

LAW SCHOOL

ADMINISTRATION

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The Law School prepares attorneys for both public and private practice. Graduates are trained to provide the highest quality professional services to their clients and to contribute to the development and reform of law and legal institutions. The curriculum is designed to prepare students for admission to the bar in all American states and territories. Students who pursue the three-year Doctor of Law degree (JD) must have a bachelor's degree or equivalent. Students wishing to concentrate in international law may be admitted to a program leading to the JD "with specialization in international legal affairs." The Law School also offers a limited number of students an opportunity to earn both a JD degree and an LLM (Master of Laws) degree in international and comparative law.

Students may pursue combined graduate degree programs with the Johnson Graduate School of Management; the Department of City and Regional Planning of the College of Architecture, Art, and Planning; the School of Industrial and Labor Relations; the graduate divisions in economics, history, and philosophy of the College of Arts and Sciences; the Université de Paris I (Pantheon Sorbonne); L'Institut d'Etudes Politiques de Paris; and Humboldt University.

Each year a limited number of students from abroad pursue the LLM degree (Master of Laws) and the JSD degree (Doctor of the Science of Law). A small number of law graduates also may be admitted as special students, to pursue advanced legal studies without seeking a degree. Students in other graduate programs and qualified undergraduate students registered with the university are welcome in many classes with the permission of the instructor. In addition, highly qualified undergraduates in the College of Arts and Sciences may register in the Law School during their senior year.

For further information, refer to the Law School web site, or contact the Office of the Registrar, Myron Taylor Hall. Course

descriptions are current as of April 2007. For updated law descriptions visit: www.lawschool.cornell.edu

FIRST-YEAR COURSES

LAW 500(5001) Civil Procedure

Full year. 6 credits. Letter grades only. K. M. Clermont, N. Feigenson, B. Holden-Smith, J. J. Rachlinski, and F. F. Rossi. An introduction to civil litigation, from commencement of an action through disposition on appeal, studied in the context of the federal procedural system. Also, a detailed consideration of federalism and ascertainment of applicable law; jurisdiction, process, and venue; and former adjudication.

LAW 502(5021) Constitutional Law

Spring. 4 credits. Letter grades only. B. A. Meyler and T. W. Morrison. A study of basic American constitutional law, including judicial review, some structural aspects of the Constitution as developed particularly in light of the passage of the Civil War amendments, and certain of its rights provisions.

LAW 504(5041) Contracts

Full year. 6 credits. Letter grades only. R. A. Hillman and R. S. Summers. An introduction to the nature, functions, and processes of exchange, contract, and contract law. The course focuses on the predominant rules and principles governing contract and related obligation, including the substantive reasons underlying the rules and principles.

LAW 506(5061) Criminal Law

Spring. 4 credits. Letter grades only. J. A. Blumenthal and S. P. Garvey. An introductory study of the criminal law, including theories of punishment, analysis of the elements of criminal liability and available defenses, and consideration of specific crimes as defined by statute and the common law.

LAW 508(5081) Lawyering

Full year. 4 credits. Letter grades only. J. B. Atlas, J. Dole, J. Mollenkamp, and A. J. Mooney. Full-year course introducing first-year students to lawyering skills, with primary emphasis on legal writing, analysis, research, and oral presentations. Assignments are usually set in the context of a simulated law office (or judge's chambers). In the fall, students write predictive memoranda that point out the strengths and weaknesses of their client's case. The spring semester focuses on persuasive advocacy. Students prepare a memorandum, motion, or brief for submission to a court and, later, orally argue for their positions in a simulated court session. They learn the fundamentals of legal research. Instruction in occurs in full-class sessions and also in individual conferences. Students receive extensive feedback on each major assignment.

LAW 512(5121) Property

Fall. 4 credits. Letter grades only. G. S. Alexander, E. Penalver, A. Riles, and E. L. Sherwin. Course in basic property law. It covers acquisitions of rights in property, estates in land, concurrent ownership, landlord/tenant relations, and regulation of land use.

LAW 515(5151) Torts

Fall. 4 credits. Letter grades only. C. Bowman, G. A. Hay, M. Heise, and J. A. Henderson, Jr. Introduction to the principles of civil liability in the tort field: intentional wrongs, negligence, and strict liability. Attention is also given to the processes by which tort disputes are handled in our legal system.

GRADUATE COURSES

LAW 607(6071) Advanced Legal Research—U.S. Legal Research for LLM Students

Fall, first 7 weeks of term. 1 credit. Limited to graduate students. Limited enrollment. Graduate program grading: H, S, U. C. Finger and M. Morrison.

Introduction to basic legal research in U.S. materials that will be valuable in LLM students' course work and in practice. The focus is on understanding and finding primary legal sources, including statutory codes, session laws, administrative regulations, and court decisions, as well as explanatory materials, such as law reviews and treatises. To a large extent, instruction uses online materials most likely to be available to the students in their future careers. There are short introductory lectures, as well as hands-on computer lab and Reading Room sessions. Students complete five assigned exercises using the resources learned in class, and there is no final exam. The final grade is based on the five assigned exercises (20% each).

LAW 622(6221) Anglo-American Contract Law and Related Organization

Fall. 3 credits. Limited to graduate students. Graduate program grading: H, S, U. R. A. Hillman.

This course is designed for foreign-trained lawyers who are familiar with basic contract law in their own country. It surveys the Anglo-American common law of contracts and related obligation. The pedagogic approach focuses on the case method and is Socratically based, similar to the traditional first year course in Contracts. Graduate students who wish to study contract law would generally be expected to take this one-semester course. They are free to enroll instead in the Contracts course for first-year JD students, but if they do so, they must take that course for the full year.

LAW 676(6761) Principles of American Legal Writing

Fall, spring. 2 credits. Limited enrollment. Limited to graduate students. Graduate program grading: H, S, U. L. Knight.

Introduces foreign-trained lawyers to the American legal system and essential principles of legal writing in the U.S. Students are afforded an opportunity to practice some of the forms of writing common to American legal practice, by drafting documents such as client letters, memoranda, and briefs, in the context of representing hypothetical clients.

LAW 799(7991) The Cornell Graduate Colloquium

Spring. 3 credits. Required for all first-year JSD candidates; also open to LLM students then to JD students based on availability. Visiting scholars and exchange students from foreign institutions highly encouraged to attend in an unofficial capacity. Satisfies writing requirement. JSD and LLM program grading: H, S, U. J.D. program: letter grades only. Instructor TBA.

This seminar course in advanced academic research methodology is designed to prepare students to engage in doctoral-level research, analysis and writing, especially in comparative and international contexts. The early part of the course involves discussing readings in comparative research methodology, including functionalism, Common Core analysis, legal transplant theory, historicism, law and development, legal pluralism, cultural analysis, colonial studies, and comparative institutionalism. In the latter part of the course, students present and critique their methodologically reflective research projects. A modest number of external speakers present their work in progress for the purposes of generating methodologically oriented discussion.

LAW 899(8991) Thesis

Fall, spring. 5 credits. Limited to graduate students and students completing joint JD-LLM program Graduate program grading: H, S, U; JD/LLM program: letter grades only.

Arrangements for a master's thesis are made by the student directly with a faculty member. A faculty member may require the student to submit a detailed outline of the proposed thesis, as well as a summary of previous writing on the subject or other appropriate information. The work is completed during the academic year under the supervision of a law faculty member.

LAW 990(9901) Graduate Research

Fall, spring. Limited to JSD students.

UPPERCLASS COURSES

LAW 600(6001) Accounting for Lawyers

Spring. 2 credits. Prerequisite: no more than 6 credit hours of accounting or permission of instructor. S-U or letter grades. R. A. Sarachan.

This course introduces students to the basic concepts and fundamentals of financial accounting. It focuses on (1) accrual accounting concepts, principles and conventions, (2) presentation of financial statements (balance sheets, income statements, statements of cash flow), (3) interpretation and analysis of financial statements, and (4) use and misuse of accounting information. The goal of the course is to enable students to critically review a company's financial statements. The course is intended primarily for students with little or no prior background in bookkeeping or accounting.

LAW 601(6011) Administrative Law: The Law of the Regulatory State

Fall, spring. 3 credits. Limited enrollment Letter grades only. C. M. Farina.

An introduction to the constitutional and other legal issues posed by the modern administrative state. Topics include: procedural due process, separation of powers, procedural modes of administrative policymaking; judicial review of agency action; and the oversight and control relationships between agencies and Congress or the President. The course provides a working familiarity with the fundamentals of administrative procedure, as well as a larger inquiry into the role of agencies in our constitutional system—and the effect of legal doctrine on shaping that role.

LAW 601(6012) Administrative Law Research

Spring, first half of term. 1 credit. Limited enrollment. Prerequisite: Lawyering or U.S. Legal Research for LLM students. Corequisite: Administrative Law. Letter grades only. P. G. Court.

We focus on practical aspects of the doctrinal Administrative Law course, learning to maneuver through the federal rulemaking process and locating agency adjudications. Students participate in electronic rulemaking and make use of the Unified Agenda. This course expand the students' skills in using the legal sources discussed in the Administrative Law Course by putting the process into action.

[Advanced Legal Research in Business Law]

LAW 606(6061) Advanced Legal Research—International and Foreign Law

Fall. 2 credits. Limited enrollment S-U or letter grades. T. Mills.

Globalization has led to the internationalization of the practice of law. This course provides an overview of research resources, methods, and strategies for international and foreign law. Topics include both public and private international law, the European Union, and the United Nations. The course include lectures followed by computer lab and library training sessions. Selected readings will be available online and on reserve; there is no required textbook. There are seven assignments of equal weight on material covered in class but no final exam.

LAW 610(6101) Antitrust Law

Spring. 3 credits. Letter grades only. G. A. Hay.

The antitrust laws of the U.S. protect competitive markets and limit the exercise of monopoly power. Topics include: price fixing, boycotts, and market allocation agreements among competitors; agreements between suppliers and customers; joint ventures; monopolization; and mergers.

LAW 612(6121) Bankruptcy

Spring. 3 credits. Not open to students who have taken Debtor-Creditor Law.

Letter grades only. T. Eisenberg. Selected topics in the law of bankruptcy. An overview of the various bankruptcy chapters and a detailed study of the bankruptcy provision of most general applicability. The relationship between the rights of an Article 9-secured creditor and the bankruptcy trustee's power to avoid liens. Related topics in the enforcement of money judgments and the law of fraudulent conveyance.

