

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

**Last Updated Fall 2019*

SEM: 838. Products Liability

SEMINAR: Products Liability

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

Credits: 3 hours

Instructor(s): Prof. Vandall, Frank

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

Prerequisite: Products Liability (recommended)

Grading Criteria: Paper

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

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

**Last Updated Fall 2017*

Spring 2019 Courses

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

(AC)= Accelerated Course

(CL)= Cross-listed

(EL)= Experiential Learning/Practical Experience Approved

679. Access to Justice Prac. (EL)

Access to Justice Practicum: Getting Into the Courtroom

Class Number: 3999; Catalog Number- LAW 679, 02A

Credit: 2 Hours (Experiential Learning Approved)

Instructor: Prof. Costa, Jason

Prerequisites: Criminal Law

Enrollment: Limited to 10 Students ONLY.

Grading Criteria: Attendance; Participation; & Performance

Description: Access to Justice provides second and third-year law students the unique opportunity to see how justice is actually administered in criminal cases in Georgia State Courts and to develop their courtroom oral advocacy skills in a real-world setting. We will examine, through readings and classroom discussion, the ways in which poor and underserved populations access justice within the framework of the traditional criminal justice system, and the increasing role of accountability courts for defendants suffering from drug, alcohol or mental health afflictions. But this class extends far beyond the conventional classroom in three significant ways. First, students will take multiple off-campus trips, including touring the local jail facility and attending actual court sessions to observe criminal case proceedings. Second, students will receive real recent criminal case warrants and police reports and will conduct interviews with actual defendants (both in and out of custody) and participate in mock classroom hearings on these cases. Lastly, where possible, students will represent their clients in actual court proceedings (bond hearings, preliminary hearings, pleas and even possibly criminal motions or trials).

Attendance Policy: Attendance will constitute 25% of your overall grade. Our class will involve a mix of on-campus classroom exercises, readings, and discussion along with off-campus trips to jail facilities, courtrooms, and other settings. Please note that to give you the maximum breadth of legal experiences, often off-campus activities will occur on days and times other than the standard class meeting time. Please plan to be flexible and remember that attendance will play a significant role in your grade. As we only meet once a week, anything more than one unexcused absence may have a negative impact on your grade and anything more than two unexcused absences will definitely have an impact. Also please be punctual - just like court, you'll want to be in the room when class begins or have made the professor aware of any conflicts well ahead of time. You can't be late to court and you can't be late to this class. Lastly, note that while there will be flexibility in days and times you may attend court, if you don't fulfill court attendance requirements it will affect this portion of your grade.

Please note: any students who have previously or are currently interning or doing a field placement with the State Court Division of the Law Office of the DeKalb County Public Defender will be ineligible for this course. Additionally, this course cannot be taken concurrently with an internship or field placement in the DeKalb County Solicitors or District Attorney's Office as it would cause a professional conflict.

**Last Updated Spring 2019*

701. Administrative Law

Administrative Law

Class Number: 4069; **Catalog Number-** LAW 701

Credit: 3 Hours

Instructor(s): Prof. Arthur, Thomas

Prerequisite: Legislation & Regulation

Grading Criteria: Scheduled Exam

Description: This course builds on the administrative law principles introduced in Legislation and Regulation. It provides a complete treatment of rulemaking and adjudication by agencies, the scope of judicial review of agency action, the availability of judicial review (standing, ripeness, etc.), the role of the administrative state in our constitutional structure, in particular, the requirements of procedural due process and separation of powers. Regular attendance is required.

**Last Updated Spring 2019*

632A. Adv. Evidence

Advanced Evidence: Trial Evidence

Class Number: 4454; Catalog Number- LAW 632A

Credit: 3 Hours

Instructor(s): Prof. Zwier, Paul

Prerequisite: Evidence & Trial Techniques

Grading Criteria: Team Projects; Attendance; & Take-home Final Trial

Enrollment: Limited to 24 students!

Description: This course will explore Advanced Evidence in the Context of a Criminal and Civil case, with special emphasis on the trial skills needed for cross-examination, impeachment, and direct and cross-examination of expert witnesses. There will be a heavy emphasis on learning by doing, using problems drawn from the NITA casefiles, *State v. Mitchell and MacIntyre v. Easterfield*. Course objectives are: 1) to develop both a theoretical understanding of advanced evidentiary strategies for admitting evidence and developing expert testimony using them effectively in the trial context; 2) to understand the ethical and legal implications of the trial setting; and 3) to develop a proficiency in trial skills, including how to conduct opening statements, direct and cross examinations, admit and oppose exhibits, and conduct expert witness examinations, and closing arguments.

Assigned Reading Materials:

(1) Zwier, *Normative Guide to Trial Advocacy*. (Online). Malone and Zwier, *Effective Expert Testimony* 3rd NITA

(2) Additional internet-based reading material will be provided in due course.

(3) Simulation Materials: Problems and Materials in Evidence and Trial Advocacy 6th Edition Volumes One (Casefiles) and Two Problems.

**Last Updated Spring 2019*

875A. Adv. Iss. White Collar**Advanced Issues in White Collar Defense**

Class Number: 4234; **Catalog Number-** LAW 875A

Credit: 2 hours

Instructor(s): Prof. Ramirez, Shannon

Prerequisite: None (However, students will find it helpful to have taken at least one basic course in criminal law & procedure)

Grading Criteria: Participation & Final Paper

Description: Over the last decade, discussion on crime has gradually shifted to include both the traditional “street crimes” and corporate, white-collar and regulatory crime. This shift is primarily due to fallout from the global financial crisis of 2007–2008 and the profound impact it has had on the economy. There now exists a heightened awareness of the catastrophic effects that economic offenses can have on society and a consequential merging of criminal and civil actions. This practical course aims to introduce students to the increasingly complex state of white-collar crime and the essential tools that a defense attorney requires to effectively engage the blurring of the civil and criminal distinction. Topics covered include: business frauds, Foreign Corrupt Practices Act violations, tax evasion, health care fraud, criminal violations of the securities statutes, internal

investigations, whistleblower actions, and crisis management. Students will have the opportunity to hear from practicing attorneys and investigators in the field, and to conduct research on a white-collar topic of their choosing for the final paper. Attendance counts towards a student's class participation grade.

**Last updated Spring 2019*

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

Advanced Legal Research

Class Number: 4718; **Catalog Number-** LAW 657, 14A (Case Law)

Class Number: 3908; **Catalog Number-** LAW 657, 12A (Regulatory Law)

Accelerated Class: Case Law Section-1st seven weeks of the semester; Regulatory Law Section- 2nd seven weeks of the semester.

Credit: 1 Hour (Experiential Learning Approved)

Instructor(s): Profs. Christian, Elizabeth & Deese, Abigail

Prerequisite: None

Case Law Grading Criteria: Participation; Attendance; Coursework; & Final Project

Regulatory Law Grading Criteria: Participation; Attendance; Coursework; & Project

Enrollment: Limited to 20 students!

Case Law Description: An examination of the legal research methods and sources beyond the basics taught during the first year of law school. Through lectures and practical application with in-class exercises and a final research project, students will become familiar with topics such as advanced research techniques, case, statute & regulatory research, aids for the practitioner and legislative history research.

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

Regulatory Law Description: Mastery of Regulatory Research is a practical, skills-based course designed to provide students with a firm understanding of the fundamental structure of the US regulatory process and materials and to develop skills for finding and using those sources. Students will use traditional and transactional resources to complete skills-based tasks and complete a final project.

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

**Last Updated Spring 2019*

755A. Adv. Pretrial Lit.

Advanced Pretrial Litigation

Class Number: 3923; **Catalog Number-** LAW 755A, 06A

Credit: 3 Hours

Instructor(s): Prof. Elmore, Marvin & Prof. Goheen, Barry

Prerequisite: None

Grading Criteria: Pass/Fail

Description: Course includes a number of practical exercises including oral arguments and client and witness interviews. We anticipate, as in the past, having several guest speakers on topics such as e-discovery, RICO, and Class Actions.

Advanced Pre-Trial Litigation is for students who have taken Civil Procedure and Federal Courts, and are ready for an advanced strategy practicum that prepares them for the complexities of modern litigation practice.

The Legal Strategy part of the course teaches students to consider the theoretical aspects of strategy and methods for working through a strategy problem, and then apply those theories and methods to practical problems. The problems involve a small business that encounters a series of situations requiring advice with respect to strategy.

In the second part of the course, the students will learn about negotiation theory and strategy and apply these techniques to the negotiation of an e-discovery dispute. Discovery of electronic materials, usually in digital format, creates some especially difficult, time-sensitive responsibilities for lawyers. Practicing successful methods for dealing with these responsibilities in a learning-by-doing setting provides an opportunity to adapt these methods to the individual lawyer's own situation and style.

This is "entry-level" subject matter in the sense that it does not purport to cover all the specialized aspects of e-discovery, particularly those faced by very large companies or by companies with unusual records retention practices. The purpose of this part of the course is to provide lawyers with a general methodology that will, in most cases, prevent sanctions against the client and the lawyer, while being responsive under the rules to e-discovery requests and minimizing unnecessary business interruption. However, no general method can protect against every mistake or every type of intentional wrongdoing. And no general method can minimize business interruptions in every situation.

This course is structured around the requirements of the Federal Rules of Civil Procedure and the Federal Rules of Evidence. States may have more or less restrictive requirements, but the federal rules provide a useful general benchmark, and many state jurisdictions follow them.

E-discovery problems arise in two distinct phases:

- Preservation, production, and use of e-discovery; and
- Prosecuting or defending against challenges to the sufficiency of e-discovery.

These are quite different areas and require different skills. For this reason, we have developed two separate sections on e-discovery. The first part focuses on preservation, production, and use of e-discovery and seeks to develop the skills for interviewing, negotiating, and organizing your electronic discovery. A second part focuses on challenges to the sufficiency of e-discovery and seeks to develop the skills for preparing, arguing, and defending against typical motions for protective orders, motions to compel and motions for sanctions.

The e-discovery problems also develop skills in counseling clients, negotiating with opposing lawyers and dealing successfully with vendors. These skills are directed at the first-in-time problems of e-discovery – getting it right at the start and preventing disputes or adverse decisions. The course adapts established learning-by-doing teaching materials on interviewing and counseling, and on negotiation, for the special e-discovery setting. The case law applies primarily to the second area of e-discovery: prosecuting and defending against challenges to the sufficiency of e-discovery.

Finally, in part three of the course, we will deal with the strategy and law of class action lawsuits. This part of the course will teach you how to make the decision whether to file a class action lawsuit or go it alone. It will also examine how to think about your defense options: whether to agree to a class action for settlement purposes, fight class certification, or negotiate some variation between these two extremes,(including an overview of multidistrict litigation options). This part of the course will also refine your understanding of the law and procedure (including appellate review) related to class certifications.

Attendance Policy: No more than 2 absences to pass this course.

*Last Updated Spring 2019

846. Adv. Religious Freedom

Advanced Religious Freedom

Class Number: 5051; **Catalog Number-** LAW 846

Credit: 2 hours

Instructor(s): Prof. Witte, John

Prerequisite: N/A

Grading Criteria: Ask Prof.

Enrollment: Limited to 20 Pre-selected Students!

Description: Ask Prof.

Note: This course is closed to new students not already selected.

**Last updated Spring 2019*

605. ADR (EL)

Alternative Dispute Resolution

Class Number: 3965; **Catalog Number-** LAW 605, 02A ()

Class Number: 3909; **Catalog Number-** LAW 605, 04A ()

Class Number: 4006; **Catalog Number-** Law 605, 06A (Athans/Rogers)

COURSES ARE NOT OPEN TO STUDENTS WHO HAVE TAKEN BUSINESS SCHOOL OR LAW SCHOOL NEGOTIATIONS.

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): Profs. Allgood, John; Athans, Michael; Rogers, Kathy; & Zwier, Paul.

Prerequisite: None

Grading Criteria:

- Participation & a Scheduled Final Exam (Allgood)
- Attendance, Participation, Coursework, & Final Paper (Athans/Rogers)
- Team Projects, Attendance, & Take Home Exam (Zwier)

Enrollment: 16 (Allgood & Athans/Rogers); 24 (Zwier)

Allgood Description: Course introduces advocacy skills to law students who will be using negotiation, mediation, and arbitration in their career choices. Attendance, particularly for team roles plays is required. The exam grade is not the only semester evaluation. Students will participate in and be graded on team projects assigned during the semester in addition to the final semester examination.

Athans/Rogers Description: The ADR class will provide a primer on negotiations, mediation, and arbitration with some simulations providing a skills-training experience along with occasional journals and a final paper.

Zwier Description: This course will explore Alternative Dispute Resolution (ADR) with an emphasis on negotiation and mediation. There will be a heavy emphasis on learning by doing, using simulations specially prepared to teach both the lawyering skills and mediation skills needed in a variety of settings. Course objectives are: 1) to develop both a theoretical understanding of adversarial and problem-solving negotiation strategies for using them effectively in negotiation, mediation, and arbitration; 2) to understand the ethical and legal implications of ADR; and 3) to develop a proficiency in dispute resolution skills other than trial skills, including how to direct negotiation, mediate, and arbitrate.

An overview of negotiation, mediation, and arbitration with special emphasis on the U.S. forums under the Uniform Mediation Act, GODR, Federal Arbitration Act, GAC and related state and federal statutes, rules and regs. Discussion of techniques and applicable requirements for court-annexed and private ADR under applicable statutes, provider rules, court rules, and related regulations. Class meets once a week, split between class discussion and includes team projects and role plays applying techniques in each process discussed.

Assigned Reading Materials:

(1) Zwier and Guernsey, *Advanced Negotiation and Mediation Theory and Practice, A Realistic Integrated Approach* 2d. ed. 2016.

(2) Additional internet-based reading material will be provided in due course.

(3) Simulation Materials: Simulation material will be sent electronically in advance for each week's class. Please read these materials before coming to class so that you are prepared to participate in the simulation.

**Last Updated Spring 2019*

605. ADR Survey (AC)

Alternative Dispute Resolution Survey- GRAD Section

Class Number: 3965; **Catalog Number-** LAW 605, 02A

Credit: 3 Hours (Accelerated Course, see Format below)

Instructor(s): Prof. TBA

Prerequisite: None

Grading Criteria: Online Discussions, Simulations, & Final Paper

Description: The study of case law and the formal litigation process and the role it plays in our society is essential to effective lawyering. Yet less than 2% of civil cases are resolved by trial. This experiential course will explore the use of appropriate dispute resolution processes – negotiation, mediation and arbitration, and various hybrids – by which most legal conflicts are resolved.

The course, taught in an intensive format over three weekends, will provide practical skills and experience through a combination of lecture-discussion, exercises, and simulations to ground students in both ADR theory and practice.

Course Objectives:

- Understand the various ADR processes of negotiation, mediation, arbitration, and hybrids, including the ability to consider and critique the strengths and weaknesses of each.
- Understand the causes of conflict and distinguish different negotiation styles and negotiation strategies such as integrative and distributive bargaining.
- Understand and compare the role that third parties such as mediators and arbitrators can play in dispute resolution and considerations in selecting a process.
- Understand the impact and implications of additional parties including lawyers/agents and multi-party disputes.

- Understand the ethical rules that apply to lawyers when negotiating, mediating and arbitrating a dispute.
- Demonstrate a working knowledge of the field.

Course Format and Schedule: Three weekends with 8 hours on Saturday and 4 hours on Sunday. Before the start of class, students will engage in reading and online discussion. For each class, they will be required to read from a text and prepare for a number of simulations to be conducted in class. Following each weekend session, they will be required to engage in online discussion/reflection and/or write a brief reflective journal entry. After the final class students will be required to write a brief paper.

Class 1) January 26-27, Class 2) February 9-10, Class 3) February 23-24 and inclement weather make dates March 9-10. Class times are 9AM-5PM unless otherwise noted by the professor.

560. ALWAR (LLM)

American Legal Writing, Analysis & Research ("ALWAR")

Class Number: 3988; **Catalog Number-** LAW 560, LLM1

Credit: 2 hours

Instructor(s): Prof. Daspit, Nancy

Prerequisite: None

Grading Criteria: Coursework & Final Memo

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

Attendance Policy: Two or more unexcused absences can result in your grade being lowered.

NOTE: Enrollment is restricted to LLM students who received their first law degree from a law school/faculty in a country other than the United States.

**Last Updated Spring 2019*

560B. ALWAR II

American Legal Writing, Analysis & Research II

Class Number: 4022; **Catalog Number-** LAW 560B, GRAD

NOTE: This class is open only to foreign-educated LLMs only

Credit: 1 hour

Instructor(s): Prof. Daspit, Nancy

Prerequisite: ALWAR I

Grading Criteria: Coursework & Final Motion Brief

Description: This course continues the study of legal analysis, research, and writing for practice in the American common law system. The topics covered include client letters, pleadings, and persuasive writing, along with enhanced instruction covering legal citation and advanced legal research sources and techniques.

Attendance Policy: Two or more unexcused absences can lead to your grade being lowered.

Note: International LLM students who want to sit for the Georgia bar exam must take this class. If this class is not required for you, and you are undecided about taking the class, it is strongly recommended that you attend the first class to be considered for adding the course during the drop/add period.

