criminal Practice
70205	604A	Criminal & Scientific Evidence	70366	628B	Federal Criminal Procedure
70207	615C	Advanced Legal Research	70367	693	Law of the Disabled
70301	652A	Immigration Law	70368	674B	Gender Discrimination
70303	652F	Asylum Law	70369	603F	Election Law
70305	603C	Constitutional Law II	70371	618	Conflict of Laws
			70373	561	Federalist/Anti-Federalist
			70401	633	International Law
			70403	549	International Criminal Law
			70405	611B	Int'l & Comp Labor Law
			70407	620A	Comparative Legal Traditions
			70409	633C	Acct/Gross Violation Humn Rgts
			70411	594A	International Criminal Justice
			70413	696	Intro to Human Rights Research
			70415	696A	Human Rights Practice

70417	694A	Universal Protection Human Rights	73141	626A	Securities Litg & Enforcement
70419	696B	International Humanitarian Law	73142		Securities Enforcement Process
70421	671A	Regional Human Rgts Protection	73143	602D	Securitization Seminar
70423	684C	International Tax	73145	663A	Law and Economics Seminar
70425	620C	Constitutionalism in Emerging Nations	73147	639B	Accounting Law Seminar
70426	620D	Constitutionalism in Emerging States Seminar	73301	656A	Constitutional Convention
70427	633D	Int'l Law in US Legal System	73309	656B	Topics American Legal History
70429	549B	Restorative Justice:New Paradigm	73311	585	Judicial Process Seminar
70430	633B	Law of Treaties	73312	676	Appellate Review Trial Court Decisions
70431	637A	International Environmental Law	73319	674A	Gender Issues and the Law
70433	640H	Law of International Trade	73353	611C	Advanced Topics in Labor Law
70434	549C	Law of Terrorism	73370	650B	Statutory Interpretation Seminar
70435	679I	Int'l Commercial Arbitration	73372		Federalism
70437	684A	International Bus Trans	73428		Intl Law and Use of Force Seminar
70441	694B	Int'l Humanitarian Law	73449	620	Comparative Constitutional Law
70445	691	International Organizations	73726	652E	Elderlaw Seminar
70465	684B	International Business Law	73727	613A	Poverty Law Topics
70467	694	International Human Rights Law	73807	644C	Soc/Pol/Legal Thought-Shakespeare
70501	616A	Juvenile Law	73809	644A	Soc/Pol/Legal Thought -Aquinas
70503	616	Family Law	73827	660	Mercy & Justice
70507	608	Trusts & Estates	73829	638D	Ethics & Law at End of Life
70509	687A	Canon Law of Marriage	73835	688	Medieval Legal History
70525	505A	Urban Property Law	75700	623	Galilee
70605	605	Federal Tax	75709	695	Trial Ad Comprehensive/Intensive
70607	605B	Estate & Gift Taxation	75715	678A	Deposition Skills
70609	614	Taxation of Bus. Enterprises	75717	679A	Dispute Resolution
70727	679	Negotiation	75718		International Dispute Resolution
70801	591C	Clinical Ethics- Legal Aid Int	75721	591A	Legal Aid I & Ethics
70803	592B	Externship w/Public Def Ethics	75723	591B	Legal Aid II
70807	581	Professional Responsibility	75725	591	Legal Aid Co-Curricular
70809		Legal Malpractice	75727	686	Law and Poverty
70813	606A	Jurisprudence	75729	592D	Legal Externship-Prosecutor
70815	606D	Jurisprudence	75731	592	Legal Externship (Summer)
70817	606E	Jurisprudence	75732	647	Street Law
70823	606B	Jurisprudence	75733	592A	Legal Externship Public Defend
70825	606F	Advanced Jurisprudence	75735	592C	Legal Externship Public Defend Co-Curricular
70827	515	Ethics II	75739	597	Journal/College/University Law
70829	648B	Religious Freedoms	75741	653	Journal Law/Ethics/Public Policy
70833	687B	Intro to Canon Law	75743	594	Moot Court Appellate
70835	644B	Catholic Social Thought	75745	595	Moot Court International
70837	656	American Legal History	75747	596	Moot Court Trial
70839	635	Law and Literature	75749	590	Law Review
70841	648F	Development of Moral Doctrine	75751	598	Journal Law/Ethics/Public Pol
70843	648E	Morality & the Law	75753	593	Journal of Legislation
70901		Advanced Torts	75757	615X	Legal Writing Teaching Seminar
70907	629C	Sports Law	76101	615A	Directed Readings
70909	645	Patent Law	76103	615B	Directed Readings
70911	638C	Law of Medical Malpractice	76105	615	Directed Readings
71300	652G	Legal Aid Asylum Clinic	83429	701A	J.S.D. Seminar
71301	591E	Legal Aid Immigration Clinic I	85701	566	J.S.D. Externship
71302	591F	Legal Aid Immigration Clinic II	88700	634	LL.M.Thesis
71303	591J	Asylum Clinic	88701	634A	Human Rights Honors Paper
71304	591I	Legal Aid Immigration Clinic	88703	699	J.S.D. Dissertation
73124		Corporate Governance Seminar	88705	700	Nonresident Dissertation Rsrch

COURSE DESCRIPTIONS FOR THE 2005–2006 ACADEMIC YEAR

This alphabetical list of course descriptions consists of courses that the Law School plans to offer during the 2005–06 academic year. The Law School administration reserves the right to alter the course offerings to meet faculty interest, student interest, and the administrative needs of the Law School.

Lecture hours per week, laboratory and/or tutorial hours per week, and credits each semester are in parentheses.

Instructors listed for each course are accurate at the time this catalog was published. Instructors may change to meet the needs of the faculty and administration.

Accountability for Gross Violations of Human Rights [70409]

(V-0-V) Cassel

Compares the approaches followed in different countries to deal responsibly with past violations of human rights, in order to assess the benefits and shortcomings of each. Draws upon selected readings as well as upon the individual experiences of course participants. Examines the various means of establishing accountability, including “lustration” laws, truth commissions, and national and international prosecutions. Also considers the influence of obstacles such as political instability, amnesty laws, statutes of limitations, and claims of superior orders.

Accounting for Lawyers [70100]

(3-0-3) M. Barrett

Highlights the importance of issues involving accounting to the practice of law. To practice law effectively, every lawyer should understand certain fundamentals about accounting and financial statements. Topics include: the bookkeeping process; the basic financial statements; the evolving nature of generally accepted accounting principles; audit reports and accountants’ legal liability; the time value of money; financial statement analysis and financial ratios; drafting and negotiating agreements and legal documents containing accounting terminology and concepts; responses to an auditor’s request for information about legal contingencies and related discovery issues; and cost allocation issues. Designed for students who have little or no accounting background as an aid to the study of Business Associations, Federal Taxation, Business Planning and other courses.

Enrollment: limited to students who have not earned more than six semester hours of college credit or the equivalent in accounting courses.