LAW 613(6131) Business Organizations (formerly Corporations)

Fall, spring. 4 credits. Limited enrollment. S-U or letter grades. Fall, TBA; spring, R. Hockett.

An introduction to the legal rules and principles, as well as some of the economic factors, that pattern the conduct of productive enterprise in the U.S. The principal focus is on the large, publicly traded corporation that dominates much of the U.S. business environment—in particular, its financing, its control, and the potentially conflicting interests that the form must mediate. Legal topics covered accordingly include shareholder and executive compensation, basic fiduciary obligations, shareholder voting rights, shareholder suits, corporate reorganization, and control transactions. We also devote some attention to partnerships, closely held corporations and other business forms.

LAW 615(6151) Chinese Legal Systems

Spring. 3 credits. S-U or letter grades. Z. Cui.

This course examines the law and practice in contemporary PRC. After a brief overview of Chinese legal history and legal development, the course proceeds into sections devoted to the overall legal reform, the status and reform of legal actors (in particular courts, prosecutors, and lawyers), and various aspects of commitment and compliance with international human rights standards. A section also deals with Chinese law in a comparative perspective: how it is and has been viewed in China and outside. Much of the course material consists of academic articles as well as various reports. Chinese case law, statutes and other documents are examined. The course ends with a discussion on possible scenarios on the future of legal development in China.

LAW 616(6161) Comparative Law: The Civil Law Tradition

Spring. 3 credits. S-U or letter grades. R. Nickel.

This course introduces students to the institutional and conceptual organization of "civil law" legal systems (which govern most of Western and Eastern Europe and Latin America, as well as significant portions of Africa and Asia). The course thus provides a broad overview of "civilian" private law and procedure, criminal procedure, administrative law, and constitutional law. The course is particularly interested in the differences between common law and civil law understandings of the relationship between law-making, legal interpretation, and the judiciary.

LAW 619(6191) Conflict of Laws

Fall. 3 credits. S-U or letter grades. B. Holden-Smith.

This course focuses primarily on the choice-of-law methods used by courts in the U.S. to decide the applicable law in cases that, in their parties or events, involve more than one state or country. It examines in detail the nature, logic, and constitutionality of such methods. In addition, it devotes substantial attention to recognition and enforcement of judgments and to the obligation imposed by the Constitution's Full Faith and Credit Clause to respect judgments of other states' courts.

LAW 623(6231) Copyright

Spring. 3 credits. Letter grades only. O. Liivak.

This course focuses on U.S. copyright law and provides a survey of the main doctrinal areas including the definition of authorship, the criteria and scope of protection, infringement and fair use, and related constitutional issues. The course explores copyright's impact in modern debates and controversies over Internet liability, peer-to-peer file sharing, and software and data protection.

LAW 624(6241) Corporate and White Collar Crime

Fall. 3 credits. S-U or letter grades.
S. P. Garvey.

This course examines some of the principal statutes used to prosecute corporate and white collar crime. Theories of liability considered include traditional white collar offenses like mail and wire fraud, insider trading, false statements, perjury, and obstruction of justice. They also include more recent entries into the field such as RICO, money laundering, and laws enacted to combat government contract fraud. In addition the course provides an introductory look at the workings of the now-advisory Federal Sentencing Guidelines.

LAW 624(6243) Comparative Corporate Governance: Current Theories and Developments

Fall. 3 credits. Prerequisite: Corporations.
E. Gorga.

This course introduces students to the ongoing discussion concerning corporate governance theory and practice. The course explores with the students how and why corporate law shape and constrain corporate governance structures. It provides an overview of how different legal rules that emerged in major legal traditions of the world could shape different patterns of corporate governance practices, influencing the amount of private benefits of control that controlling shareholders/managers extract from the corporations. The course also analyzes mechanisms that constrain private benefits and agency costs, including public regulation (corporate law and securities laws) on disclosure requirements, shareholder voting, derivative suits, takeovers, and private practices such as board independence and monitoring mechanisms.

LAW 626(6261) Criminal Procedure I

Fall. 3 credits. S-U or letter grades.
J. H. Blume.

This course surveys the law of criminal procedure, with emphasis on the constitutional constraints that regulate the pretrial stage of the criminal process. More specifically, it focuses on the law of interrogations and confessions, the admissibility of evidence, and the right to counsel throughout all stages of the criminal process.

LAW 630(6301) Directed Reading

Fall, spring. 1 or 2 credits. S-U grades only.
Arrange directly with instructor.
Registration form available from registration site or registrar's office.

An examination of a topic through readings selected by arrangement between the instructor and an individual student or group of students (not exceeding eight).

LAW 631(6311) Education Law

Spring. 3 credits. S-U or letter grades.
M. Heise.

Focuses on selected legal issues that arise in the public and private education context, with emphasis on elementary and secondary school

setting. Topics include the legal and policy dimensions of the rights of students, parents, educators, and the state with respect to such issues as access to, control over, and regulation of the education setting and institutions. Issues germane to equal education opportunity, school finance, and school governance and regulation receive particular attention.

LAW 633(6331) Employment Law

Fall. 3 credits. S-U or letter grades.
D. M. Douglas.

Survey of common law doctrines and selected federal statutes affecting the employer-employee relationship, but not including union formation and collective bargaining. Common law topics include: the "employment at will" rule and its exceptions; employee duties of loyalty, trade secrets, covenants not to compete, and other post-termination obligations; and, employee reputation and privacy interests. Constitutional topics include free speech and privacy rights of public employees. Federal statutory topics include brief introductions to the Employee Retirement Income Security Act, and either federal antidiscrimination law, or the Occupational Safety and Health Act.

LAW 636(6361) Environmental Law

Spring. 3 credits. Recommended prerequisite: Administrative Law. Letter grades only. J. J. Rachlinski.

The course surveys the major environmental laws, with a primary focus on federal statutes. Emphasis is placed on the various sources of liability to both individuals and corporations from common law, statutory provisions, administrative regulation and enforcement policy. Corporate successor liability through mergers and acquisitions are included, including the increasing importance of performing a full range due diligence review for environmental conditions in such transactions. Special attention is paid to the economic, social, and political obstacles to efficient regulation of the environment.

LAW 640(6401) Evidence

Fall, spring. 3 credits. Limited enrollment.
Letter grades only. Fall, F. F. Rossi; spring, N. Feigenson (spring).

The rules of evidence in civil and criminal cases with emphasis on relevance, hearsay, authentication, witnesses, experts, and confrontation. The course focuses on the Federal Rules of Evidence, with some attention to how they diverge from the common law.

LAW 642(6421) Family Law

Spring. 3 credits. S-U or letter grades.
C. Bowman.

Broadly understood, family law is the study of state-imposed rules regulating intimacy and intimate relationships in society. In this course we evaluate our assumptions and beliefs about the appropriateness of several current laws regulating families. Substantial attention is devoted to the social and legal consequences of marriage dissolution, including child custody, child support, property distribution, and spousal maintenance. Other topics include: the legal significance of marriage rights and obligations; private ordering within the marital context; nonmarital relationships and their regulation; and legal rights of parents, children, and foster parents in situations of abuse and neglect.

LAW 643(6431) Federal Courts

Spring. 4 credits. S-U or letter grades.

Prerequisite: Constitutional Law and second semester of Civil Procedure.

Students without such background should consult with instructor. T. Morrison.

This course examines various constitutional and judge-made doctrines that control access to the federal courts to vindicate federal rights. It is particularly valuable for those planning a career in public interest or the public sector, anyone else expecting to litigate extensively in federal court, and students who have or hope to obtain a judicial clerkship. Topics include: case or controversy limitations, including standing; constitutional and statutory limits on jurisdiction; causes of action for constitutional and statutory rights, including 42 U.S.C. §1983 and Bivens actions; bars to such actions, including sovereign immunity and abstention doctrines; and habeas corpus.

LAW 644(6441) Federal Income Taxation

Fall, spring. 4 credits. Limited enrollment.

S-U or letter grades. Fall: R. A. Green; spring, J. Bakija.

A basic course designed to develop understanding of tax concepts and ability to work effectively with the Internal Revenue Code, regulations, cases, and other tax materials.

LAW 646(6461) Financial Institutions (formerly Banking Law)

Spring. 3 credits. Not open to students

who have taken Banking Law and Regulation. S-U or letter grades. R. C. Hockett.

An introduction to the regulatory structures, as well as some of the economic, technological and other factors, that pattern the conduct of financial intermediation in the U.S. The principal focus is on commercial banks, investment companies (mainly mutual funds), insurance companies, pension funds and securities firms in so far as these institutions discharge a common set of economic functions and give rise to a common cluster of counterparty and third party ("systemic") risks. Legal topics covered accordingly include entry-, functional and geographical restrictions; consumer-protection (including disclosure requirements) and competition-promotion; capital adequacy-, solvency- and related forms of risk-regulation (including deposit insurance); community-reinvestment; and "self-regulation." We shall also devote some attention to "alternative" financial service providers such as check-cashing services, community development financial institutions and micro-credit providers; and we shall take occasional note both of divergent (generally, non-American) jurisdictions' dominant modes of financial intermediation and of the "globalization" of finance, both to place what is distinctive about the dominant American forms into holder relief and better to understand the forces operating behind recent and still unfolding changes to the American (and global) financial and finance-regulatory environments. No prior background in financial law or economics is required, but it is helpful.

LAW 647(6471) Health Law

Fall. 2 credits. S-U or letter grades.

H. R. Beresford.

This course considers legal aspects of the organization, financing, and distribution of health care in the U.S. It emphasizes issues of access, costs, and quality, and address the use of regulation, litigation and market-driven

strategies to confront emerging problems. Readings are from a health law casebook, supplemented by occasional handouts of current materials. The goal is to convey an appreciation of the challenges involved in providing health care to those in need and of the role of law and lawyers in meeting these challenges.

LAW 649(6491) The IPO and M & A Processes (also NBA 563[5630])

Fall. 3 credits. Limited enrollment. Pre- or corequisite: Corporations/Business Organizations highly recommended or permission of instructor. Students may take course without having taken Corporations/Business Organizations, but certain information taught in that course, particularly regarding director's fiduciary duties, is assumed. S-U or letter grades. J. Nozell and J. Teitelbaum.

For description, see NBA 563.

LAW 650(6501) Insurance Law

Fall. 3 credits. S-U or letter grades. M. Heise.