**Last Updated Spring 2019*

655A. Am. Legal History

American Legal History: Citizenship & Race Workshop

Class Number: 4038; **Catalog Number-** LAW 655A

Credit: 3 Hours

Instructor(s): Prof. Cleaver, Kathleen

Prerequisite: None

Grading Criteria: Research Paper & Class Presentations

Description: This course examines the legal evolution during the 19th and 20th centuries of the understanding of race and the role of indigenous peoples within the U.S. The workshop will study the Civil War amendments, 19th century legislation, the incorporation of Mexican territory, the citizenship of Mexicans, the citizenship of Asians, and the transformative 1960s Civil Rights legislation.

**Last Updated Spring 2019*

734. Analytical Methods

Analytical Methods of Lawyers

Class Number: 3997; **Catalog Number-** LAW 734, 10A

Credit: 3 Hours

Instructor(s): Prof. Shepherd, Joanna

Prerequisite: None

Grading Criteria: Participation & Scheduled Final Exam

Description: This course explores the application to the practice of law of analytical methods of the social sciences and business profession. It will introduce essential concepts from economics, accounting, finance, statistics, and game theory to prepare students for legal practice in the modern world. These tools can be tremendously important and useful; not knowing something about them can be a serious detriment to the effective practice of law. Always, our focus will be on the application of analytical methods to real legal problems, such as the appropriate measure of damages or when to settle a case -- not becoming adept at complicated calculations. Our primary goal: to recognize when an analytical method would be useful in a legal situation and to develop a rough idea of how to use that method. Students are not expected to have any prior training or experience.

Attendance Policy: Attendance is mandatory. I expect you to let me know in advance if you cannot be present in class. Five or more absences will result in a loss of class participation points.

**Last Updated Spring 2019*

702. Antitrust

Antitrust Law

Class Number: 3995; **Catalog Number-** LAW 702, 10A

Credit: 3 Hours

Instructor(s): Prof. Arthur, Thomas

Prerequisite: None

Grading Criteria: Scheduled Final Exam

Description: This course is an introduction to American competition law. It covers the following topics: agreements among competitors, monopolization by single firms, mergers, both between competitors and buyers and sellers, contractual restraints imposed by sellers on their customers (price and nonprice restraints by manufacturers on their distributors, tying and exclusive dealing by sellers with market power).

**Last Updated Spring 2019*

590E. ARC

Analysis, Research, and Communication ("ARC")

Note: **LAW 590E** is an online course and is only open to JM students.

Class Number: 4074; **Catalog Number-** LAW 590E, 001 (JM & LLMS w/approval)

Class Number: 4092; **Catalog Number-** LAW 590E, 002 (Online JM format Students Only)

Credit: 2 hours

Instructor(s): TBA

Prerequisite: None

Grading Criteria: Regular Assignments & Final Project

Description: This course will provide an introduction to legal analysis, research and effective legal writing. Students will be introduced to the fundamentals of legal analysis and the structure of legal information. Students will learn how to navigate multiple legal resources to discover legal authority appropriate for different types of legal analysis and communications. Students will learn the concepts of effective legal analysis and will develop the skills necessary to produce objective legal analyses.

**Last Updated Spring 2018*

691. Asylum Law

Asylum Law

Class Number: 4236; **Catalog Number-** Law 691, 06A

Credit: 2 Hours

Instructor(s): Prof. Kuck, Charles

Prerequisite: None

Grading Criteria: Participation & Take-home Exam

Description: This course will cover what happens once a non-citizen has been charged and placed in immigration removal proceedings (formerly called deportation proceedings). The student will study each step of the proceeding, with the choices that the client and her representative must make in an effort to avoid removal: responding to the charges and putting the government to its proof; determining the client's immigration history; determining the client's eligibility for any relief from removal; preparing a winning case on paper; preparing the client and other witnesses to testify what options are available for appeal and the requirements for filing a motion to reopen. We will also cover federal court litigation of immigration cases. The course will cover the legal standards and the preparation of the following applications for relief cancellation of removal, Violence Against Women Act (VAWA), 212 (c), LPR and non-LPR cancellation of removal, and affirmative asylum relief, along with withholding of removal and relief under the Convention Against Torture. Given that recent developments have greatly increased the complexity of asylum law, the course will cover this area in depth. The course will also briefly cover adjustment of status and voluntary departure, as well as the admission process. The course will not emphasize courtroom skills; however, we plan to arrange a visit to the class from an Immigration Judge or ICE Assistant Chief Counsel. In addition, members of the class are welcome to arrange with me an opportunity to attend hearings in Immigration Court at any time during the semester. In addition, the skills necessary to prepare court cases will be emphasized throughout the course, with class discussion and scenarios

**Last Updated Spring 2017*

604. Banking Law

Banking Law

Class Number: 4039; **Catalog Number-** LAW 604

Credit: 3 hours

Instructor(s): Prof. Elliott, Jim

Prerequisite: None

Grading Criteria: Scheduled Final Exam

Description: This course will examine the nature, content, and scope of the rules regulating the banking industry in light of economic and social purposes. The course will also look briefly at the history of the U. S. banking industry and will emphasize the economic and business aspects of the individual bank and of the industry as a whole.

**Last updated Fall 2015*

635D. Barton Appeal Clinic (EL)

Barton Appeal for Youth Clinic

Class Number: [3973](#); **Catalog Number-** LAW 635D

Credit: 3 hours (Experiential Learning Approved)

Instructor(s): Prof. Reba, Stephen

Prerequisite: None

Grading Criteria: None (based on the individual student)

Description: Students in the Appeal for Youth Clinic provide a holistic appellate representation of youthful offenders in the juvenile and criminal justice systems. By increasing the number of appeals from adjudications of delinquency, we hope to end the unwritten policies and practices that result in youths being committed to juvenile detention facilities. Similarly, by providing post-conviction representation to youths who were tried and convicted as adults, we hope to decrease the number of youthful offenders who languish in Georgia's prisons.

**Last Updated Spring 2016*

635C. Barton Legis. Clinic (EL)

Barton Legislative Advocacy Clinic

Class Number: 3911; **Catalog Number-** LAW 635C

Credit: 3 hours (Experiential Learning Approved)

Instructor(s): Prof. Carter, Melissa

Prerequisite: Students must have taken or be concurrently enrolled in the two-credit class: Child Welfare Law & Policy. This requirement may be waived for students with demonstrable prior experience in child advocacy, including the Emory Summer Child Advocacy Program.

Grading Criteria: Assessment of individual student performance and overall contribution to the clinic; Assigned projects; and Project teams based on a set of established criteria

Description: The Barton Clinic is an in-house policy clinic dedicated to providing research, training, and support to the public, the child advocacy community, leadership of state child-serving agencies, and elected officials in Georgia. Students in the clinic hone their advocacy skills by interacting with legislators and elected officials around current statutory and system reforms spearheaded by Barton and its community partners. They attend legislative sessions, create advocacy resources, and provide legislative testimony in support of initiatives. They live the life of a lobbyist, experiencing first-hand the realities of relationship-building and compromise that are hallmarks of the legislative process. Students also provide technical assistance to legislators and other stakeholders in assessing the merits and legality of various proposals. Approximately 9 law and other graduate students are selected each semester to participate in the clinic.

Applications are accepted prior to pre-registration (watch for notices of the application deadline). Students must submit a resume, a statement of interest, an unofficial transcript, and a writing sample.

Detailed course information is on the Clinic website: <http://law.emory.edu/academics/clinics/barton-public-policy-and-legislative-advocacy-clinic.html> (<http://law.emory.edu/academics/clinics/barton-public-policy-and-legislative-advocacy-clinic.html>)

**Last Updated Spring 2018*

630. Bus. & Strategic Lawyering

Business and Strategic Lawyering

Class Number: 3984; **Catalog Number-** LAW 630, 04A

Credit: 2 Hours

Instructor(s): Prof. Aronson, Morton

Prerequisite: None

Grading Criteria: Scheduled Final Exam

Enrollment: Limited to 25 students!

Description: This course focuses on client development and retention. Business and Strategic Lawyering is the big picture of law. It is the development and understanding of legal, business, political social and other considerations with a goal to implementing strategic legal, business and other actions to obtain the best results. The constantly changing fields of science, technology, and globalization and their legal, business, political and social consequences make the strategic merging of proactive business strategies and legal considerations necessary for optimizing results. Both lawyers and business executives need to act proactively to protect clients and shareholder interests through effective strategic legal and business risk management structures and processes within the larger strategic business context. The course will include prominent guest lecturers from the legal and business communities.

This course will also consider and evaluate law firm management procedures and techniques to maximize on revenues as well as more effectively serving business clients. In the innovative driven technological economy we are living today, strategic lawyering has become an imperative for both lawyers and business executives.

Attendance Policy: More than two absences will require professor approval

**Last Updated Spring 2019*

762. Bus. & Tax Legal Rsch. (AC)

Business and Tax Legal Research

Class Number: 4235; **Catalog Number-** LAW 762, 12A

Credit: 1 Hour (Accelerated Course)

Instructor(s): Prof. Deese, Abigail

Prerequisite: None

Grading Criteria: Participation; Attendance; Coursework; Project; & Group work

Description: Business and Tax Legal Research is a practical, skills-based course designed to provide students with a firm understanding of the fundamental structure of business, corporate, and tax legal resources and to develop skills for finding and using those sources. Students will use transactional resources to complete skills-based tasks and complete a final project.

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

**Last Updated Spring 2019*

500. Business Associations

Business Associations

Class Number: 3979; **Catalog Number-** LAW 500X, 001 (Shepherd)

Class Number: 4046; **Catalog Number-** LAW 500X, 002 (Saudek)

Credit: 3 hours

Instructor(s): Profs. Saudek, Robert & Shepherd, George

Prerequisite: None

Grading Criteria: Participation/Attendance & Scheduled Final Exam

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

SaudekDescription: This course teaches students about the types of entities through which most businesses are conducted (corporations, general and limited partnerships, limited liability companies) and the rights and obligations of the various partners, members, managers, officers, directors, and investors.

Attendance Policy: Students are expected to attend all classes unless they have a bonafide reason for an absence.

**Last Updated Spring 2019*

623. Canon Law

Canon Law

Class Number: 4071; **Catalog Number-** LAW 623, 00F

Credit: 2 Hours

Instructor(s): Prof. Domingo, Rafael

Prerequisite: None

Grading Criteria: Participation & Take-Home Final Exam

Description: Canon Law, the law of the Roman Catholic Church, stands at the origin of the Western Legal Tradition and is one of the chief sources of legal concepts and principles we take for granted today. This course will explore the theological and historical background of Canon Law, as well as contemporary Canon Law practice and principles set out in 1983 Code of Canon Law, the 1990 Code of Canons of the Eastern Churches, and post-1983 legislation. The course will cover such topics as marriage and family life; clerical conduct and misconduct; church governance at the universal, intermediary, and local levels; the interwoven roles of the papacy, bishops, synod of bishops, college of cardinals, and Roman Curia; and some controverted questions concerning the rights and obligations of ordained diocesan clerics. The topics and themes of the course will be adjusted to meet the needs and interests of students. The readings will include primary and secondary sources.

**Last Updated Spring 2018*

658. Capital Defender (EL)

Capital Defender Practicum

Class Number: 3910; Catalog Number- Law 658, 03A

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

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): Prof. Moore, Josh

Prerequisite: Evidence, Criminal Law, & Criminal Procedure

Grading Criteria: Participation & Coursework

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

As an integral part of the defense team, students assist in conducting investigations, interviewing clients and potential witnesses, putting together forensic evidence, gathering documents, doing research, drafting pleadings, formulating a theory of defense and making strategic decisions for each phase of a capital case. Students will also have the opportunity to do "mock" motions arguments and to present a jury sentencing argument based on the facts of their actual cases.

In addition to working directly with attorneys and staff, students gather weekly for discussions about the cases they are working on and topics in death penalty jurisprudence. The students in this clinic are involved in the effort to make a strong case for life at trial and to build factual and legal narratives that will lead to the reversal of death sentences on appeal. This means students will focus heavily on the real (and often tragic) stories of their clients' lives, as opposed to technical or arcane points of law.

The classroom component of this clinic will meet for 2 hours each week at the offices of the Georgia Capital Defender in downtown Atlanta at the State Bar Building. A required text will be assigned. In addition to attending class, students will work on client matters for approximately 10 hours a week. A total of 150 hours is required for credit. The course is graded on a pass/fail basis. Timesheets will be collected on a weekly basis. Class meets on Tuesdays from 3:30 pm to 5:30 pm. In light of the fact that the course is taught by a practicing attorney, it is recommended that students do not schedule classes after 5:30 pm on Tuesdays in the event that the class needs to periodically meet after business hours.

Attendance Policy: Grading will not be based on attendance.

**Last Updated Spring 2019*

599B. Career & Strategy

Career, Strategy, & Design

Class Number: 4511; **Catalog Number-** LAW 599B, 001

Credit: None (pass/fail zero credit course)

Instructor(s): Prof. Rooks, Mareasa

Prerequisite: None

Grading Criteria: Participation

Description: Career Strategy and Design (CS&D) is a mandatory, non-credit course offered to 1L students by the Center for Professional Development & Career Strategy (Career Center). This six-week series will take place for four consecutive weeks in September 2018 and for two weeks in early Spring 2019. The goal of the course is to help you successfully bridge the gap from law school to practice. The program will benefit students interested in traditional legal careers and those seeking non-

traditional paths. Topics include identifying professional strengths, choosing a career path, approaching the job search, creating job search documents, establishing and building relationships, preparing for interviews, and learning about the 1L summer recruiting and 2L fall externship processes.

Note: 1Ls students will automatically roll over from Fall into this Spring course, the class will only meet twice."

**Last Updated Spring 2019*

880B. Catalyzing Social Impacts (CL)

Catalyzing Social Impacts

Class Number: 4028; **Catalog Number-** LAW 880B, GBS

Credit: 3 Hours (Cross-listed with BUS 336/BUS 535)

Instructor(s): Prof. Martin, Randy; (Goizueta Business School) and Prof. Shalf, Sarah & Prof. Norman, Justin (Emory Law School)

Prerequisite: None

Selection: <https://emorylaw.wufoo.com/forms/preselection-for-catalyzing-social-impact/>
(<https://emorylaw.wufoo.com/forms/preselection-for-catalyzing-social-impact/>)
(<https://emorylaw.wufoo.com/forms/preselection-for-catalyzing-social-impact/>)

Enrollment: Open to 2Ls, 3Ls and LLMS by application/permission only; Limited to 8 Students!

Grading Criteria: Class Participation; Team meetings; & Team Project

Description: This course is a team-project-based course. Students will be presented with a research question by a live client (nonprofit or socially conscious for-profit) regarding the feasibility of a concept to create, modify or expand their organization's work in some way. Past projects include: developing a food gap plan to address food poverty in metro Atlanta; developing the requirements and qualifications for wildlife conservatorium subscription-based platform; locating feasible sites in Atlanta for a sustainable composting business; determining the best method of exporting a public defender training organization's methods into other public defender systems.

Students from the law school, school of business (MBA) and Masters of Development Practice programs will work together to develop a statement of work, will collaboratively do legal and nonlegal (i.e., market, subject-matter, demographic, etc.) research, discuss and strategize that research with the team and client, and develop one or more feasible approaches to the issue presented. The projects will proceed in stages, with a different student leading each stage, and a presentation to the class and clients at the end of each stage. Grades will be based on the assessment of the final group product as well as peer assessment of each team member's contribution.

Enrollment will be between 4 and 8 students, depending on project availability and MBA enrollment. The first 4 students who are selected will be enrolled between the first and second phases of preregistration. Additional students may be waitlisted briefly pending confirmation of projects and total enrollment, with enrollment to be finalized in early-mid November.

In order to participate in the course, those selected will be required to be available for the following:

- Team Reveal on Nov 26 (4-5:30p)
- JumpStart – Sunday, Jan 13 (Hours TBA)
- Monday team meetings in spring – 4-5:30p

**Last Updated Spring 2019*

635. Child Welfare Law

Child Welfare Law and Policy

Class Number: 3959; **Catalog Number-** LAW 635, 02A

Credit: 2 Hours

Instructor(s): Prof. Carter, Melissa.

Prerequisite: Graduate Standing. THIS COURSE QUALIFIES AS A PRE-REQUISITE OR CO-REQUISITE FOR STUDENTS ENROLLED IN THE BARTON PUBLIC POLICY OR LEGISLATIVE ADVOCACY CLINIC.

Grading Criteria: Attendance; Participation; & Written Assignments

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

**Last Updated Spring 2018*

958. Civil Trial Practice (EL)

Civil Trial Practice: Family Law

Class Number: 3961; **Catalog Number-** LAW 958, 06A

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): Prof. Wellon, Robert; Prof. Kessler, Randall; & Prof. Durrence, Amy

Prerequisite: Evidence & Trial Techniques

Grading Criteria: Course Work; Pretrial Conference; & Trial

Description: This is intended as a learn-by-doing course, in which all phases of a real trial will be performed by each student and thereafter critiqued, following up on Trial Techniques but tracking a particular family law fact pattern. It is intended to further the pursuit of litigation skills, taught by well-qualified trial lawyers and judges known for their expertise in the courtroom, and the ability to analyze student performances. A mid-semester hearing followed by a final trial at the end of the semester before live jurors and judges are required, having built on the preparation of the case during the semester. Attendance is taken and will be used in the overall grade.