Accounting Seminar in Selected Topics Involving Law and Accounting [73147]

(3-0-3) Barrett

Examines in detail various legal issues and topics that involve financial accounting. Presumes basic knowledge of financial accounting concepts and principles. Unlike Law 70100 (Accounting for Lawyers) any interested student can enroll in this course. Topics may include international accounting principles; multi-disciplinary practices and “independence” standards; accountants’ legal liability; management’s discussion and analysis; drafting and negotiating agreements and legal documents containing accounting terminology; revenue recognition and earnings management; “true sale” opinions; potential opportunities for obtaining and using accounting-related information about an underlying lawsuit in litigation; cost allocation issues; various valuation techniques; and accounting for business combinations. Requires the writing and presentation of a twenty-page paper examining some issues considered during the course.

Administrative Law [70315]

(3-0-3) Rodes

Studies the powers and procedures of administrative agencies including: the operation of the Administrative Procedure Act; the functioning of the administrative process at the federal and state levels; and the methods and extent of judicial control over agency action.

Admiralty Law [70321]

(2-0-2) McLean

Inquires into jurisdiction and substantive principles in the area of maritime law. Investigates the existing and developing law of the sea.

Advanced Environmental Law [73327]

(2-0-2) Nagle

This seminar will consider a variety of current environmental law topics that are not covered in detail in the basic Environmental Law course. Each week the class will consider such issues as global warming, the use of ballot initiatives to create environmental law, brownfields, municipal water pollution, nuclear waste, public lands management, and light pollution. The precise topics to be studied will be determined during the semester, based in part upon student preferences. Each student will prepare a seminar paper that will satisfy the upper-level writing requirement, along with a few short assignments during the course of the semester. Taking the basic Environmental Law course is recommended, but it is not a prerequisite. The goal of the course is to develop a familiarity and expertise with some of the most timely and contested questions surrounding environmental law today.

Advanced Topics in Labor Law [73353]

(2-0-2) Fick

Provides an introduction to various federal labor statutes such as the Fair Labor Standards Act, the Occupational Safety and Health Act, and ERISA, as well as more in-depth discussion of certain aspects of the National Labor Relations Act and Title VII that are not covered in basic labor-law courses. Also examines state statutory and common law such as unemployment insurance, workers' compensation and privacy at work. The specific topics covered will be determined considering the interests of the students enrolled in the course.

Prerequisite: Labor and Employment Law (LAW 70353) or Employment Discrimination Law (LAW 70355)

Advanced Legal Research [70207]

(1-0-1) Rees

Examines the statutory and administrative law processes and how to perform legal research using the materials that are produced by the government. Research using printed and online sources will be considered along with the factors to consider when deciding whether to search in print or online.

Advanced Torts [70901]

(3-0-3) Johnson

Covers in detail: Misrepresentation (including fraud, negligent misrepresentation, and strict liability misrepresentation), Defamation (libel and slander), Invasion of Privacy (appropriation of name or likeness, intrusion upon seclusion, disclosure of private facts, and false light), Tortious Interference (with contract and with prospective advantage), Injurious Falsehood (trade libel and slander of title), and Malicious Prosecution. The course will provide a thorough review of basic tort-law principles. The public policy basis of tort law will be explored, and current critiques of the American tort law system will be considered.

Antitrust Law [70117]

(3-0-3) Bauer

Surveys the legal and economic principles and policies developed by the courts in applying the major federal antitrust laws including the Sherman, Clayton, and Federal Trade Commission Acts.

Asylum Clinic (cocurricular) [71303]

(2-0-2) Szweda

Students who have completed LAW 71302 (Immigration Clinic II) have the opportunity to prepare and defend asylum petitions at hearings held before asylum officers or the Immigration Court. The emphasis is on refining litigation skills.

Prerequisite: Immigration Clinic I and II (Law 71301 and 71302)

Enrollment: limited to four students, with permission of the instructor.

Asylum Law [70303]

(2-0-2) Szweda

Provides an overview of U.S. substantive law of asylum, as well as comparison with international human rights instruments and other states' right to asylum. The overview includes defenses of suspension of removal and the Convention Against Torture Act and includes an interpretation of the standards of proof and the various components of the definition of "refugee." The course includes a study of both the affirmative and defensive procedures and the preparation of an asylum case.

Bankruptcy [70119]

(3-0-3) Edgar

Studies the state and federal laws related to insolvencies, with emphasis on the federal bankruptcy act. Focuses on substantive changes that bankruptcy law makes in the legal relationship between the debtor, the creditors, and third parties affected by a bankruptcy case. Explores the different treatment between individuals and artificial legal entities such as corporations. Does not cover the procedural rules of bankruptcy, but rather concentrates on how bankruptcy law affects potential clients in a large number of legal areas including real estate, commercial and business law, torts, family law, environmental law, and intellectual property. Also briefly addresses state debtor-creditor laws.

Biodiversity and the Law [70348]

(2-0-2) Nagle

Examines the evolving legal rules protecting the vast but shrinking number of species of wildlife and plants in the United States and throughout the world. Focuses on the U.S. Endangered Species Act, which imposes strict duties upon governmental and private actors whose conduct threatens rare wildlife or their habitats. Also considers the growing body of international legal rules that address the preservation of biodiversity, along with other federal statutes and illustrative state and local laws that seek the same end.

Business Associations [70101]

(4-0-4) Velasco

Examines agency law and the basic forms of business organizations, including sole proprietorships, partnerships, limited partnerships, limited liability companies, and limited liability partnerships and corporations. Underlying themes include formation, capitalization, operation, fiduciary duties, and dissolution.

Civil Procedure I [60304]

(2-0-2) Bauer/Tidmarsh

Focuses on the constitutional and statutory framework within which the civil justice system operates. In particular, examines the sources and limitations of judicial power over people and organizations (personal jurisdiction) and over cases (subject matter jurisdiction). Also explores the extent to which state law must be applied in federal court. Topics addressed more briefly include venue, transfer, *forum non conveniens*, and removal.

Civil Procedure II [60305]

(3-0-3) A. Barrett/Bauer/Tidmarsh

Examines how litigation is conducted in federal courts, from the initiation of the lawsuit (pleadings) to the manner in which claims and parties are added to or dropped from the lawsuit (joinder, intervention, interpleader, class actions), to the exchange of information among parties to the lawsuit (discovery), to the resolution of the lawsuit (summary judgment, trial, appeals), to the impact of the completed lawsuit on future litigation (claim and issue preclusion). If time allows, also examines alternatives to litigation, including settlement and alternative dispute resolution.

Civil Rights Law [70360]

(3-0-3) Mason

Primarily examines the processes by which federal constitutional and statutory rights are enforced in federal and state court against officials and private citizens. Focuses on 42 U.S.C. sec 1983 and the doctrines that surround this statute. Also focuses on other Civil War era legislation that grants substantive civil rights, especially 42 U.S.C. sec. 1981, 1982 and 1985. If time permits, examines selected aspects of modern civil rights legislation concerning sex discrimination, and how civil rights remedies are enforced in cases of structural reform.

