THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL

INFORMATION TO SUPPLEMENT THE LAW SCHOOL BULLETIN

For Use in Pre-registering for the Spring 2018 Semester

Last updated: October 20, 2017
Version 2

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I. DESCRIPTIONS OF SEMINARS AND COURSES COVERING “SELECTED TOPICS…TO BE ANNOUNCED AT THE TIME OF REGISTRATION”

The Law School Bulletin indicates that certain seminars and courses will cover “selected topics … to be announced at the time of registration.” The following paragraphs describe the coverage of seminars and courses of this type that will be offered in the Spring 2018 Semester. Please see the Law School Bulletin for the description of other seminars and courses. Enrollment in each seminar is limited. Enrollment in each course may be limited.

6263-20 Selected Topics in Corporate Law: Entrepreneurship and the Law (2) Manns, D. Falk
Selected Topics in Entrepreneurship and the Law seeks to expose students to some of the challenges they will confront in representing entrepreneurs and navigating the distinctive regulatory obligations and uncertainties that early stage companies face. Students will learn how to anticipate and address issues related to entity formation, contract drafting for new ventures, initial capitalization and founders’ stock, stock plans and stock options, as well as other early-stage company challenges. The most analogous existing class is Business Planning which covers a range of issues that lawyers grapple with at the time of formation of companies. The distinctive focus of this class will be immersing students in the strategy and drafting process for early stage companies. (Take-home examination)

6264-10 Securities Law Seminar: Shareholder Power and Activism (2) L. Fairfax
This seminar will explore the practice and regulation of shareholder activism in public companies, with a particular focus on the recent surge in such activism as well as recent Securities and Exchange Commission (SEC) initiatives aimed at supporting shareholders’ voting rights. The seminar will examine the different types of shareholders and entities engaged in activism including hedge funds, unions, pension funds, retail investors, and shareholder advisors. After highlighting shareholders’ rights and responsibilities in the corporation, the seminar will focus in detail on the ways in which shareholders exercise their voting power as well as the legal, economic, and practical impediments to shareholder voting and activism. The seminar will examine the history of shareholders’ attempts to gain access to the corporate proxy statement for purposes of nominating director candidates of their choice, as well as ways in which shareholders seek to use their vote to influence corporate affairs, including withhold the vote campaigns, proxy contests, majority voting, and efforts to declassify corporate boards. In addition, the seminar will analyze the regulation of shareholder proposals and the primary types of proposals shareholders advance. Grades in this seminar will be based on a combination of participation in class discussion and a research paper. Enrollment is limited. Prerequisite: Law 6250 (Corporations). (Research paper)

6351-11 Reading Group: Criminal Justice Reform in a Time of Trump (1) Drinan
With more than two million adults and children behind bars, the United States has the highest rate of incarceration in the world. In recent years, there has been bipartisan recognition that the American criminal justice system is fundamentally broken and in desperate need of repair. The election of President Trump, though, has ushered in key shifts in both rhetoric and policy regarding crime. This reading group will explore the myriad ways in which American criminal justice is flawed, recent efforts to repair the American criminal justice system, and the prospects for meaningful reform in a post-Trump era. This course is graded on a CR/NC basis.

6351-12 Reading Group: Criminal Justice Reform and The Wire (1) R. Fairfax
This reading group will consider the merits of, and prospects for, criminal justice reform in the United States. Topics will include legal, social, moral, and political perspectives on the modern criminal justice system and will be framed by selected readings and episodes of David Simon’s critically acclaimed HBO series The Wire. Prerequisite: Law 6360 (Criminal Procedure) or Law 6362 (Adjudicatory Criminal Procedure). This course is graded on a CR/NC basis. (Mandatory class attendance and participation, periodic writing assignments, Note: The first paper will be due on Monday, January 15, 2018)
6351-13 Reading Group: The Role of the Public Defender (1) R. Fairfax / Co-Instructor (TBA)
This reading group will explore the challenges facing the thousands of public defenders who practice in jurisdictions across the United States. Readings and class discussions will focus on the critical issues facing public defenders in the criminal justice system, enhance students’ understanding of how these issues impact a lawyer’s work as a public defender, and highlight practical ways public defenders can engage in client-centered advocacy. This course is graded on a CR/NC basis. (Writing assignments)

6351-20 Reading Group: Open Government Data (1) Zvenyach
Federal, state, and local governments have increasingly adopted open-data policies (e.g., OMB Memorandum M-10-06), created new open-data portals (e.g., data.gov), and established new open-data offices (Chief Data Officers, Chief Innovation Officers, etc.), all with an eye toward promoting open government data. Students will discuss the implications of open data for personal privacy and on civic society, and examine the effect that open data may have on the practice of law. This course is graded on a CR/NC basis. (Writing assignments)

6352-11 Family Law Seminar: Law of Work, Family and Gender (2) N. Schoenbaum
This course addresses how sex discrimination law and other relevant areas of law regulate our work lives, our family lives, and the gender equality issues that arise at the intersection of the two. Topics covered include single-sex hiring preferences, sex-role stereotyping, sexual harassment, dress codes, pregnancy discrimination, caregiving accommodations, unpaid family labor, affirmative action, and issues facing gay, lesbian, and transgender workers. After completing a survey of our core topics, we will turn to a few contemporary applications, including media coverage of work and family issues, and gender in the legal profession. Any student who wishes to take the course but has not satisfied the prerequisite may contact the professor (nschoenbaum@law.gwu.edu) to seek a waiver. (Research paper)

6352-12 Family Law Seminar: Juvenile Justice (2) Blumenson
This seminar presents an overview of the juvenile justice system. We will begin building our framework for understanding the juvenile court’s evolution with a high-level review of theories of punishment. Students will learn the historical and legal progression by reading and discussing key legal decisions and the constitutional standards that shaped juvenile justice law and policy over the past 50 years. The second half of the course will focus on practice and procedure in juvenile court. Using DC’s juvenile justice system as a case study, the seminar will cover juvenile crime demographics, the agencies and courts involved, and the life of a juvenile case (arrest to reentry). Students will analyze how other systems—education, mental health, foster care, criminal justice—interact with the juvenile system. At each stage of the juvenile case, students will hear different perspectives to supplement their review of numerical trends and data. They will learn from the perspectives of youth, attorneys, agency staff, probation officers, and others in the field. Students will research current issues, interview stakeholders, and identify creative legal solutions to barriers facing court-involved youth. (Research paper)

