

# LAW STUDIES-GENERAL OR INTERDISCIPLINARY (LAWSTUDY)

While every effort is made to ensure course lists are accurate, change is inevitable and courses may show alternate program restrictions at the time of scheduling. Courses used to satisfy graduation requirements must be designated as such at the time of registration. Not all courses are offered each year.

**LAWSTUDY JRNL Journal Credit (0.5-1 Credit Hour)** Journal Credit.

**LAWSTUDY 500 Independent Study (1 Credit Hour)** Students who wish to study a significant phase of law in more depth than is provided in regular courses may register for independent study with a selected instructor. Permission of the instructor and the department is required. NOTE: This course will NOT satisfy the writing requirement.

**LAWSTUDY 510 Colloquium: Law and Gender (2 Credit Hours)** This is an advanced seminar that convenes outside scholars, resident faculty, and Northwestern students for discussions on cutting-edge research papers that illuminate the intersection of law and gender. Throughout the semester, a leading scholar will present a paper growing out of research on areas of law that bear particularly on gender. Presenters will receive valuable feedback and suggestions for how to expand or improve their research. Colloquium participants will gain a broader understanding of the gendered implications of law across disparate doctrinal and policy areas while gaining a deeper appreciation for the complex relationships between race, class, sexuality and gender in law.

**LAWSTUDY 511 Legal Epistemology (3 Credit Hours)** In this course, we will examine central issues at the intersection of law and epistemology. Topics to be discussed include evidence, legal proof, character evidence, confession evidence, the beyond a reasonable doubt standard, alternative approaches to legal evidence and proof, punishment, plea deals, and race. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 540 Communication and Legal Reasoning I (2 Credit Hours)** The focus of this course is the written communication of legal analysis. Instruction is in legal problem solving, expository and persuasive writing, and legal research. In the first semester, students write several legal memoranda. The second semester's work consists of brief writing and of oral argument of appellate cases that raise issues of current legal interest. The course is taught in small section meetings and in individual conferences. Each student's written work is individually edited and evaluated.

**LAWSTUDY 541 Communication and Legal Reasoning II (2 Credit Hours)** The focus of this course is the written communication of legal analysis. Instruction is in legal problem solving, expository and persuasive writing, and legal research. In the first semester, students write several legal memoranda. The second semester's work consists of brief writing and of oral argument of appellate cases that raise issues of current legal interest. The course is taught in small section meetings and in individual conferences. Each student's written work is individually edited and evaluated.

**LAWSTUDY 545 Law and Leadership (1 Credit Hour)** The purpose of this course is to introduce you to the skills required to become a legal leader, with a focus on in-house leadership roles. This course will prepare you to think like an in-house lawyer and work and communicate effectively with other lawyers and non-lawyers in an in-house context – skills that will

be valuable regardless of whether you practice in a firm, in house, or in a different capacity.

**LAWSTUDY 546 Legal Issues in COVID-19 Crisis (2 Credit Hours)** This course considers a number of key issues arising out of the Coronavirus crisis. The content ranges across a wide range of legal subjects in public and private law. In addition to exposure to a range of difficult legal issues, some which have occasioned litigation, others which will likely head to court eventually, we will look at the ways in which the American legal system deals with unexpected public health crises.

**LAWSTUDY 547 Law and Leadership (2 Credit Hours)** The educational pedigree producing most of America's leaders is the legal one. Yet, there is typically very little attention on the role of leadership in law schools. While the legal profession is one which tends to attract people with ambition, determination, and strong work ethic, there are other essential qualities to outstanding leadership. This course will focus on teaching students how their law degree can and will allow them to lead the worlds of business, law firms, politics, non-profit, and policy, and providing an overlay of what is required to serve as effective leaders and change-makers in each such field.

**LAWSTUDY 591 The Law of Racial & Social Justice Movements (2 Credit Hours)** The Law of Racial & Social Justice Movements.