Commercial Law—Sales [70105]

(3-0-3) TBA

Sales is one of three courses in the basic commercial law curriculum. Building upon principles and themes of contract law taught during the first year of law school, Sales covers in greater depth the law concerning transactions in goods. Specifically, the course surveys UCC Articles 2 and 2A. Course topics include contract formation, warranties, risk of loss, breach and remedies, as well as the developing law governing sales in the e-commerce world.

Comparative Constitutional Law [73449]

(3-0-3) Kommers

This seminar compares selected provisions of the United States Constitution with those of Germany's Basic Law, Canada's Charter of Rights and Liberties, and the European Convention on Human Rights, largely through the medium of judicial decisions interpreting and applying these provisions. Topical areas covered include constitutional cases involving the right to life (abortion, death penalty, and assisted suicide), freedom of speech (libel and hate talk), church-state relations, equal protection (gender and sexual orientation), and socio-economic rights. One purpose of the seminar is to examine these cases in light of their competing conceptions of liberty, equality, democracy, and the human person and from the standpoint of their respective approaches to constitutional interpretation.

Conflict of Laws [70371]

(3-0-3) Ripple

Studies the problems inherent in multi-state legal transactions or litigation. Studies and explores the interrelationship between jurisdiction, the recognition and enforcement of foreign judgments, and choice of law methodology. In particular, emphasizes modern choice-of-law approaches.

Constitutional Criminal Procedure [70359]

(3-0-3) Blakey/Snead

Examines the manner in which, and the extent to which, the U.S. Constitution—particularly the Fourth, Fifth and Sixth Amendments—regulates the investigation and prosecution of crime. Topics include the incorporation of the Bill of Rights, search and seizure, interrogation, the right to counsel, pre-trial procedure, trial-by-jury, and double jeopardy. Although no longer required for graduation, this course is recommended for students interested in advanced study and/or practice in the criminal-law field. While not a formal prerequisite, the course is highly recommended for students interested in enrolling in Federal Criminal Law (LAW 70362), Criminal and Scientific Evidence (LAW 70205) or Complex Criminal Litigation (LAW 70361).

Constitutional Law [60307]

(3-0-3) P. Bellia

Examines the structure of our government as defined by the federal Constitution, Supreme Court precedents interpreting that document, and the traditional practice of the elected branches. Focuses on the distribution of power among the three branches of the federal government, and the division of power between the federal government and the states.

Constitutional Law II [70305]

(3-0-3) Tidmarsh

Covers issues relating to individual rights not covered in the first-year Constitutional Law course.

Contracts I and II [60104 and 60105]

(3-0-3) (2-0-2) A. Bellia/Kaveny

Presents a comprehensive study of the creation, transfer, and termination of contract rights and duties.

Copyright and Trademark [70131]

(3-0-3) Bauer

Surveys several bodies of law, both federal and state (other than antitrust), that proscribe forms of unfair competition. Focuses on: trademark (the Lanham Act); copyright; trade secrets; misappropriation; rights of privacy and publicity; and federal preemption.

Corporate Governance Seminar [73124]

(3-0-3) Snyder

Examines the theoretical and practical problems faced by lawyers in counseling those who govern publicly-held U.S. corporations. How should corporations be run? Who should run them? How should they go about running them? And how do we make the people who run them act the way we want? And who is this "we," anyway? The course will explore these and other questions raised by the public corporation, in which diffuse ownership and centralized management is the rule. It will examine the various roles of private action, market mechanisms, state corporate law, federal regulations, criminal law, and shareholder litigation play in corporate governance.

Corporate Reorganization [70115]

(2-0-2) Murray

Studies in depth the law of business reorganizations under Chapter 11 of the Bankruptcy Code. Focuses on the steps that must be taken to resurrect a distressed business under Chapter 11, including the decision to file a Chapter 11 case; the initial steps of staying proceedings against the debtor; finding cash with which to operate; the actual turnaround of the business; the adjudication of claims by and against the estate; the restructuring of the estate's capital structure; the confirmation of a restructuring plan; and the issues that arise after the consummation of the bankruptcy.

**Criminal Justice Policy—
Restorative Justice [70429]**

(2-0-2) Schmid

Briefly surveys criminal justice policy in the 19th and 20th centuries. Focuses on the advent in the 1990s of restorative justice as a new paradigm in criminal justice policy. Restorative justice has been hailed for giving crime victims a powerful voice, for rebuilding communities, for emphasizing offender accountability, and for more effectively reintegrating offenders into society. The course will examine restorative justice programs in New Zealand (family group conference), Australia (reintegrative shaming), Europe, the United States and Canada (sentencing circles). The course will also examine the controversial "Broken Windows" theory as well as other recent criminal justice innovations.

Criminal Law [60302]

(3-0-3) Dutile/R. Garnett/Gurulé

Deals with the basic principles of American criminal law such as the definition of crime, defenses, proof and punishment, and the basic structure and operation of the American criminal justice system.

Cyberlaw [70135]

(3-0-3) P. Bellia

Focuses on fundamental questions about how, if at all, existing legal rules should apply to new technologies. Explores various legal and policy problems that arise in cyberspace including issues of sovereignty and jurisdiction; legal and technological regulation of on line speech; issues of privacy, anonymity and accountability; computer crime; and ownership and protection of intellectual property in digital form.

The Death Penalty [70306]

(2-0-2) R. Garnett

Examines critically the law governing capital sentencing and the administration of the death penalty in the United States, and also the moral and policy arguments relating to its use.

Deposition Skills [75715]

(3-0-3) K. Gallagher/Gozdecki/Kuehn/La Due/O'Rear/Seckinger/Sullivan

Studies the skills, techniques, tactics, strategies and ethical considerations of witness preparation for depositions and the taking and defending of depositions under federal and state rules of civil procedure. Meets twice a week: One meeting consists of a 60-minute lecture, demonstration and discussion of the analytical framework for the preparation, taking and defending of depositions; the other meeting consists of a 75-minute learning-by-doing laboratory session. Each laboratory session will be videotaped, with each student receiving an individual videotape.

Directed Readings [76101]

(V-0-V) Faculty

Allows independent research under the supervision of one faculty member. Letter grading system.

Directed Readings [76103]

(V-0-V) Faculty

Allows independent research under the supervision of one faculty member. Satisfactory/Unsatisfactory grading system.

Employee Benefits Law [70357]

(2-0-2) DeJong

Studies the key sources of law and policy issues relating to employer-sponsored retirement and welfare-benefits plans, including primarily the Internal Revenue Code of 1986, the Employee Retirement Income Security Act of 1974, and case law. Gives special attention to employee-benefits issues arising from the Enron bankruptcy, the treatment of employee benefits in major corporate transactions, and ethical issues arising in the practice of employee-benefits law.

