



March 12, 2019

Below are some seminars, reading groups, and selected topics courses that may be of interest to students looking to explore criminal law or policy in their coursework during the Fall 2019 semester. Following that is a list of related courses offered in the fall or spring semesters, or the summer session. Please check the “Information to Supplement the Bulletin” on the Records Office website for changes to these course offerings.

For more information about GW Law events and activities related to criminal law and policy, please visit the Criminal Law Initiative website at www.law.gwu.edu/crimlaw and sign up for the email list. Good luck with Fall 2019 registration! Best, Dean Fairfax

Fall 2019 Criminal Law-Related Seminars, Reading Groups, & Selected Topics Courses

6264-10 Securities Law Seminar: *Enforcement of the Federal Securities Law* (2) Sturc

The Securities and Exchange Commission is the largest and most important agency that enforces financial laws and regulations. Its enforcement policies and practices have a profound effect on corporate culture, capital formation, and financial markets. Understanding how the SEC investigates possible violations and enforces its laws is important for lawyers engaged in complex civil and criminal litigation and for corporate lawyers counseling public companies and financial institutions. This course supplements the corporations and securities law courses and applies principles developed in the civil procedure, criminal procedure, and corporations classes. It goes into depth concerning frequent subjects of enforcement actions, enforcement processes and remedies, and legal, tactical and ethical considerations facing lawyers who practice before the SEC. A former associate director of the SEC’s Division of Enforcement leads the seminar. The course is aimed at students interested in corporate law and governance, litigation, and white-collar investigations and litigation. (Research paper and class participation)

6351-12 Reading Group: *Celebrities and Wrongs against Women* (1) Kohn

This reading group will explore domestic violence committed by and against the rich and famous as a vehicle to explore both the exceptionalism and universality celebrity domestic violence. Sessions will also explore the legacy of the #MeToo movement and wrongs committed against women in the workplace by high profile executives. Enrollment is limited. This course is graded on a CR/NC basis and will meet 6-7 times per semester for two hours. (Writing assignments)

6379-20 Criminal Law & Procedure Seminar: *Wrongful Convictions* (2) Tafti, Walters

Exonerations of the innocent force our criminal justice system to confront new and unsettling realities. They remind us that that system is only as good as the people and practices inhabiting it. They raise serious questions about its truthseeking abilities. And they compel us to ask what went wrong in these cases, what compensation is owed, and what reforms are due. This seminar will consider these questions. It will review the causes of wrongful convictions, and the jurisprudence that follows, with each session devoted to an intensive study of a particular facet of the topic. Students will be assigned each week to lead class discussions criticizing or defending particular judicial opinions or scholarly materials. The papers in this class are not of sufficient length to fulfill the legal writing requirement. (Class participation and research paper)

6565-10 Comparative Law Seminar: *Criminal Justice* (3) Lerner, R.

This seminar compares criminal justice in common law countries and civil law countries. It explores the profound differences between adversarial and inquisitorial systems. Understanding these differences is becoming increasingly important because of international tribunals and transnational prosecutions. Key differences include the role of judges, jurors, police, prosecutors, and defense counsel; and methods of investigation, interrogation, charging, plea-bargaining, conduct of trial, sentencing, appeal, and imprisonment. Civil law countries examined include France, Germany, Italy, Spain, Russia, and Japan; common law countries include the U.S., U.K., Canada, and Australia. The seminar also examines differences among common law countries, efforts by civil law countries to adopt adversarial features, and transnational criminal law enforcement. (Research paper)

6869-11 Selected Topics in National Security Law: *Problems Trying Terrorists* (2) Breinholt

The course is intended to be a deep-dive into the art and mechanics of trial advocacy in the specific context of U.S. terrorism prosecutions. It is a combination of criminal law, evidence, national security law, and trial advocacy. The non-exclusive emphasis will be on the “material support to terrorists” crimes, which are the most common choice for U.S. terrorism prosecutors. Prerequisite: Law 6230 (Evidence). (Writing assignments)

6869-12 Selected Topics in National Security Law: *Counterintelligence* (2) Kedian