6352-13 Family Law Seminar: Gender, Law and Policy (2) Drinan
This course explores the concept of gender in the law. The course will address broad themes, such as equality, non-subordination, and difference, through the lens of substantive areas including employment law, equal education and athletic opportunities, domestic violence, and rape. The course is designed to: 1) provide students with an overview of gender in the law; 2) enable students to think about these legal issues from a normative and policy perspective; and 3) allow students to sharpen their legal reasoning, research and writing skills. (Research paper)

6379-11 Criminal Law Procedure Seminar: The Death Penalty (2) Maher
This seminar is about the death penalty. We will explore the impact that racism, poverty, and ineffective legal representation has in capital cases. Primarily, however, the course is about the law; the rules and procedures that govern who is and is not subject to the death penalty; and what principles and measures the law invokes to distinguish death-worthy cases from cases where the sanction of death would be unlawful. We will also consider moral and philosophical questions about the death penalty to the extent that such questions affect or
influence legal thought and policy, and explore some emerging issues implicated by recent death penalty jurisprudence. (Research paper)

6379-12 Criminal Law Procedure Seminar: Public Corruption (2) Kravis, Selden
This course will examine issues that arise in investigating, prosecuting, and defending federal public corruption cases involving wrongdoing by federal, state and local public officials. We will begin by highlighting some of the issues unique to public corruption prosecutions through the lens of recent high-profile corruption cases. We will then examine some of the tools that prosecutors and law enforcement agents use to investigate corruption cases, including the grand jury, wiretaps, and cooperators. We will then consider two areas that raise particularly complex questions about when federal criminal prosecution of a corruption offense is warranted: the prosecution of state and local corruption and the stand-alone prosecution of perjury, obstruction, or false statement charges. This section of the course will also include discussions of the use of asset forfeiture in corruption cases and the challenges involved in the prosecution of law enforcement officials for corruption offenses. The final part of the course will examine issues raised in the defense of public corruption cases, including the Speech or Debate Clause, the application of the Fourth and Fifth Amendments, and the strategic issues faced by defense lawyers representing witnesses, subjects, targets, and indicted defendants in corruption cases. (Research paper and class participation)

6379-20 Criminal Law and Procedure Seminar: Anatomy of a Homicide (2) Canan
This seminar will use homicide cases as a model to explore various advanced legal and ethical issues that arise during the investigation, trial and sentencing phases of a criminal case. Homicide cases present many challenging and emotionally charged issues that arise in the criminal justice system. We will work with actual fact patterns during the semester, and each week students will be assigned to consider issues from a prosecutorial or defense perspective. The seminar will cover topics ranging from current controversies over the use of forensic evidence to evidentiary issues at trial to sentencing and post-conviction relief. We also plan to draw upon the wealth of criminal justice experts available in this area and occasionally feature guest speakers from law enforcement, the defense bar, prosecutors, and the judiciary. Law 6360 (Criminal Procedure) is a prerequisite for this course. (Research paper)

This seminar will take an in-depth approach to religion and the law, focusing initially on the competing historical and modern interpretations of the First Amendment’s Religion Clauses. Against that backdrop, the course will trace the evolution of religion-law doctrine, using both foundational cases and contemporary controversies to explore a number of recurring themes and issues, including, e.g., financial aid to religious institutions; religious exercise and expression; government promotion of religious messages and displays; religion in the public schools; and religious exemptions and accommodations. Prerequisite: Law 6380 (Constitutional Law II) or permission of the instructor. (Research paper)

6399-12 Constitutional Law Seminar: Cyber, Privacy and Speech (2) Nunziato
This seminar will focus on advanced topics in freedom of expression and privacy in the digital realm from both a U.S. and an international perspective, including an in-depth analysis of the following issues: (1) the regulation of extremist/terrorist content online in the U.S. and abroad and whether such regulation is consistent with protections for freedom of expression; (2) the protections for the “right to be forgotten” recently recognized by the European Court of Justice and how this right conflicts with the free flow of information on the Internet; (3) individuals’ privacy rights in their digital data and communications versus national security interests. Prerequisites: Law 6380 (Constitutional Law II), Law 6382 (First Amendment: Speech and Press Clauses) or permission of the instructor. Students will be required to write a paper of publishable quality and to present a draft of their paper to the class. (Research paper)
6401-10 Selected Topics in Constitutional Law: Congressional Procedure (1) Abel
Examination of the United States Senate and the House of Representatives with a focus on congressional rules and procedures. Analysis of recent legislative proposals. Discussion of procedural tools. Impact of the rules on substantive debate, including the use of the filibuster and the cloture rule. Overview of reconciliation, Congressional Review Act, the budget process, committee structure, floor rules and debate, nominations and confirmation process, and interaction with the Executive Branch. (Class participation and research paper)

6405-10 Selected Topics in Advanced Antitrust Law: The Design and Performance of the US Antitrust System (2) Kovacic
This course will consider whether the US antitrust system is due for an overhaul. We will critically examine existing US institutional arrangements in light of US experience and by comparison to other regimes around the world. We will study possible reforms to the structure and operation of the public enforcement system and the mechanism for private rights of action. (Research paper)

6411-11 Health Care Law Seminar: Health Care Fraud and Abuse (2) Lynch
This seminar will expose students to the prevailing legal and strategic issues related to prosecuting and defending health care fraud cases. This seminar will focus on cases involving many different health care provider types, including hospitals, physician practices, skilled nursing facilities, and pharmaceutical and medical device manufacturers. The readings will cover the essential features of the key health care fraud statutes, including the False Claims Act, and the Stark and Anti-Kickback laws. Class lectures will include guest speakers from the regional US Attorneys’ offices, private defense practice, and legislative counsel. (Research paper)