Employment Discrimination Law [70355]

(3-0-3) Fick

Studies the substantive and procedural aspects of federal legislation dealing with employment discrimination, including Title VII of the Civil Rights Act of 1964, the Reconstruction Era Civil Rights Acts, the Age Discrimination in Employment Act, the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

Environmental Law [70349]

(3-0-3) Camacho

Surveys federal environmental law, concentrating on the Clean Air Act, the Clean Water Act, CERCLA, NEPA, environmental justice and questions of solid and toxic waste disposal.

Estate and Gift Taxation [70607]

(3-0-3) Kirsch

Examines the federal wealth transfer tax system. Focuses on the estate and gift taxes that apply to transfers of property during life or at death. Also considers common estate-planning techniques used to minimize these taxes, such as bypass trusts, life insurance and inter-spousal transfers.

Ethics I [60801]

(1-0-1) Coughlin

Studies and analyzes law as a profession, as well as the duties and responsibilities of lawyers to society, clients, and the profession. Develops in prospective lawyers an awareness and an understanding of their relationship with and function in our legal system, and the consequent obligation of lawyers to maintain the highest standards of ethical and professional conduct.

Ethics II [70827]

(1-0-1) Rodes

Applies the principles of ethics to practical legal problems and situations.

Evidence [70201]

(4-0-4) A. Barrett/Smithburn

Studies the legal principles governing the proof process in judicial proceedings, with an introduction to techniques of presentation. Analyzes common-law and federal rules of evidence.

Family Law [70503]

(3-0-3) Smithburn

Concerns problems in the following areas: state interest in marriage regulation versus individual choice; extension of marital rights to unmarried cohabitants; annulment of marriage; prenuptial agreements; contraception and sterilization; artificial conception and surrogate law; establishing parenthood; rights or children born out of wedlock; adoption; family torts; dependency, neglect and abuse of children; medical treatment of children; termination of parental rights; dissolution of marriage and its incidents including custody of children, support for children and spouses, visitation and division of property; negotiation and settlement; mediation; ethics and professional responsibility in family law practice; federalization of family law and state adoption of uniform acts; the use of some nonlegal materials; and the need for interprofessional cooperation in the solution of family-based problems.

Federal Courts [70311]

(3-0-3) A. Bellia

Focuses on the federalism issues created by the existence of dual state- and federal-court systems. Topics covered include: constitutional and statutory limits on the jurisdiction of the federal courts; appellate and collateral review of state-court judgments; and federal common-law rulemaking.

Federal Criminal Law [70362]

(3-0-3) Blakey

Considers through lectures, readings, and class discussions the development of federal criminal law. Examines the Hobbs Act, Travel Act, mail fraud, drugs, tax evasion and RICO (both criminal and civil aspects). Students conduct a simulated criminal investigation that culminates in the preparation of a prosecutorial memorandum and draft indictment. Students must also complete a substantial essay.

Federal Criminal Practice [70365]

(2-0-2) Gallo

Taught by a former federal prosecutor and present white-collar defense attorney, focuses on strategic thinking in federal criminal litigation, as well as topical issues facing federal-criminal practitioners today. In particular, the course focuses on critical substantive issues in federal criminal law. The course further analyzes the chronology of complicated federal-criminal investigations beginning with issues relating to the start of investigations by federal authorities, continuing with grand-jury proceedings and indictment, and finishing with strategic issues relating trial and sentencing. With regard to these stages, the instructor will present issues that the government, corporate counsel, and criminal-defense counsel face, such as the propriety of various undercover techniques, decisions regarding joint representation of targets and relating to joint-defense agreements, and strategies regarding plea negotiations.

Federal Income Taxation [70605]

(4-0-4) M. Barrett/Kirsch/Mayer

Functionally introduces basic concepts of federal income taxation including: gross income; exemptions; allowable deductions and credits; accounting methods; capital gains and losses; and certain nonrecognition transactions.

Federalism [73372]

(2-0-2) A. Bellia

This seminar examines what the Supreme Court has described as “the oldest question of constitutional law” in America: the allocation of authority between national and state governments. It considers the political theory of federalism, American constitutional doctrine, and questions of judicial federalism. Though the focus of the seminar is on American federalism, the matters examined implicate questions involving international law and comparative analysis.

First Amendment [70307]

(3-0-3) R. Garnett

This course covers various aspects of the First Amendment with a particular emphasis on freedom of expression and the questions of church and state. Regarding expression, the subjects will include advocacy of unlawful conduct, commercial speech, obscenity and pornography, offensive speech, symbolic expression, restrictions on speech in schools and colleges, protest in public places, the regulation of electronic media such as the Internet, and more. The course will further examine Free Exercise and Establishment Clause issues such as tuition vouchers, school prayer, evolution in the schools, holiday religious displays, government duties to accommodate religion, etc.

GALILEE (Group Alternative Live-in Legal Education Experience) (cocurricular) [75700]

(V-V-1) Jones

Provides students with the opportunity to live for a few days in the inner city (Chicago, New York, Los Angeles and other cities) to learn the legal needs of the urban poor, and to observe the ways in which these needs presently are met. As a result, students develop ways to incorporate their religious and ethical value systems into their future practice of law.

Gender Issues and the Law [73319]

(3-0-3) Phelps

Focuses on those legal situations in which gender is an issue, including employment, equal protection, education, violence, and freedoms of speech and association. Views these issues through the lens of various schools of feminist jurisprudence (such as formal equality, substantive equality, nonsubordination, different voice, autonomy, and anti-essentialism) in order to appraise the strengths and weaknesses of legal approaches and outcomes. The goal is to learn what the law is and to develop skills to analyze and make policy.

Human Rights Honors Paper [88701]

(0-0-1) Cassel

This elective is available to participants in the human rights LL.M. program who wish to undertake an extended writing assignment within the framework of a particular course and with the permission and supervision of its instructor. If chosen, this assignment may be substituted for the program’s independent research requirement.

Enrollment: limited to participants in the human rights LL.M. program

Human Rights Practice [70415]

(3-0-3) TBA

Examines the practice of human rights reporting and monitoring, including the methods used in fact-finding, the use of statistics, and the evolution of evidentiary rules and standards. Carefully considers the ethical issues of professional responsibility and confidentiality. This course is required of, but not limited to, the participants in the human rights LL.M. program.

Immigration Law [70301]

(3-0-3) Szweda

Surveys the law and practice under the Immigration and Nationality Act, as amended (Title 8, U.S. Code). Covers questions of immigration, removal proceedings, asylum and naturalization, and the federal sources of that power. Procedural issues focus on practice before the Immigration and Naturalization Service, the Department of Labor, the Department of State and federal courts.

Recommended pre- or corequisites: Administrative Law (LAW 70315) Constitutional Law (LAW 60301)

International Business Transactions [70437]

(3-0-3) Snyder

This problem-oriented course explores the issues faced by American lawyers counseling clients who buy, sell, invest, or otherwise do business abroad. Topics covered include the role of the lawyer in such transactions; international sales of goods; financing and payment mechanisms; trade regulations as they affect private transactions; import restrictions and export subsidies; international technology transfers; international franchising; joint ventures and foreign direct investment; and international dispute resolution.