Insurance is an increasingly important tool for the management of risk by both private and public enterprises. This course provides a working knowledge of basic insurance law governing insurance contract formation, insurance regulation, property, life, health, disability, and liability insurance and claims processes. The emphasis throughout the course is on the links between insurance theory, doctrine, and modern ideas about the functions of private law.

LAW 652(6521) International Business Transactions

Fall. 2 credits. S-U or letter grades. L. M. Brennan.

Overview of different commercial legal systems. Analysis of private and public law aspects of international business transactions, and the legal rules governing such transactions. Private international law transactions would include international sale of goods, letters of credit and commercial documents. Selection of appropriate mechanism for international business (joint venture, branch, subsidiary, technology license). Overview of Foreign Direct Investment, Debt Financing, and technology transfers. Review of the applicable dispute resolution mechanisms (international litigation, commercial arbitration and other means of international commercial dispute settlement) including issues such as governing law, choice of forum, and applicable treaties. Analysis of international implications of U.S. law including U.S. Foreign Corrupt Practices Act and U.S. antitrust law.

LAW 653(6531) International Commercial Arbitration

Fall. 3 credits (Students who have taken international commercial arbitration course in Paris program receive 1 credit; all others receive 3 credits.). S-U or letter grades. J. J. Barceló III.

A study of arbitration as a dispute resolution process for international trade and business disputes. The course analyzes institutional and ad hoc arbitration, the authority of arbitral panels, enforcement of agreements to arbitrate, challenging arbitrators, procedure and choice of law in arbitral proceedings, and enforcement of international arbitral awards. The course gives special attention to the international convention on the recognition and enforcement of international arbitral

agreements and awards (N.Y. Convention) and the UNCITRAL (U.N. Commission of International Trade Law) arbitral rules and model law. It focuses on commercial arbitration as a transnational phenomenon and not on arbitration under any particular national system.

LAW 659(6592) Labor Law, Practice, and Policy

Fall. 3 credits. S-U or letter grades. A. Cornell.

This course focuses on the federal laws regulating employee collective action and labor unions. Topics include union organizational campaigns, strikes and other economic weapons as well as the negotiation and enforcement of collective agreements. The course also considers employee group action without formal organization. International labor law issues are briefly addressed. Labor law practice and policy form the backdrop of the course.

LAW 660(6601) Land Use

Spring. 3 credits. S-U or letter grades. E. Penalver.

This course provides a broad introduction to the theory, doctrine, and history of land use regulation. Topics include zoning, homeowners' associations, nuisance, suburban sprawl, eminent domain, and regulatory takings. Readings are drawn from the leading cases as well as commentary by scholars in the fields of law, architecture, and planning.

LAW 614(6141) Law and Ethics of Business Practice

Fall. 3 credits. Prerequisite: for JD students, Business Organizations; for LLM students, equivalent course elsewhere. Second-year MBA students welcome and are graded on a separate curve. Satisfies professional responsibility requirement if taken for letter grade. S-U or letter grades. S. J. Schwab.

Enrolling in this course does not prohibit enrollment in another professional responsibility course. Each week a distinguished guest lecturer from the business world presents a business-law problem. The problems cover a wide variety of topics, such as reincorporating a business from a foreign jurisdiction into Delaware, or complying with the Sarbanes-Oxley audit requirements. Students are assigned to "law firm" teams. Each student writes four 5-page papers on a particular week's topic, and provides four 2- to 3-page papers in other weeks summarizing the ethical issues of that class, as well as participate in class discussions. No final exam.

LAW 662(6621) Law and Social Change: International Experience

Fall. 3 credits. S-U grades by permission of instructor or letter grades. M. Greenberg.

This class is intended for students who are interested in law reform initiatives within international development, or are concerned about how local legal contexts affect international business transactions. As compared with courses involving international or transnational law, this curriculum focuses on how local legal systems relate to social and economic change in different nations and cultures. It incorporates both "law and development" and "rule of law" experience to consider assumptions about legal systems, various sources of regulation, and factors that weaken the "rule of law". Policy issues are drawn from around the world and include child labor, women's rights, democracy-

building, corruption and environmental protection. Approaches range from strengthening how laws are drafted and enforced, to alternatives to legislation. Course requirements include several short "journal entries", of which one addresses a student-identified newspaper article, a take-home midterm, and a 20- to 25-page final paper.

LAW 662(6622) Law and Society

Spring. 3 credits. S-U or letter grades. Instructor TBA.

This course examines central issues and debates in contemporary social-science scholarship on the law. Major topics include: the cultural and material foundations of law; the relationship between law and social conflict; the social-psychology of rule-following and rule-breaking; and the linkages between law and economic productivity, social inequality, political ideology, and social change. The course also explores the role of concrete legal institutions—legal profession, judiciary, jury system, etc.—in giving law an "independent causal significance" in social life. Lectures and discussions cover a wide range of perspectives and draw examples from a wide range of legal settings. The goal is to survey the different ways in which social scientists think about and study law and legal institutions, to seek contrasts and commonalities across the various perspectives, and to draw connections between abstract theories and current events. No prior background in social science is required. Grading is based on class participation, occasional reading-response papers, and a take-home exam; students may substitute a longer term paper for one or more of these assignments, with permission of the instructor.

LAW 663(6631) Law for High-Growth Companies (also NBA 689[6890])

Fall. 3 credits. Limited enrollment. Priority given to BRL students in both colleges. S-U grades only. Z. J. Shulman. For description, see NBA 689.

LAW 664(6641) The Law Governing Lawyers

Spring. 3 credits. Satisfies professional responsibility requirement. Enrolling in this course does not prohibit enrollment in another professional responsibility course. Letter grades only. W. B. Wendel.

This course is intended to provide a comprehensive overview of the law governing lawyers in a variety of practice settings, including transactional, counseling, and civil and criminal litigation. The course is not focused merely on the ABA's Model Rules, but draws extensively from judicial decisions in malpractice and disqualification cases, the new Restatement of the Law Governing Lawyers, and other sources of law. A major theme is the relationship between state bar disciplinary rules and the generally applicable law of tort, contracts, agency, procedure, and crimes. Another significant theme is the prevention of attorney discipline and malpractice liability through advance planning.

LAW 665(6651) Law of Branding and Advertising: Trademarks, Trade Dress, and Unfair Competition

Fall. 2 credits. S-U or letter grades. N. D. St. Landau.

Fundamental trademark, trade dress, and false advertising laws are examined in the context of assisting clients to execute branding and marketing strategies. Special focus is given to branding as it relates to: "consumer products

companies;" the impact of e-business and the internet on branding strategies and acquisitions; and complex proof issues in trademark and domain name litigation. Marketing strategies embody fundamental and long-established principles of the trademark laws. The Lanham Act is used to address issues ranging from confusingly similar words and designs, to false and unsubstantiated advertising claims, and public appropriation—and misappropriation—of long-established corporate icons in today's e-commerce world. This course examines the basics of this rapidly changing body of law.

LAW 666(6661) The Law of the European Union

Fall. 3 credits. Letter grades only. M. Aziz. Introduces students to the law and institutions of the European Union. Examines the composition, organization, functions and powers of the Union's governing bodies; analyzes the Union's governing treaties and constitutional law; and studies the Union's decision-making processes. The course also explores broader questions of political, economic and legal integration, such as the proper relation between the Union's law and the domestic law of the Union's Member states, and the desirability and feasibility of using the E.U. as a model on which to pattern other transnational agreements.

LAW 668(6681) International Law and Foreign Direct Investment

Spring. 3 credits. Letter grades only. M. B. Ndulo.

This course studies legal aspects of direct foreign investments. It seeks to identify legal problems that are likely to affect a commercial investment in a foreign country. Inter alia, it deals with the public international law principles and rules governing the establishment by foreign businesses of various factors of production (persons and capital) on the territory of other states and the protection of such investments. Thus, the course includes a discussion of the following topics: economic development and foreign capital; obstacles to the flow of investments to developing countries; guarantees to investors and investment codes; bilateral treaties; nationalization; joint ventures; project financing; transfer of technology; arbitration; investment insurance; unification of trade law; and the settlement of investment disputes.

LAW 673(6731) Dispute Resolution: Negotiation, Mediation, and Arbitration

Fall. 2 credits. Limited enrollment.

Letter grades only. J. Meyer and S. Yusem. During the past decade, the field of alternative dispute resolution has virtually transformed the practice of law. Today, every lawyer has a professional responsibility to his or her clients to consider the most appropriate process available to resolve issues. The course explores the characteristics of negotiation, mediation and arbitration as well as the ethical concerns inherent in them, employing interactive and videotape dispute simulations, enabling the student to engage as a negotiator, dispute resolution advocate, mediator and arbitrator.

LAW 674(6741) Online Legal Research

Spring, first 6 1/2 weeks of term. 1 credit. Prerequisite for JD students: Lawyering. S-U or letter grades. T. Mills.

With the development of the Internet, web-based legal research skills have become increasingly important. This course helps students become effective and efficient researchers by developing general online research skills and strategies, and exploring when and how to use electronic resources in conjunction with paper resources. Problem sets cover both free and subscription Internet resources.

LAW 674(6742) Patent Law and Trade Secrets

Fall. 3 credits. Letter grades only. O. Liivak. This course focuses on U.S. patent law while also touching on the related law of trade secrets. It covers the core doctrinal elements and policy issues in the field and explores patent law's impact in diverse areas such as computer-related inventions and biotechnology. No technical background is required.

LAW 678(6781) Products Liability

Fall. 3 credits. Letter grades only.

J. A. Henderson, Jr.

Applications of products-liability doctrine and theory to a variety of problems drawn from or closely approximating actual litigation. An overview of the relevant case law, statutes, and administrative regulations, including the Restatement, Third, of Torts: Products Liability.

LAW 679(6791) Public International Law

Fall. 3 credits. S-U or letter grades. M.

Ndulo.

An introduction to the legal rules governing the conduct of states vis-à-vis other states, individuals, and international organizations, with reference to major current events and issues. Topics include the nature, sources, and effectiveness of international law; the establishment and recognition of states; principles concerning state sovereignty, territory, and jurisdiction; the law of treaties; state responsibility; international criminal and humanitarian law; terrorism; and human rights. Special attention is given to the law governing the use of force.

LAW 679(6792) Real Estate Transactions and Deal Structuring (also CRP 656[6506])

Spring. 3 credits. Pre- or corequisite: Real Estate Finance for Lawyers or basic finance course. S-U or letter grades. D. Funk.

For description, see CRP 656.

LAW 679(6793) Real Estate Finance for Lawyers

Spring, first half of term. 1 credit. S-U grades only. D. Funk.