6411-12 Health Care Law Seminar: National Health Reform (2) Rosenbaum
This seminar offers students an immersion into the principles of national health reform and the legal implications of health reform. The seminar enables students to understand the events and milestones that preceded passage of the Affordable Care Act of 1010, the major legal elements of the ACA and the impact of the law on coverage and health care access, the limitations and shortcomings of the ACA’s legal structure and the major issues that were left unaddressed, and the legal structure and implications of legislative and regulatory efforts to repeal and replace the ACA. (Research paper)

6411-13 Health Care Law Seminar: Public Health Law (2) Teitelbaum
Explores how much freedom individuals should forgo to achieve safety and a higher quality of life for the broader community. In addition to discussing when and why the government’s authority to promote population health and welfare should yield to individual rights, the course allows students to explore the various tradeoffs inherent in designing health policy, particularly as it relates to the financing of social determinants of health (e.g., housing, education, food) relative to spending on individual medical care. Course content aligns with material learned in Constitutional Law, Administrative Law, and Health Care Law. (Research paper)

6426-12 Public Law Seminar: Telecommunication and Technology Policy Advocacy* (2) Goodfriend, Kimmelman
This seminar will examine the legislative, administrative, and regulatory policy-making process in technology and telecommunications. Using case studies in copyright, privacy, broadband, spectrum, and media, students will learn how Congress, the White House, executive agencies and independent agencies shape policy directly impacting the technology and telecommunications sectors and how politics, press, social media, and grassroots advocacy impact governmental decision-making. (Research paper)

*Satisfactory participation in this course will give students a preference for the following opportunities: (a) four summer paid ($40000) internships for rising 3Ls, and (b) two, two-year paid fellowships ($65,000 per year plus benefits) for May 2018 GW Law graduates. These opportunities will be at Public Knowledge, www.publicknowledge.org or another comparable advocacy organization.
6441-11 Energy Law Seminar: Public Participation in Federal Agency Rulemaking (2) Hammond
This seminar immerses students in the theory and practice of the notice and comment period of federal agency rulemaking—during a time of significant new federal agency activity in the energy, environmental law, health, and safety fields. Students will draw from scholarly literature, agency documents, case law, and think tanks’ publications to consider the purposes of public comment, agencies’ obligations with respect to comments, and the ultimate question: the extent to which comments make a difference. Students will each choose a current rulemaking in the field of energy, environmental law, health, or safety and follow its progress during the semester. Grades will be based on class participation, out-of-class assignments, and a final paper, which will be a comment to an agency of a quality suitable for submitting to the agency. (Students will be encouraged, but are not required, to submit their comments to the agency.) Because of the subject matter focus of the course, it is strongly recommended that students have taken administrative law and at least one substantive course in energy, environmental law, health, or safety. (Research paper) (E)

6441-12 Energy Law Seminar: The U.S. Electric System and Sustainability (2) Attanasio
Advanced level seminar addressing law and policy pertinent to the current transition of the U.S. electric system in response to: sustainability policies and laws, including renewable energy, energy efficiency and conservation; reliability mandates and resiliency concerns; new and evolving technologies such as distributed energy resources, storage and microgrids; and the changing roles of market participants, including consumer participation through demand side management and demand response. Emphasis is on the transition to sustainability, viewed in the larger context of embedded infrastructure, financial and operational considerations, political limitations and energy justice. (Research paper and class participation)

6441-13 Energy Law Seminar: Electric and Natural Gas Regulation (2) Yaffe
This seminar will provide an in-depth understanding of the fundamental principles governing regulation of the electric and natural gas industries. The focus of the course will be on federal regulation, primarily by the Federal Energy Regulatory Commission, but the intersection of federal regulation and the different ways in which fundamental regulatory concepts are applied by state regulatory bodies will be addressed. The first half of the course will focus on either fundamental concepts of regulation, including, among other things, the meaning of the public interest, ratemaking, considerations for permitting new electric plants and pipelines, and practical aspects of practice before regulatory agencies, including enforcement. These principles will be applied to specific topics of current interest in the second half of the course, such as the intersection of climate regulation and utility regulation, impact of shale gas development on the natural gas and electric generation industries, renewable generation, distributed generation and efficiency, electric markets and regional transmission organizations and the issues involved in the state’s effort to turn distributed energy generation on the distribution grid into a wholesale power resource. Those students who have taken administrative law and an introductory energy law course may get more out of this seminar than those who have not. This seminar is intended to be interactive; students should be prepared to participate actively and the course will be so structured. (Research paper, class problems, and class participation)

6466-11 Environmental Law Seminar: International Environmental Governance (2) Wolfson, Fulton
Environmental problems are increasingly international in scope. Among these problems are climate change, fisheries depletion, trade in endangered species, illegal timber harvesting, disposal of hazardous substances including electronic waste, and ozone depleting chemicals. Efforts to address these problems have resulted in international arrangements such as multilateral and bilateral treaties, the continued evolution of international organizations such as the United Nations Environment Program, the development of new domestic organizations such as environmental courts that have the capacity to deal with complex international issues, new ways for public interest organizations to link to each other, and new business organizations like the World Business Counsel for Sustainable Development. This seminar will explore the development and evolution of these international arrangements and organizations that will be central to achieving the goal of sustainable development over the next few decades. (Research paper)
6466-12 Environmental Law Seminar: Food & Agriculture (2) S.C. Silverman
This course explores the complex and interconnected relationship of agriculture and environmental law, agriculture’s historical roots in the United States, the evolution of agricultural policy, and modern developments in agriculture and environmental law. Although agriculture plays a critically important role in our economy and in fulfilling our need for abundant, healthy and affordable food, there can be no doubt that modern agriculture also significantly affects natural resources and the environment. Crop production can diminish habitat for wildlife, destroy wetlands, erode soils, contaminate water resources, and contribute to the emission of greenhouse gasses and other air pollutants. This course navigates the complex and evolving nature of agriculture and the environment by exploring the following topics: 1) agriculture in historical legal context; 2) Farm Bill programs; 3) compliance with environmental laws; 4) certification and labeling programs, including labeling of genetically engineered crops and products; 5) conservation and sustainability; and 7) current and future trends in food systems and agriculture. Case studies of specific lawsuits and administrative appeals will often be used to illustrate fault lines in how our society attempts to balance the need to produce cheap and abundant food against the need to protect the environment and conserve natural resources. (Research paper)