International and Comparative Labor Law [70405]

(2-0-2) Fick

Examines the structure and operation of the International Labour Organization, a specialized agency of the United Nations system charged with promulgating and enforcing international labor standards. Places particular focus on the content and interpretation of ILO conventions 87, 98 and 111. Includes a comparative examination of the labor-law systems of two countries, with an analysis of whether those systems comply with the relevant ILO conventions.

International Dispute Resolution [75718]

(3-0-3) O'Connell

Introduces students to the classic procedures for resolving public international disputes. We will look at negotiation, mediation, fact-finding, conciliation, arbitration, and judicial settlement. Our emphasis will be on how these mechanisms operate in contemporary disputes and the law governing their use. We will look at a range of cases and examples from boundary disputes (Chile/Argentina) to disputes over the use of the mechanisms themselves (US/UN). The course focuses primarily on disputes that involve sovereign states and/or international organizations, emphasizing the many new developments in this area of law. For example, new rules are emerging to govern negotiation and mediation. New systems of disputes resolution have been developed for trade disputes and maritime disputes. And, we are seeing new criminal courts being developed in the hope they will help maintain peace and stability within and between states.

International Law [70401]

(3-0-3) O'Connell

Introduces the international legal system and its lawmaking process. Begins by discussing the means by which state and non-state actors develop norms governing transnational conduct, such as the sources of international law. Also includes a discussion of international legal personality including the concept of states and state sovereignty; the law of international obligations; jurisdiction; dispute settlement; and enforcement. A special section will be devoted to the relationship of international and municipal law in the United States and selected other countries. Intended for those students with no prior study in international law.

International Criminal Law [70403]

(3-0-3) Gurulé

Examines international crimes and defenses, including issues of extraterritorial jurisdiction; extradition; irregular rendition (fugitive snatching); the procedures for obtaining evidence and other forms of legal assistance from foreign countries; and the application of the United States Constitution to law enforcement activities abroad. The course also explores international legal responses to terrorism and international narcotics trafficking, including coverage of multilateral conventions and treaties. The course will also examine the creation and operation of the International Criminal Court.

International Law and the Use of Force [73428]

(2-0-2) O'Connell

This seminar will survey the international law regulating the use of force. The class will look at both the *jus ad bellum*, the law relevant to resort to war, and the *jus in bello*, the law relevant to the conduct of war. Students will be introduced to the core controversies as well as the history of this law before turning to the current rules. With this background, students will be assigned to represent a party facing a particular legal issue arising in an on-going armed conflict. Students will moot these issues as if arguing before the International Court of Justice. They will then prepare research papers based on the moots.

International Taxation [70423]

(3-0-3) Kirsch

Examines U.S. income tax laws and policies relating to transnational transactions. Covers taxation of U.S. income received by foreign individuals and entities, as well as taxation of foreign income received by U.S. citizens, residents, and corporations. Emphasizes fundamental issues in international tax, including jurisdiction to tax, source of income, foreign tax credit, tax treaties, and the use of controlled subsidiaries and other entities to conduct business overseas.

Pre- or corequisite: Federal Income Taxation (Law 70605)

Introduction to International Human Rights Research [70413]

(1-0-1) TBA

Introduces participants to the resources available within the University to aid research in the field of human rights. Also provides ideas and suggestions for the choice of research topics, methods and writing styles.

Enrollment: required of, and limited to, participants in the human rights LL.M. program

JOURNAL OF COLLEGE AND UNIVERSITY LAW (cocurricular) [75739]

(V-0-V) Hoye/Robinson

Student staff members may earn academic credit by researching, writing, or editing material for publication in the JOURNAL OF COLLEGE AND UNIVERSITY LAW.

JOURNAL OF LEGISLATION (cocurricular) [75753]

(V-0-V) Nagle

Student staff members may earn academic credit by researching, writing, or editing material for publication in the JOURNAL OF LEGISLATION.

J.S.D. Dissertation [88703]

(0-0-V) Carozza

Enrollment: limited to students in the J.S.D. program in international human rights law.

J.S.D. Nonresident Dissertation [88705]

(0-0-1) Carozza

Enrollment: limited to students in the J.S.D. program in international human rights law.

J.S.D. Seminar [83429]

(1-0-1) Carozza

Seminar devoted to the work of J.S.D. students engaged in the writing of their dissertations.

Enrollment: limited to students in the J.S.D. program in international human rights law.

Judicial Process Seminar [73311]

(2-0-2) Ripple

Affords students the opportunity to confront the question that Justice Cardozo presented in his famous work on the judicial process: "What is it that I do when I decide a case?" Through class discussion, explores the intellectual roots of the American judicial tradition and addresses the problems that confront that tradition in the modern American courtroom. Explores critically the judicial role in the common-law context, in modern statutory interpretation, in administrative practice, and in constitutional adjudication. Helps students appreciate how the judicial mind goes about the craft of deciding a case in the hope that the student, once admitted to practice, will be able to better respond to the needs of that mind, and, therefore, will be a better advocate. Requires a term paper on a topic approved by the instructor.

Jurisprudence [70813]

(3-0-3) Rodes

Studies different accounts of the nature of law and the place of non-legal elements—moral, historical, sociological, economic—in legal decision making. Emphasizes concrete legal cases and attempts to relate philosophical and theological insights to professional insights developed in other courses. Aims to help students relate their personal commitments to their professional lives, and to give students a better understanding of particular legal dispositions through studying them within the context of the whole fabric of the law.

Jurisprudence [70815]

(3-0-3) Blakey

Examines through lectures, readings, and class discussions the fundamental theories of the meaning of the rule of law in Western society, including skepticism, natural law, natural rights, positivism, realism, economic analysis, critical legal studies, feminist jurisprudence, critical race theory, and postmodernist jurisprudence. Critiques the contributions of Aristotle, Plato, Pyrrho, Cicero, Justinian, Aquinas, Bacon, Locke, Hume, Bentham, Austin, Hart, Posner, Jhering, Pound, Holmes, Llewellyn, Frank, Marx, Wittgenstein, Habermas, Quine, James, Nietzsche, and others. Requires a substantial essay evaluating a major person in the history of jurisprudence or on another topic with the permission of the instructor.

Jurisprudence [70817]

(3-0-3) Carozza

A survey of the principal jurisprudential approaches to law throughout the history of the Western legal tradition, and an examination of contemporary legal problems in the light of principal currents of modern legal theory.

Juvenile Law [70501]

(2-0-2) Smithburn

Surveys the juvenile justice system—past and present—including substantive law dealing with children as both perpetrators and victims; arrest and investigation of juvenile delinquency; intake and diversion; rights of children in public schools; whether to treat the child as an adult; adjudication; dispositional and post-dispositional proceedings; abuse and neglect and dependent children; medical and psychological issues; rights of foster parents; mental-health commitment of children; special advocacy for children; and termination of parental rights.

Labor and Employment Law [70353]

(3-0-3) Fick

Examines how both the common law and the statutory law impact the employment relationship in the private sector. Gives special attention to contract- and tort-based exceptions to employment-at-will; the National Labor Relations Act and the role of unions in the workplace; and employment problems raised by safety and health issues.