An introduction to real estate finance to equip students to understand the financial aspects and structures of the real estate transactions and deals that they will be involved in as practicing attorneys. The course introduces students to real estate financial analysis, including conventional discounted after-tax cash flow models using spreadsheets as well as other valuation and option pricing models. Students learn basic time value of money concepts and are introduced to the real estate financial models used in real estate development and finance.

LAW 681(6811) Secured Transactions

Fall. 2 credits. Prerequisites: none. S-U or letter grades. A. Shapiro.

A study of Article 9 of the Uniform Commercial Code, the law regarding security interests in personal property. In a secured

transaction, a creditor may resort directly to particular assets of the debtor, whether tangible or intangible if an obligation is not met. Secured transactions are an integral part of the complex world of commercial finance. They help fuel the economy by enabling debtors to borrow more freely and lenders to better manage risk. On the other hand, if a debtor becomes insolvent, there might be nothing left for other creditors or tort victims because Article 9 enables lenders who take security to claim virtually all the debtor's assets. The first goal is for students to become familiar with the substantive law, and particularly to learn to recognize when Article 9 applies to a transaction, which may not be immediately apparent. Second, working through the intricacies of Article 9 helps students sharpen their skills in statutory interpretation. Finally, we address theoretical issues involved in security and debt. (Students with particular interest in commercial law may study bankruptcy as well as secured transactions in either order.)

LAW 682(6821) Securities Regulation

Fall. 3 credits. Pre- or corequisite:

Corporations/Business Organizations (or equivalent for LLMs) or permission of instructor. S-U or letter grades. J.

Teitelbaum.

This course focuses on the regulation of two key aspects of the capital markets in the U.S.: the primary markets for the raising of capital from public investors governed by the Securities Act (33 Act), and the trading of securities in the secondary market governed by the Securities Exchange Act (34 Act). It features extended discussion of the complex substantive and financial disclosure obligations required under U.S. federal securities laws, including the interaction between the 33 Act and 34 Act schemes via integrated disclosure, the preparation of disclosure documentation, exemptions from disclosure requirements and private placements, the relationship between disclosure and various anti-fraud rules, and the duties of the main participants in securities transactions (including underwriters, lawyers, and accountants). The course also touches on how U.S. federal securities laws, including the Sarbanes-Oxley Act of 2002, regulate business practices of issuers and distribution participants.

LAW 682(6822) Social Science and the Law

Fall. 3 credits. S-U or letter grades.

V. Hans.

This course examines the relationship of social science to law, focusing on the growing use of social science in the legal system. Over the past several decades, increasing numbers of social scientists have conducted systematic research on the operation of law and legal institutions. At the same time, social scientists themselves are testifying as experts in increasing numbers, encouraging lawyers and judges at both the trial and appellate levels to rely on social science evidence to decide cases. Social science research is also used as a tool in law reform. The aim of the course is to develop a critical analysis of these uses of social science in law and litigation. Are social scientists asking the right questions? Are lawyers, judges, legislators, and legal reformers using social science findings appropriately? Is the law's increasing reliance on social science problematic or advantageous—or both?

LAW 683(6831) Social Security Law

Spring. 3 credits. S-U or letter grades.
P. W. Martin.

The course focuses especially on how Social Security's benefit rules relate to employment, families, and household composition and how its procedures address the challenge of adjudicating the massive numbers of benefit claims that arise each year. It introduces the general features of the Social Security Act's entitlement, benefit formulae, and procedural rules; highlights those that pose the greatest difficulty to administrators and advocates; and surveys current proposals for change. The course meets once a week; the balance of the instruction and discussion takes place online.

LAW 684(6841) Sports Law

Spring, 10 weeks. 2 credits. Recommended prerequisites: Antitrust Law and Labor Law. S-U or letter grades. W. B. Briggs.

The course traces the development of sports law in the U.S. Particular attention is given to the relationship of sports with antitrust and labor law. Contemporary issues involving arbitration, collective bargaining, amateur athletics, agents, franchise movement, and constitutional law are addressed.

LAW 686(6861) Supervised Teaching

Fall, spring. 1 or 2 credits. S-U only. Arrange directly with instructor. Registration form available from online registration site or registrar's office.

LAW 687(6871) Supervised Writing

Fall, Spring. 1, 2, or 3 credits. S-U only. Arrange directly with instructor. Registration form available from online registration site or registrar's office.

LAW 688(6881) Supervised Teaching and Supervised Writing—Lawyering Program Honors Fellows

Full year. 4 credits. S-U only. Prerequisite: application process. Registration form available from online registration site or registrar's office.

Lawyering Program Honors Fellows serve for the full academic year as teaching assistants in the Lawyering course. With training and guidance from the Lawyering faculty, Honors Fellows work on myriad course-related tasks. In addition to meeting regularly with first-year students and critiquing their work, Honors Fellows may help design course assignments, help prepare course documents, critique papers, participate in simulations, and judge oral arguments. Honors Fellows are also responsible for teaching and holding classes on the Bluebook. They also serve as mentors to the first-year students to help them make the most of the foundational first year of law school. Honors Fellows may hold workshops on basic law-school skills and, during the spring semester, under the direction of the dean of students, a small group of Honors Fellows may tutor first-year students.

LAW 689(6891) Taxation of Corporations and Shareholders

Fall. 3 credits. S-U or letter grades. Prerequisite: Federal Income Taxation. R. A. Green.

This course examines the federal income taxation of corporate transactions, including incorporations, dividends, redemptions, liquidations, and reorganizations.

LAW 692(6921) Trial Advocacy

Spring. 4 credits. Limited enrollment. Prerequisite: Evidence. S-U or letter grades. G. G. Galbreath.

This course is a study of the trial. Fundamental skills are taught in the context of challenging procedural and substantive law problems. Each stage of the trial is examined: jury selection, opening, objections, direct examination, cross-examination, exhibits, impeachment, expert witnesses, child witnesses, summation, pretrial. In addition to weekly exercises on a particular segment of a trial, the student does a full-day jury trial at the end of the course. Video equipment is used to teach and critique student performances. There are occasional written assignments and class attendance is mandatory.

LAW 694(6941) Trusts and Estates

Spring. 3 credits. Letter grades only. E. Sherwin.

The course surveys the law of succession to property, including wills and intestate succession, as well as the law of trusts. The course provides basic tools for estate planning, but does not include systematic coverage of estate taxation.

LAW 698(6981) WTO and International Trade Law

Spring. 3 credits. S-U or letter grades. J. J. Barceló III.

The law of the World Trade Organization (WTO), including international trade theory, the basic WTO rules and principles limiting national trade policy, and the WTO dispute settlement process. A study of national (U.S.) fair and unfair trade law within the WTO framework (safeguard, antidumping, subsidies and countervailing duty remedies). Consideration is also given to non-trade values within the WTO system (environment, labor rights, and human rights).

PROBLEM COURSES AND SEMINARS

All problem courses and seminars satisfy the writing requirement. Limited enrollment.

Admission to all problem courses and seminars determined by lottery.

LAW 700(7002) Advanced Civil Procedure: Trial and Appeal

Spring. 3 credits. S-U or letter grades. K. M. Clermont. Limited enrollment. Satisfies writing requirement.

A complement to the first-year civil procedure course. Topics normally just touched on in the first year are studied in greater depth. Students produce a short paper every few weeks on assigned problems. This year's topics revolve around the subject of trials and appeals.

LAW 703(7031) Advanced Legal Research

Spring. 3 credits. Letter grades only. Prerequisite: Lawyering. J. Callihan, J. Jones, M. Morrison. Limited enrollment. Satisfies writing requirement.

This seminar provides students with research skills that are especially helpful to new law practitioners, regardless of career choice: private law firm, nonprofit, academic, etc. Topics include the use of primary and secondary sources; statutory law and legislative history; administrative law; advanced use of Lexis, Westlaw and other electronic databases; litigation materials;

international law research; the use of business and social science resources; and the role of online and print formats and subscription and free sources in legal research. Emphasis is placed on appropriate and effective research strategies and evaluation of sources. In addition to weekly assignments, students develop their skills by completing a substantial paper examining the research process and sources in a topic of the student's choosing.

LAW 705(7052) Advanced Persuasive Writing and Appellate Advocacy

Fall. 3 credits. S-U or letter grades. B. Bryan. Limited enrollment. Satisfies writing requirement.

Students master the art of persuasive writing and oral advocacy. Lecture topics include: knowing your audience; writing a Statement of Facts that appears objective but subjectively persuades; what good judges are taught about good writing; methods to achieve clarity, brevity and logic; issue selection; the effective use of precedent; establishing credibility; understanding non-legal factors that influence decisions; the interplay between judges and their law clerks; appellate procedure and standards of review; the winning opening statement; and handling questions from the bench. Students critique actual briefs, judicial opinions and oral arguments for technique and persuasive value. Guest speakers, including judges of the U.S. Court of Appeals for the Second Circuit and federal prosecutors, provide advice and recommendations. Students apply what they have learned to the drafting of an appellate brief based on an actual court record. The brief is written in stages and followed by one-on-one critiques. Student also present an oral argument. Initial practice arguments are critiqued by the professor and student panels (to permit students to see an argument from a judge's perspective), and the final argument is judged by the professor.

LAW 709(7091) Biblical Law

Fall. 3 credits. S-U or letter grades. C. M. Carmichael. Limited enrollment. Satisfies writing requirement.

Analysis of law and narrative in the Bible from the perspective of ancient law and legal history. Topics include the nature of the law codes, legal issues in the narratives, law and morality, law and religion, the transformation of extralegal relations into legal ones, legal interpretation in antiquity, social factors in legal development, and aspects of criminal, family, and private law.

[Catholic Social Thought]

LAW 710(7101) Central Topics in Jurisprudence and Legal Theory

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Letter grades only. R. S. Summers and S. Goldstein.

This seminar addresses four related topics that arise within all discrete law school courses: (1) the rational design of overall forms and complementary material or other components of the main functional legal units of a system of law, (2) the distinctive bearing of various concepts of justice on the make-up and operation of functional legal units and other phenomena of law, with several sessions on procedural justice, (3) the special and extensive nature of the resources of reason and argument in the law, and (4) the major facets of the "legal positivism vs. natural law" debate. In a discrete law school course, many occasions arise to give such topics as the

foregoing some frontal and systematic treatment, yet many instructors feel there is rarely time to stop and do so without sacrificing important course coverage. The well-educated lawyer should, however, be conversant with such topics and with at least some of the rich literature of relevance. Assigned materials include a recent book by Prof. Summers, selected jurisprudential readings, judicial opinions, statutes, and other primary sources. There is extensive opportunity for discussion. The grade is based on a seminar paper and class discussion.