The course will not extend into the preparation for the final exam schedule.

**Last Updated Spring 2019*

860A. Colloq. Scholarship W/S

Colloquium Scholarship Workshop**Class Number:** 4237; **Catalog Number-** LAW 860A, 02A**Credits:** 2 Hours**Instructor(s):** Prof. Nash, Jonathan**Prerequisite:** Civil Procedure; Constitutional Law; Contracts; Criminal Law; Leg/Reg; Property; & Torts.**Grading Criteria:** Weekly Papers & Participation/Attendance**Enrollment:** Limited to 6 students!**Preselection Form:** <https://emorylaw.wufoo.com/forms/lsr-spring-2019-seminar-preselection/>
(<https://emorylaw.wufoo.com/forms/lsr-spring-2019-seminar-preselection/>)**Description:** Would you like a close-up look at the world of legal scholarship and the exchange of scholarly ideas? Are you seeking more engagement with the Emory Law faculty outside of the traditional classroom setting? Do you want to become a stronger writer? Have you ever thought you might want to become a law professor? If so, consider applying to the Colloquium Series Workshop (CSW).

Components of CSW: Students who participate in this two unit workshop attend two meetings each week: the weekly faculty colloquium, which meets on Wednesdays over the lunch hour (and includes lunch) and a one-hour class session run by Professor Jonathan Nash, on Thursday afternoons. During each of these one-hour sessions, students discuss the colloquium work as a piece of scholarship (and as a piece of persuasive writing), critique the author's presentation, and review materials relating to the production of scholarship and the legal academic job market. In advance of the weekly meeting, students write short reaction papers to each colloquium piece.

The CSW will be graded on a pass/fail basis, but with high attendance and participation standards set for what constitutes a passing grade. Do not apply for this class if you have other commitments during the lunch hour on Wednesdays (even only sporadic). Enrollment Students enroll in the CSW in accordance with the same procedures used for seminars (advance application during the pre-selection process). However, enrollment is limited to six students, instead of the usual 15. On the pre-selection form please indicate the basis of your interest in the CSW and your prior experience with scholarship in an academic setting (law or otherwise).

Last Updated Spring 2019*709. Conflict of Laws****Conflict of Laws****Class Number:** 4010; **Catalog Number-** LAW 709, 12A**Credit:** 3 Hours**Instructor(s):** Prof. Hay, Peter**Prerequisite:** Civil Procedure (Preferred)**Grading Criteria:** Participation & Scheduled Final Exam or Take-Home (student choice)**Description:** The course deals with all problems that arise in cross-border cases (state to state, state-foreign country), such as cross-border contracts, torts, inheritance, family law issues like child custody. The three parts of the course discuss when a court has jurisdiction over out-of-state defendants, what law it applies (its own or another state's), and how out-of-state judgments are enforced. Differences between state and federal court proceedings will be emphasized.**Attendance Policy:** Attendance is required. A student may be dropped if there are more than two (2) unexcused absences.

**Last Updated Spring 2019*

622A. Const'l Crim. Pro.

Constitutional Criminal Procedure: Investigations

ClassNumber: 4086; **Catalog Number-** LAW 622A, 001

Credit: 3 hours

Instructor(s): Prof. Levine, Kay

Prerequisite: None

Grading Criteria: Class Participation & Scheduled Final Exam

Description: This class explores the constitutional problems posed by police behavior in the context of pre-trial proceedings: searches, seizures, and interrogations. We will also consider the challenges created by the courts' attempts to regulate police behavior and explore other possible forms of police regulation that might better serve our constitutional values.

Attendance Policy: Students may miss 3 classes without penalty. At the 4th absence, I will impose a one-third of a step reduction in the final grade (from a B+ to B, for example). A student who has 7 or more absences will be dropped from the class.

**Last Updated Spring 2019*

710. Copyright Law

Copyright Law

Class Number: 3966; **Catalog Number-** LAW 710, 02A

Credit: 3 Hours

Instructor: Prof. Beck, Joseph

Prerequisites: None

Grading Criteria: Participation & Scheduled Final Exam

Description: Copyright law protects original works, such as books, music, paintings, photographs, architectural works, and software. This course examines copyright law, including what works are eligible for copyright protection, what rights are afforded to copyright owners of particular original works, and how copyright responds to technological developments. The course also explores copyright infringement, various defenses to infringement (such as fair use), and remedies. The class will also explore the theories that justify copyright protection in the US, in contrast to other jurisdictions, and the persuasiveness of such theories.

I use some of my own reported and unreported copyright /right of publicity cases in which I represented or sued movie makers, TV networks, musicians and celebrities so that I can teach not just copyright (which you can read in books) but how to practice law --the unreported reasons why I won (or lost). I want it to be useful.

**Last Updated Spring 2019*

712. Corporate Finance

Corporate Finance**Class Number:** 4011; **Catalog Number-** LAW 712, 12A**Credit:** 3 Hours**Instructor(s):** Prof. Shepherd, George**Prerequisite:** Business Associations**Grading Criteria:** Scheduled Final Exam

Description: A study of the financial and economic theory underlying legal doctrines in corporate finance, and the relationship between these doctrines. Focuses on decisions about "value" in the context of such areas as bankruptcy reorganization, dissenters' appraisal rights, and public utility regulation. Problems of capital structure and the duties of directors to various classes of claimants are studied in light of decisions about dividend policy and reinvestment. Includes a brief review of modern portfolio theory.

Last Updated Spring 2018*959. Courtroom Persuasion I (EL)****Courtroom Persuasion/Drama I****Class Number:** 3951; **Catalog Number-** LAW 959, 01A**Class Number:** 3964; **Catalog Number-** LAW 959, 02A**Credit:** 1 Hour (Experiential Learning Approved)**Instructor(s):** Prof. Metzger, Janet**Prerequisite:** Evidence & Trial Techniques**Grading Criteria:** Participation, Attendance, & Coursework**Enrollment:** Strictly limited to 12 students!**Note:** Class open only to 3Ls

Description: This course applies theater arts techniques to the practical development of persuasive presentation skills in any high-pressure setting, especially the courtroom.

Using lectures, exercises, readings, individual performance, and video playback, the course helps students develop concentration, observation skills, storytelling, spontaneity, and physical and vocal technique. Small class size encourages frequent opportunities for "on your feet" practice.

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

Attendance policy: Only 2 absences are permitted. Students must write a short summary of each class missed based on responses from contacting 3 students in their class.

**Last Updated Spring 2019*

700C. Crim. Law Defense

Criminal Law Defense

Class Number: 4073; **Catalog Number-** LAW 700C, 00D

Credits: 1 hour (Class will meet every other week)

Instructor(s): Prof. Berne, Steve

Prerequisite: Criminal Law & Evidence; Criminal Procedure is preferred.

Grading Criteria: Participation & Scheduled Final Exam

Enrollment: Limited to 15 students!

Description: This course will address several traditional and modern criminal law defenses, including "stand your ground" self-defense, battered person's syndrome and opioid intoxication. Students will be challenged to think about possible future defenses. Attendance is mandatory and will count toward the final grade.

**Last Updated Spring 2019*

622X. Crim. Pretrial Motions (EL)

Criminal Pretrial Motions Practicum

Class Number: 4238; **Catalog Number-** LAW 622X

Credits: 3 hours (Experiential Learning Approved)

Instructor(s): Prof. Krepp, Thomas

Prerequisite: Constitutional Criminal Procedure: Investigations (can be taken concurrently)

Grading Criteria: Participation & Written Assignments.

Description: This workshop will provide practical skills training in the area of pre-trial criminal litigation for a small number of students. Class will meet once a week for approximately 3 hours, and will generally consist of each student performing an oral advocacy assignment. In addition, written advocacy assignments will be due from time to time. The emphasis of the class will be on building off of the students' substantive knowledge of criminal procedure by learning how it is applied to "real world" pre-trial criminal litigation.

Attendance Policy:

Attendance is a critical part of the course. Students are permitted to miss one class during the semester; additional absences must be approved by the professor and may result in a decrease in the final grade.

**Last Updated Spring 2019*

897. Directed Research

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

of endnotes, tables, appendices, etc.) or two units (a 30-page paper, double-spaced, exclusive of endnotes, tables, appendices, etc.).

Complete information and the application form are available on the secure Directed Research web page » (<https://emorylaw.wufoo.com/forms/directed-research-signature-form/>)

659E. DD: Accounting Action (EL)

Doing Deals: Accounting in Action

Class Number: 3953; **Catalog Number-** LAW 659E, 09A

Class Number: 4054; **Catalog Number-** LAW 659E, 09B

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): Prof. MacKay, Christine

Prerequisite: None

Grading Criteria: Course Work

STUDENTS WHO HAVE PREVIOUSLY TAKEN ACCOUNTING OR FINANCE COURSES ARE NOW PERMITTED TO TAKE THIS CLASS ON A PASS/FAIL BASIS ONLY WHICH WILL TAKE UP THREE OF THEIR SIX PASS/FAIL HOURS.

Description: This course is designed for those liberal arts majors who know nothing about accounting and finance. Students will learn about the fundamental financial statement concepts. Then the course will turn to the study of how lawyers use those concepts in practice.

**Last Updated Spring 2016*

659G. DD: Comm'l Real Estate (CL) (EL)

Doing Deals: Commercial Real Estate Transactions

Class Number: 3954; **Catalog Number-** LAW 659G, 02A

Credit: 3 Hours (Cross-listed w/B-School & Experiential Learning Approved)

Instructor(s): Prof. Elliott, James & Prof. Taylor

Prerequisite: Real Estate Finance (concurrent okay); Contract Drafting; & Deal Skills (concurrent okay)

Grading Criteria: Midterm; Participation; & Drafting of Documents

Enrollment: 18

Description: This course will concentrate on sales, finance, and leasing of commercial real estate. It will require significant amounts of time devoted to the financial analysis of real estate projects and to negotiating and drafting of documents. It is designed specifically to include JD, LL.M., and MBA students. Workgroups will consist of JD, LL.M., and MBA students working together as lawyer and client to analyze, negotiate and document the acquisition and subsequent leasing of a shopping center. The text for the course is a business school real estate finance text. Legal materials will be made available as handouts. A basic knowledge of Excel will be helpful but not required.

**Last Updated Spring 2016*

659A. DD: Contract Drafting (EL)

Doing Deals: Contract Drafting

- **Class Number:** [3983](#); **Catalog Number-** LAW 659A, 04A
- **Class Number:** [3980](#); **Catalog Number-** LAW 659A, 04B
- **Class Number:** [3981](#); **Catalog Number-** LAW 659A, 04C
- **Class Number:** [3991](#); **Catalog Number-** LAW 659A, 04D
- **Class Number:** [3982](#); **Catalog Number-** LAW 659A, 04E
- **Class Number:** [3998](#); **Catalog Number-** LAW 659A, 09A
- **Class Number:** [3993](#); **Catalog Number-** LAW 659A, 09B

NOTE: CONTRACT DRAFTING AND DEAL SKILLS WILL BE PREREQUISITES TO ALL DOING DEALS CAPSTONE COURSES

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): TBA

Prerequisite: Business Associations (highly recommended as prerequisite, but can be taken concurrently)

Grading Criteria: Homework & Final Assignment

Enrollment: Limited to 12 students per section!

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

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

The grade will 30-page on specific homework assignments and class participation.

**Last Updated Spring 2016*

659H. DD: Corporate Practice (EL)

Doing Deals: Corporate Practice

Class Number: [3955](#); **Catalog Number-** LAW 659H, 06A

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): Prof. New, Randy & Prof. Mazzone, Dominic

Prerequisite: Business Associations; Contract Drafting; & Deal Skills (concurrent not ok for any)

Grading Criteria: Class Participation (including but not limited to attendance and Projects).

Description: The purpose of this course is to prepare students for the first year of general corporate practice, whether in an in-house, law firm or solo practice setting. This course will provide students with broad exposure to a variety of corporate problems, including contract negotiation and drafting typical of current corporate practice, complex corporate structuring issues, joint ventures, and non-litigation corporate dispute resolution. The course exercises will involve questions of corporate, tax, employment, and debtor-creditor law. Although prior coursework in these areas is not required, it is preferable to have

some interest in and familiarity with these areas.

Because student participation is essential for the success of this experiential simulation course, attendance is mandatory. Failure to attend will affect the course grade. This course also requires collaborative work with other students and meetings with the adjunct faculty. You will be required to schedule several meetings in addition to regular class time. In addition, any students on the wait list for this class must attend the first class meeting, which sets the stage for the first several weeks of assignments.

Attendance Policy: Because student participation is essential for the success of this experiential simulation course, attendance is mandatory. Failure to attend will affect the course grade. This course also requires collaborative work with other students and meetings with the adjunct faculty. You will be required to schedule several meetings in addition to regular class time. In addition, any students on the wait list for this class must attend the first class meeting, which sets the stage for the first several weeks of assignments.

Note: Seats for non-transactional certificate students will be available during open enrollment on a space-available basis for students meeting applicable prerequisites.

**Last Updated Spring 2019*

659B. DD: Deal Skills (EL)

Doing Deals: Deal Skills

- **Class Number:** [3956](#); **Catalog Number-** LAW 659B, 04A
- **Class Number:** [3960](#); **Catalog Number-** LAW 659B, 04B
- **Class Number:** [4052](#); **Catalog Number-** LAW 659B, 04C
- **Class Number:** [3970](#); **Catalog Number-** LAW 659B, 04D
- **Class Number:** [3971](#); **Catalog Number-** LAW 659B, 04E
- **Class Number:** [3972](#); **Catalog Number-** LAW 659B, 04F

NOTE: CONTRACT DRAFTING AND DEAL SKILLS WILL BE PREREQUISITES TO ALL DOING DEALS CAPSTONE COURSES

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): TBA

Prerequisite: Contract Drafting (required – concurrent not okay); Business Associations

Grading Criteria: Homework, Participation/Professionalism; Negotiation Project; & Comprehensive Individual Project

Enrollment: Limited to 12 Students!

Description: Deal Skills builds on the skills and concepts learned in Contract Drafting and emphasizes the skills and thought processes involved in, and required by, the practice of transactional law. The course introduces students to business and legal issues common to commercial transactions, such as M&A deals, license agreements, commercial real estate transactions, financing transactions, and other typical transactions. Students learn to interview, counsel, and communicate with simulated clients; conduct various types of due diligence; translate a business deal into contract provisions; understand basic transaction structure, finance, and risk reduction techniques; and negotiate and collaboratively draft an agreement for a simulated transaction. Classes involve both individual and group work, with in-class exercises, role-plays and oral reports supported by lecture and weekly homework assignments.

**Last Updated Spring 2018*

659J. DD: Mergers & Acqs W/S (EL)**Doing Deals: Mergers & Acquisitions Workshop****Class Number:** 3967; **Catalog Number-** LAW 659J, 05A**Credit:** 3 Hours (Experiential Learning Approved)**Instructor(s):** Prof. Tapp, Elliot**Prerequisite:** Business Associations; Contract Drafting; & Deal Skills (concurrent, not okay for any)**Grading Criteria:** Class participation (incl. but not limited to attendance), Homework, Projects**Enrollment:** Limited to 12 students!

Description: This course is designed to start a process of changing how you think about lawyering by shifting your focus from academia to application. We will do this in the context of mergers and acquisitions (M&A) by providing a practical overview of the process and documentation involved and by participating in exercises designed to simulate those junior transactional associates are commonly expected to undertake. Our ultimate objective is to better prepare you for what will be expected of you in a law firm environment. Because of the experiential nature of this course, attendance is mandatory.

Note: Open enrollment will be available to non-transactional certificate students on a space-available basis to students with required prereqs once open enrollment starts.

**Last Updated Spring 2016*

880. DD: Negotiation Team**Doing Deals: Transactional Law Program's Negotiations Team****Class Number:** 4058; **Catalog Number-** LAW 880**Credit:** 1 Hour**Instructor(s):** Prof. Ellis, Jeremy & Prof. Harrison, Chason**Prerequisite:** Approved by Faculty Advisor (via tryout)**Grading Criteria:** Participation (Graded on Pass/Fail Basis)

Description: Team members prepare for oral negotiations, practice negotiation techniques, and draft transactional documents under the direction of one or more faculty advisors for regional, and potentially national competitions. A student selected to compete is eligible for credit in the semester in which the competition is held. The faculty advisor(s) will approve course registration and assign a grade.

**Last Updated Spring 2017*

659R. DD: Rep. Investment Funds**Doing Deals: Representing Investment Funds****Class Number:** 4099; **Catalog Number-** LAW 659R, 001**Credit:** 3 Hours**Instructor(s):** Prof. Dozier, Martin

Prerequisite: Business Associations & Contract Drafting. Deal Skills is a recommended prerequisite but may be taken concurrently (or waived by the professor based on relevant experience or other factors).

Grading Criteria: Participation and Performance in Class (including but not limited to attendance), Homework as assigned; Comprehensive Individual Project

Enrollment: Limited to 12 Students!