Land Use Planning [70345]

(3-0-3) N. Garnett

This course examines the land development process. It explores the various legal tools used to regulate land uses—nuisance, covenants, zoning, subdivision controls, growth management tools, historic preservation regulations, etc.— as well as constitutional limits on land use regulation. Attention will be given to the comparative advantages of different regulatory devices, as well as to the legal, political, and economic factors that influence public and private decisions land uses. There will be an examination.

Law and Literature [70839]

(3-0-3) Phelps

Focuses on works of literature that deal with significant moral and legal revenge, issues such as crime and punishment, the death penalty, the conflict between moral law and civil law, the qualities of lawyers and judges, and the law's treatment of marginalized groups.

Law and Poverty [75727]

(2-0-2) Broden

Examines the situation of the poor in the American legal system. Includes field work and clinical work with clients in northern Indiana and southern Michigan.

Law of Education [70313]

(3-0-3) Dutile

Examines selected legal aspects of education including students' rights, teachers' rights, desegregation, educational finance, and church-state matters.

Law of Medical Malpractice [70911]

(2-0-2) Spalding

Provides a practical review of medical liability. Examines the elements and defenses of a medical malpractice claim, and considers issues of insurance, access, product liability, and peer review. While not a trial-advocacy course, most topics are reviewed from a litigation or trial perspective.

Law of the Disabled**[70367]**

(2-0-2) Hull

Emphasizes federal legislation and implementing regulations together with Supreme Court decisions interpreting those statutes and rules. Considers selected state authorities in connection with topics such as appropriate placement and treatment of institutionalized mentally disabled persons and appropriate public education of disabled students. Other topics include the Social Security disability system and issues pertaining to accessibility of public buildings and transportation services. A significant part of the course concerns the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Considers difficulties encountered in implementing the Rehabilitation Act, Supreme Court interpretations of that act, and the resulting effects on the Americans with Disabilities Act.

Law of Terrorism**[70434]**

(3-0-3) Gurulé

Explores many issues, including the definition of "terrorism," the characteristics of terrorism that distinguish it from simple criminal conduct, how terrorism differs from other international crimes against humanity, war crimes, genocide and torture, what legal rights should be afforded terrorists, the international legal framework to combat terrorism, and the U.S. domestic legal response to terrorism.

Legal Aid I & Ethics**[75721]**

(5-0-5) Fox/Jenuwine/Jones

This five-credit, graded course provides training in basic lawyering skills, ethics, substantive civil law, and Indiana procedural and evidentiary law relevant to the representation of low income clients in the courts and administrative agencies. Satisfies the upper level ethics requirement. Uses a combined lecture and mock exercise format. Each student will represent a minimum of two clients as the primary attorney and may be assigned additional clients as secondary attorney. Students will receive a student practice certification from the Indiana Supreme Court, allowing them to conduct motion hearings, evidentiary hearings, negotiations and administrative hearings on behalf of their clients. Due to the requirements of the Indiana student practice rule, this course is limited to students who have completed at least three semesters of law school. One section will focus on consumer law, one on landlord-tenant law, and one on mental illness and disabilities.

Legal Aid II**[75723]**

(3-0-3) Fox/Jones

Allows for a concentrated examination of the substantive areas of law handled in the clinic to provide students with an opportunity to explore areas of particular interest. Allows a more in-depth interaction with community attorneys, judges, officials, and professionals who provide services to clinic clients. Course work includes clinical work with clients under the supervision of practicing attorneys.

Enrollment: limited at the discretion of the clinic faculty.

Legal Aid Immigration Clinic I**[71301]**

(3-0-3) Szweda

Students work directly with clients in need of immigration assistance in family immigration matters, learning interviewing and problem solving skills, as well as the filing of petitions and representing clients before the USCIS, the BIA, and the immigration courts.

Pre- or corequisite: Immigration Law (LAW 70301)

Legal Aid Immigration Clinic II**[71302]**

(3-0-3) Szweda

Students work directly with clients in need of immigration assistance before the immigration courts in matters including removal proceedings, asylum hearings, as well as appeals before the BIA and the 7th Circuit. The emphasis is on learning client and witness preparation and litigation skills.

Prerequisite: Legal Aid Immigration Clinic I (LAW 71301)

Legal Externship**(summer only; cocurricular)****[75731]**

(V-V-1) Faculty

Students may earn one unit of cocurricular externship credit for student volunteer legal work of six weeks or more during the summer months in any court, agency, or public or private law office. Externship work must be conducted under faculty supervision, conform to the approved standards of the faculty, and have the advance approval of the assistant dean for students. This one unit of cocurricular credit may count as one of the four maximum allowable cocurricular credits toward graduation requirements but cannot count toward the minimum hours required during any semester for residency. It will be reflected on a student's transcript.

**Legal Externship—Public Defender
(cocurricular) [75733]**

(2-0-2) Bradley

Involves assisting actual public defenders in representing indigent clients at the St. Joseph County Courthouse— Trial and Misdemeanor Division. Students can expect to represent clients in many capacities, some of which include negotiating plea bargains with prosecutors; preparing and conducting bench trials; interviewing and subpoenaing witnesses; writing and filing discovery motions; and other activities within the administration of justice. Students are expected to work at the courthouse one full morning or afternoon each week. Besides the courtroom experience, students must attend class sessions once per week that feature prosecutors, police officers, public defenders, judges, and probation officers lecturing on their duties as officers of the court.

Enrollment: limited each semester at the discretion of the instructor.

**Legal Externship—Public Defender
(cocurricular) [75735]**

(2-0-2) Bradley

Students who have completed the externship requirements of LAW 75733 may enroll for additional cocurricular credit. Students may work in the Trial and Misdemeanor division at the St. Joseph County Courthouse or may assist felony public defenders. Those who work for the felony public defenders must agree to work at least 60 hours over the course of the semester.

Prerequisite: Legal Externship—Public Defender (LAW 75733)

Enrollment: limited each semester at the discretion of the instructor

**Legal Externship—Public Defender—
Ethics [70803]**

(1-0-1) Bradley

Involves formulating solutions to ethical problems in the criminal justice system. Meets once per week. May be graded at the option of the instructor. Satisfies Ethics II requirement.

Pre- or corequisite: Legal Externship—Public Defender (LAW 75733)

Legal Malpractice [70809]

(2-0-2) Johnson

Explores the legal issues relating to the recent explosion in legal-malpractice litigation, including the principal theories of liability; definition of the standard of care; problems relating to proof of breach of duty; the need for expert testimony; common forms of legal malpractice; special issues relating to attorney negligence; liability for breach of fiduciary duty; affirmative defenses and other obstacles to recovery; liability to third parties; remedies; and strategies for avoiding malpractice.

Legal Research I [60703]

(1-0-1) Jacobs/King/Ogden/Rees

Designed to introduce first-year students to the tools and methodology of legal research and to help develop the research skills that are essential both in law school and in law practice.