LAW 714(7142) Comparative Law and Medical Ethics

Fall. 3 credits. Letter grades only. M. Aziz. Limited enrollment. Satisfies writing requirement.

This course addresses issues contained in health policy (inter alia, informed consent; euthanasia; biotechnology; human experimentation, etc.) that is based on a wider jurisdiction that has been framed in terms of inalienable rights embedded in a national and increasingly, a supranational constitutional framework. As a result, different countries have articulated a rights based approach to formal access to health care in several different ways—and not only do constitutional arrangements differ but so do values and attitudes regarding bioethics.

LAW 716(7162) Contemporary American Jury

Spring. 3 credits. Limited enrollment. Satisfies writing requirement S-U or letter grades. V. Hans.

An evaluation of claims about the benefits and drawbacks of the contemporary American jury. Drawing on the work of legal scholars and social scientists, we explore a range of topics relating to criminal and civil juries, including: jury selection; the use of jury consultants; juror perceptions of attorneys, evidence, and experts; individual and group decision making processes; jury instructions; jury deliberations; damage awards; juries in death penalty cases; and jury reform. By studying legal and empirical scholarship about the jury, seminar participants should develop insights into jury trial functioning and policy debates over the jury's role.

LAW 716(7164) Corporate Governance Seminar

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: Corporations. Letter grades only. A. Siskind.

This seminar provides an in-depth study of the principal issues involved in creating and maintaining an appropriate governance system for the modern publicly held corporation under evolving developments in international, federal, and state legal and regulatory environments. The seminar explores these developments and reconciles them with the traditional divisions of authority among shareholders, boards of directors, management, and other stakeholders. Topics include comparative international governance rules and structures, Sarbanes-Oxley and related regulations, stock exchange rules, auditor and director independence, mandated internal controls and corporate investigations, and the role of institutional shareholders and shareholder services organizations. The

seminar explores corporate governance topics from both theoretical and practical perspectives.

LAW 716(7165) Criminal Law Theory

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. S. P. Garvey.

This seminar explore a variety of theoretical issues arising within the substantive criminal law. In particular, we discuss various justifications for state punishment and theories of excuse, the heat of passion defense, the legitimacy of imposing punishment for negligence, the relevance of resulting harm to criminal liability, the defenses of duress and insanity, and the doctrine of imperfect self-defense.

LAW 717(7171) Corruption Control

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. R. C. Goldstock.

This seminar analyzes types of corruption that exist in both the public and private sectors, the means by which a variety of criminal and nontraditional remedies may be used to reduce the frequency and impact of corrupt activities, and the constitutional and statutory problems implicated by such approaches.

LAW 717(7172) Employment Discrimination

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. M. Goldstein.

This seminar explores contemporary problems in employment discrimination law. It focuses on legal issues involving Title VII, wrongful discharge, disability discrimination, age discrimination, and equal pay. Students are required to submit a paper as partial fulfillment of the requirements of the course.

LAW 719(7191) The Impact of Digital Technology on Legal Institutions and the Practice of Law

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. Letter grades only. P. W. Martin.

An exploration of the impact of the digital information and communication technology on how core activities of the "law" are carried out. The seminar traces the rapid spread of electronic systems of creation, storage, and dissemination of primary legal information, beginning with the emergence of viable commercial online systems in the 1980s. It looks at the current state of and issues raised by electronic self-publication on the part of legislative bodies, courts, and administrative bodies and investigate other issues of law and practice generated by the transformation of a paper and print-based legal system to one premised on nearly ubiquitous access to computers and electronic communication. Among the latter are questions of copyright, citation practice, "official publisher" designation, the role of the commercial sector and NGOs like Cornell's Legal Information Institute in the dissemination and application of law, post-release editorial revision, the privacy interests of those involved in legal proceedings, filing formats, and adjudicative procedures. While the course focus initially on these phenomena and issues as they are playing out within the U.S., student projects

may pursue any of these topics from a comparative perspective.

LAW 726(7261) Federal Litigation Seminar

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. M. Oxhorn.

Students work on pretrial stages of a hypothetical case in a federal district court. The work includes drafting of memoranda, pleadings, briefs, and opinions as well as presentation of oral arguments and the judging of various motions. Emphasis is placed on developing effective responses to a wide range of litigation problems.

LAW 726(7261) Feminist Jurisprudence

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. Letter grades only. C. Bowman.

This seminar examines the role of law, and, more generally, the role of the state, in perpetuating and remedying inequities against women. After studying the historical emergence of sexual equality law in the U.S. we discuss a number of paradigmatic feminist legal theories, including formal equality, MacKinnon's "dominance" theory, relational feminism, pragmatic feminism, and various anti-essentialist theories. We then apply these analytical structures to various substantive areas of law of particular concern to women, including but not limited to rape and other violence against women; abortion, surrogacy, and other reproductive rights issues; pornography; prostitution; and problems encountered by women in the legal profession.

LAW 729(7291) Global and Regional Economic Integration: The WTO, EU, and NAFTA

Spring. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. J. J. Barceló III.

The seminar studies the process of international economic integration occurring both globally and regionally. In the global context it takes up a basic introduction to WTO law and selected problems. In the regional context it takes up a basic introduction to the European Union, including the institutional and lawmaking processes, the direct effect and supremacy of EU law, and the development of the four freedoms (goods, services, persons, and capital). A basic introduction to NAFTA is also included. Student seminar papers may deal with issues arising within any of the three regimes. Comparative studies are encouraged.

LAW 731(7311) Immigration and Refugee Law

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Prerequisite: Constitutional Law. S-U or letter grades. S. W. Yale-Loehr.

This course explores the evolving relationship between U.S. immigration policy and our national purposes. Immigration plays a central role in contemporary American life, significantly affecting our foreign relations, human rights posture, ethnic group relations, labor market conditions, welfare programs, public services, and domestic politics. It also raises in acute form some of the most basic problems that our legal system must address,

including the rights of insular minorities, the concepts of nationhood and sovereignty, fair treatment of competing claimants for scarce resources, the imperatives of mass administrative justice, and pervasive discrimination. In approaching these questions, the course draws on diverse historical, judicial, administrative, and policy materials.

LAW 732(7321) International Criminal Law

Spring. 3 credits. Letter grades only.
M. B. Ndulo. Limited enrollment. Satisfies writing requirement.

The seminar examines the questions surrounding international criminal law as a separate discipline and the sources of and basic principles underlying the subject. Particular attention will be paid to the question of jurisdiction over international crimes. It will consider international crimes such as aggression; war crimes, crimes against humanity, terrorism, and torture. It also considers the treatment of past human rights violations in post-conflict situations. It further considers procedural aspects of international criminal law and the forums that deal with international crimes. In that context, it looks at the structure, jurisdiction and jurisprudence of Truth Commissions; the International Criminal Court (The Rome Statute); the former Yugoslavia Tribunal; Rwanda Tribunal and extradition and mutual legal assistance. The format will be class discussions of assigned readings. Final assessment in the course will be based on participation in class discussions and a written paper on a subject falling within the themes of the seminar. Paper topics must be submitted to the instructor for review not later than the third week of class. Each student is expected to give a presentation based on his or her paper to the class.

LAW 732(7322) International Tax Seminar

Spring. 3 credits. S-U or letter grades.
Prerequisite: Federal Income Taxation.
R. A. Green. Limited enrollment. Satisfies writing requirement.

This seminar examines the principles underlying the U.S. taxation of U.S. persons who earn income abroad and the U.S. taxation of foreign persons who earn income in the U.S.

LAW 737(7371) Islamic Law and History

Spring. 3 credits. Limited enrollment.
Satisfies writing requirement. S-U or letter grades. D. S. Powers.

This course is designed to introduce law students to the terminology, principles, and concepts of classical Islamic law. After discussing the origins and evolution of Islamic law, we turn first to the organization of qadi courts (procedure and evidence) and then to specific areas of the law, e.g., personal status (marriage and divorce), the intergenerational transmission of property (bequests, gifts, and endowments), commerce (contracts, hire, allocation of loss), and crime. The application of legal doctrine to actual disputes will be analyzed through the reading of expert judicial opinions or fatwas (in English translation) issued in connection with medieval and modern court cases.

LAW 739(7391) Labor Arbitration Practice

Spring. 3 credits. Letter grades only.
Prerequisites: Evidence and Labor Law recommended. J. Dole. Limited enrollment. Satisfies writing requirement.

By working as lawyers on a hypothetical case, students learn and develop the practice skills used in labor arbitration. In the first class, students are provided the most basic facts of the case and are divided into two-lawyer teams. Each team represents either the union and grievant, or the employer. Each team engages in those lawyering activities, described below, which are necessary to take the case to a conclusion. Some doctrinal foundation is necessary for students to properly prepare the case for hearing and to understand where labor arbitration fits into the scheme of federal labor law. For that reason, students read and learn about the nature of collective bargaining as a form of contractual agreement, when and how the obligation to arbitrate arises, and about the doctrines and principles used by labor arbitrators to decide cases. We also explore briefly the relationship between labor arbitration, the federal courts and the National Labor Relations Board. Most of the course, however, is devoted to preparing the hypothetical case for hearing, representing a client at the hearing, and preparing a post-hearing memorandum. In preparing the case for hearing, students learn about and use discovery substitutes such as subpoenas and requests for information under section 8(a)(5) of the National Labor Relations Act. They interview and prepare witnesses, and prepare exhibits, issue statements and other documents for use at the hearing. The hearing develops trial-like skills in a less formal setting. Each team makes an opening statement, examines and cross-examines witnesses, and offers documentary evidence.

LAW 740(7402) Law and Economics Meets Radical Imagination: The Case of Transitional Legal Systems

Spring. 3 credits. Limited enrollment.
Satisfies writing requirement.
Letter grades only. Z. Cui.