**LAWSTUDY 592 Privacy in Depth: Contemporary Applications (3 Credit Hours)** The goal of the course is for students to draw upon the fundamental building blocks of privacy theory to better understand how we can, or cannot, view privacy as a unified whole. To what extent are we protecting the same kinds of privacy interests as we move from one domain to another? Can the lessons learned in one inform another, or is each privacy topic really its own isolated struggle? The goal of the course is for students to draw upon the fundamental building blocks of privacy theory to better understand how we can, or cannot, view privacy as a unified whole. To what extent are we protecting the same kinds of privacy interests as we move from one domain to another? Can the lessons learned in one inform another, or is each privacy topic really its own isolated struggle? *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 593 Perspectives on Ethical Lawyering (2 Credit Hours)** To effectuate change within our chosen profession we must look at varied perspectives on what it means to be an ethical lawyer. This course examines the conceptualization of the lawyer's role in American society and democracy throughout history. Through studying lawyer role models and lawyer regulation we will view various perspectives on the meaning of being a principled professional.

**LAWSTUDY 594 Contract Design (2 Credit Hours)** This course introduces students to the economics of contract design. It takes an engineering approach to contracting, bridging the gap between economic contract theory, contract law scholarship, and the drafting of real world contracts. It consists in discussing the economics underlying business transactions and applying those concepts to focused case studies. Students will apply insights from mechanism design and law to the design of incentive compatible contracts in business transactions.

**LAWSTUDY 601 Jurisprudence: Foundational Questions of Law and Lawyering (3 Credit Hours)** This course gives students an opportunity to ask the "big questions" about law. What is the rule of law? Are legal rules real or just a cloak for power? What does law have to do with justice? What do the major, large-scale theories of law-e.g., "legal positivism," "natural law," "legal formalism," "legal realism," and "critical legal studies"-really claim? How do you know a valid legal claim when you see one? This course also gives students an opportunity to ask the "big questions" about being a lawyer. Can one be a zealous partisan and a moral person?

Does the adversarial system do more harm than good? How can a lawyer's life be a worthwhile one—a life of flourishing, happiness, and meaning? *Additional Course Information:* Open to First Year Students

**LAWSTUDY 607 Advanced Legal Writing: Writing for Publication (2 Credit Hours)** "Advanced Legal Writing: Writing for Publication" is an intensive intersession course that will teach you how to effectively give and receive in-depth analytic feedback on a piece of writing intended for publication, such as a seminar paper or law journal note. This course is open to students who have written an analytical paper in excess of twenty pages who wish to further develop that paper with the ultimate goal of publishing it as an article in a law journal. The course will be run on a workshop model, and will meet all day for five days. On the first day (either December 19 or December 21, depending on student preference), immediately after fall semester final exams, Prof. Inglehart will teach students the theory and practice of in-depth analytic writing critique. Students will then receive the drafts of the other students in the course for review. The class will then adjourn and reconvene for four days in early January (January 5, 6, 7, and 8), during which we will workshop each paper in class. Each student will critique every paper, but will be responsible for writing a full critique of three papers and leading the class discussion of at least one paper. Students will be graded on their class participation, their critiques, and on their revision plan for their own piece of writing. *Registration Requirements:* Prerequisites: Communication and Legal Reasoning 1 and Communication and Legal Reasoning 2. *Evaluation Methods:* Each student will be evaluated on the basis of the following criteria: - attendance at all five full days of the course; - thoroughness and thoughtfulness of participation in every class session; - written critique of three student papers; - leading the class discussion of at least one paper; - student's revision plan for his or her own piece of writing. *Class Materials:* To participate in this course, students will need to have a draft they have written of an analytical paper in excess of twenty pages, which they wish to further develop with the ultimate goal of publishing it as an article in a law journal. In addition, Professor Inglehart will assign reading materials that will help students learn to effectively give and receive in-depth analytic feedback on a piece of writing. These materials may include some of all of the following: - Online materials regarding how to effectively give and receive in-depth analytic feedback on a piece of writing. - Materials prepared by Professor Inglehart regarding how to effectively give and receive in-depth analytic feedback on a piece of writing. - A textbook, to be determined, such as Fajans and Falk, *Scholarly Writing for Law Students*, Seminar Papers, Law Review Notes and Law Review Competition Papers (4th ed.), or Volokh, *Academic Legal Writing: Law Review Articles, Student Notes, Seminar Papers, and Getting on Law Review* (4th ed.). *Meeting days and times:* The course will meet on the following dates and times: December 21: 9am -12pm and 1pm-4pm January 5: 9am -12pm and 1pm-4pm January 6: 9am -12pm and 1pm-4pm January 7: 9am -12pm and 1pm-4pm January 8: 9am -12pm and 1pm-4pm. Please note: The last day to add/drop is December 16, 2015.