Description: This course will simulate the structuring, formation, and regulatory work that would be performed by a junior associate or in-house counsel representing public investment companies, private investment funds, or other pooled investment vehicles. The course will focus primarily on the regulation of investment companies subject to the Investment Company Act of 1940 and its companion statute, the Investment Advisers Act of 1940; however, significant attention will be given to alternative investment vehicles, such as hedge funds, venture capital funds, private equity funds, real estate partnerships, and other private investment vehicles. Students will gain experience in analyzing securities laws and regulations that govern a fund's structure and operations; structuring public and private offerings; reviewing and drafting various documents included in a fund offering, and considering ethical issues that may arise.

These issues will be addressed through a combination of lectures, in-class exercises, homework assignments, a comprehensive individual project, and a prospectus summary project. There will not be a final exam.

Note: Students not pursuing the Transactional Certificate, can enroll during open enrollment if they meet the applicable prerequisites.

**Last Updated Spring 2019*

659C. DD: Venture Capital (EL)

Doing Deals: Venture Capital

Class Number: 3957; **Catalog Number-** LAW 659C, 04A

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): Prof. Spear, Doug

Prerequisite: Business Associations; Contract Drafting; & Deal Skills (concurrent not okay for any)

Grading Criteria: Coursework

Enrollment: Limited to 12 Students!

Description: This course will study the business and legal issues in venture capital transactions. The course will be taught primarily through simulations.

**Last Updated Spring 2016*

669. Employment Discr.

Employment Discrimination

Class Number: 3996; **Catalog Number-** LAW 669, 02A

Credit: 3 Hours

Instructor(s): Prof. Dinner, Deborah

Prerequisite: Constitutional Law & Leg/Reg (preferred)

Grading Criteria: Paper & Scheduled Final Exam

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

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

**Last Updated Spring 2019*

669X. Employment Discrim Lab**Employment Discrimination Lab**

Class Number: 3963; **Catalog Number-** LAW 669X, 06A

Credit: 1 Hour

Instructor(s): Prof. Shultz, Chad

Prerequisite: Employment Discrimination is recommended (concurrent ok)

Grading Criteria: Participation; Attendance; & Coursework (demand letter, brief).

Enrollment: Limited to 8 students!

Description: The class meets 7 times for 2 hours each and attendance is critical to getting the most from the experience. We work a sexual harassment case from meeting the clients (Plaintiff and defense), through a jury trial. The class is divided into two opposing firms and each student writes a demand (or response) letter, takes a deposition, and writes a motion for summary judgment brief (or response), before participating in a jury trial.

**Last Updated Spring 2019*

660. Energy Law**Energy Law**

Class Number: 4239; **Catalog Number-** LAW 660, 04A

Credit: 3 Hours

Instructor(s): Prof. Crofton, Peter

Prerequisite: Property & Contracts

Grading Criteria: Scheduled Final Exam

Description: The course is designed to be a Second- and Third- Year Elective Course. The course will complement the existing courses in environmental, administrative, tax, and international law. The energy course, which will examine the interrelationship of economics and regulations, will also complement the Economic Analysis of Law course. The course will be formatted as a three-hour class (credit hours). The class will involve traditional reading assignments from the

textbook and some of the other course materials. There will also be reference to other resource materials for additional information, such as historical perspectives and additional technical information on energy technologies (IGCC, hydrogen, nuclear fusion, etc.). Traditional lectures will comprise the bulk of each class, but class discussions on policy and policy implementation issues will be an important part of each topic. Students need to learn to think about energy issues in the context of the interrelation between energy and other aspects of life including national security, economic development, natural resource management, and human nature.

The material is presented from a "real world" perspective, and students are encouraged to look at energy-related issues from the standpoint of an energy lawyer. The course involves significant reading along the lines of that which an energy lawyer would perform in the normal course of preparing to advise a client about an energy issues. Students are encouraged to view energy issues in the context of the historical, economic and political influences that give rise to and lead to changes in the legal framework that applies to energy.

Students attendance is **STRONGLY** recommended, but not required. However, in the past, student attendance shows a strong correlation with performance on the exam.

**Last Updated Spring 2019*

720. Entertainment Law

Entertainment Law

Class Number: 3912; Catalog Number- Law 720, 04A

Credit: 3 Hours

Instructor(s): Prof. Sanders, Scott

Prerequisite: Intellectual Property; Trademark Law; or Copyright Law (concurrent okay)

Grading Criteria: Scheduled Final Exam

Description: This course will provide an overview of the rapidly developing body of law associated with the entertainment industries concentrating in the areas of music publishing and commercial recording, live performance, literary publishing and motion pictures. The course will focus on a study of entertainment law cases, aspects of copyright law, personal rights, and negotiation of entertainment agreements.

**Last Updated Spring 2019*

624X. Environmental Law

Environmental Law

Class Number: 4042; **Catalog Number-** LAW 624X

Credit: 3 hours

Instructor(s): Prof. Purdom, Rebecca

Prerequisite: Legislation & Regulation

Grading Criteria: Participation & Scheduled Final Exam

Description: This course will focus on legal strategies to regulate and remedy environmental harms. The course is designed to prepare transactional lawyers, regulatory lawyers, and litigators, specifically including students interested in specializing in environmental law for corporate compliance, the government, or public interest. A major goal of the course is to introduce

students to the analytical skills necessary to understand and work in environmental and many other predominantly statutory and regulatory fields. The course will therefore frequently involve analysis of methods of interpretation of statutes and regulations and analysis of the central role of administrative agencies in environmental law. The course will focus on various federal environmental statutes, including the Clean Air Act; Clean Water Act; Comprehensive Environmental Response, Compensation, and Liability Act; Endangered Species Act; and National Environmental Policy Act.

**Last Updated Spring 2019*

620L. EU Law II

European Union Law II: the Global Impact of EU Law

Class Number: [4015](#); **Catalog Number-** LAW 620L, 001

Credit: 2 Hours

Instructor(s): Prof. Tulibacka, Magdalena

Prerequisite: EU Law I recommended

Grading Criteria: Participation, Attendance, & Final Paper

Description:The course allows the students with an interest in the European Union to focus on a number of selected areas of substantive EU law and to understand their impact globally, including on U.S. businesses. The impact is becoming quite significant in many areas of law, and the course focuses on some of the most significant: data protection laws, antitrust laws, consumer protection laws, product liability laws, and elements of corporate and tax law. The students will also receive an introduction to European civil justice systems, giving them an idea of how cases are litigated there, what challenges litigants may expect in European courts and when using ADR mechanisms.

Classes are interactive and discussion-based. Students are expected to prepare before sessions. We shall be studying EU statutory law, judgments of the EU courts, academic commentary, some policy papers, and other materials.

Because of the nature of the course, attendance is mandatory and constitutes 20% of the final grade. Participation in class (including contributions to discussions, some case reviews, and participation in group exercises) constitutes further 30% of the grade. During the course, the students will be selecting, with the Professor's help, the topic for a final paper (4000 words including footnotes). The paper will be the remaining 50% of the final grade.

Attendance is mandatory other than excused absences.

**Last Updated Spring 2019*

632X. Evidence

Evidence

Class Number: [3968](#); **Catalog Number-** LAW 632X, 04A (Carroll)

Class Number: [4068](#); **Catalog Number-** LAW 632X, 04B (Morrison)

Credit: 3 Hours

Instructor(s): Prof. Carroll, Lesley & Prof. Morrison, Caren (Visiting Professor- GSU Law)

Prerequisite: None

Grading Criteria: Scheduled Final Exam

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

Morrison Description: The Rules of Evidence dictate how and when facts may be proved or disproved at trial. This course focuses on the Federal Rules of Evidence. The goal of the course is to help you learn how to apply the Rules to a variety of factual situations through problems and hypotheticals, so that you can recognize potentially inadmissible evidence and argue why it should or should not be admitted. The key to this class is learning to articulate why a particular piece of evidence should be admitted or excluded in light of the context and the facts of the problem.

You should think of this as a statutory class, focused on the Federal Rules of Evidence. That is why the single most important reading assignment for each class will be the text of the Rules assigned and the Advisory Committee Notes that follow, which explain how the rule should be applied. Everything else—the casebook, the problems, the film clips—simply illustrate or explain those rules, and will not be nearly as valuable if you haven't read the rules first.

The assignments typically include two or more Rules of Evidence, cases and supporting material, and several hypothetical problems. The problems help you apply the rules and often illuminate points that you may have missed upon your first reading of a particular rule.

For the most part, the cases we read are only to help you understand how the Rule is actually applied—we will not spend hours dissecting the cases like you do in other courses. In reading cases for this class, the main focus will be on identifying the evidentiary issue, knowing the court's holding and its reasoning for that holding. You do not need to brief cases; you just need to be prepared to answer the following questions for each case:

- a. What is the contested evidence in this case?
- b. What are the arguments for and against the admission of this evidence?
- c. What is the court's ruling and why?

Attendance policy: Attendance, preparation, and professionalism are important parts of this class. I expect you to come to class, be well prepared and to participate. Therefore, I use a "bright line" attendance policy. Each student is entitled to either one unexcused absence or three excused absences during the semester without any penalty.

If a student just misses class with no explanation, that is an unexcused absence. If the student lets me know in advance that they will not be attending, that is an excused absence. As mentioned above, I will allow one unexcused absence or three excused absences with no penalty.

After that, I will deduct one point from your total grade (out of 100) for every unexcused absence and a half point for every excused absence.

**Last Updated Spring 2019*

870. Externship Program (EL)

Externship Program

Catalog Number- Law 870I-Advanced; Law 870D- Civil Litigation; Law 870F- Corporate Counsel; Law 870H-Criminal Defense; Law 870C- Govt. Counsel; Law 870E- Judicial; Law 870J- Legislative Policy; Law 870G- Prosecution; Law 870A- Public Interest; Law 870L- Small Firm.

Credits: Varies (Experiential Learning Approved)

Instructor(s): Multiple

Selection: Application process submitted to Prof. Sarah Shalf (The Deadline has now passed, and if interested must contact Prof. Shalf)

Grading Criteria: Class Participation & Fieldwork

Description: Step outside the classroom and learn to practice law from experienced attorneys. Take the skills and principles you learn in the classroom and learn how they apply in practice. Emory Law's General Externship Program provides work experience in different types of practice (all sectors except law firms) so you can determine which suits you best and develop relationships that will continue as you begin your legal career. Students are supported in their placements by a weekly class meeting with other students in similar placements, taught by faculty with practice experience in that area, in which students have the opportunity to learn legal and professional skills they need to succeed in the externship, receive mentoring independent of their on-site supervisors, and to step back and reflect on their experience and what they are learning from it.

Our Small Firm Externship Program provides students especially interested in the small law firm practice setting with experience in specially-selected small law firms. The firms' attorneys participate with the students in our weekly class meeting, which focuses on the skills and attributes necessary to succeed in a small firm practice setting.

Students apply for externships via Symplicity in the semester prior to the externship and all placements must be preapproved.

Available placements for the General program are listed on the Emory Law

website, <http://law.emory.edu/academics/academic-programs/externships/externship-search.html>

(<http://law.emory.edu/academics/academic-programs/externships/externship-search.html>), and the currently-participating

Small Firms are listed here: <https://emorylaw.wufoo.com/forms/small-firm-externship-applicant-law-firm-ranking/>

(<https://emorylaw.wufoo.com/forms/small-firm-externship-applicant-law-firm-ranking/>)

Warning: No student is allowed to be enrolled in more than one clinic or externship classes (except fieldwork) in a semester.

**Last Updated Spring 2017*

633. Family Law I

Family Law I

Class Number: [3958](#); **Catalog Number-** LAW 633, 10A

Credit: 3 Hours

Instructor(s): Prof. Woodhouse, Barbara

Prerequisite: None

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

Description: This course will address the problems, policies, and laws related to the formation and dissolution of the marital relationship. Among the topics covered will be marriage, divorce, adoption, child custody, and other related topics.

Attendance Policy: More than three unexcused absences will result in a deduction of credit.

**Last Updated Spring 2019*

721. Fed. Courts

Federal Courts

Class Number: [4240](#); **Catalog Number-** LAW 721

Credit: 3 Hours

Instructor(s): Prof. Smith, Fred

Prerequisite: None

Grading Criteria: Scheduled Final Exam

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

**Last Updated Fall 2015*

642. Fed. Tax: Corporations

Federal Income Tax: Corporations

Class Number: 3914; **Catalog Number-** LAW 642, 10A

Credit: 2 Hours

Instructor(s): Prof. Fowler, Lynn

Prerequisite: Fundamentals of Income Tax

Grading Criteria: Take-home Exam

Description: Survey of the general structure of taxation of corporations. Considers the tax issues arising from the formation, operation, liquidation, and reorganization of corporations. An important course for anyone interested in transactional law.

**Last Updated Spring 2015*

942. Fed. Tax: Partnerships

Federal Income Tax: Partnerships

Class Number: 3915; **Catalog Number-** LAW 942, 04A

Credit: 2 Hours

Instructor(s): Prof. Beaudrot, Charles & Prof. Schueneman, Wade

Prerequisite: Basic introductory course on federal income tax. In addition, it is highly advantageous if students have already taken or are simultaneously taking corporate taxation

Grading Criteria: Three scheduled monthly multiple choice/true-false quizzes (20% each, 60% total); Scheduled Final Multiple choice/True-false Exam (30%) and 10% class participation

Description: In this course, students will learn the key basic principles of federal income taxation of partnerships and partners. Entities taxed as partnerships (LLCs, Limited Partnerships, Joint Ventures, etc.) dominate the real estate industry, venture capital funds and private equity industries and small and middle market sectors of the economy. An understanding of basic partnership tax principles is extremely important for lawyers practicing in those sectors. Students completing the course will also learn when to use entities taxed as partnerships as the entity of choice in practice. Attendance is required although excused absences are liberally granted. Unexcused absences will adversely affect a student's grade.

Attendance Policy: Attendance is required and unexcused absences will adversely affect the grade.

Note: Partnership taxation is a difficult topic. Learning the basics in law school is vastly easier than learning "on the job". This is a highly interactive course with much classroom work focusing on illustrative examples.

**Last Updated Spring 2019*

759. Financial Compliance

Introduction to Financial Compliance

Class Number: 4056; **Catalog Number-** LAW 759

Credit: 2 Hours

Instructor(s): Prof. Clemmons, Morgan

Prerequisite: None

Grading Criteria: Participation; Coursework; & Scheduled Final Exam.

Description: This course is intended for students with an interest in financial institutions and regulatory compliance, specifically those thinking about working in big law or in-house at a fintech start-up company, looking to effect change in financial services policies and regulations, or planning to work in consulting, compliance, or risk with a consulting firm. Financial services regulatory compliance related to consumer protection is experiencing a boom. Many attorneys and professionals are unprepared to understand the enforcement of the rules and supervision of institutions under state regulators', the Federal Reserve, the FDIC, the Office of the Comptroller of the Currency, and the Consumer Financial Protection Bureau's authority, as these agencies work across many industries and institutions, including banks, credit unions, mortgage companies; student loan companies; auto lenders; payday loan lenders; fintech companies, etc. This course will introduce students to financial services regulatory compliance, and students will familiarize themselves with regulations and trends in financial services. Students will interpret regulations, review cases, and balance real-world business considerations, including financial and reputational consequences, in order to tackle real legal issues and challenges.

This course relies heavily upon course materials, which are made available to you through the reserve system and in canvas. Time permitting, this course will have guest speakers from regulatory agencies, practicing attorneys, and other subject matter experts (SMEs) with advanced degrees and/or relevant compliance work experience.

**Last Updated Spring 2019*

601B. First Amendment (CL)

First Amendment: Religious Liberty

Class Number: 4241; **Catalog Number-** LAW 601B *Cross-listed w/School of Theology

Lab Class Number: 4126; **Catalog Number-** LAW 894

Credit: 3 hours (Course) & Optional 1 hour (Lab)

Instructor(s): Prof. Witte, John

Prerequisite: None

Grading Criteria: Participation & Take-home Final Exam.

Description: Religious liberty is one of the hallmarks of modern constitutional democracies, though it has come under considerable attack in recent years. This course analyzes the historical formation and current interpretation of the religious liberty guarantees of the First Amendment to the United States Constitution. Part I of the course explores the original meaning of the First Amendment guarantees of no establishment and free exercise of religion viewed in colonial and broader Western context. Part II analyzes the guarantees of free exercise and expression of religion guaranteed by First Amendment free exercise and free speech clauses and recent complementary statutes.

Topics include religious liberty claims to polygamy, proselytism, Sabbath day observance, religious worship, ritual, and dress, and claims by religious individuals and groups to exemptions from general laws. It also includes the heated clashes between religious liberty and sexual liberty claims. Part III traces the requirements of no establishment of religion, particularly in cases concerning the role of religion in public education, the place of government in religious education, and the place of religious symbols and ceremonies in public and political life.

Part IV analyzes the complex relationships between religious organizations and government. Topics include tax funding and exemptions for religious groups, the powers and limits of religious organizations to resolve their own internal disputes over polity and property, and their power to discipline their leaders and members for their beliefs, moral behavior, or sexual orientation.

The readings will consist of selected United States Supreme Court cases and a textbook, John Witte, Jr. and Joel A. Nichols, *Religion and the American Constitutional Experiment*, 4th ed. (Oxford University Press, 2016).

There will be a final take-home examination, handed out the last class of the semester and due the last day of the exam period. The exam will offer a choice of three or four questions that explore different major course themes; students will pick one question and prepare a 3000-word answer based on their course notes and readings. The course can be taken for graded or pass/fail credit.