Transitional legal systems—in post-socialist as well as developing countries—pose many challenging questions regarding the causes of institutional change. Do institutions change because of functional necessity—such as reducing “transaction cost”? For example, can some forms of corruption in the privatization process in Russia and China be justified by Judge Calabresi’s distinction between property rule and liability rule? Some “law and economics” scholars in China endorse corruption on the basis of “liability rule”, since obeying the current regulation has a too high “transaction cost” and the most of the current regulations would have to be eliminated anyway. To confront this kind of functionalist thinking about institutional change, this course uses Cornelius Castoriadis’ book *The Imaginary Institution of Society* as a main text. Castoriadis was a Greek-French thinker of the second half of the 20th century and he developed an interesting theory of institutional change based on radical imagination. The course discuss the controversies in the labor, property and constitutional laws in the transitional legal systems and lets the insights from law and economics meet with those from Castoriadis.

LAW 741(7411) Law and Higher Education

Spring. 3 credits. S-U or letter grades.
Prerequisite: Constitutional Law or Administrative Law. J. J. Mingle. Limited enrollment. Satisfies writing requirement.

Higher education is a complex, idiosyncratic institution. Universities and colleges have a unique mission—teaching, research, and public service—and a uniquely challenging task of accommodating the various constituencies and organizations, both internal (governing boards, faculty, students, alumni) and external (legislatures, courts, regulatory agencies) that influence how they are managed and how policies are shaped. This seminar explores the dynamic tensions, high expectations, and complex legal-policy issues universities and colleges face in fulfilling their mission.

LAW 741(7412) Law and Humanities Colloquium

Spring. 3 credits. Letter grades only.
B. Meyler. Limited enrollment. Satisfies writing requirement.

In an era of increasing interdisciplinary collaboration, the fields that comprise the humanities are engaging in new ways with law as well as with each other, and projects developed within the context of law schools themselves bear renewed relevance to the humanities. This colloquium brings together scholars working at the forefront of legal history, law and literature, law and culture, and critical theory from the institutional vantage points of both law and the humanities. Those who present materials speak not only about their specific research but also address where their work is situated within new developments in law and humanities as a whole. The course begins with three weeks of seminar designed to apprise students of the history of law and humanities to date and to situate current developments within this history. We, for example, read classics of the law and literature movement by James Boyd White and Robert Cover, then inquire as to how recent work might differ in approach. The rest of the course includes a series of speakers, some drawn from Cornell and some from other universities. The students convene for a half hour at the beginning of the session, which then is opened to a larger community, including faculty members, for the talk itself.

LAW 756(7561) Legal Aspects of Commercial Real Estate Development

Spring. 3 credits. Letter grades only.
J. E. Blyth. Limited enrollment. Satisfies writing requirement.

Through the use of several written memoranda and one oral presentation, this seminar addresses considerations basic to commercial real estate development. It focuses on purchase agreements, options, rights of refusal, and memoranda thereof; representations and warranties; disclosure required of brokers and sellers; attorneys as brokers; notarial misconduct; conveyancing and surveys; commercial leases; conventional financing; conflicts between commercial tenants and institutional lenders; alternatives to conventional financing; title insurance; attorney opinion letters; and choice of real estate entity. About half of the semester is devoted to commercial leases, conventional financing, and alternatives to conventional financing.

LAW 759(7591) Mergers and Acquisitions

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Pre- or corequisite: basic Corporations class at Cornell or another U.S./Canadian law school.

Prerequisite: basic Contracts class from Cornell or another U.S./Canadian law school or basic contracts class (from any other law school) deemed comparable by professors. S-U or letter grades. M. Greene and R. Hall.

This course develops the lawyering skills required by an attorney advising a client who is selling or acquiring a business. Individual drafting exercises, as well as client interview/strategy discussions and negotiations by student teams acting as counsel to the buyer or seller, are interspersed with lectures on the business acquisition process and analysis of selected publicly available documentation of actual acquisition transactions. The typical chronology of an acquisition: negotiation by the buyer and the seller of the basic terms of the deal including selection of structure (sale of stock or assets; merger); drafting and negotiation of a term sheet or letter of intent; due diligence investigation; drafting and negotiation of the definitive acquisition agreement; handling of problems encountered between the execution of the agreement and the closing of the acquisition; and the closing.

LAW 759(7594) New York Civil Practice
Spring. 3 credits. Availability of S-U grading announced at first class. N. E. Roth. Limited enrollment. Satisfies writing requirement.

The course will explore the idiosyncrasies and intricacies of the New York practice and procedure, with a particular focus on practice in the New York Supreme Court (the primary court of general original jurisdiction in New York). The course will also examine rules concerning civility in litigation and ethical boundaries of zealous representation.

LAW 760(7601) Organized-Crime Control
Fall. 3 credits. S-U or letter grades.
R. C. Goldstock. Limited enrollment.
Satisfies writing requirement.

This seminar explores the challenges organized crime poses to society and to traditional law enforcement techniques. Students undertake a simulated investigation using physical and electronic surveillance, the analysis of documentary evidence, and the examination of recalcitrant witnesses before the grand jury. The RICO statute is explored in detail as well as a variety of non-criminal remedies including forfeiture and court-imposed trusteeships.

LAW 761(7611) Philosophical Foundations of Legal Ethics

Spring. 3 credits. Letter grades only.
W. B. Wendel. Limited enrollment. Satisfies writing requirement and professional responsibility requirement.

This seminar examines legal ethics from the standpoint of moral and political philosophy. We examine such questions as the relationship between ordinary morality and professional obligations; whether professionals may be blamed morally for their clients' ends or for activities taken pursuant to professional roles; and the relationship between legal and political institutions and moral values. In addition to reading classic and recent articles, we apply theoretical models to the sorts of practical ethical dilemmas faced by lawyers. No background in philosophical ethics is presumed. We begin with a brief introduction to the subject through Bernard Williams's short book, *Ethics*. This seminar satisfies the law school and ABA professional responsibility requirements but is not intended as preparation for the MPRE or as an introduction to the law governing lawyers.

LAW 763(7631) Pretrial Practice, Litigation Strategies, and Remedies in Commercial Litigation

Spring. 3 credits. Limited enrollment.
Satisfies writing requirement and professional responsibility requirement.
Prerequisite: Civil Procedure and Contracts or Contracts in a Global Society. S-U or letter grades. A. Radice and M. D'Amore.

Studies the strategies of complex commercial litigation, focusing on case development in the pretrial period. Addresses strategies and approaches to pleadings, jurisdiction, motions, pretrial discovery and remedies in the context of difficult and unclear legal issues. Hardball litigation techniques and ethical considerations are considered as well as the use of litigation to achieve business goals. Actual litigated cases are dissected and papers in the form of briefs and memoranda are written on each. Since 90% of commercial cases settle before trial, this seminar is a real-life presentation of the commercial litigation process.

LAW 765(7652) The Sociology of the Legal Profession

Spring. 3 credits. Limited enrollment.
Satisfies writing requirement. Availability of S-U grading announced at first class.
Instructor TBA.

Explores the structure and functioning of the legal profession, with a particular focus on the role of lawyers in contemporary America. Through readings and field observations, coupled with weekly discussions and e-mail dialogues, the seminar invites students to refine and extend their thinking on a series of important and controversial topics facing modern lawyers, sociological scholars, and society as a whole. The course neither celebrates nor condemns the legal profession, and students are encouraged to consider ways in which the profession's purported virtues may be less than fully virtuous; its vices, less than fully vicious. The approach is broadly sociological, emphasizing that lawyering, like all professional work, reflects the social dynamics of both the profession itself and the larger society in which the profession is embedded. Although discussions often touch on professional ethics and the practicalities of pursuing a legal career, most topics and materials focus on general social processes, not on the Model Rules of Professional Conduct or the mechanics of surviving law school, choosing a practice area, and succeeding as a practitioner. Prior exposure to sociology is helpful but not essential.

LAW 767(7671) Race and Law in the U.S. Since 1890

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades. D. M. Douglas.

This seminar examines the struggle for racial change in the U.S. from 1890 to the present and the reasons for that change. The goal is to provide an appreciation for the way in which law develops out of a particular social and political context and the way in which law has been used to accomplish racial change in the U.S. Students may either write a research paper or complete a take-home examination.

LAW 774(7741) Separation of Powers

Spring. 3 credits. Limited enrollment.
Satisfies writing requirement. Pre- or corequisites: Constitutional Law and Administrative Law. Students without such background should consult instructor.
Letter grades only. C. M. Farina.

The last 20 years has witnessed more debate about the nature and consequences of "separation of powers" than we have seen

since the Founding Era. This seminar examines the ways this concept is understood and used by modern judges, legislators, executive officials, and scholars to justify, or to attempt to modify, the distribution of power within contemporary American government.

LAW 774(7742) Social Justice Lawyering

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. S-U or letter grades.
J. M. Miner and K. Comstock.

Examines the relationship between law and social justice in different contexts, including the structure of the legal profession and the delivery of legal services; efforts to achieve social justice, civil rights, and the reform of public institutions through litigation, legislative, and other initiatives; the problem of access to courts and the role of the judiciary; and the role of lawyers working with community groups and movements. The course features presentations by practitioners and others who work in the area of public interest and social justice. In lieu of a research paper, students work in teams to produce studies of social justice lawyering on a topic of their choosing, through examination of a particular impact litigation/cause lawyering case; legislative efforts to achieve reform; or other efforts to effect significant change through law.

LAW 777(7772) Taking a Case Before an Administrative Agency

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Recommended: Employment Discrimination helpful but not required. Letter grades only. J. Dole.

Working in pairs on a hypothetical claim before an administrative agency, students learn and develop the skills used in presenting or defending a case in front of an agency (fall 2007: Equal Employment Opportunity Commission). Students learn how to: formulate and file a charge with the agency; respond to a charge; respond to agency requests for information; and prepare for an agency investigation. Students conduct legal research to find authority supporting their client's position. They use that research and facts gathered from client interviews to submit a position statement to the agency. Students then represent client witnesses during the agency's fact investigation. Representing a client during the investigation requires students to develop and use skills analogous to those used in civil discovery. They then submit a supplemental position statement based on the facts revealed during the agency investigation. In the course of presenting their client's case to the agency, students learn to work as a team with another lawyer, to work effectively with opposing counsel and to work with an agency that exercises discretion as a finder of fact and law. Because students cannot effectively learn the necessary practice skills without a basic understanding of the underlying doctrinal law, they are introduced to the basic doctrinal law of Title VII. Students also learn about and use the applicable agency regulations, both procedural and substantive. Students are graded based on written work, class participation, and performance on in-class and out-of-class exercises, including performance during the agency investigation.

LAW 776(7761) Tax Policy

Fall. 3 credits. Limited enrollment. Satisfies writing requirement. Letter grades only. J. Bakija.