**Legal Research and Writing II
(Moot Court) [60707]**

(2-0-2) Byrnes/Callahan/Griffin/Moo/Phelps/
Thomas/Venter

Introduces students to techniques of appellate advocacy. Requires each student to brief and argue one appellate Moot Court case.

Legal Writing I [60705]

(2-0-2) Byrnes/Callahan/Griffin/Moo/Phelps/
Thomas/Venter

Introduces students to the world of legal discourse and provides instruction, experience, and guidance in learning to write legal documents. Emphasizes writing as a process and focuses on prewriting, drafting, and revising strategies designed to produce effective written work.

LL.M. Thesis [88700]

(V-0-V) Cassel

Requires written work of substantial quality completed under the direction of a faculty sponsor.

Enrollment: limited to students in the human rights LL.M. program

Medieval Legal History [73835]

(2-0-2) Rodes

Studies the formative period of the Anglo-American legal system using 14th-century yearbooks and other materials from the same period.

Mergers and Acquisitions [70127]

(3-0-3) Velasco

Examines the law of mergers and acquisitions from a transactional perspective. Explores the legal and practical considerations raised by business combinations including the impetus behind such transactions, the mechanics of their consummation, and the rights and responsibilities of the various parties involved.

Covers various areas of state and federal law, along with relevant business and financial matters.

Prerequisite: Business Associations (LAW 70101)

Moot Court—Appellate (cocurricular) [75743]

(1-0-1) Palmer/Sullivan

Second- and third-year students may earn academic credit through participation in Moot Court arguments and as members of the Law School's National Moot Court Team, as well as through the representation of indigent defendants at the appellate level. Includes brief writing and oral arguments. Students will participate in weekly workshops to develop their skills in all aspects of trial practice.

Moot Court—International (cocurricular) [75745]

(1-0-1) Carozza

Second- and third-year students may earn academic credit through participation in the Philip C. Jessup International Moot Court competition as research fellows or as members of the Law School's International Moot Court Team.

Pre- or corequisite: International Law (LAW 70401)

Moot Court—Trial (cocurricular) [75747]

(V-0-V) Jourdan/K. Singer

Moot Court Trial is a class designed to prepare second- and third-year students for the National Trial Competition and the ATLA Trial Competition. Tryouts for the NTC team are held during the first week of class in the fall. Moot Court Trial is a mandatory class for members of the NTC team. This class is suggested, but not required, for students who wish to try out for the ATLA team. Tryouts for the ATLA team are held during the first week of class in the spring semester. The class focuses on trial skills using one case file for the semester. Students will be required to incorporate powerpoint presentations into their trial performance. To be a member of the NTC team, students must have completed Trial Advocacy. It is strongly suggested that they either take concurrently or have completed Evidence.

The NTC team will consist of six third-year students and the ATLA team will consist of eight second-year students.

Morality and the Law [70843]

(3-0-3) Rice

Examines in detail the central jurisprudential issue of this century—the relation between the human law and the higher law as that law is seen in the natural law and revelation. Focuses on the *Treatise on Law* by St. Thomas Aquinas and its intellectual foundations. Emphasizes original sources in the examination of Marxist, natural rights, utilitarian, positivist and other theories of law. Readings include Aristotle, Cicero, Aquinas, Kant, Hobbes, Locke, Rousseau, Jhering, Savigny, Bentham, Mill, Stephen, H.L.A. Hart, Devlin, Kelsen, Austin, Holmes, Pound, Rommen, Solzhenitsyn, and Pope John Paul II. Studies the theoretical and practical differences among the various approaches, with particular reference to issues involving legal personhood, the inception and termination of life, the legal status of the family, economic justice, national defense, and other matters. Includes an evaluation of these issues with reference to the social teachings of the Catholic Church.

Negotiation [70727]

(3-0-3) Fick

Provides a grounding in negotiation theory, examines negotiation strategies and tactics, and provides students with an opportunity to implement theory and practice through a series of negotiation simulation exercises.

NOTRE DAME JOURNAL OF LAW, ETHICS & PUBLIC POLICY (cocurricular) [75751]

(V-0-1) Rougeau

Third-year staff members may earn one unit of academic credit each semester for editorial work on the NOTRE DAME JOURNAL OF LAW, ETHICS AND PUBLIC POLICY.

NOTRE DAME JOURNAL OF LAW ETHICS & PUBLIC POLICY (academic credit) [75741]

(V-0-2) Rougeau

Second-year staff members may earn academic credit by successfully completing staff work and by writing a publishable article for the NOTRE DAME JOURNAL OF LAW, ETHICS AND PUBLIC POLICY.

NOTRE DAME LAW REVIEW (cocurricular) [75749]

(V-0-V) Tidmarsh

Second- and third-year students may earn academic credit by researching, writing, and editing material in conjunction with the preparation for publication of the NOTRE DAME LAW REVIEW.

Patent Law [70909]

(3-0-3) Hall

Studies statutory subject matter of and conditions for a patent (Title 35, U.S. Code); infringement of claims; protection of know-how; licensing, including property and contract interests in patents and know-how; and litigation procedures, remedies, defenses and judgments. Introduces practical aspects of patent law such as forms and agreements where relevant. This course has no prerequisites, either scientific or legal.

Property [60906]

(4-0-4) Camacho/N. Garnett

The course deals with the nature of and justification for the ownership of property, including land, personal property, and intellectual property. It considers which things may be treated as property, how property is acquired, and the rights included with property ownership. Much of the course considers the ownership and use of land, covering such topics as the estates system, easements, covenants, and servitudes, zoning, the government's eminent domain power, and takings law.

Regional Human Rights Protection [70421]

(3-0-3) TBA

Studies the regional systems that currently exist to protect human rights in the Americas, Europe, and Africa. Compares the rights guaranteed and the procedures established to enforce them. Addresses selected topics such as the death penalty, impunity and disappearances. Emphasizes the mechanisms for bringing a case and the remedies available. Includes discussions of a potential Asian human rights protection system.

Prerequisite: International Law (LAW 70401)

Remedies [70203]

(3-0-3) Johnson

Substantive courses (Contracts, Torts, Property, etc.) address the question of what rights will be recognized and enforced by courts. This course addresses the bottom line—what form will that enforcement take: damages for a plaintiff's loss, recovery of the defendant's unjust enrichment (restitution), or an order to a party to do or refrain from doing something (injunction). Since the system of measurement of any monetary recovery is important to any litigant, that topic will be explored in detail. The court's power to use contempt in aid of enforcement of its decrees will also be considered.

The Securities Enforcement Process [73142]

(2-0-2) Marcus

This course will examine the enforcement of the federal securities laws from the perspective of the SEC, while also discussing issues faced by the defense bar who practice before the Commission. The class will use the semester to explore the various stages of an investigation by the SEC's Division of Enforcement through the study of SEC materials, law review articles, recent cases, statutes, rules and other commentary. It will begin with the SEC's sources of authority and considerations for opening an investigation, and then use recent high profile litigation such as Enron, WorldCom, and the prosecution of Martha Stewart as case studies to examine the various types of matters currently being brought by the SEC. The class will discuss the resources and technology the SEC uses to catch individuals trading on inside information or using the internet as a vehicle to commit securities fraud. It will also consider available remedies, wells submissions, and settlements. The seminar will conclude with a testimony workshop.