This course is designed to provide an overview of counterintelligence aspects of national security law. Topics covered will include traditional espionage, foreign agent activity, leaks and mishandling of classified information, nation state cyber crimes (including economic espionage), export control violations, court-authorized foreign intelligence surveillance, and the handling of classified information in criminal cases in Article III courts via the Classified Information Procedures Act. There are no prerequisites, though general knowledge of and interest in criminal law will be useful. (Writing assignments)

6869-13 Selected Topics in National Security Law: *Law of Secrecy* (2) McClanahan

This course will examine the intricate legal framework by which the U.S. government designates information as classified or otherwise related to national security, controls access to that information, and allows its disclosure. The course will begin with discussing the constitutional arguments surrounding these matters, largely focusing on separation of powers concerns. Then the phenomenon of leaks and the criminal prohibitions on such disclosures will be examined. The course will then consider the law governing situations in which classified information is implicated in litigation, focusing primarily on the state secrets privilege in civil cases and the Classified Information Procedures Act in criminal cases. Next the class will examine the system in which decisions are made to grant or deny access to classified information through the use of security clearances and related determinations. The final part of the course will address the legal framework for the classification and declassification of information, including a discussion of the prepublication review regime. (Writing assignments, role playing exercise, class participation)

6869-21 Selected Topics in National Security Law: *Technology Foundations for Cybersecurity* (1) Clark, Jackson

This course examines basic technical concepts relevant to the law. It is designed as a foundational course that will introduce students to key terms and concepts related to cybersecurity. The course will provide a basic understanding of cybersecurity topics that will empower students to more easily identify, understand, and analyze associated legal issues. This course is recommended for students who have little to no technical knowledge but intend to enroll in cyber-related courses as part of their academic curriculum. Students who have prior technical knowledge should not enroll in this course. (This course is graded CR/NC) (Mid-term examination and examination)

6869-22 Selected Topics in National Security Law: *Transnational Security* (2) Stigall

This course is designed to provide an overview of key transnational threats (including terrorism and transnational organized crime) and the legal frameworks used by state actors to counter them. Students will learn about the key actors and institutions used for international cooperation and the challenges faced in pursuing evidence and fugitives across national boundaries. (Examination, class presentation, class participation)

6872-20 National Security Law Seminar: *Government Oversight/Investigation* (2) M.K. Smith

This seminar provides students with the knowledge and skills necessary to become effective practitioners in the fields of government oversight and internal investigations and examines the role of the Department of Homeland Security, Office of Inspector General in protecting national security. The seminar focuses heavily on Inspector General legal authorities, the report writing process, and effective interviewing techniques. This seminar also examines oversight mechanisms within the Department of Justice, the Department of Defense, and the Office of the Director of National Intelligence. (Research paper and class participation)

Selected Criminal Law-Related Courses

(Note: Many, but not all, of these courses are being offered in Fall 2019. Please check with the Records Office to learn which courses are available for registration in Fall 2019.)

*=required for J.D. program; **=foundational

Criminal Law (6210)*
Professional Responsibility and Ethics – Criminal (6218)
Domestic Violence Law (6350)
Criminal Procedure (6360)**
Adjudicatory Criminal Procedure (6362)**
Role of the Federal Prosecutor (6363)
White Collar Crime (6364)
Criminal Tax Litigation (6365)
Computer Crime (6369)
Forensic Science (6370)
Drugs and the Law (6372)
Federal Sentencing Seminar (6374)
Prisoners Project (6376)
Selected Topics in Criminal and Procedure Law (6378)
Criminal Law and Procedure Seminar (6379)
Congressional Investigations Seminar (6420)
Environmental Crimes (6464)
Environmental Crimes Project (6465)
International Money Laundering, Corruption, and Terrorism (6521)
International Criminal Law (6554)
Prisoner and Reentry Clinic (6623)
Family Justice Litigation Clinic (6624)
Criminal Appeals and Post-Conviction Services Clinic (6625)
Law Students in Court – Criminal Division (6639)
Legal Drafting – Criminal Litigation (6652)
Domestic Violence Project (6674)

National Security Law (6870)
Military Justice (6873)
Comparative Military Law (6874)
Counterterrorism Law (6875)
Homeland Security Law and Policy (6876)
Intelligence Law (6878)
Cybersecurity Law and Policy (6879)
Pre-Trial Practice in Criminal Cases (6684)