Taxes consume close to one-third of U.S. income and influence important life decisions.

They shape the incentives and strategies of business enterprises, and profoundly affect the economy. And they are the main mechanism through which government affects the distribution of incomes. In this seminar we consider a selection of issues and debates of current interest in U.S. tax policy. We investigate critical problems and challenges facing the tax system and explore possibilities for improving its design. Topics may include options for fundamental tax reform, the relative merits of consumption taxes versus income taxes, the estate tax, taxation and the family, questions of fairness and justice in the distribution of incomes and tax burdens, the role of tax policies in addressing poverty, tax shelters, tax evasion, implications of international capital flows for taxation, and simplification.

LAW 778(7783) Theories of Intellectual Property

Fall. 3 credits. O. Liivak. Limited enrollment. Satisfies writing requirement. Sizable disagreement and controversy surround the rationales for intellectual property. This seminar provides a survey of the academic literature with the goal of illuminating the central features of this debate; explores the main theories that are used to analyze the field focusing primarily on theories of patent and copyright law; and explores theories that support strong intellectual property rights as well as those that support weakening (or even eliminating) intellectual property.

CLINICAL COURSES AND EXTERNSHIPS

All clinical courses and externships have limited enrollment.

Admission to all clinic courses is instructor selected.

Note: Clinical offerings requires off premises travel. The student is responsible for travel to and from the sites.

LAW 780(7801) Asylum and Convention Against Torture Appellate Clinic

Spring. 4 credits. Limited enrollment. S-U or letter grades. S. Kalantry and S. W. Yale-Loehr.

Students write appellate briefs to the Board of Immigration Appeals on behalf of clients who have petitioned to remain in the U.S. because they fear persecution or torture in their home countries. These clients will have represented themselves pro se in Immigration Court. During the first part of the semester students learn substantive and procedural asylum and Convention Against Torture (CAT) law, such as the nature of persecution, grounds for asylum and CAT claims, and the practical and social effects that these laws have on new immigrants who seek asylum or CAT relief. Classes may also cover practical knowledge needed for effective representation, such as advanced research and writing skills. In the second part of the semester, students work in teams of two on appellate briefs. These briefs not only entail serious legal analysis, but may also require sociocultural and political research, so that the students can effectively write about the conditions of the client's home country. Students communicate with clients during this time, although some clients may be incarcerated, and many will be out-of-state.

Students may also locate expert and other witnesses, and draft affidavits and motions. The students' cases provide a basis for more in-depth substantive learning, as well as practical skills and attorney-client issues. In class, each team also discusses the legal and practice issues that arise in their case, so that all students can benefit from and assist with each individual case.

LAW 780(7802) Capital Appellate Clinic

Fall. 4 credits. S-U or letter grades. Prerequisite: permission of instructor; Criminal Procedure or criminal law experience preferred. J. H. Blume, S. L. Johnson. Limited enrollment; priority given to students who have taken, or are concurrently enrolled in either Criminal Procedure or Evidence, or have summer experience in criminal litigation.

Students assist in preparing appellate briefs in selected capital cases. Students work intensively with the record, research legal issues, and draft arguments. Unlike most death penalty clinics, no travel is expected.

LAW 781(7811) Capital Punishment Clinic: Post-Conviction Litigation

Spring. 4 credits. S-U or letter grades. Prerequisite: permission of instructor; Criminal Procedure or criminal law experience preferred. J. H. Blume, S. L. Johnson. Limited enrollment.

Death penalty litigation: investigation and preparation of petitions, memoranda, and briefs. This course is taught as a clinic. Students work on two or possibly three capital cases. Case selection depends on pedagogical factors and litigation needs of the inmates. Students read the record and research legal issues. Some students are involved in investigation, while others assist in the preparation of papers. All students are included in discussions regarding the necessary investigation, research, and strategy for the cases.

LAW 781(7812) Child Advocacy Clinic

Spring. 4 credits. Prerequisite: permission of instructor. Limited enrollment. S-U or letter grades. A. Mooney.

Students participate in the representation of children who are the subject of family court proceedings. Cases are likely to involve children who are the subjects of petitions such as: abuse or neglect, custody, termination of parental rights, status offense and juvenile delinquency. Students interview clients and their families, prepare documents such as pleadings, motions, pre-trial memos and proposed findings of fact, and participate in court conferences and hearings. The in-class component of the course addresses cross-disciplinary concerns such as working with other professionals and using social science to assist a client. Additionally, the course focuses on child development and the particular ethical concerns involved with the representation of children.

LAW 783(7833) Criminal Defense Trial Clinic

Spring. 4 credits. S-U or letter grades. Prerequisite: Evidence recommended or permission of instructor. L. Salisbury. Limited enrollment.

Students represent defendants in nonfelony, nonjury criminal cases. The course has both a classroom and courtroom component. The classroom component focuses on all aspects of the handling of a criminal case, including criminal law and procedure, ethics, trial

strategy, plea bargaining and trials. The courtroom component involves attending court proceedings, including pre-trial conferences. Each student interviews clients and witnesses, prepares clients and witnesses for trial, conducts negotiations, does legal research, conducts fact investigation, prepares discovery demands, and engages in motion practice.

LAW 782(7821) Empire Justice Center: Domestic Violence Unit Externship

Fall. 4 credits. Limited enrollment. Prerequisite: experience in area of domestic violence and family law, either paid or volunteer, or related course work; Public Interest 1 course or NLS Externship. Student selected by placement. S-U or letter grades. J. M. Miner.

One student is selected to work with the Domestic Violence Unit of the Empire Justice Center in Rochester, N.Y. The student is responsible for travel to and from the center. The Domestic Violence Unit primarily engages in policy work; legal technical assistance and training to legal services providers, domestic violence programs, and other agencies/service providers throughout New York State; legislative advocacy; and, on occasion, direct representation of clients. The unit takes a holistic approach to domestic violence and works to identify the myriad areas in which domestic violence impacts, including housing, public assistance, and disability. The unit also recently received a grant to focus attention on the rights and remedies of GLBT domestic violence survivors. They provide assistance and training to members of the NYS Lesbian, Gay, Bisexual and Transgender Domestic Violence Network. The student is involved directly in the work done at the program. The student works 10-12 hours per week at the placement and also attends the Clinical Skills 2 class and is required to submit periodic reflective journals to the faculty supervisor.

LAW 783(7831-2) Full-Term Externship

Fall, spring. 12 credits. Limited enrollment. Prerequisite: permission of instructor. S-U grades only. Fall: G. G. Galbreath; spring, J. M. Miner.

Students earn 12 credits as externs working full time at approved placement sites during the fall or spring semester of their third year or the spring semester of their second year. Students submit written application to the instructors in the semester preceding that in which the student plans to enroll. The instructors review the applications and grant students conditional approval, contingent on acceptance by the placement and identification of an attorney at the placement who supervises and mentors the extern. In addition to work responsibilities for the placement, the extern prepares weekly journal entries, provides samples of written work, engages in regular electronic communication with the instructors, hosts the instructors for a site visit, and does a written evaluation of the placement experience.

LAW 785(7855) International Human Rights Clinic

Fall. 4 credits. Limited enrollment. Recommended prerequisites: International Human Rights and/or Public International Law. Letter grades only. S. Kalantry. Students learn substantive human rights law as well as human rights lawyering and advocacy skills. Students learn to describe issues in human rights terms, formulate demands using

human rights accountability tools, and develop strategies that utilize key features of human rights law. Students develop their international research and writing, and communication skills by working in teams on projects for international NGOs, particularly in South Asia. The projects may involve legal action such as impact litigation, legal assistance and counseling, or legislative advocacy or be geared towards community education, media outreach, fact-finding, and reporting.

LAW 786(7861) Judicial Externship

Fall, spring. 4-6 credits based on whether student and placement are willing to have student there two days a week. Limited enrollment. S-U or letter grades. G. G. Galbreath.

Students work with a trial or appellate court judge. Work involves courtroom observation, conferences with the judge, research and writing memoranda and drafting decisions. Emphasis is on learning about judges, judicial decision-making process, and trials. There are weekly class meetings with readings and discussions of topics related to the externship experience. While the primary focus is the student's work at the placement, each student also does class presentations, makes weekly journal entries, provides written work samples, and meets individually with the faculty member.

LAW 787(7871) Labor Law Clinic

Spring. 4 credits. Limited enrollment. S-U or letter grades. A. B. Cornell.

Students have a practical opportunity to learn labor law, while making meaningful contributions to the labor movement and working people. This clinic combines a substantive component with practical experience. Students advise labor unions on legal issues that surface during the semester and may have the opportunity to represent unions in different forums. Students communicate directly with union representatives and are required to sort through facts, research issues, and provide information and advice. Students routinely draft legal memoranda, prepare and file pleadings and briefs as required. They may have the opportunity to represent unions at hearings, mediation, or arbitration. Students may also be required to observe a hearing before the National Labor Relations Board, Public Employment Relations Board, or an arbitration. They have also been invited to observe the collective bargaining process. A small number of students have the opportunity to dedicate their clinical time to international labor law. Interested students can support the ongoing work of the International Commission for Labour Rights, a nonprofit organization, or a global union federation with ongoing cases or projects. Student contribution in this area is likely to be research oriented.

LAW 787(7872) Land Use, Development and Natural Resource Protection

Spring. 4 credits. Limited enrollment.

Prerequisites: Land Use and/or Water Law Clinic recommended. S-U or letter grades. K. S. Porter.

Issues of how land use and development may be managed to control, protect, and conserve natural resources, particularly water, are coming to the forefront of national and international policy. Land use policy is fundamental to both economic development and the protection of natural resources. The rich and complex body of law that balances often-competing needs of different

stakeholders involves areas of law as diverse as land use, real estate, property, tax, contract, tort, local government, and water and environmental law. This clinic give students the opportunity to work hands-on to identify, design, and implement economically and politically viable solutions to environmental problems arising from land use decisions. Students assist clients such as developers, government agencies, community leaders, and public interest groups with a wide range of services. An increasingly critical concern is the role of land use and development on the quantity and quality of water resources. Potential projects include drafting/reviewing municipal ordinances and inter-municipal agreements; consulting on design parameters for development sites; drafting petition/explanatory documents for clients who wish to obtain variances; resolving compliance issues with state and local laws; and attending meetings and advocating for clients. Because this clinic offers a great variety of transactional work, it is of benefit to most students who are interested in transactional practices, particularly those interested in a career in real estate, land use, finance, general practice, and environmental law.