6496-11 Intellectual Property Law Seminar (2) Kieff
Selected topics in intellectual property law to be announced at the time of registration. (Research paper)

6496-12 Intellectual Property Law Seminar: Multinational Protection of Intellectual Property (2) Mossinghoff, Oman
International protection of intellectual property under the various treaties, including the Paris Convention for the Protection of Industrial Property, the Berne Convention for the Protection of Literary and Artistic Works, the WIPO Internet treaties, and the Trade-Related Aspects of Intellectual Property (the TRIPs Agreement), and the role of national governments and multinational organizations, such as the United Nations, the World Intellectual Property organization (WIPO), and the World Trade Organization (WTO), in the enforcement of patents, copyrights, trade secrets, and trademarks. Also discussed are the Patent and Trademark Office, the Copyright Office, the United States Trade Representative, the International Trade Commission, and the U.S. Department of State, and the role those agencies play in the formulation of international intellectual property standards and the global enforcement of those standards. Recommended prerequisites: Law 6470 (Intellectual Property), Law 6471 (Patent Law), Law 6472 (Copyright Law), or Law 6474 (Trademark Law and Unfair Competition). (Research paper)

Selected topics in patent litigation. Emphasis on building skills and learning law useful to practicing patent litigators. Cases will be discussed and analyzed with reference to hypothetical situations similar to those that often face patent litigators. Topics include patent exhaustion, equitable defenses to infringement, the effect of patent transfer on license agreements, validity of software patents, and claim construction. (Research paper)

Selected issues of current importance in the entertainment industry, including the YouTube case, the Cablevision case, the Grokster case, the Copyright Royalty Board decisions, Orphan Works, the Copyleft-Copyright debate, Internet piracy, media consolidation, music licensing reform, and the role of the lawyer in the constantly evolving entertainment industry. Each student will prepare a paper of publishable quality and will be required to present and defend their topic before the class. Prerequisite: Law 6472 (Copyright Law) or Law 6475 (Entertainment Law). (Research paper)

6509-10 Government Contracts Seminar (2) Dickinson
Selected topics in government procurement law to be announced at the time of registration. (Research paper)
6509-20 Government Contracts Seminar: State and Local Procurement (2) Yukins
This seminar will cover state and local procurement in the United States, drawing on the Model Procurement Code and other leading state and local models. State and local procurement markets – long the forgotten stepchildren of U.S. procurement law – are rapidly growing in prominence and importance. The seminar will give students a solid grounding in common procurement methods, and solutions, used in state and local governments, and will compare those to federal procurement systems. The seminar will assess why federal and state procurement legal systems have evolved with so little interaction, and will ask whether we should do a better job of bringing them more in line with one another, and, if so, how. In examining why procurement law regimes in the United States are not better integrated, the seminar will look to European and other foreign models of integration and harmonization, and to the role of grants in integrating the federal government into state procurement systems. Enrollment is limited. (Mid-term examination and 20-page research paper)

6561-20 Selected Topics in Public International Law: Immigration Criminal Enforcement (2) Golparvar
This course examines the interplay between criminal law and civil immigration law. The class will discuss the legal and constitutional implications of criminal immigration issues, specifically the consequences of criminal and terrorism activities and convictions for foreign-born individuals, immigration detention, U.S. citizenship laws and denaturalization, removal proceedings, and relief from removal. Students will understand how crimes and convictions will impact an individual’s immigration status and the civil and criminal consequences that can stem from an arrest, conviction, or violation of our immigration laws. Prerequisite or co-requisite: Law 6538 (Immigration Law I). (Examination)

6562-10 Public International Law Seminar: Codifying International Law (2) Murphy
The objective of this seminar is to develop the student’s ability to engage in research, analysis, and writing on a discrete and timely topic of international law. To do so, the seminar focuses on “codifying international law,” meaning the advancement of our understanding and practical application of international law by developing a treaty or other instrument that restates existing international law or, as needed, progressively develops international law. Students will examine the work product of the U.N. International Law Commission (ILC), a body of thirty-four legal experts elected from around the world by the U.N. General Assembly, that has been codifying and progressively developing international law for the past seventy years. This seminar will use the current topics under study at the ILC as a means for discussing and critiquing contemporary codification of international law; the student’s paper will focus on an aspect of one of the ILC’s topics. Successful papers will be provided to the ILC member associated with the relevant topic. Prerequisite: Law 6520 (International Law) or permission of the instructor. Students wishing to refresh their understanding of this field may wish to consult their textbook and notes for Law 6520 or a basic treatise in the field, such as Sean D. Murphy, Principles of International Law (2nd edition, 2012). (Research paper)

6564-20 International Business Transactions Seminar: Settlement of International Economic Disputes (2) Alexandrov
This seminar will focus on institutions and mechanisms for the settlement of international economic disputes. We will discuss the nature of such disputes and will seek to define the variables that affect their settlement. This model of analysis will be applied to institutions and mechanisms such as the GATT/WTO, the NAFTA, investment dispute settlement mechanisms, disputes in and with the European Communities, etc. We will identify the differences between the various dispute settlement mechanisms, reflecting the different nature of the disputes they are designed to settle. This seminar will analyze the elements of the dispute settlement process (e.g., parties, procedure, remedies, enforcement, etc.) and how they vary in each dispute settlement mechanism. (Research paper)

6592-10 Jurisprudence Seminar: You Can’t Argue Like That (2) Steinhardt
This seminar offers a case-based approach to arguments about the nature of law, authority, and persuasion. It is divided into three parts: (i) an examination of traditional and contemporary schools of jurisprudence (e.g., natural law, positivism, law and economics, feminist legal theory, legal realism, critical race theory), using cases as the
primary authority rather than scholarly writings; (ii) analysis of certain identifiable and recurring types of legal arguments (e.g., reasoning by default, interpreting statutes and the common law, and the power of fallacies); and (iii) applying what we know (or think we know) about theories of law by applying them in particular settings, like international law, property, and punishment. Enrollment limited to 16 students. (Class participation, writing assignments, and research paper)