Securities Regulation [70107]

(3-0-3) Velasco

Studies federal securities laws governing the distribution of and trading in securities, as well as emerging federal corporate law.

Pre- or corequisite: Business Associations (LAW 70101)

Social, Political and Legal Thought of Thomas Aquinas [73809]

(2-0-2) Finnis

Examines the ethical and methodological foundations of social theory along with a selection of topics of current interest, including limited government; law's authority and obligation; the bases and limits of property rights; and unconditional human rights.

Social, Political and Legal Thought of Shakespeare [73807]

(1-0-1) Finnis

Through a close study of the thought, language, and imagery of four or five Shakespeare plays (with allusions to other of his works), discloses the penetrating thought of the author on conscience, legitimacy and revolution, the rule of law, bad government, faith and politics, and related matters.

Statutory Interpretation Seminar [73370]

(2-0-2) A. Barrett

Explores and critically evaluates leading contemporary approaches to statutory interpretation, paying particular attention to the constitutional and public-choice theories that drive the modern debate. Topics include purposive interpretation, dynamic statutory interpretation, textualism, canons of construction, and the use of legislative history.

Street Law (cocurricular) [75732]

(2-0-2) Robinson

Presents practical legal issues in the areas of criminal, juvenile, family, housing, consumer, individual rights and environmental law. Law students participate in a weekly seminar designed to prepare them for their respective teaching assignments in local high schools.

Taxation of Business Enterprises [70609]

(3-0-3) Mayer

Introduces the federal income taxation of corporations and shareholders and taxation of partners. Includes discussions on: choosing the appropriate business entity for conducting business ventures, formation of corporations and partnerships, taxation of operations and distributions, sales of interests in incorporated and unincorporated businesses and liquidations.

Pre- or corequisite: Federal Income Taxation (LAW 70605)

Torts [60901]

(4-0-4) Johnson/Snead

Addresses the legal rules that determine whether civil liability attaches to conduct that results in harm to others.

Trial Advocacy Comprehensive/Intensive [75709]

(4-2-4) Bradley/Brook/Chamblee/Grimmer/Jourdan/La Due/ Marnocha/Scopelitis/Seckinger/K. Singer/T. Singer Studies and analyzes trial advocacy techniques, and is designed for students whose primary career interest is litigation. This course is intended to help students develop a familiarity with the techniques by which evidence of controverted facts is presented in litigation before judicial tribunals. Classroom sessions in conjunction with a jury trial for each student provide an examination and analysis of trial advocacy skills and issues of professional responsibility. Involves workshop sessions and learning-by-doing through simulated courtroom exercises. Studies trial advocacy techniques through student participation, faculty critique, lectures and demonstrations by practicing lawyers. The various trial advocacy skills are put together in a full trial that proceeds from the initial stage of client and witness interviews through a jury trial and verdict.

Trusts and Estates [70507]

(3-0-3) Robinson/Shakour

Introduces students to the fundamentals of the law governing the intergenerational transfer of wealth. Using the Uniform Probate Code as a model, surveys the law of intestacy, wills, will substitutes, and trusts. As time allows, also touches upon the law of future interests, perpetuities law, and the rudiments of estate and gift taxation. At every point, is sensitive to the ethical challenges that are inherent in the practice of this body of law.

Urban Property Law [70525]

(2-0-2) N. Garnett

Explores a number of important issues facing cities today including: legal efforts to develop more livable communities such as suburban growth controls, “anti-sprawl” initiatives, “greenbelts” and other environmental measures; laws designed to increase the availability and improve the quality of affordable housing; the regulation of private behavior in public spaces; economic development efforts; and innovative uses of property law to prevent and control crime.

Universal Protection of Human Rights [70417]

(3-0-3) Carozza

A foundational course in international human rights law. Focuses primarily on examples from United Nations-related human rights regimes, and examines: the historical and jurisprudential bases of international human rights law, the normative frameworks of the principal universal human rights treaties and of customary international law and the institutional mechanisms for interpreting, monitoring compliance with and enforcing those norms.

Prerequisite: There are no prerequisites for this course, although it is recommended that students take International Law (LAW 70401) before taking this course.

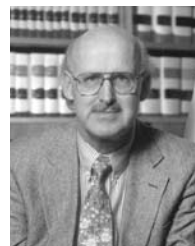
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LL.M. The London School of Economics

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D.E.S.U. University of Aix-Marseille

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LAW SCHOOL 2005–2006 CALENDAR

Fall Semester 2005

Orientation (incoming first year students)	Friday through Sunday.....	August 19–21
Enrollment.....	Online via Web	Dates August 8-26
First Class Day.....	Monday.....	August 22
Last Day to Add Courses	Friday	August 26
Last Day to Drop Courses		
without Dean's Approval	Friday	August 26
Midsemester Break	Saturday through Sunday.....	October 15–23
Thanksgiving Break.....	Thursday through Sunday.....	November 24–27
Thursday/Friday Classes Held	Monday/Tuesday.....	December 5–6
Last Class Day	Tuesday.	December 6
Study Period	Wednesday and Thursday	December 7–8
Examinations.....	Friday through Saturday	December 9–17

Spring Semester 2006

Enrollment.....	Online via Web	Dates TBA
First Class Day.....	Monday.....	January 16
Last Day to Add Courses	Friday	January 20
Last Day to Drop Courses		
without Dean's Approval	Friday	January 20
Midsemester Break	Saturday through Sunday.....	March 11–19
Easter Break.....	Friday through Monday	April 14-17
Friday Classes Held.....	Tuesday	May 2
Last Class Day	Tuesday	May 2
Study Period	Wednesday and Thursday	May 3–4
Examinations.....	Friday through Tuesday.....	May 5-16
Commencement.....	Sunday	May 21

IMPORTANT ADDRESSES

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112 Law School
P.O. Box 959
Notre Dame, IN 46556-0959
(574) 631-6626
Fax (574) 631-3980
E-mail: lawadmit@nd.edu

Office of Financial Aid

115 Main Building
University of Notre Dame
Notre Dame, IN 46556-5602
(574) 631-6436

Office of the Registrar

105 Main Building
University of Notre Dame
Notre Dame, IN 46556-5602
(574) 631-7043

Office of Residence Life & Housing

305 Main Building
University of Notre Dame
Notre Dame, IN 46556-5602
(574) 631-5878

Office of Student Accounts

100 Main Building
University of Notre Dame
Notre Dame, IN 46556-5602
(574) 631-7113

University Health Center

University Health Center
University of Notre Dame
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Notre Dame Law School Web site: <http://law.nd.edu>

University of Notre Dame Web site: <http://www.nd.edu>

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