LAW 788(7881) Law Guardian Externship

Fall, spring. 4 credits. S-U or letter grades.

J. M. Miner. Limited enrollment.

Students are placed at the Tompkins County Law Guardian office, where they assist the attorneys in representing children in abuse and neglect cases, juvenile delinquency proceedings, and PINS (Person in Need of Supervision) cases. Students also may have their own cases, in which they assume primary responsibility for the representation. Duties may include interviewing, investigation, drafting memoranda and motions, and trial preparation. There are several meetings with the instructor during the semester. Bi-weekly journals are also required.

LAW 790(7901) Legislative Externship

Fall, spring. 3 credits. Limited enrollment.

S-U or letter grades. Students selected by Assemblywoman Lifton. B. Strom.

Students work with the local NYS Member of Assembly. Work involves drafting legislation, tracking legislation for constituents, legal research and writing, and responding to constituent requests that particularly require legal research of an explanation of law. The emphasis is on learning about legislative process, drafting of legislation, understanding the reasons for statutory ambiguity, and developing various skills. There are several informal meetings with the faculty supervisor related to the externship experience.

LAW 791(7911-2-3) Neighborhood Legal Services Externship 1, 2 or 3

Fall, spring. 4 credits. Limited enrollment.

S-U or letter grades. B. Strom.

Classroom component is provided by Clinical Skills 1, 2 (fall), or 3 (spring) depending on whether the student has previously been enrolled in a course in which Clinical Skills 1 was a component. Cases involve the representation of clients of a legal services office, the Ithaca office of Neighborhood Legal Services (NLS). Along with case handling, this externship includes a classroom component, provided by Clinical Skills 1, 2, or 3. The classes are devoted to the development of lawyering skills and issues related to professional responsibility and the role of an attorney. In addition, each student meets

periodically with the faculty supervisor for review of the placement experience.

LAW 792(7921) Prosecution Trial Clinic

Fall. 4 credits. Limited enrollment.

Prerequisite: Evidence or permission of instructor. S-U or letter grades. R. A. Sarachan.

Students have the opportunity to prosecute nonfelony nonjury trials in Ithaca City Court. The course has both a classroom and a courtroom component. The classroom component involves lecture, discussion, and trial simulation exercises. Topics include criminal law and procedure, prosecution ethics, trial strategy and preparation, trial conduct including direct and cross-examination, plea-bargaining and professional judgment. The courtroom component involves regular attendance at Ithaca City Court's nonjury terms. Students observe and critique trials and prosecute offenses including traffic tickets, city code violations, non-felony penal law violations among others. Each student is expected to conduct multiple trials during the semester, depending on docket volume. During the semester students are expected to prepare witnesses, conduct plea-bargaining negotiations, case research and fact investigation, respond to discovery demands, and engage in motion practice and appellate practice as needed.

LAW 793(7931) Public Interest Clinic 1

Fall, spring. 4 credits. Limited enrollment.

S-U or letter grades. J. Miner and B. Strom.

Students handle civil cases for low-income clients of the Public Interest Clinic under the supervision of clinic faculty. Students interview and counsel; investigate and analyze facts; interrelate substantive and procedural law with facts in the context of actual representation; develop strategies to handle clients' problems; identify and resolve professional responsibility issues; do legal writing; negotiate and settle cases; and represent clients in hearings. Classroom component is provided by the Clinical Skills 1 class, in which students develop inter-viewing, counseling, and advocacy skills through the use of readings, videotapes, discussions, and simulation exercises.

LAW 793(7932) Public Interest Clinic 2

Fall. 4 credits. Limited enrollment.

Prerequisite: Public Interest Clinic 1 or clinic course that included Clinical Skills 1 classroom component. S-U or letter grades. J. Miner and B. Strom.

Students handle civil cases, participate in a classroom component, Clinical Skills 2, and help supervise participants in Public Interest Clinic 1. Cases are handled as described for Public Interest 1. Students represent the clinic's clients in both federal and state courts. Clinical Skills 2 builds on the skills taught in Clinical Skills 1.

LAW 793(7933) Public Interest Clinic 3

Spring. 4 credits. Limited enrollment.

Prerequisite: Public Interest Clinic 1 or clinic course that included Clinical Skills 1 classroom component. S-U or letter grades. B. Strom.

Students handle civil cases, participate in a classroom component, Clinical Skills 3, and help supervise participants in Public Interest Clinic 1. Cases are handled as described in the course description for Public Interest 1. Students represent the clinic's clients in both federal and state courts. Clinical Skills 3 builds on the skills taught in Clinical Skills 1 and 2.

LAW 795(7951-2) U.S. Attorney's Office Clinic 1 or 2

Fall, spring, 6 credits. Limited enrollment. S-U grades only. C. E. Roberts.

Students in this program work 12 to 15 hours per week for the U.S. Attorney's Office in Syracuse, N.Y. Each student is assigned to work for an assistant U.S. attorney. Students perform research and writing, and trial assistance as needed. Students may qualify to appear in court under the supervision of their attorney, and are encouraged to observe court proceedings in the U.S. Courthouse. Students also attend a two-hour seminar once a week at Cornell. The seminar focuses on writing in practice, including critiques of briefs, motions, and a petition for certiorari. Additional topics include federal criminal and civil practice, prosecutorial discretion, and habeas corpus. Guest speakers may include judges, a special prosecutor, and U.S. Department of Justice officials.

LAW 796(7961) Water Law in Theory and Practice 1

Fall, 4 credits. Limited enrollment. S-U or letter grades. K. S. Porter.

The overall purpose of the clinic is to provide each student real world transactional experience in applying theory in practice to problems and key issues in water law through collaboration and consultation, relevant research and in writing a creditable report. This involves selecting and working on a topic of local, regional, national or international importance with leaders and experts having knowledge or involvement in the issues of the project. Students have available the resources of the NYS Water Resources Institute based at Cornell. The institute is part of an extensive state and national network of agencies, constituencies and individuals. Under faculty supervision, each student selects a project on a legal topic of theoretical and practical importance for water resource managers. Consults and works with attorneys, professional staff and stakeholders engaged in work to which the project applies. (1) To properly identify and define the problem or issue; and (2) to formulate a procedure for undertaking the project including prospective cooperators and "clients". Develops a theoretical understanding of the issues through the relevant literature. Participates in on and off-campus meetings, and field trips. As helpfully relevant, seeks the assistance of faculty and staff in the various colleges and departments at Cornell University. (Cornell University is nationally and internationally eminent in its faculty and staff resources with interests in the multiple aspects of water resource management.) Presents the progress and results of their project to interested groups, and to the class.

**NONPROFESSIONAL COURSES—
NOT OPEN TO LAW STUDENTS****LAW 413(3131) Government: The Nature, Functions, and Limits of Law**

Fall, 4 credits. Undergraduates only. Letter grades only. A. Riles.

A general-education course for students at the sophomore and higher levels. Law is presented not as a body of rules but as a set of techniques for resolving conflicts and dealing with social problems. The course analyzes the roles of courts, legislatures, and

administrative agencies in the legal process, considering also constitutional limits on their power and practical limits on their effectiveness. Assigned readings include judicial and administrative decisions, social scientific articles, and commentaries on the legal process.

LAW 405(4051) The Death Penalty in America

Spring, 4 credits. Undergraduates only. S-U or letter grades. J. H. Blume and S. L. Johnson.

The death penalty has gotten increased media attention due to high-profile death row exonerations, and has long been under siege for other reasons. This course surveys the legal and social issues that arise in the administration of the death penalty. The reading is largely composed of reported death penalty cases, but is augmented by a variety of other sources, including empirical studies of the death penalty and the litigation experience of the professors. Although the focus is on capital punishment as practiced in the U.S., we also consider international and comparative perspectives. Guest speakers provide a range of views, and law students with experience working on capital cases lead discussion sections.

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Alexander, Gregory S., JD, Northwestern U. A. Robert Noll Prof.

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Blume, John H., JD, Yale U. Prof.

Bowman, Cynthia G., JD, Northwestern U. Prof.

Cui, Zhiyuan, PhD, U. of Chicago. Visiting Prof.

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Clymer, Steven D., JD, Cornell U. Prof.

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Hans, Valerie P., PhD, U. of Toronto (Canada). Prof.

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Heise, Michael, PhD, Northwestern U. Prof.

Henderson, James A., Jr., LL.M., Harvard U. Frank B. Ingersoll Professor of Law

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Lasser, Mitchel. PhD, Yale U. Prof.

Lehman, Jeffrey S., JD, U. of Michigan. Prof.

Liivak, Oskar, JD, Yale U. Visiting Asst. Prof.

Martin, Peter W., LL.B., Harvard U. Jane M. G. Foster Professor of Law

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Ndulo, Muna B., D. Phil., Trinity C. Prof.

Penalver, Eduardo, JD, Yale U. Assoc. Prof.

Rachlinski, Jeffrey J., PhD, Stanford U. Prof.

Riles, Annelise, PhD, U. of Cambridge (U.K.). Prof. and Prof. of Anthropology, College of Arts and Sciences

Rossi, Faust F., JD, Cornell U. Samuel S. Leibowitz Professor of Trial Techniques

Schwab, Stewart J., PhD, U. of Michigan. Prof.

Sherwin, Emily L., JD, Boston U. Prof.

Shiffrin, Steven H., JD, Loyola U. of Los Angeles. Prof.

Siliciano, John A., JD, Columbia U. Vice Provost and Prof.

Suchman, Mark C. PhD, Stanford U. Prof.

Summers, Robert S., LL.B., Harvard U. William G. McRoberts Research Professor in Administration of the Law

Taylor, Winnie F., LL.M., U. of Wisconsin. Prof.

Wendel, W. Bradley, JSD, Columbia U. Prof.

Wippman, David, JD, Yale U. Prof.

Legal Aid Clinic

Galbreath, Glenn G., JD, Case Western Reserve U. Clinical Prof.

Miner, Joanne M., JD, U. of Connecticut. Clinical Prof. and Dir.

Strom, Barry, JD, Cornell. Clinical Prof.

The Lawyering Program

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Dole, Joseph C., JD, Yale U. Assoc. Clinical Prof.

Mollenkamp, John R., JD, U. of Texas. Assoc. Clinical Prof.

Mooney, Andrea J., JD, Cornell U. Assoc. Clinical Prof.

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Court, Pat, Associate Law Librarian and Lec. in Law

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Morrison, Matt, Research Attorney and Lec. in Law

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Johnson Graduate School of Management
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