Students in this course are welcome to take a supplemental one-credit hour lab that features presentations and discussions with several leading scholars and practitioners in religious freedom, and the preparation of a 1000-word take-home paper assignment graded on a pass/fail basis due at end of the spring exam period. We will discuss the mechanics of this lab during our first class together; thereafter the registrar will invite you to register for the lab if you are interested.

**Last Updated Spring 2019*

890A. Funds of Innov II (EL)

Fundamentals of Innovation II

Class Number: [3916](#); **Catalog Number-** LAW 890A, 04A

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

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): Prof. Morris, Nicole

Prerequisite: None

Grading Criteria: Participation

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

The fall course and the companion course in the spring will provide the academic core to the student's first year in the Technological Innovation: Generating Economic Results ("TI:GER") program and will be taught as a series of learning modules. Each module and class session is lead by a faculty or guest instructor with in-depth experience in that particular technology commercialization topic. Students will take each course as a "community of participants" and will participate on both an individual and team level. Innovation teams that are comprised of the PhD candidates, MBA and JD students, will be formed mid-semester and will participate both in in-class activities and cases, as well as in an "engaged learning" experience intended to simulate the technology commercialization process. The technology/research that will drive the innovation teams will be provided by the PhD candidates and their advisors.

**Last Updated Spring 2017*

736. Health Law

Health Law

Class Number: 3989; **Catalog Number-** LAW 736, 12A

Credit: 3 hours

Instructor(s): Prof. Naegele, Kim

Prerequisite: None

Grading Criteria: Participation & Take-home Exam

Description: Comprising nearly 20% of the economy, health care in the U.S. is a highly regulated system of providers, public and private payers, drug and device manufacturers, and various third-party intermediaries. This course will provide an introduction to the legal framework underlying the dynamic and challenging practice of health law, including selected aspects of the recently enacted Affordable Care Act (commonly referred to as "Obamacare"). Likely topics include: regulation and accreditation of physicians and institutions, coverage and reimbursement of medical services and drugs/devices, patient confidentiality and informed consent, fraud and abuse, and antitrust issues with provider and insurer consolidation. Coverage may also include recently enacted or proposed reforms, or areas of current debate with significant impact on the healthcare system.

**Last Updated Spring 2019*

738B. Health Law Ethics W/S (AC)

Health Law and Ethics in Narrative Workshop

Class Number: 5150; **Catalog Number-** LAW 738B

Credit: 1 hour (Accelerated Course- meets for 7 weeks only)

Instructor(s): Prof. Satz, Ani

Prerequisite: None

Grading Criteria: Participation; Attendance; & Weekly Response Papers

Preselection Form: <Email Prof.> Please include in your email a few sentences about why you are interested in the course. Please indicate your degree program and matriculation date.

Description: In this pass/fail course, we will read nonfiction and fiction as well as view films about health law and medical ethics. We will examine the roles of patients, providers, regulators, healthcare institutions, and payors through the lenses of these narratives, covering issues about access, cost, quality, and choice, among others. Each week, you will prepare a one-

page response post to the narrative and will be expected to participate actively in class. The class will be organized around discussion of your papers and lectures providing supporting material. I will entertain suggestions about articles, books, and films from enrolled students through mid-December.

Attendance Policy: Regular attendance is required, absent an emergency or contagious illness.

**Last Updated Spring 2019*

665. Higher Education

Higher Education Law

Class Number: 4014; **Catalog Number-** LAW 665, 001

Credit: 3 hours

Instructor(s): Prof. Fowler, Paul PhD

Prerequisite: None

Grading Criteria: Class Discussion, Attendance, Weekly Case Briefs, Weekly Case Summaries, Weekly Case Scenarios, Group Mock Trial, Final Exam Case Study

Description: The course is designed to expose the student to a range of administrative challenges at the post-secondary level that entails legal and ethical implications. The course experiences should ultimately help current and prospective administrators to envision the legal dimensions of collegiate-level decision processes. Among the topics to be discussed will be the bases from which higher education law originates, current (case, state and regulatory) law, as well as risk management and liability issues for higher education.

Course Purpose: The purpose of this course is to introduce the learner to the basic and current legal concepts that face American higher education today. To do this, the course will assist the learner to (1) recognize ethical and legal issues, (2) develop analytical skills in order to think more clearly and confidently about legal and ethical issues, and (3) develop the ability to make professional decisions from a legal and/or ethical perspective.

As a result of this course, it should become clear to the learner that (1) there are important ethical/legal issues embedded in every professional decision, (2) that one's understanding of and reaction to professional issues can make a difference from both a personal and institutional perspective, and (3) that there are a variety of ways to approach legal issues, some of which can better address those issues than others.

Course Objectives/Competencies: At the conclusion of this course, the enrolled student who regularly attends and actively participates in class will:

Possess a basic understanding of the major legal principles which confront American higher education today,
be able to perform basic legal research,
be able to describe important legal concepts, sources, cases, and other related issues which face American higher education,
and
be able to demonstrate the application of legal concepts in the higher education decision making context.

Course Requirements: All students enrolled in the course will be expected to complete the following requirements:

Complete all reading assignments in a timely manner.

Attend class on a regular basis, participate actively in class discussions, and be ready to discuss the topic(s) for the particular class session.

Prepare and submit “case briefs” for cases as assigned by the instructor and be able to provide the class with analysis of a case or cases as requested by the instructor.

Complete weekly case scenario challenges.

Depending on the size of the class, facilitate weekly topical discussion.

Group Project: Prepare and defend assigned position in team mock hearing related to First Amendment Case Study. Enthusiastically engage in final case-study “exam” covering all relevant topics of the semester.

Grading: Class Participation and Preparation – 10%; Case Briefs and Analysis – 10%; Weekly Case Scenario Challenges – 30%; Group Project – 20%; & Case Study Final – 30%

Late assignments will result in a 10-point reduction. Discovery of plagiarism or cheating on an assignment will result in failure of the course. Please be sure to read the Emory University School of Law Professional Conduct Code ([Links to an external site.](#))[Links to an external site.](#) for more information as to student expectations and academic integrity.

Attendance Policy:

Given that the class meets only once per week for three hours, attendance is critical to success in the course. One missed class will not impact grade if all work associated with the missed class is submitted within a week of the missed class. Failure to submit assigned work will result in a 10 point grade deduction to the final point total.

A second missed class will result in a 10 point reduction; and every subsequent class missed will double the point deduction. The maximum number of missed classes is three - four or more missed classes will result in failure of the course (or a withdrawal if approved by the Registrar).

Note: This is a Higher Education "Hot Topics" Decision-Making course. The Constitution, Legislative Enactments, and Case Law will provide the foundation for addressing many of the current and historical issues facing colleges and universities. Success in the course will not be predicated upon mere knowledge of the law, rather a sound application of the law.

**Last Updated Spring 2019*

690B. Human Rights

Human Rights Advocacy

Class Number: [4249](#); **Catalog Number-** LAW 690B

Credits: 3 hours

Instructor(s): Prof. Ludsin, Hallie

Prerequisite: Human Rights or International Law Course (must verify you meet before attempting to enroll, those who do not and try to enroll will be subsequently dropped)

Grading Criteria: Research reports, Class participation, & Presentations

Enrollment: Limited to 8 students only!

Description: Human rights organizations and human rights lawyers play essential roles in protecting and promoting human rights, the rule of law and democracy, both at home and abroad. They expose injustices and demand accountability for them; they pressure governments to fulfill their democratic and human rights obligations, and often they give voice to the voiceless and marginalized. This course will start with a brief overview of international human rights law and then will be divided between lectures focusing on developing the skills of budding human rights lawyers, examining the anatomy of a human rights

campaign, and highlighting the ethical dilemmas and barriers to change human rights lawyers regularly face. To reinforce these lessons, each student will be assigned a research project on an issue supplied by human rights organizations from across the globe. Past participating organizations included The Southern Poverty Law Center, The Carter Center, The Women's Legal Centre (South Africa), the Centre for Policy Alternatives (Sri Lanka) and the US Human Rights Network.

The course is 3 credits and will require either several short written projects or one larger research report for an organization (65%), along with a series of project-related small assignments to show the student's progress and focused on building skills (35%). It will be limited to 8 students who have completed an international law or human rights law course.

**Last Updated Fall 2017*

624C. Human Trafficking

Human Sex Trafficking

Class Number: 4400; **Catalog Number-** LAW 624C

Credit: 3 hours

Instructor(s): ADAs. Racine, Dalia & Bryant, Destiny

Prerequisite: Evidence

Grading Criteria: Participation, Classroom Exercises, & Written Assignments.

Enrollment: Limited to 16 students only!

Description: This class will provide an overview of the topic of Human Trafficking and the impact it has on legal systems, service providers and society-at-large. Through this course, we will inspect the code sections that deal with this subject matter on a federal, local, domestic and international level. We will also cover issues with the prosecution and how to effectively prosecute a human trafficking case. In addition, we will discuss and research how to deal with the victim population and recidivism into "the life". Finally, this course will cover the impact of human trafficking on society and how to create real-world solutions to this epidemic.

Note: The course will meet once per week. The course will consist of speaker presentations, review of assigned readings, and student presentations.

**Last Updated Spring 2019*

570A/E. IALS

Introduction to the American Legal System ("IALS")

NOTE: OPEN ONLY TO FOREIGN-EDUCATED LLM STUDENTS & JM STUDENTS

Class Number: 4199; **Catalog Number-** LAW 570A, LLM This course is for LLMs only

Class Number: 4953; **Catalog Number-** LAW 570B, OJM This course is for JMs only

Class Number: 4090; **Catalog Number-** LAW 570E, 001 This course is online only

Class Number: 4091; **Catalog Number-** LAW 570E, 002 This course is online only.

Credit: 2 hours

Instructor(s): Prof. Mathews, Jennifer

Prerequisite: None

Grading Criteria: Attendance/Participation, Oral Presentation, & In-class Final Exam

JM Description: This course provides an overview of the constitutional principles, history, and governmental structures that shape the U.S. legal system; the constitutional foundations of the U.S. legal system, including the concepts of separation of powers and federalism; the structure of the state and federal court systems and concepts of jurisdiction; the mechanisms by which the law is assessed and applied by the courts; the relationship between law and society; the primary subject areas of first-year legal study; the role of lawyers and non-lawyers in the management of legal matters; and legal analysis and advocacy skills.

LLM Description: Designed for lawyers trained outside of the United States, the course provides an overview of the constitutional principles, history, and governmental structures that shape the U.S. legal system; the constitutional foundations of the U.S. legal system, including the concepts of separation of powers and federalism; the structure of the state and federal court systems and concepts of jurisdiction; the mechanisms by which the law is assessed and applied by the courts; the role of lawyers and the relationship between law and society; and the primary subject areas of first-year legal study.

**Last Updated Spring 2019*

690L. Int'l Human Rights

International Human Rights

Class Number: 4026; **Catalog Number-** LAW 690L, 001

Credit: 3 Hours

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

Prerequisite: None

Grading Criteria: Scheduled Final Exam or Take-home Final Paper

Description: This course focuses on international concerns for the upholding of human rights standards in legal systems of the world. It defines the concept of human rights and distinguishes different categories of human rights that have developed over the years, namely (a) natural rights of the individual; (b) civil and political rights; (c) economic, social and cultural rights; and (d) solidarity rights. General problems relating to the theoretical basis of human rights will come under the spotlight in this section, including the universality and relativity of human rights, and the right to self-determination of peoples.

The course further deals with mechanisms for the protection and promotion of international human rights at three distinct levels: (a) globally, under auspices of the United Nations Organization, with emphasis on the binding effect of the human rights standards enunciated in the Charter of the United Nations and the Universal Declaration of Human Rights, promotion and protection of those rights by the Human Rights Council, and the proclamation and enforcement of certain categories of rights in virtue of international conventions and covenants sponsored by the United Nations; (b) regionally, in Europe under auspices of the Council of Europe, the European Union, and the Helsinki Accord, in the Americas under auspices of the Organization of American States; and in Africa under auspices of the African Union; and (c) thematically, under auspices of specialized agencies such as the International Labor Organization (ILO) and UNESCO.

When dealing with the promotion and protection of human rights under auspices of the United Nations, special attention will be given to the question whether or not the provisions in the U.N. Charter dealing with human rights are self-executing in the United States, and decisions of the Human Rights Council dealing with, for example, the defamation of a religion, and human rights violations committed by Israel in the West Bank and in Gaza. We have also singled out particular rights and freedoms for closer scrutiny, such as freedom of speech, freedom of religion or belief, and the international protection of rights of the child.

The section on the Council of Europe pays special attention to the doctrine of a margin of appreciation developed by the European Court of Human Rights, which affords to High Contracting Parties a first bite at the cherry to decide whether circumstances exist in their respective countries that would warrant limitations to be imposed on particular rights or freedoms enunciated in the European Convention for the Protection of Basic Human Rights and Fundamental Freedoms, and to the doctrine of positive obligations, which places on High Contracting Parties a duty to protect persons under their jurisdiction against violations of their rights by the State and by non-State actors. It further focuses on a selection of judgments of the European Court of Human Rights, such as those relating to torture, sexual orientation, and extradition constraints (the latter involving the United States).

The section on the Inter-American system for the protection of human rights singles out decisions of the Inter-American Commission of Human Rights that condemned the United States for not observing basic principles of the Inter-American Declaration of the Rights and Duties of Man of 1948, for example ones that dealt with racial discrimination in the sentencing of convicted criminals, the death penalty, abortions, and non-compliance by the United States with the Vienna Convention on Consular Relations.

The latter set of cases will also bring into contention three judgments of the International Court of Justice condemning the United States for non-compliance with the Vienna Convention on Consular Relations, and responses from the U.S. Supreme Court and the Constitutional Court of Germany to those judgments. The enforcement of international human rights in federal courts of the United States in cases such as *Medéllin v.*

Texas and in virtue of the Alien Torts Statute and Article 1, Section 8, Paragraph 10 of the U.S. Constitution places the Vienna Convention judgments in a broader perspective.

**Last Updated Spring 2018*

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

International Human Rights Law Practicum

Class Number: 4101; **Catalog Number-** LAW 690A

Credit: 3 hours (Experiential Learning Approved)

Instructor(s): Prof. Mickevicius, Henrikas

Prerequisite: International Human Rights Law (concurrent ok)

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

Grading Criteria: Participation, Attendance, & Classwork. No Final Exam

Enrollment: Limited to 4-6 Students!

Description: The Practicum offers students a one-of-a-kind experiential education opportunity to deepen their knowledge of international human rights law, policies and enforcement mechanisms. The Practicum allows students to act essentially as junior lawyers in collaboration with and under the direct supervision of an Adjunct Professor Henrikas Mickevicius, who has over 35 years of experience in national and international law practice and is a member of the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID). A signature element of the Practicum will be support for the mandate of the WGEID.

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

work.

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

**Last Updated Spring 2019*

676C. Int'l Humanitarian Law Clinic (EL)

International Humanitarian Law Clinic

Class Number: 3950; **Catalog Number-** LAW 676C, 02A

Credit: 3 Hours (Experiential Learning Approved)

Instructor(s): Prof. Blank, Laurie

Prerequisites/Co-requisites: International Law; International Humanitarian Law; International Criminal Law; International Human Rights; Transitional Justice; National Security Law

Grading Criteria: Based on individual student performance, please note that this class cannot be taken on a pass/fail basis!

Enrollment: By application, contact Professor Blank

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

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

**Last Updated Spring 2018*

732. Int'l Law

International Law

Class Number: 3917; **Catalog Number-** LAW 732, 04A

Credits: 3 hours

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

Prerequisite: None

Grading Criteria: Scheduled Final Exam

Description: Introduction to the law, methodology, and institutions of modern public international law. Among the topics covered are sources of international law jurisdiction, sovereign and diplomatic immunity, treaties, the domestic application of international law, the law of international organizations, settlement of disputes, limits on the use of force, human rights, and the law of the sea.

**Last updated Fall 2015*

761A. Int'l Legal Rsch. (EL)

International Legal Research

**Accelerated Class- Second-half of the semester

Class Number: 4242; **Catalog Number-** LAW 761A

Credit: 1 hour (Experiential Learning Approved)

Instructor(s): Prof. Flick, Amy

Prerequisite: None

Grading Criteria: Participation; Attendance; Homework; Group Presentation; & Final Project.

Description: International Legal Research is a practical, skills-based course designed to introduce students to specialized techniques for research in international law. Students will become familiar with research in international law through lectures, in-class research exercises, research homework assignments, and a final research project on international law. Topics for class sessions will include treaties, U.S. foreign policy, the United Nations, the European Union, international courts, international human rights law, and private international law.

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

**Last Updated Spring 2019*

608. IP

Intellectual Property Survey

Class Number: 4027; **Catalog Number-** LAW 608, 001

Credit: 3 Hours

Instructor(s): Prof. Morris, Nicole & Prof. Govens, Gordon

Prerequisite: None

Grading Criteria: Participation/Attendance & Scheduled Final Exam

Description: This course will introduce students to the concept of intellectual property through the three most important forms of intellectual property regimes in the United States: trademarks, copyrights, and patents.