6597-10 Legal History Seminar: Law & Society in Latin America (2) Cottrol
This seminar examines the impact of law in Latin America by looking at the writings of legal scholars and historians who have studied legal systems in the region. Students of law in Latin American often discuss the often significant gaps between the formal law, and the law as it is actually applied in the region. This will be a major theme of the seminar. The seminar will explore, among other topics, the rule of law in Latin America, the impact of law on social stratification, immigration and the law, race relations and the law in Latin America, and law in authoritarian and democratic regimes in the region. The readings in the seminar will be largely historical, although students may use the seminar to write on any topic, historical or contemporary, related to law in Latin America. (Research paper)

6869-20 Selected Topics in National Security Law: Guantanamo Bay Detention: Ethics, Law & Policy (1) Lewis
This course addresses the ethical, legal and policy dilemmas facing the decision-makers of the Bush and Obama Administrations regarding the detention facility at Guantanamo Bay, Cuba. The course will examine the decisions facing U.S. policy-makers, focusing on the ethics involved in every-day decision-making, weighing priorities and tradeoffs. Throughout, the course will focus on decision-making processes and case studies, in order to challenge students to understand how decisions are made, as well as engage in their own decision-making processes. Among the substantive issues which will be covered in the course are the Geneva Convention, the legal authority to detainee, interrogation techniques, intelligence gathering, treatment of detainees, military commissions, oversight by Congress, oversight by the judicial branch, the arguments in favor of against closing GTMO, and the future of GTMO. (Research paper and class participation)

6872-11 National Security Law Seminar: Autonomous Fighting Vehicles (2) E. Wallach
This seminar will examine the legal issues of deployment of fully autonomous fighting vehicles in international armed conflicts. The seminar will focus on defining autonomy, the varying combat environment for fully autonomous weapons systems, the general law governing means and methods of warfare, the law of command responsibility, the blending of means and methods when weapons are warriors, why command responsibility increases when AFVs are deployed, an economic analysis of legal responsibility for deployment of AFVs, and the legal risks and rewards of deploying AFVs. Guest speakers will include military and civilian experts in those areas. (Research paper)

6872-12 National Security Law Seminar: Foreign Intelligence Surveillance Act Seminar (2) Bartee-Robertson
This seminar will be an in-depth study of the Foreign Intelligence Surveillance Act (FISA) and how the law has evolved over the past 40 years into the current legal framework utilized by the National Security community today. After completing this course students will fully understand the various provisions of FISA and its amendments, be able to identify the circumstances for pursuing a FISA warrant, discern the specific provision of FISA that applies to a set of circumstances and articulate the correct requirements for an application to the Foreign Intelligence Surveillance Court. They will also understand the significance of balancing National Security interests with the US citizen’s privacy rights. Students must have one of the following courses as a prerequisite before taking this course Law 6870 (National Security Law); Law 6878 (Intelligence Law); or Law 6875 (Counterterrorism Law) prior to enrolling in this course. Student may be able to take this course in conjunction with one of the above courses with professor’s approval. (Research Paper)
II. REVISIONS TO COURSE DESCRIPTIONS IN THE BULLETIN

6218-11 Professional Responsibility & Ethics (2 or 3) Tuttle
This course will be offered for 2 credits in the Spring 2018 semester.

6218-12 Professional Responsibility & Ethics (2 or 3) C. Lee
This course will be offered for 2 credits in the Spring 2018 semester.

6218-20 Professional Responsibility & Ethics (2 or 3) Szabo
This course will be offered for 2 credits in the Spring 2018 semester.

6230-11 Evidence (3 or 4) Carter
This course will be offered for 4 credits in the Spring 2018 semester.

6230-12 Evidence (3 or 4) Pierce
This course will be offered for 3 credits in the Spring 2018 semester.

6232-10 Federal Courts (3 or 4) B. Clark
This course will be offered for 4 credits and the method of evaluation for this course will be a take-home examination in the Spring 2018 semester.

6232-20 Federal Courts (3 or 4) Gavoor
This course will be offered for 3 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6263-20 Selected Topics in Corporate Law (Entrepreneurship and the Law) (1, 2, or 3) Manns, D. Falk
This course will be offered for 2 credits and the method of evaluation for this course will be a take-home examination in the Spring 2018 semester.

6246-10 Appellate Practice (2) Effron, Vuono
The Appellate Practice course will include writing assignments and projects that will focus on a real case currently pending in an appellate court. Early in the semester, the class will engage in a small group project to explore the tactical and strategic choices faced by counsel in filing appellate briefs and related documents. In the mid-semester writing assignment, students will draft a bench memo utilizing the format commonly used by judicial clerks to prepare judges for oral argument. Later in the semester, students will participate as both counsel and judges in an oral argument exercise. In the final writing assignment, students will draft a judicial opinion based upon the issues developed during the semester. The course is designed for students interested in appellate practice and judicial clerkships, as well as students generally interested in the skills associated with legal writing, research, advocacy, and advice. (Writing assignments and oral argument) (Skills/E)

6252-10 Securities Regulation (3) Gabaldon
The method of evaluation for this course will be an examination in the Spring 2018 semester.

6254-10 Corporate Finance (2 or 3) Roth
This course will be offered for 2 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6266-20 Labor Law (2 or 3) Babson
This course will be offered for 2 credits in the Spring 2018 semester.
6268-10 Employment Law (2 or 3) N. Schoenbaum
This course will be offered for 3 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6280-20 Secured Transactions (2 or 3) Dubin
This course will be offered for 2 credits in the Spring 2018 semester.

6284-10 Creditors' Rights and Debtors' Protection (3 or 4) D. Levine, Kearns
This course will be offered for 3 credits in the Spring 2018 semester.

6285-20 Business Bankruptcy & Reorganization (3) Baxter
The method of evaluation for this course will be an examination in the Spring 2018 semester.

6290-10 Banking Law (2 or 3) Wilmarth
This course will be offered for 3 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6295-10 Sports and the Law (2 or 3) Carter
This course will be offered for 2 credits and the method of evaluation for this course will be a research paper and class projects in the Spring 2018 semester.

6296-20 Business Planning (2 or 3) Ting
This course will be offered for 3 credits in the Spring 2018 semester.