**LAWSTUDY 608 Advanced Legal Writing: Preparing for a Judicial Externship (1 Credit Hour)** A judicial externship is an extremely valuable opportunity for a law student to observe the judicial decision-making process and develop core skills such as legal analysis, research and writing. In this one-credit short course, students will learn the principles of effective writing for judicial externs. Through writing exercises and critique, students will develop their ability to critically read litigants' briefs, conduct independent legal research, apply the rules of jurisdiction and procedure, analyze the facts and law from a judge's perspective, and draft memoranda, orders, and opinions. The course will be highly useful training for students intending to complete judicial externships and

may be taken in conjunction with the Judicial Practicum. *Prerequisites:* Communication and Legal Reasoning I and II.

**LAWSTUDY 611 Introduction to International, Foreign, and Comparative Law Research (2 Credit Hours)** The principal purpose of this course is to provide students with the basic knowledge and skills necessary to conduct legal research on international law and the laws of countries other than the United States. It also has the secondary, but important, goal of expanding on and reinforcing the basic legal research skills that students have earlier gained from Communication and Legal Reasoning (and for some, from Common Law Reasoning or other coursework in law school or from clerking). Although the course is only two credits, you will become reasonably knowledgeable about sources of International and Foreign law through exposure to them and skilled in researching various international and comparative legal sources through practical application in assignments. In short, this is a course on international and foreign legal research sources and techniques. There are six required assignments: three short research exercises on different types of international or foreign legal research; one outline of preliminary sources for your final research plan that will be discussed in a research conference with me; one in-class presentation on the topic of your research; and, one final paper. You have already learned about basic legal research in your first-year Communication and Legal Reasoning course or Common Law Reasoning course; we will focus here on using the research tools for international and foreign law. *Registration Requirements:* Completion of CLR I and II is recommended as pre-requisites for all JD students. *Teaching Method:* Class meets twice a week and the course will include both lectures and interactive in-class research in which students are expected to participate; four short research assignments; and, a research project (One outline of sources for final paper, a presentation, and one final memo on a topic of interest, e.g., international law or foreign law). *Evaluation Method:* Class participation (20% of final grade); three research assignments (10% per assignment for a total of 30% of final grade); outline of sources for final memo (15% of final grade); in-class presentation on topic of memo (15% of final grade); and, the final memo (20% of final grade).

**LAWSTUDY 612 Western Legal Tradition (3 Credit Hours)** This course traces the history of European law from ancient Rome to the Napoleonic Code of 1804, a long period that gave us many of our legal doctrines, theories, and basic assumptions about how law works. It is, essentially a course about the big jurisprudential questions of what law is and what forces have shaped it. Learning the history permits us to think more deeply about the fundamental building blocks of our own law: what happens to law when it is written down, can we have too much law, have lawyers become too important, have we lost something vital by abandoning custom, how do legal change and societal change relate? Following the theme of the conflict between law made by jurists and law derived from the community's sense of justice, we will study the Roman law in its different historical forms, the law of the Catholic Church, feudal law, customary law, English common law, and early attempts at codification. The course readings consist of historical narratives which include examples of legal texts from each era, ranging from statutes to commentaries to judicial decisions to litigation documents. Analyzing these texts allows us to consider how legal reasoning has changed and how other legal cultures have approached legal problems and used legal authority. The course assumes no prior knowledge of Western history. *Evaluation Method:* Final Exam, 1-Page Response Papers, Class Participation *Class Materials:* Coursepack. *Additional Course Information:* Open to First Year Students