Attendance Policy: Students are allowed up to 3 absences; 4 or more absences may impact the student's grade for the course.

**Last Updated Spring 2019*

628Y. Intro. to Law & Econ.

Introduction to Law & Economics

Class Number: 3987; **Catalog Number-** LAW 628Y, 08A

Credit: 3 hours

Instructor(s): Prof. Shepherd, Joanna

Prerequisite: None

Grading Criteria: Participation & Scheduled Final Exam

Enrollment: Limited to 80 Students!

Description: This course introduces students to the economic analysis of the law. Because economics provides a tool for studying how legal rules affect the way people behave, understanding economic analysis of legal problems has become an important part of a lawyer's education. The ability to predict the effects of legal rules helps the practicing lawyer furnish advice and make arguments before courts. It is also a prerequisite for the evaluation of legal policy. Over the last twenty-five years, the economic approach has grown in importance in academia as well as in legal and judicial practice. The course will explore several economic methods and concepts and apply them to illuminate and critique familiar areas of law, including criminal law, torts, contracts, property, and civil procedure. There are no prerequisites for this course; a background in economics is not necessary (or even very helpful).

Attendance Policy: Attendance is mandatory. I expect you to let me know in advance if you cannot be present in class. Five or more absences will result in a loss of class participation points.

**Last Updated Spring 2019*

535B. Intro. to Legal Advocacy (ILA)

Introduction to Legal Advocacy (ILA) formerly LWRAP II

Catalog Number- LAW 535B

Credit: 2 hours

Instructor(s): Prof. Carroll, Lesley; Prof. Cooper, Karen; Prof. Kirk, Aaron; Prof. Mathews, Jennifer; Prof. Romig, Jennifer; Prof. Schwartz, Julie; Prof. Pinder, Kamina; & Prof. Koster, Paul

Prerequisite: ILARC (or an equivalent course)

General Grading Criteria: Class assignments

Cooper Grading Criteria: Participation, coursework, attendance, written product

Enrollment: This course is limited to first-year students and transfer students who need the course to graduate

General Description: This course builds on skills presented in ILARC and introduces students to the process of effectively employing persuasive strategies in both written and oral formats.

Cooper Description: This course introduces students to the foundational legal analytical, research, and writing skills necessary to generate effective and well-reasoned predictive legal analysis. Attendance is required at all class meetings and more than two unexcused absences may affect one's grade.

**Last Updated Spring 2019*

627F. Islamic Banking

Islamic Banking & Finance

Class Number: 4096; **Catalog Number:** LAW 627F, 001

Credit: 3 Hours

Instructor(s): Prof. Bambach, Lee Ann

Prerequisite: None

Grading Criteria: Participation & Take-home Final Exam

Description: Islamic finance is one of the fastest growing sectors of the international finance market, growing at the rate of over 10% annually and expected to top \$3 trillion in assets by 2020. No longer limited to the Middle East or Southeast Asia, there is growing interest in this market on the part of non-Muslim customers, investors, and financial institutions, and sharia-compliant financial services and products are currently offered more than 70 countries, including in the U.K. and the U.S. Yet in spite of its dynamic growth and future potential, the Islamic financial industry remains relatively unknown in the United States.

This course is designed as an intensive basic introduction to Islamic (or sharia-compliant) banking and financing. It will explore the hows and whys behind the industry, its ethical and legal underpinnings, and how it interacts with the U.S. and other legal systems. No previous familiarity with the field is necessary and there are no course prerequisites. All readings will be in English.

Attendance Policy: Attendance and participation combined count for 15% of final grade

**Last Updated Spring 2019*

627. Islamic Law

Islamic Law

Class Number: 4019; **Catalog Number-** LAW 627, 001

Credit: 3 Hours

Instructor(s): Prof. An-Na'im, Abdullah

Prerequisite: None

Grading Criteria: Attendance & Scheduled Final Exam

Description: Origins and development of Sharia (Islamic law), review of major fields of the subject (constitutional law - law and religion issues, contract and commercial law, criminal law and international law), the relationship between Sharia and modern legal systems, international law and human rights.

Attendance Policy:

Very strictly enforced attendance policy: a student who has an unexcused absence in 2 classes is penalized in the final grade, and absence in 3 classes or more will not be allowed to take the final examination, i.e. fail the course.

**Last Updated Spring 2019*

664. Jewish Law

Jewish Law

Class Number: 3985; **Catalog Number-** LAW 664, CSRL

Credit: 3 Hours

Instructor(s): Prof. Pill, Shlomo

Prerequisite: None

Grading Criteria: Paper or Take-Home Exam

Description: This course will survey the principles Jewish (or Talmudic) law uses to address difficult legal issues and will compare these principles to those that guide legal discussions in America. In particular, this course will focus on issues raised by advances in medical technology such as surrogate motherhood, artificial insemination, and organ transplant. Through discussion of these difficult topics, many areas of Jewish law will be surveyed.

**Last Updated Spring 2016*

699C. Juvenile Def. Clinic (EL)

Juvenile Defender Clinic

Class Number: 3918; **Catalog Number-** LAW 699C

Credit: 3 hours (Experiential Learning Approved)

Instructor(s): Prof. Waldman, Randee

Prerequisite: Priority will be given to students who have taken or are currently enrolled in: Kids in Conflict with the Law; Juvenile Law or Family Law 2; Criminal Procedure; and Evidence.

GradingCriteria: Based on individual student performance

Description: The Juvenile Defender Clinic is an in-house legal clinic dedicated to providing holistic legal representation for children charged with delinquency and status offenses. Student attorneys represent clients in juvenile court and provide legal advocacy, in school discipline, special education and mental health matters, when such advocacy is derivative of a client's juvenile court case.

Under the supervision of the clinic's director, Randee Waldman, student attorneys are responsible for handling all aspects of client representation. While in the clinic, JDC students will: Establish an attorney-client relationship with their client(s); Direct case strategy determinations; Investigate allegations; Interview witnesses; Negotiate dispositions and plea agreements; Prepare and litigate motions and try cases.

Students are also encouraged to engage in research and participate in juvenile justice policy development.

Note: Applications are accepted via Symplicity or e-mail to professor Waldman prior to pre-registration (watch for notices of the application deadline). Students must submit a resume, a statement of interest, an unofficial transcript, and a writing sample.

**Last updated Spring 2018*

699. Kids in Conflict

Kids in Conflict with the Law

Class Number: 4078; **Catalog Number-** LAW 699, 00D

Credit: 2 hours

Instructor(s): Prof. Waldman, Randee

Prerequisite: None

Grading Criteria: Grades will be based upon (i) a short reaction paper; (ii) an in-class advocacy exercise; & (iii) a final research paper.

Description: The 2-credit course is a detailed study of the juvenile delinquency system. This course will trace the trajectory of juvenile justice in the United States over the course of the last century, from its birth as a separate system in the early 1900s, through the due process revolution of the 1960s and 1970s and the widespread punitive reforms of the 1990s, to the recent rulings on the juvenile death penalty and juvenile life without parole. It will explore critical issues such as search, seizure, and interrogation of minors; waiver from juvenile to adult court; the unique procedural mechanisms of juvenile courts; sentencing and confinement; and implications of emerging scientific research on adolescent development. Finally, the course will also explore the relationship between the juvenile delinquency and school systems. Classes will consist of lecture, discussion, and advocacy exercises. This course is open to all 2Ls and 3Ls, and is recommended either prior to or concurrently with entry into the Barton Juvenile Defender Clinic.

**Last Updated Spring 2018*

870K. Landlord Tenant II (EL)

Landlord-Tenant Mediation Practicum II

Class Number: 4089; Catalog Number- 870K, 002

Credit: 3 hours (Experiential Learning Approved)

Instructor(s): Prof. Powell, Bonnie

Prerequisite: None

Preselection Form: Application process submitted thru Symplicity (Deadline has already passed as this is a year-long course)

Grading Criteria: Attendance & Participation

Description: Students will receive training in basic mediation skills in August prior to the start of the school year. This training is mandatory. Students will also submit a background check to the Georgia Office of Dispute Resolution after being selected for the practicum.

Mediation of landlord/tenant cases will be handled by students for two semesters on Tuesdays and/or Thursdays at Fulton Magistrate Court and Dekalb Magistrate Court.

Attendance is mandatory.

Students should submit their resumes in the spring for consideration for the following academic year through OPUS during the resume drop period for field placements/clinics/workshops. All applicants will be interviewed.

**Last Updated Spring 2019*

736A. Law in Public Health

Law in Public Health

Class Number: 3922; **Catalog Number-** LAW 736A, 04A

Credit: 2 hours

Instructor(s): Prof. Kocher, Paula; Prof. Ghosh, Sudevi, & Prof. Amanti, Lena

Prerequisite: None, but Constitutional Law will be helpful and is strongly encouraged!

Grading Criteria: Participation (in-class project); Attendance; & Final Paper/Exam (take home)

Description: Law and public health are tightly intertwined. Law school students can benefit from an improved understanding of the legal principles and laws underlying the complex and cross-disciplinary field of public health practice in the United States. This course surveys law as it defines public health and is used by local, state, and federal government agencies as a tool to address contemporary public health problems in the United States. The course specifically addresses foundational sources for public health law in the United States, including constitutional, statutory, regulatory, and case law. It provides an examination of controlling law and emerging legal issues associated with selected topics drawn from public health emergencies; public health surveillance and outbreak investigations; and key public health topical areas, such as environmental issues; vaccination; foodborne diseases; and tobacco use-related problems.

Attendance Policy: Class participation and attendance are mandatory. Excused absences will be considered on a case-by-case basis, with prior notification to the instructors. Only two unexcused absences will be permitted.

Note: Though there are three primary instructors, the course does utilize a selection of guest speakers (attorneys and public health practitioners) from the Centers for Disease Control and Prevention, the Department of Justice, and other public health institutions. The course also includes a tour of the David J. Sencer CDC Museum.

**Last Updated Spring 2019*

613A. Law of Payment

Law of Payment Systems

Class Number: 4055; **Catalog Number-** LAW 613A

Credit: 2 hours

Instructor(s): Prof. Fraher, Richard

Prerequisite: None

Grading Criteria: Scheduled Final Exam

Description: This course will provide students with a foundational understanding of the public laws and regulations that structure the check and wire systems in the U.S. and the federal laws and regulations that overlay the automated clearing house network and the card networks that are structured by private sector rules that bind participants by agreement. By the end of the course, students will be familiar with Uniform Commercial Code Articles 3, 4, Regulation CC, UCC Article 4A, Regulation E, and the basics of the compliance regime established by the Bank Secrecy Act and the regulations of the Office of Foreign Asset Controls as they apply to payments. This legal learning will be placed in the context of the rapid pace of technological innovation, globalization, and the policy issues surrounding the transformation of payments systems.

Attendance Policy: If a student misses more than two class sessions, that student's final grade in the class will be adjusted downward from the grade they receive on the final examination.

**Last Updated Spring 2019*

747. Legal Profession

Legal Profession

- **Class Number:** 4018; **Catalog Number-** LAW 747, 12B (Romig)
- **Class Number:** 3919; **Catalog Number-** LAW 747, 12A (Terrell)
- **Class Number:** 4200; **Catalog Number-** LAW 747, GRAD (Pinder) *LLMs Only

STUDENTS CONSIDERING A LITIGATION FIELD PLACEMENT IN THEIR THIRD YEAR ARE STRONGLY ENCOURAGED TO TAKE LEGAL PROFESSION IN THEIR SECOND YEAR.

Credit: 3 hours

Instructor(s): Prof. Terrell, Tim; Prof. Romig, Jennifer; & Prof. Pinder, Kamina

Prerequisite: None

General Grading Criteria: Participation & Scheduled Final Exam

Romig Grading Criteria: Participation (individual and group), Written Contribution to Discussion Group on Canvas, Final Exam

General Description: The rules and principles of professional ethics, other regulatory constraints on lawyers, the elements of malpractice liability and the values of professionalism. Study of the rules (primarily the ABA's Model Rules of Professional Conduct) and deeper principles that govern the legal profession, including the nature and content of the attorney-client relationship, conflicts of interest, confidentiality, appropriate advocacy, client identity in business contexts, ethics in negotiation, and professionalism.

Romig Description: This class will help you:

- Generally prepare for the MPRE (please note, this is not a bar-prep course but aims to be helpful)
- Recognize the sources of law governing lawyers
- Gain a framework for the major topics and principles of the Model Rules of Professional Conduct
- Track the facts, procedure, and outcome in a sample malpractice case
- Recognize the influence of malpractice insurance in how lawyers and law firms structure their practices
- Recognize gaps between the rules governing lawyers and the realities of lawyers in practice, and evaluate the opportunities and risks in those gaps
- Compare and contrast the aspirational standards of professional responsibility with your own individual professional ideals
- Analyze the relationship of the rules governing lawyers with current access-to-justice issues
- Examine and reflect on the “two hemispheres” of law practice and the implications for professional responsibility and professionalism
- Discuss how to handle lapses in professional ethics on the part of others and on your own behalf
- Consider the role of contract in lawyers' relationship with clients
- Consider advocating for changes in regulatory rules governing lawyers

Attendance Policy:

Attendance will be taken every class. A student's final grade can be lowered at the professor's discretion for more than two absences.

**Last Updated Spring 2018*

621. Literature & Justice

Literature and Justice: Writers on Trial

Class Number: 4243; **Catalog Number-** LAW 621, CRSL

Credits: 3 hours (Cross-listed with Laney Graduate School)

Instructor(s): Prof. Felman, Soshana

Prerequisite: None

Grading Criteria: Attendance; Class participation; 2 Short papers; Reading responses; and Oral presentation.

Enrollment: Graduate Seminar, M 4pm-7pm, Callaway Center N 106. (Limited to 16; Law School up to 10)!

Description: History has put on trial a series of creative thinkers. At the dawn of philosophy, Socrates drinks the cup of poison to which he is condemned by the Athenians for his influential teaching, charged with atheism, and corruption of the youth. Centuries later, in modernity, similarly influential (similarly charismatic and ironically subversive) Oscar Wilde is condemned by the English for his homosexuality, as well as for his provocative artistic style. In France, the most outstanding writers--Flaubert and Baudelaire-- are both indicted as criminals for their first (shockingly innovative) literary works; Emile Zola is condemned for defending a Jew against the state which has convicted him, flees from France to England to escape imprisonment.

However different, all these accused have come to stand for something greater than themselves: something that was symbolized -- and challenged -- by their trials. Through the examination of a series of historical and literary legal dramas, this course will ask: Why are literary writers, artists, and philosophers, repetitively put on trial, and how in turn do they put on trial culture and society? What is the role of art and literature as political actors in the struggles over ethics, and the struggles over meaning?

Texts selected among: Plato's Dialogues; Molière's plays; Shakespeare's plays; Oscar Wilde (Plays, Autobiography, Critical writings); Gustave Flaubert (novels, letters); Charles Baudelaire (poems, criticism, theory of art); Emile Zola (political writings); Herman Melville (novellas); Bertolt Brecht (plays)); Hannah Arendt (Essays, Interviews); Spinoza (Ethics); Sigmund Freud (Psychoanalytic Writings); Jacques Lacan (psychoanalytic seminar); E. M. Forster (novel); Virginia Woolf (novel); Franz Kafka (short stories, parables).

Particulars: Two short papers distributed throughout the course of the semester; Brief oral presentations; Intensive weekly reading (weekly one-page reading reports) and active preparation of texts for class discussion.

**Last Updated Spring 2019*

722. Media Law

Media Law

Class Number: 4020; **Catalog Number-** LAW 722, 001

Credit: 3 hours

Instructor(s): Prof. Counts, Cynthia

Prerequisite: None

Grading Criteria: Attendance & Participation (10%); Take-home Exam or Writing Assignment(s) (90%).

Description: This class will explore legal issues that are particularly relevant to newspapers, radio and television stations, web operators, and bloggers. Topics include tort liability for defamation and invasion of privacy, prior restraint the right of the media and public to access government documents, right of the public to attend government proceedings and access to information, the protection of confidential sources, and use of copyrighted material in news broadcasts. The course will also examine the legality of undercover reporting and the use of hidden cameras. The class will analyze and discuss the practical implications and these principles in real-world First Amendment and media cases that were recently litigated. In class discussions, students will identify, analyze, and critique the constitution, statutory, and common-law legal doctrines that apply to media law cases, and we will study how those doctrines originated, have evolved, and will continue to change. Among other things, students will analyze and discuss in depth key cases that show how the law and protections for the media have developed and will gain a greater understanding of how the law impacts news reporting today. In addition to the assigned reading, we will discuss current media and First Amendment cases that are raised in the news throughout the course of the semester. Your grade will be determined based on class participation and a take-home final exam which could be on the form of a writing assignment, such as drafting a memorandum of law in support of a motion.

**Last Updated Spring 2018*

606. Mediation Advocacy

Mediation Advocacy

Note: **Short Course**

Class Number: [4043](#); **Catalog Number-** LAW 606

Credit: 2 hours

Instructor(s): Prof. Gmurzyńska, Ewa

Prerequisite: None

Grading Criteria: Participation; & Take-home Exam

Description: Mediation is an alternative dispute resolution (ADR) method that has become an essential part of legal systems. Its institutionalization, as well as widespread application - particularly in many civil cases - requires lawyers to have a practical and theoretical understanding of mediation, especially to have a knowledge about effective representation in mediation. In Georgia, like a number of other states and federal courts, many cases are required to go to mediation before they go to trial. Mediation is also becoming a popular tool to resolve disputes in other countries, as well as in the international disputes arena, particularly in commercial disputes, and thus it is becoming a universal method for the resolution of many types of conflicts. Mediation is also an important part of effective legal representation - requiring a problem-solving approach to conflicts.