6298-10 Insurance (2 or 3) Mayerson
This course will be offered for 2 credits in the Spring 2018 semester.

6300-11 Federal Income Tax (3 or 4) K. Brown
This course will be offered for 3 credits in the Spring 2018 semester.

6300-12 Federal Income Tax (3 or 4) Buchanan
This course will be offered for 4 credits in the Spring 2018 semester.

6300-20 Federal Income Tax (3 or 4) C. Smith
This course will be offered for 3 credits in the Spring 2018 semester.

6304-10 Partnership and LLC Tax (2 or 3) M. Sanders
This course will be offered for 2 credits in the Spring 2018 semester.

6312-10 International Taxation (2 or 3) K. Brown
This course will be offered for 3 credits in the Spring 2018 semester.

6342-11 Trusts and Estates (3 or 4) Carter
This course will be offered for 3 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6342-12 Trusts and Estates (3 or 4) R. Palmer
This course will be offered for 3 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6342-20 Trusts and Estates (3 or 4) Edmisten
This course will be offered for 3 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6348-20 Family Law (3 or 4) Ross
This course will be offered for 4 credits and the method of evaluation for this course will be an examination and exercises in the Spring 2018 semester.

6350-20 Domestic Violence Law (2 or 3) Runge
This course will be offered for 2 credits in the Spring 2018 semester.

6352-11 Family Law Seminar (Law of Work, Family, and Gender) (2) Schoenbaum
The method of evaluation for this course will be a research paper in the Spring 2018 semester.

6352-12 Family Law Seminar (Gender, Law, & Policy) (2) Drinan
The method of evaluation for this course will be a research paper in the Spring 2018 semester.

6352-13 Family Law Seminar (Juvenile Justice) (2) Blumenson
The method of evaluation for this course will be a research paper in the Spring 2018 semester.

6360-11 Criminal Procedure (3 or 4) Sacharoff
This course will be offered for 3 credits in the Spring 2018 semester.

6360-12 Criminal Procedure (3 or 4) C. Lee
This course will be offered for 3 credits in the Spring 2018 semester.

6360-13 Criminal Procedure (3 or 4) R. Lerner
This course will be offered for 3 credits in the Spring 2018 semester.

6360-20 Criminal Procedure (3 or 4) Saltzburg
This course will be offered for 4 credits in the Spring 2018 semester.

6362-10 Adjudicatory Criminal Procedure (2 or 3) L. Herbert
This course will be offered for 3 credits in the Spring 2018 semester.

6363-20 Role of the Federal Prosecutor (2) Goelman, Hoffinger
The method of evaluation for this course will be class participation and a research paper in the Spring 2018 semester.

6364-10 White Collar Crime (2 or 3) Eliason
This course will be offered for 3 credits in the Spring 2018 semester.

6369-10 Computer Crime (1, 2, or 3) Sacharoff
This course will be offered for 3 credits in the Spring 2018 semester.

6372-10 Drugs and the Law (2) Meyers
The method of evaluation for this course will be research paper or in-class workshop in the Spring 2018 semester.

6380-10 Constitutional Law II (3 or 4) Ross
This course will be offered for 4 credits in the Spring 2018 semester.
6380-20 Constitutional Law II (3 or 4) Cheh
This course will be offered for 3 credits in the Spring 2018 semester.

6389-10 Higher Education Law (2) Barber
The method of evaluation for this course will be an examination in the Spring 2018 semester.

6401-10 Selected Topics in Constitutional Law: Congressional Procedure (1, 2, or 3) Abel
This course will be offered for 1 credit and the method of evaluation for this course will be a research paper and class participation in the Spring 2018 semester.

6405-10 Selected Topics in Advanced Antitrust Law: The Design and Performance of the US Antitrust System (1, 2, or 3) Kovacic
This course will be offered for 2 credits and the method of evaluation for this course will be a research paper in the Spring 2018 semester.

6426-10 Public Law Seminar: Telecommunications and Technology Policy Advocacy (2 or 3) Goodfriend, Kimmelman
This seminar will be offered for 2 credits in the Spring 2018 semester.

6428-10 Veterans Advocacy (2) Blahut
This course will focus on appellate advocacy before the U.S. Court of Appeals for Veterans Claims (CAVC). Understanding the rules that govern the Department of Veterans Affairs (VA) and the agency appeals process is integral to advocacy before the CAVC, so the course will provide an overview of the agency as well. In addition to any field placement, throughout the semester students will review a case file and decision of the Board of Veterans’ Appeals, identify issues, and draft documents and pleadings related to CAVC representation. Students enrolling in this course should have already completed Law 6423 Veterans Law. Students who are not enrolled in a co-requisite course for field placement should indicate that they are engaged in another form of veterans advocacy or claims work to ensure full participation in all aspects of the course. (Writing assignments) (E-This is a co-requisite course and will qualify as an experiential "E" course, when paired with a field placement (Law 6668))

6430-10 Environmental Law (2 or 3) Glicksman
This course will be offered for 3 credits and the method of evaluation will be an examination in the Spring 2018 semester.

6440-10 Natural Resources Law (2 or 3) Glicksman
This course will be offered for 3 credits in the Spring 2018 semester.

6450-10 Federal Facilities Environmental Law Issues (2) Borro
The method of evaluation for this course will be problem assignments in the Spring 2018 semester.

6452-20 Environmental Issues in Business Transactions (2 or 3) Mounteer
This course will be offered for 2 credits in the Spring 2018 semester.

6455-10 International Climate Change Law (2 or 3) Freestone
This course will be offered for 2 credits in the Spring 2018 semester.

6469-10 Environmental Lawyering (1 or 2) Paddock / McCoy
This course will be offered for 2 credits in the Spring 2018 semester.

6471-10 Patent Law (2 or 3) Karshtedt
This course will be offered for 3 credits in the Spring 2018 semester.

6473-20 International Copyright Law (1 or 2) Tepp
This course will be offered for 2 credits in the Spring 2018 semester.

6474-10 Trademark Law and Unfair Competition (2 or 3) Schechter
This course will be offered for 3 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6474-20 Trademark Law and Unfair Competition (2 or 3) Brauneis
This course will be offered for 3 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6486-10 Information Privacy Law (3) Solove
The method of evaluation for this course will be an examination in the Spring 2018 semester.

6503-20 Performance of Government Contracts (3 or 4) Schooner
This course will be offered for 3 credits in the Spring 2018 semester.

6508-20 Comparative Public Procurement (2 or 3) Yukins
This course will be offered for 3 credits in the Spring 2018 semester.

6520-10 International Law (3 or 4) Murphy
This course will be offered for 4 credits in the Spring 2018 semester.

6521-20 International Money Laundering (3) Smith J, Lasich
The method of evaluation for this course will be a paper and take-home examination for the Spring 2018 semester.

6527-10 Advanced International Trade Law (2 or 3) Charnovitz
This course will be offered for 3 credits in the Spring 2018 semester.

6530-20 International Organizations (2 or 3) DeBartolo, Buchwald
This course will be offered for 2 credits in the Spring 2018 semester.

6532-10 Comparative Law (2 or 3) Cummins
This course will be offered for 2 credits in the Spring 2018 semester.

6534-10 Law of the European Union (2, 3, or 4) Bignami
This course will be offered for 3 credits in the Spring 2018 semester.

6538-10 Immigration Law I (2 or 3) Morales
This course will be offered for 2 credits in the Spring 2018 semester.

6538-20 Immigration Law I (2 or 3) Golparvar
This course will be offered for 2 credits in the Spring 2018 semester.
6543-80 Law of the People’s Republic of China (2 or 3) D. Clarke
This course will be offered for 3 credits and the method of evaluation will be a take-home examination and writing assignments in the Spring 2018 semester.

6546-10 International Law of Human Rights (3 or 4) Steinhardt
This course will be offered 3 credits in the Spring 2018 semester.

6552-10 Law of War (2) Carnahan
The method of evaluation for this course will be a research paper in the Spring 2018 semester.

6557-40 Introduction to Transactional Islamic Law (1 or 2) Abdelhady
This course will be offered for 2 credits in the Spring 2018 semester.

6561-20 Selected Topics Public International Law: Immigration Criminal Enforcement (2) Golparvar
This course will be offered for 2 credits and the method of evaluation will be an examination for this course in the Spring 2018 semester.

6591-10 U.S. Legal History (2 or 3) Cottrol
This course will be offered for 2 credits in the Spring 2018 semester.

6592-10 Jurisprudence Seminar: You Can’t Argue Like That (2 or 3) Steinhardt
This course will be offered for 2 credits and the method of evaluation will be class participation, writing assignments, and a research paper in the Spring 2018 semester.

6595-10 Race, Racism and American Law (2 or 3) Overton
This course will be offered for 2 credits and the method of evaluation for this course will be an examination in the Spring 2018 semester.

6597-10 Legal History Seminar: Law and Society in Latin America (2 or 3) Cottrol
This course will be offered for 2 credits in the Spring 2018 semester.

6602-10 Law and Accounting (2 or 3) Gabaldon
This course will be offered for 2 credits and the method of evaluation for this course will be quizzes and problem assignments or an examination with the permission of the instructor in the Spring 2018 semester.

6606-10 Law and Literature (2 or 3) Solove
This course will be offered for 2 credits in the Spring 2018 semester.

6616-10 Genetics and the Law (2 or 3) Suter
This course will be offered for 2 credits in the Spring 2018 semester.

6617-10 Law and Medicine (2 or 3) Suter
This course will be offered for 3 credits in the Spring 2018 semester.

6634-25 Law Students in Court (Civil Division) (4, 5, or 6) D. Johnson
This course will be offered for 6 credits in the Spring 2018 semester.

6639-25 Law Students in Court (Criminal) (4, 5, or 6) D. Johnson
This course will be offered for 6 credits in the Spring 2018 semester.
6647-20 Alternative Dispute Resolution (2 or 3) E. Hoffman
This course will be offered for 2 credits in the Spring 2018 semester.

6648-20 Negotiations (1, 2, or 3) Juni
This course will be offered for 2 credits in the Spring 2018 semester.

6648-40 Negotiations (1, 2, or 3) Ray
This course will be offered for 3 credits in the Spring 2018 semester.

6652-10 Legal Drafting: Litigation (2 or 3) Wintrol
This course will be offered for 2 credits in the Spring 2018 semester. This section focuses on federal litigation and uses a fact pattern based in part on a real commercial dispute. Students will draft key documents common in litigation and learn how those documents fit within an overall litigation strategy.

6652-21 Legal Drafting: Litigation (2 or 3) Zaidi
This course will be offered for 2 credits in the Spring 2018 semester. This section of Legal Drafting will focus on the review of the relevant Federal Rules, and discussion of practical litigation drafting issues.

6652-22 Legal Drafting: Transactional (2 or 3) Berl
This course will be offered for 2 credits in the Spring 2018 semester. This section of Legal Drafting will focus on drafting documents used in business transactions by or with corporations. With each document students will discuss the business context giving rise to the need for that document and prepare a draft to memorialize the transaction.

6663-25 International Law in Domestic Courts Journal (1 or 2) Shelton
This course will be offered for 1 credit in the Spring 2018 semester.

6666-11 Research and Writing Fellow (Deans) (1 or 2) DeSanctis
This course will be offered for 2 credits in the Spring 2018 semester.

6666-12 Research and Writing Fellow (Writing) (1 or 2) Kettler
This course will be offered for 2 credits in the Spring 2018 semester.

6869-20 Selected Topics in National Security Law (Guantanamo Bay Detention: Ethics, Law & Policy) (1, 2, or 3) Lewis
This course will be offered for 1 credit and the method of evaluation will be a research paper and class participation in the Spring 2018 semester.

6870-10 National Security Law (2 or 3) Apperson
This course will be offered for 2 credits in the Spring 2018 semester.

6871-20 U.S. Foreign Relations Law (2 or 3) Matheson
This course will be offered for 2 credits in the Spring 2018 semester.

6872-11 National Security Law Seminar: Autonomous Fighting Vehicles (2 or 3) E. Wallach
This course will be offered for 2 credits in the Spring 2018 semester.