The course will make students familiar with US mediation rules and processes, as well as the international legal framework and law of mediation. Students will study mediation from a comparative perspective, including differences between court proceedings, arbitration, negotiation, and mediation, and with regard to the distinct role of a mediator, as opposed to a judge or arbitrator. The course will explore the mediation process from the perspectives of attorneys, but also the parties and mediators. During the course, students will learn about the role of lawyers in mediation including: choice of forum for dispute resolution, informing the client about mediation, preparing the case and the client for mediation and participation in mediation. Emphasis will be put on effective advocacy in mediation. Students will have an opportunity to practice effective communication skills and mediation role-playing. During each class, students will take part in role play. Teaching techniques including class discussion, presentation of video clips, skills exercises, and mediation role-playing will be utilized, which will require active participation by students.

Attendance Policy: Because of the teaching methodology (role-playing, effective communication exercises, class discussion, etc.), attendance and active participation in the class are mandatory. 50% of the grade will be based on class participation and 50% on a take-home exam given at the end of the course. Unexcused absences will be taken into account in determining the grade for the course, as will class preparation. The materials will be provided by the instructor prior to the start of the course.

Short Course: Mediation Advocacy is accelerated - 2 credit hours course in Spring Semester 2018-2019. The class will meet 8 times total for four weeks. Classes will be scheduled twice a week. Each class will be 3 hours long. The course will be scheduled for February/March. It is possible, that the course will start in a week of February 11 and will end before spring break (March 8). If you have any question, please contact me at: gmurzynska@wpia.uw.edu.pl

**Last Updated Spring 2019*

622D. Mental Health (EL)

Mental Health Issues in the Criminal Justice System

Class Number: [4750](#); **Catalog Number-** LAW 622D

Credits: 2 hours (Experiential Learning Approved)

Instructor(s): Prof. Deets, Annie

Prerequisite: Criminal Law & Constitutional Law

Grading Criteria: Class Participation; Short papers; Group Project; & Final Paper

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

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

This course is intended to be interactive and while the core of the course is pre-determined, some of the content will be adapted to address interests and needs of students. The structure of most sessions will begin with case presentations highlighting the day's topic, followed by a didactic portion from the instructor, ending with an interactive discussion between class members and invited panelists. The class will also observe mental health issues in the criminal justice system first hand by visiting local jails and courts. Grades will be based on class participation, a 3-5 page paper, a group presentation, and a 15-20 page policy paper objectively weighing and assessing the tensions between individual rights and community public safety concerns and to conclude with reform proposals consistent with established legal principles directed at reconciling the tensions. The subject of the paper shall be focused on one of three areas examined by the course.

- 1) Examining the Mental Health Care in the Jail, Prison, and Mental Health Hospitals
- 2) Competency, Insanity and Mens Rea Reexamined
- 3) Traditional Punishment and Diversion Treatment Alternatives to Punishment - Social Morality, Public Safety, and Recidivism Examined

**Last Updated Fall 2017*

636. M & A

Mergers & Acquisitions

Class Number: 4397; **Catalog Number-** LAW 636

Credit: 3 Hours

Instructor(s): Prof. Savage, Audra

Prerequisite: Business Associations (may be taken concurrently w/DD: Mergers & Acquisitions)

Grading Criteria: Scheduled Final Exam

Description: This advanced course explores legal issues and regulations affecting the structure, timing, and price of corporate acquisitions, including mergers, stock purchases, and assets sales. Topics covered include acquisition structures and mechanics, shareholder voting and appraisal rights, board fiduciary duties, federal securities laws requirements, anti-takeover defenses, tax issues, and antitrust considerations. The course will emphasize the impact of state corporate law principles on

the structure and implementation of an acquisition transaction.

Attendance Policy: Class attendance and preparation are both mandatory, and I reserve the right to take attendance, as well as the quality of classroom participation, into account in assigning final grades for the semester. Any student missing more than two (2) regularly scheduled class sessions, without a compelling justification for being absent (such as being sick or having an interview) is subject to being dropped from the course. Attendance records will be based on sign-in sheets that will be circulated during each class.

**Last Updated Spring 2019*

652. Nat'l Security Law

National Security Law

Class Number: 4002; **Catalog Number-** LAW 652, 10A

Credit: 3 Hours

Instructor(s): Prof. Blank, Laurie

Prerequisite: None

Grading Criteria: Scheduled Final Exam

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

**Last Updated Spring 2018*

656. Negotiations (EL)

Negotiations

- **Class Number:** 3920; **Catalog Number-** LAW 656, 06A (Athans/Rogers)
- **Class Number:** 4023; **Catalog Number-** LAW 656, 06C (Lytle-Perry)
- **Class Number:** 4487; **Catalog Number-** LAW 656, 06D (Lytle-Perry)

Credit: 2 Hours (Experiential Learning Approved)

Instructor(s): Prof. Athans, Michael; Prof. Rogers, Kathy; & Prof. Lytle-Perry, Courtney

Prerequisite: None

Grading Criteria:

- Class preparation/participation and written assignment – No Exam (Lytle-Perry)
- Attendance, Participation, Journals, & a Final Paper (Athans/Rogers)

Note: COURSE NOT OPEN TO STUDENTS WHO HAVE TAKEN ALTERNATIVE DISPUTE RESOLUTION IN THE LAW SCHOOL OR NEGOTIATIONS IN THE BUSINESS SCHOOL

General Description: This hands-on skills course will explore the theoretical and practical aspects of negotiating settlements in both a litigation and a transactional context. The objectives of the course will be to develop proficiency in a variety of negotiation techniques as well as a substantive knowledge of the theory and practice, or the art and science of negotiations. Each week during class, students will negotiate fictitious clients' positions, sometimes proceeded by a lecture and followed by critique and comparison of results with other students. Each problem will be designed to illustrate particular negotiation strategies as well as highlight selected professional and ethical issues. Preparation for class will include the development of a negotiation strategy, reflective written memoranda required.

Athans/Rogers Description: This is a skills-training negotiations class involving some reading each week, an in-class negotiation simulation experience, weekly 2-page journals, and a final paper. There is no final exam. Attendance is mandatory, with only one excused absence permitted.

**Last Updated Spring 2019*

754A. Patent Lit.

Patent Litigation

Class Number: 5538; **Catalog Number-** Law 754A

Credit: 3 hours

Instructor: Prof. Livingstone, John

Prerequisite: Patent Law or IP

Grading Criteria: Participation & Take-home Final Exam

Description: This course explores the strategies and contours of patent litigation in federal district court chronologically, starting with jurisdiction, strategic decisions in where to file, and choice of law. The class will then proceed through the filing of the complaint, discovery, and motions practice. The course then explores advanced issues in proving patent infringement, including divided infringement, ANDA litigation, and extraterritorial infringement. We will explore advanced issues of proving invalidity, along with other defenses, such as inequitable conduct and patent misuse. There will also be an introduction to America Invents Act provisions and discussions of alternative venues, such as the International Trade Commission and the Patent Trial and Appeal Board. Students will work in groups of 3-4 students to prepare homework assignments. Each group will also argue either a *Markman* hearing or a summary judgment hearing based on the problem in the book. There will also be a final, written in-class exam.

**Last Updated Spring 2017*

630A. Pro Bono in Practice (EL)

Practical Lawyering Skills: Pro Bono in Practice Practicum

Class Number: 4108; **Catalog Number-** LAW 630A

Credit: 2 hours (Experiential Learning Approved)

Instructor(s): Prof. Babcock, Sarah

Prerequisite: Evidence (concurrently ok) & must become certified under Student Practice Act.

Preselection

Form: https://docs.google.com/forms/d/e/1FAIpQLScH4wQxxSSHJv66AKJZbCCYe1Y_Q_2CqSlxO3PJRuoyLj_Ygw/viewform?usp=sf_link

(https://docs.google.com/forms/d/e/1FAIpQLScH4wQxxSSHJv66AKJZbCCYe1Y_Q_2CqSlxO3PJRuoyLj_Ygw/viewform?usp=sf_link) (<https://emorylaw.wufoo.com/forms/preselection-for-pro-bono-in-practice/>)

Enrollment: Limited to 12 Students!

Grading Criteria: Participation, Attendance, Supervised Representation

Description: This practicum will introduce students to the concept of using pro bono work to develop skills that can be leveraged for success in the private law firm context. Students will experience pro bono work as a “win-win” – they will see the impact for the clients served, and they will develop skills through the course and its’ live lawyering experiences that will assist them in all areas of their future practice. The first section of the course will cover some of the ethical and professional reasons supporting pro bono work, as well as the “business case” for pro bono and common criticisms of modern pro bono practice. In the second section of the course, students will learn about the daily realities of poverty and the challenges those realities present to attorneys representing low-income clients, will develop their own “Best Practices for Pro Bono Practice,” and will use simulations to learn client management, communication, counseling, and interviewing skills. Finally, the last section of the course will include a mock client interview and two mock trials – eviction defense and temporary protective order (TPO) – in preparation for each student’s pro bono representation of an actual client in one of those areas (under supervision of an attorney). This is a two-credit course, graded pass/fail.

Attendance Policy:

Attendance is mandatory; more than 4 unexcused absences may result in a lack of credit for the course. Evaluation will be based on each student’s “Best Practices for Pro Bono Practice,” in-class reflective activities, the live lawyering experiences (relying in part on evaluation submitted by the supervising attorneys), and a reflective essay on those experiences.

Note: Students will need to plan to devote significant time to the actual client representation, including time for client interviews and potential home visits. Every effort will be made to accommodate student schedules when matching them with clients for representation, but trial dates may conflict with other classes.

**Last Updated Spring 2019*

672. Privacy Law

Privacy Law in a Digital Age

Class Number: 4244; **Catalog Number-** LAW 672

Credit: 3 hours

Instructor(s): Prof. Cloud, Morgan

Prerequisite: None

Grading Criteria: No Final Exam

Enrollment: Limited to 11 students!

Description: The course will examine U.S. law governing informational and spatial privacy rights, including any restrictions they impose upon actions by both government and private actors. The course will focus on three general topics: (1) Constitutional and statutory rules defining the scope of the legal right to privacy in the United States, focusing upon the Fourth Amendment and the concept of the reasonable expectation of privacy, and upon federal laws regulating access to electronic created, stored, and transmitted data. (2) How contemporary commercial activities affect individuals’ privacy rights and expectations. (3) The commercial impetus for the expansive use of emerging drone technologies, the impact of this development upon notions of spatial privacy, and constitutional and statutory that may serve to regulate the use of these new systems.

Three examples of the specific topics covered in the course are: (1) Government efforts to gather both the metadata and the contents of electronic messages, including phone calls, emails, and text messages. The NSA programs revealed by Edward Snowden are will be included in these materials. (2) Corporate efforts to gather data about users, to mine that data for commercially useful information, and to sell it to other entities. How companies like Facebook and Google gather and profit from the user data they gather will part of this discussion. (3) Private sector responses to government requests (or demands) for voluntary data sharing. Apple's refusal to provide the FBI with its encryption keys, and the major telecom companies' active participation in NSA data gathering, exemplify this topic.

*Note Class meets on Tuesdays from 2:30 pm to 6:00 pm in the Goizueta School of Business, see OPUS for exact location.

**Last Updated Spring 2017*

616. Real Estate

Real Estate Finance

Class Number: 4401; **Catalog Number-** LAW 616, 12A

Credits: 3 hours

Instructor(s): Prof. Willis, Michelle

Prerequisite: Successful completion of 1L Property course is a pre-requisite, and concurrent enrollment is not permissible to satisfy the pre-requisite.

Grading Criteria: Scheduled Final Exam

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

Attendance Policy: Class attendance and participation are expected.

**Last Updated Spring 2019*

713. Secured Trans.

Secured Transactions

Class Number: 4005; **Catalog Number-** LAW 713, 10A

Credit: 3 Hours

Instructor: Prof. Pardo, Rafael

Prerequisite(s): Contracts & Property

Grading Criteria: Participation & Scheduled Final Exam

Description: This course will examine the law relating to the creation, perfection, and enforcement of interests in personal property that secure payment or performance of an obligation. Reading and class discussion will center on Article 9 of the Uniform Commercial Code (the "UCC") and will also include an introduction to (1) the creation, status, and enforcement of non-UCC liens on personal property; and (2) the intersection of UCC Article 9 with federal bankruptcy law. Attention will also be paid to the business context within which UCC Article 9 operates.

Attendance Policy: I expect you to attend class regularly. If you miss more than twenty-five percent (25%) of the regularly scheduled class sessions, you will be withdrawn from the course. Please note that a canceled class session will not constitute an absence for purposes of the attendance policy.

In furtherance of my expectations and requirements regarding class attendance, an attendance sheet will be made available at the podium before the start of each class session. Should you arrive late, please sign the attendance sheet at the end of class. It is your responsibility to sign the attendance sheet (i.e., someone else may not sign on your behalf). Failure to do so will constitute an absence.

Should you forget to sign the attendance sheet, I will consider updating my records to reflect your attendance in class only if you send me an e-mail on the same day as the class session for which you forgot to sign the attendance sheet. The e-mail must (1) state that you forgot to sign the attendance sheet that day and (2) request that I update my attendance records.

It is incumbent upon you to keep track of your absences throughout the semester. I will not tally them until the semester has ended. Unless you expressly request to know whether you are in jeopardy of violating the attendance policy, no warning will be forthcoming.

(GRAD) Description: Secured Transactions is a study of personal and commercial financing by loans and credit sales under agreements creating security interests in the debtors' personal property (Article 9 of the UCC and relevant provisions of the Bankruptcy Code).

**Last Updated Spring 2019*

673. Securities: Brokers

Securities: Brokers/Dealers

Class Number: 4003; **Catalog Number-** LAW 673, 06A

Credit: 3 Hours

Instructor(s): Prof. Terry, Bob

Prerequisite: None

Grading Criteria: In-class test (30%) and Scheduled Final Exam (70%). Participation and attendance may also affect the final grade.

Description: This course approaches securities regulation from the standpoint of the intermediaries between issuers and investors - broker-dealers and investment advisers. It is intended to provide an academic foundation of relevant law, as well as practical information relating to issues frequently arising in practice.

Much of the course will focus on the Financial Industry Regulatory Authority (FINRA), a self-regulatory body which is the principal day-to-day regulator of the broker-dealer industry. In addition to the SEC, FINRA is the entity with which broker-dealers and their counsel will commonly interact with regard to most regulatory matters.

In addition, the course will examine the regulation of investment advisers, a rapidly growing piece of the securities industry. Investment advisers are regulated either by the SEC or by state regulators, depending upon their size.

The course will also provide insights into the practical considerations of interaction between counsel, clients, and regulators, in both routine settings as well as enforcement matters. Finally, the course will consider recent regulatory changes in the rapidly evolving area of capital formation.

In addition to private practice, graduating students with an interest in securities might find opportunities with brokerage firms, regulators, and public corporations. The goal of this course is to provide graduating students with an overview of many of the issues they might encounter if they enter into a securities-related practice.

Attendance Policy: Attendance and participation are important. A student may miss up to 20% of scheduled classes without the imposition of a grade penalty, but each additional class missed will result in a deduction of 3 points from the combined test and exam score (of 100). An attendance sheet will be provided. Students are expected to be prepared and participate, and meaningful participation may affect final grade determination. Ask questions! Make comments! If you do, I promise you will get more from the class.

**Last Updated Spring 2018*

667. Securities Reg.

Securities Regulation

Class Number: 4245; **Catalog Number-** LAW 667

Credit: 3 Hours

Instructor(s): Prof. Rosario, Sean

Prerequisite: Business Associations

Grading Criteria: Participation & Scheduled Final Exam

Description: This course provides an overview of the regulation of securities offerings and trading under the Securities Act of 1933 and the Securities Exchange Act of 1934. The course explores the elaborate disclosure obligations that the United States imposes on the distribution and trading of investment securities as well as the role of the Securities Exchange Commission and private plaintiffs in shaping and enforcing these disclosure obligations. Topics to be covered include public offerings of securities and the registration process under the Securities Act of 1933, exemptions from these registration requirements and the role of exemptions in the financing of private and public firms, and the disclosure obligations of publicly-traded issuers. The course will also examine the role of anti-fraud rules in the issuance and trading of securities as well as liability for insider trading.

Attendance Policy: Although your performance on the scheduled exam will constitute the basis for your final grade for this course, your grade will be further adjusted by up to a one-third letter based on the quality of your class participation. Much of our class discussion will be driven by various hypothetical scenarios in the Casebook, and I will generally call on students to work through these hypotheticals in class, and oftentimes, in writing, via your laptops. Being unable to work through these hypotheticals when called upon (or being absent when called upon) may result in a downward adjustment of your grade. To the extent that you anticipate being absent, late, or are already late, then texting or emailing me will be considered a mitigating factor, and alternative assignments might be offered.

Note: Laptops are required for this course!