6872-12 National Security Law Seminar: Foreign Intelligence Surveillance Act (2 or 3) Bartee-Robertson
This course will be offered for 2 credits in the Spring 2018 semester.
III. SPECIAL COURSE SCHEDULING

6203-21 Contracts II – Maggs
Tuesdays & these Wednesdays: 1/10, 1/24, 2/7, 2/21, 3/14, 3/28, and on 4/11 (7:05-8:00pm)

6213-21 Civil Procedure II – Schaffner
Thursdays & these Wednesdays: 1/17, 1/31, 2/14, 2/28, 3/21, 4/4, and on 4/11 (6:00-6:55pm)

6218-11 Professional Responsibility and Ethics – Tuttle
Meets MTW for 9 weeks

6351-11 Reading Group: Criminal Justice Reform in a Time of Trump – Drinan
Meets 7 weeks

6351-12 Reading Group: Criminal Justice Reform and The Wire – R. Fairfax
Meets 7 weeks

6351-13 Reading Group: The Role of the Public Defender – R. Fairfax / Co-Instructor (TBA)
Meets 7 weeks

6351-20 Reading Group: Open Government Data – Zvenyach
Meets 1/17, 1/31, 2/14, 2/28, 3/14, 3/28, and on 4/11 (6:00-6:55)

6380-20 Constitutional Law II – Chen
Wednesdays & these Fridays: 1/12, 1/26, 2/9, 2/23, 3/16, 3/30, and on 4/13 (7:05-8:00pm)

6401-10 Selected Topics in Constitutional Law: Congressional Procedure – Abel
Meets 1/16, 1/30, 2/13, 2/27, 3/13, 3/27, and 4/10 (6:00-6:55)

6474-10 Trademark & Unfair Competition – Brauneis
Wednesdays & these Fridays: 1/12, 1/26, 2/9, 2/23, 3/16, 3/30, and on 4/13 (7:05-8:00pm)

6480-10 Chemical and Biotech Patent Law – Adelman/Straus
Dates to be determined by the instructors.

6522-20 International Business Transactions – M. Daly
Wednesdays & these Fridays: 1/12, 1/26, 2/9, 2/23, 3/16, 3/30, and on 4/13 (7:05-8:00pm)

6557-40 Introduction to Transactional Islamic Law – Abdelhady
Meets 3/16-3/18, 3/30-4/1, 4/7 at 12:30-3:30 & 4/8 (12:30-3:00)

6646-40 Mediation – B. Harvey
Meets 1/27–1/28 & 2/3–2/4, Saturday and Sundays (9am–6:30pm)

6648-40 Negotiations – Ray
Meets 3/16–3/18 and 4/7–4/8, Fridays (12:00–4:30pm), Saturdays and Sundays (9am–6:30pm)

6677-40 Pre-Trial Practice in Civil Cases – A. Robinson, Z. Rainey, Keenan, Gardner, LoRe
Meets 1/13-1/14, 2/3-2/4, & 2/24 Saturdays and Sundays (9am-5:30pm)
6690-25 Thesis I – Han
Dates to be determined by the instructor.

6691- all sections Thesis II – Han
Dates to be determined by the instructor.

6869-20 Selected Topics in National Security Law (Guantanamo Bay Detention: Ethics, Law & Policy) Lewis
Meets 1/10, 1/24, 2/7, 2/21, 3/21, 4/4, and 4/11 (6:00-6:55)

IV. NEW COURSES

6515 Government Contracts Moot Court (2) Somers/Thornton
This course provides experiential learning for students who seek to further refine their legal writing and oral advocacy skills, as well as build their professional identity and confidence by participating in a competition. This course also will provide instruction on successful research, writing, and advocacy strategies in a setting that also focuses on professional identity and the ability to give and receive feedback. The work products are rooted in advocacy, but the experience focuses on preparing students to thrive in a collaborative, rather than adversarial, environment. The coursework will include practice moot arguments and culminates in the traditional moot court competition during the final weeks of the semester. Students can select or be assigned a partner in class. No moot court experience is required. A co-requisite or prerequisite government contracts course is recommended. This course is graded CR/NC.

V. COURSE CANCELLATIONS

VI. REGULAR FACULTY MEMBERS ON LEAVE
The following regular faculty members will be on leave for some or all of the 2017-2018 Academic Year:

J. Banzhaf (Spring 2018)
D. Braman (Academic Year)
T. Colby (Spring 2018)
I. Gambert (Academic Year)
L. Kirkpatrick (Academic Year)
L. Kohn (Academic Year)
T. Peterson (Spring 2018)
J. Rosen (Academic Year)
J. Steinberg (Academic Year)
E. Swaine (Spring 2018)

VII. FACULTY MEMBERS NOT INCLUDED IN THE BULLETIN
The following faculty members will teach courses during the 2017-2018 Academic Year but are not listed in the current Law School Bulletin:

Jill Stanley Cohen, Professorial Lecturer in Law
B.A. 1989, University of Michigan; J.D. 1992, University of Miami

Alan S. Dubin, Professorial Lecturer in Law

David Falk, Professorial Lecturer in Law
B.A. 1972, Syracuse University; J.D. 1975, The George Washington University

Lenese Herbert, Visiting Professor of Law
B.A. 1985 Howard University; J.D. 1990, University of California Los Angeles

Michael R. Klipper, Professorial Lecturer in Law
B.A. 1969, Syracuse University; J.D. The George Washington University; LL.M. 1973, Harvard University

Paul M. Lewis
B.A. 1980, J.D. 1983, University of Notre Dame

Anna M. Ludwikowski, Professorial Lecturer in Law

Nihar R. Mohanty, Professorial Lecturer in Law
B.A. 1989, University of Maryland; J.D. 1992, University of Illinois

Benjamin M. Moss, Professorial Lecturer in Law
B.A. 2005, University of Wisconsin; M.A. 2006, University of the Negev; J.D. 2010, American University

Steven C. Silverman, Professorial Lecturer in Law
B.A. 1983, Princeton University; J.D. 1986, Stanford University

Andrew Ting, Professorial Lecturer in Law

Victor W. Weedn, Professorial Lecturer in Law
B.A. 1974, M.D. 1979, The University of Texas; J.D. 1978, South Texas College