**Last Updated Spring 2019*

892. Special Tech. Topics II (EL)

Special Topics in Technology Commercialization II**Class Number:** 3947; **Catalog Number-** LAW 892, 04A**Note:** OPEN TO TI:GER STUDENTS ONLY. PROFESSOR PERMISSION REQUIRED.**Credit:** 3 Hours (Experiential Learning Approved)**Instructor(s):** Prof. Morris, Nicole**Prerequisite:** None**Grading Criteria:** Participation

Description: Special Topics in Technology Commercialization provides students with an opportunity to apply what has been learned in the Fundamentals of Innovation I and II courses. Students will work in the teams formed during the first year to continue work on the PhD team member's technology. Students will also work on a project with the Advanced Technology Development Center (commonly known as ATDC) or Venture Lab.

Last Updated Spring 2017*641. Tax Controversies****Tax Controversies****Class Number:** 3986; **Catalog Number-** LAW 641, 04A**Credit:** 2 Hours**Instructor(s):** Prof. Craft, Shannon (Loechel)**Prerequisite:** Fundamentals of Income Tax**Grading:** Writing Assignment & Scheduled Final Exam

Description: This course will focus on the resolution of federal tax controversies through both administrative procedures and litigation. Specifically, we will consider filing requirements, audit procedures, administrative appeals, deficiencies, assessments, including termination and jeopardy assessments, penalties, interest, and the statute of limitations. Additionally, we will take a practical approach to problems and considerations arising in the litigation of cases before the U.S. Tax Court, District Court, and the Court of Federal Claims, including jurisdictional, procedural, and evidentiary issues. We will examine the choice of forum, pleadings, discovery, privileges, and tax trial practice. Finally, we will discuss summons enforcement litigation, civil collection, levy and distraint, and the tax lien and its priorities.

Attendance Policy: Attendance is required. If possible, please notify me in advance if you will miss class. Class participation will be factored into final grades.

Last Updated Spring 2019*601. The First Amendment****The First Amendment****Class Number:** 4443; **Catalog Number-** LAW 601**Credit:** 3 hours

Instructor(s): Prof. Perry, Michael

Prerequisite: None

Grading Criteria: Take-home Final Exam

Description: No right entrenched in the constitutional law of the United States is more important than the right to freedom of speech. In this course, we will discuss the principal freedom of speech issues addressed by the Supreme Court of the United States. The Court's freedom of speech decisions have rarely been unanimous and have often been quite controversial. The final exam will be of the "take home" variety.

Attendance Policy: Class attendance is required; more than one *unexcused* absence will lead to dismissal from the course.

**Last Updated Spring 2019*

574. The Prof. Narrative

The Professional Narrative

Class Number: 4033; **Catalog Number-** LAW 574, SP19

Credit: 1 hour

Instructor(s): TBA

Prerequisite: None

Enrollment: Limited to 50 Students! Department Consent Needed!

Grading Criteria: Participation; Assignments; & Final Assignment

Description: *Professional Narrative in Practice* will help students develop their professional "story" through the creation of job search materials, graded exercises, and small-group interaction in class. In addition, the course will include a large component aimed at assisting students with an international background or interest and will address the cultural challenges of searching for a job and practicing law in a foreign country. The course will be open to students who have secured (or are actively pursuing) a position as a law clerk, legal intern, or summer associate in a country other than their home country. This course will require that students complete a legal internship and a submit a post-internship personal assessment and evaluation. Students are eligible for one pass/fail credit.

**Last Updated Spring 2018*

671. Trial Techniques (EL)

Trial Techniques

Class Number: 3952; **Catalog Number-** LAW 671

Credit: 2 Hours (Experiential Learning Approved)

Instructor(s): Prof. Ginsberg, Mike and Prof. Lott, Rhani

Note: This course is required for all 2L Students. Also, students will meet with their teams/groups on the following dates: February 1, February 22, March 1, and March 22 from 1:30 pm to 4:30 pm. **DO NOT register for a conflicting class!**

Description: The Kessler-Eidson Trial Techniques Program is a required course that focuses on integrating knowledge of substantive evidence with practical trial skills through a "learn-by-doing" format. Trial experience is supplemented by a textbook, lectures, and discussions. Students will develop theories for particular witness examinations, decide on appropriate approaches to bring out the facts consistent with their theories, prepare witnesses, and conduct direct and cross-examinations using current courtroom technology in the use of exhibits.

The program consists of two sessions:

- Spring Semester: Friday afternoon preparatory workshops at downtown Atlanta law firms and public law offices. Students work closely with experienced trial lawyers in groups as small as six to eight students per trial instructor.
- May Session (May 5-11): Emory Law hosts 80 nationally known trial lawyers, judges, and trial teachers who bring their different styles and regional perspectives to aid in students' growth and development as advocates, resulting in an 8 to 1 student/trial instructor ratio. The May session includes seven days of intensive workshops on trial techniques, during which each student will conduct a Daubert Hearing and try a jury trial.

Pedagogical Goals

1. Integrate case analysis and relevance to provide an improved understanding of each and their critical relationship to one another.
2. Teach hearsay and character evidence concepts in the context of direct and cross-examination.
3. Provide practice at building evidentiary foundations, authenticating exhibits, and making and refuting objections to better understand the Federal Rules of Evidence on original writings, authentication, relevance, and hearsay and to help bring about a better chain of custody foundations.
4. Develop a greater sensitivity for the understanding of audience and the relationship to the development of theories and themes through jury voir dire exercises.
5. Strengthen the art of persuasiveness in the presentation of evidence through exercises that familiarize and build confidence in the use of technology to display exhibits.

Absences

Attendance throughout the program is MANDATORY and program sessions cannot be missed without an excused absence. Excused absences will not be granted for the hearing or trial day during the May session, May 8 and 11, as you must serve on those days either as trial counsel or as a witness. An excused absence cannot exceed more than 4 hours of class time (either one spring semester workshop or half a day during the intensive May session).

Any unexcused absence or more than one excused absence may result in students receiving a grade of incomplete in the program and repetition of all or a portion of the program may be required the following year.

**Last Updated Spring 2018*

671B. Trial Techniques Adv. (AC) (EL)

Trial Techniques Advanced

Class Number: XXXX; **Catalog Number-** LAW 671B

Credit: 1 Hour (Accelerated & Experiential Learning Approved)

Instructor(s): Prof. Ginsberg, Mike et al.

Note: *This course is available for 3L students who have completed Trial Techniques during their 2L year. In order to qualify for the 1 credit, 3Ls must attend the first basic Trial Techniques session, attend the four Advanced Section sessions, and observe one day of a trial in state or federal court and submit the brief report on their observations. The 1 credit option for 3Ls is pass/fail and subject to pre-approval from the Registrar's Office.*

Description: This is a one-credit add on to Trial Techniques to provide interested students additional trial skills instruction and practice. The course will consist of three parts: (1) four three-hour sessions during the Spring Term (in addition to the four Spring Term sessions for Trial Techniques); (2) observation and brief report on a trial in state or federal court; and (3) participation in an advanced section of the May Session of Trial Techniques where the preparation and performance expectations will be more extensive than in the basic Trial Techniques program. Trial Techniques is a co-requisite. The four Advanced Section Spring Term sessions will focus on the development and use of demonstrative exhibits, examination and cross-examination of expert witnesses, opening statements and closing arguments, and jury selection. Parts of each session will be devoted to trial drills, with particular emphasis on utilizing cross-examination and impeachment in connection with closing argument. Upon successful completion of the course (eight Friday afternoon sessions during the Spring Term and the May intensive program), students will receive 1 Experiential Learning credit in addition to the 2 credits they will earn for Trial Techniques for a total of 3 Experiential Learning credits.

Attendance Policy: Attendance is required. A missed class may result in your inability to complete the course.

The course schedule is as follows:

Trial Techniques Spring Sessions:

February 1, Basic and Advanced (at the Law School for all participants (3L students who register for 1 credit of Experiential Learning must attend)

February 15, Basic and Advanced (placements and Law School Sections)(3L attendance is optional)

February 22, Basic and Advanced (placements and Law School Sections)(3L attendance is optional)

March 1, Advanced (at the Law School)(3L attendance is mandatory)

March 29, Advanced (at the Law School)(3L attendance is mandatory)

April 5, Advanced (at the Law School)(3L attendance is mandatory)

April 12, Advanced (at the Law School)(3L attendance is mandatory)

April 19, Basic and Advanced (at the Law School)(3L attendance is optional)

**Last Updated Spring 2019*

697C. Turner Clinic (EL)

Turner Environmental Law Clinic

Class Number: [3949](#); **Catalog Number-** LAW 697C

Credit: 3 hours (Experiential Learning Approved)

Instructor(s): Prof. Goldstein, Mindy

Prerequisite: Environmental Advocacy (Prerequisite or Co-requisite)

Grading Criteria: Based on individual student performance on various projects assigned.

Description: The Turner Environmental Law Clinic provides important pro bono legal representation to individuals, community groups, and nonprofit organizations that seek to protect and restore the natural environment for the benefit of the public. Through its work, the clinic offers students an intense, hands-on introduction to environmental law and trains the next generation of environmental attorneys.

Each year, the Turner Environmental Law Clinic provides over 4,000 hours of pro bono legal representation. The key matters occupying our current docket – fighting for clean and sustainable energy; promoting sustainable agriculture and urban farming; and protecting our water, natural resources, and coastal communities—are among the most critical issues for our state, region,

and nation. The Clinic's students benefit and learn from immersion in these real-world complex environmental representations.

*Last Updated Spring 2016

SEM: 842. Adv. Int'l Negotiations

SEMINAR: Advanced International Negotiations

Class Number: [4246](#); **Catalog Number-** Law 842

Credit: 3 hours

Instructor(s): Prof. Liwanga, Roger

Prerequisite: None (Negotiations or ADR recommended co-req)

Grading Criteria: Participation (30%) & Paper (70%)

Enrollment: Limited to 16 Students!

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

Description: After a review of strategies and styles in two-party disputes, this seminar will look at complex multiparty international negotiations, including but not limited to: selected issues in Middle East Peace; the civil war in Syria, and Sudan, and the territorial dispute between Bolivia, Chile, and Peru.

The student's grade will be based on both a research paper and class participation.

**Last Updated Spring 2019*

SEM: 809. Comparative Const.

SEMINAR: Comparative Constitutionalism: Law & Religion

Class Number: [4247](#); **Catalog Number-** LAW 809

Credit: 3 Hours

Instructor(s): Prof. An-Na'im, Abduh

Prerequisite: None

Grading Criteria: Participation, Class Presentation, & 2-Papers (Satisfies Upper-Level Writing Requirement)

Enrollment: Limited to 16 Students!

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

Description: This seminar examines the relationship between constitutionalism, legal systems, and religion in a range of Western and post-colonial African and Asian countries. Emphasis will be on the evolving nature of these institutions and possibilities of transformation.

Final grade will be based on:

10% for class participation

30% for one paper on a topic to be specified in the Seminar Outline,

60% for a final paper on a topic agreed with the instructor

Students who wish to use this Seminar for satisfying their writing requirement will submit a **single final paper on a topic agreed with the instructor.**

Students taking this option must submit:

-Substantial (app. 20 page) draft

-Final version

The final papers must satisfy the length and format specifications of writing requirement papers, as set by the Registrar of Emory Law School.

Consultation with the class about the following format for evaluation of this 3 CREDIT seminar:

Each student will

1. write an initial short paper on the nature and scope of the subject of this seminar,
2. select a project in consultation with Instructor,
3. make a class presentation on her/his project, coupled with a short paper, and
4. write a final paper on the same project.

**Last Updated Spring 2019*

SEM: 823. Family Law

SEMINAR: Family Law: From Partners to Parents

Class Number: 4082; **Catalog Number-** LAW 823, 02A

Credit: 3 Hours

Instructor(s): Prof. Fineman, Martha

Prerequisite: None

Grading Criteria: Paper

Enrollment: Limited to 16 Students!

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

Description: This seminar will explore the trends in family law governing marriage and parenthood over the past several decades. During the latter part of the 20th century, substantial changes in behavior have occurred, reflecting attitudinal shifts about women's equality, sex and sexuality, and the importance and permanence of the marriage bond. Often identified as battlegrounds in the "cultural wars," these are areas where the law has scrambled to adjust to evolving expectations and emerging notions of equity and equality. We will look at "traditional" marriage, challenges from those excluded from marriage, the "breakdown" of marriage, and alternatives to formal marriage, such as contract and non-marital cohabitation. Laws governing the parent-child relationship have also changed in response to or as part of the disruption of the traditional family model. The very idea of absolute parental rights has been questioned as the child has partially emerged from the cloak of family privacy and is seen as an independent rights holder in some circumstances. The seminar will also consider how new technologies and altered attitudes about assisted reproduction have presented unique challenges for the law in regard to who is or how one becomes a parent.

**Last Updated Spring 2015*

SEM: 829R. Federalism**Seminar: Federalism****Class Number:** 4723; **Catalog Number-** LAW 829R, 001**Credit:** 3 hours**Instructor(s):** Prof. Schapiro, Robert**Prerequisite:** Constitutional Law**Grading Criteria:** Participation & Paper (Satisfies UpperLevel Writing Requirement)**Enrollment:** Limited to 16 Students!**Preselection Form:** <https://emorylaw.wufoo.com/forms/lsr-spring-2019-seminar-preselection/>
(<https://emorylaw.wufoo.com/forms/lsr-spring-2019-seminar-preselection/>)

Description: This seminar will explore the allocation of authority in the United States between the national government and the states. We will consider the constitutional, statutory, and policy dimensions of the federal system. Topics will include the historical evolution of federal-state relations, the values associated with federalism, and the recent revival of interest in federalism. We also will focus on the fiscal aspects of federalism, including the relative responsibility of the states and the national government in funding vital functions, such as education, health care, and income support. All students will write a research paper.

Last Updated Spring 2019*SEM: 806A. The Right to War****SEMINAR: The Right to Go to War- The Legality of Armed Interventions****Class Number:** 4049; **Catalog Number-** LAW 806A**Credit:** 3 Hours**Instructor(s):** Prof. Van der Vyver, Johan**Prerequisite:** None**Grading Criteria:** Paper (Satisfies Upper-Level Writing Requirement)**Enrollment:** Limited to 16 Students!**Preselection Form:** <https://emorylaw.wufoo.com/forms/lsr-spring-2019-seminar-preselection/>
(<https://emorylaw.wufoo.com/forms/lsr-spring-2019-seminar-preselection/>) (<https://emorylaw.wufoo.com/forms/lsr-spring-2018-seminar-preselection/>)

Description: For many years now, the international community of states have attempted to place an embargo on the use of force as a means of settling international disputes. Article 2(3) of the Charter of the United Nations thus provides: "All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered." The UN Charter authorized military action in two instances only, namely (a) if the Security Council authorizes an armed intervention as a means of counteracting a situation that constitutes a threat to the peace, a breach of the peace, or an act of aggression (art. 42), and (b) as a matter of individual or collective self-defense if an armed attack occurs against a Member of the United Nations (art. 51). This raises the question of whether or not the UN Charter deals comprehensively with instances of armed conflicts that would be lawful under contemporary rules of international humanitarian law.

The United Nations itself recognized armed interventions not mentioned in the UN Charter, for example in the Uniting for Peace Resolution of 1950 affording to the General Assembly the competence to authorize military action to counteract a breach of the peace or an act of aggression, by supporting wars of liberation against colonial rule, foreign occupation, or a racist regime, and by extending the provisions of Article 51 to legalize pre-emptive self-defense action. There is furthermore overwhelming support for upholding the legality of humanitarian intervention to protect a population from acts of supreme repression by their own government. Currently, the ISIS crisis has prompted the development of an emerging norm of *jus ad bellum* which contemplates the legality of an armed intervention against perpetrators of terrorism if the Government of the State from which those acts of terror violence are being launched is either unwilling or unable to counteract the atrocities.

In laboring the above principles of law, reference will be made to (a) armed interventions authorized by the Security Council (the Korean War, Operation Desert Storm and airstrikes in Libya,); instances of humanitarian interventions (NATO airstrikes in Serbia, and military interventions in Syria contemplated by France, the United Kingdom, and the United States following the use of chemical weapons by the Syrian Government against rebel groups in that country); and acts of aggression committed by the United States (in Nicaragua in the 1980's pursuant to the Reagan Doctrine, and the Gulf War of 2003), and by the Russian Federation (in Georgia and in Ukraine).

A special emphasis of the seminar is the current state of affairs relating to the prosecution of the crime of aggression in the International Criminal Court.

Students are required to submit a 30-page essay on an approved topic within the confines of the seminar focus. The final draft must be handed in on before April 11.

Textbook: Johan D. van der Vyver, Acts of Aggression and Prosecuting the Crime of Aggression (2015).

**Last Updated Spring 2018*

SEM: 833. Vulnerability & Justice

SEMINAR: Vulnerability and Social Justice

Class Number: 4084; **Catalog Number-** LAW 833

Credit: 3 Hours

Instructor(s): Prof. Fineman, Martha & Prof. Samandari, Atieno

Prerequisite: None

Grading Criteria: Paper (Satisfies Upper-Level Writing Requirement)

Enrollment: Limited to 16 students!

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

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

**Last Updated Spring 2016*