**LAWSTUDY 613 Economics and the Environment (3 Credit Hours)** The course will examine the intersection of economics and environmental law and policy in both the domestic and international contexts. The

course will examine the application of economic theory to causes of and solutions to environmental issues. The course will begin with a review of theories of scarcity, market failure and externalities in the environmental context, followed by discussion of how the environment is or might be valued in an economic sense. The class will then explore the economics of environmental regulation and focus on regulation and deregulation in the electricity sector. The course will next explore renewable energy and sustainability from an economic perspective. The final sessions of the class will be devoted to the application of market mechanisms to environmental problems and an exploration of the economics of climate change and proposed solutions. **PRE-REQUISITES/RESTRICTIONS:** A background in environmental law or previous or concurrent enrollment in one of the following courses is strongly recommended (but not required): PPTYTORT 610 Environmental Law, PPTYTORT 618 Natural Resources Law, or PPTYTORT 660 International Environmental Law. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 615 Law and Rhetoric (2 Credit Hours)** In this course we will explore a Jurisprudence of Expression, investigating what the law is and does (and should be, and should do) through an evaluation of law as a rhetorical, cultural discourse. In so doing we will consider the potential for law, and the practice of it, to be a conversation in search for meaning versus a competitive marketplace for the maximization of beneficial outcomes. What do we mean by a "rhetorical, cultural discourse"? We will adopt a conception of rhetoric that extends beyond the Communication Studies 101 definition of it as the art of persuasion. Aristotle called rhetoric the art of knowing that which will persuade. In that sense rhetoric is more than the dubious art of making the smaller argument the greater (in the Platonic sense), it is the gaining of knowledge about evoking responses and communicating principles that are compelling both to the audience and the speaker. Defined in this way, rhetoric is a search for meaning through expression, the translations and interpretations of ideas and values. In no sphere of our communal lives is this idea of rhetoric more present than among the actors, consumers and observers of the law. When we speak as lawyers, and when the government and the culture speak back to us, we engage in dynamic translations of what our particular rule of law should be and what it means to be a member of our rule of law republic. The practice of law, and legal process therefore can be seen as a search for meaning and identity through rhetorical discourse: the client's narrative, the speech of the advocate, the interpretations of the court, the culture's perception, and the government's reaction. How these various aspects of the conversation are spoken, interpreted, translated, acted upon and changed reflect the ways in which legal actors and those affected by legal process perceive their culture of justice. As lawyers we are essential actors in this search for the meaning of what our rule of law was, is and is becoming. You will be evaluated on one final project or paper of your own design (60%), a class presentation of your work (25%) and class participation (15%). Students are encouraged to work in groups. Text: Course pack. *Additional Course Information:* Counts toward Appellate Law Concentration

**LAWSTUDY 616 Law and the U.S. Economy: History, Ideas, and Current Policies (3 Credit Hours)** This course examines the history and present of regulation: the legal reaction to, and treatment of, capitalism. It situates past and current regulatory law in the broader context of shifts in the American economy, political dynamics, and cultural attitudes. We review legal developments spanning the centuries, from the introduction of the corporate form to the reaction to Big Tech, in diverse fields such as contracts, antitrust, banking and securities, and administrative law. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 618 Spanish for Lawyers (2 Credit Hours)** This course is intended for Spanish-speaking students who wish to build their legal vocabulary, improve their communication skills in legal and business

setting, effectively serve Spanish speaking clients, and conduct business transactions in Spanish. The classes will consist of presentation and vocabulary introduction followed by class exercises emphasizing practical utilization of the Spanish language in legal context. **PRE-REQUISITE/RESTRICTIONS:** Fluency or advanced level of proficiency in Spanish is required. Instruction will be in Spanish. *Additional Course Information:* Satisfies Experiential Learning degree req

**LAWSTUDY 619 French Law Seminar (2 Credit Hours)** Please note: Students in this course must be proficient in French language. This course is intended for students who wish to be introduced to the basics of the French civil law system. Instruction is in French. No prerequisite is necessary. This course will present a substantive introduction to the fundamentals of French law and practical documents. In-class activities, including personalized questions, exposure to legal documents, and role-play, will provide students with numerous practical context opportunities. Prerequisite: Fluency or advanced level of proficiency in French is required. Instruction will be in French.

**LAWSTUDY 620 Advanced Legal Research (2 Credit Hours)** This course is designed to give you a grounding in the research skills needed by today's lawyers and a roadmap on how to research in unfamiliar areas. The instruction will emphasize the development of coherent and efficient research strategies, as well as the increasing role of artificial intelligence and data analytics in legal research. The purpose is to become an informed, cost-effective, efficient and savvy consumer of legal information resources. **PRE-REQUISITE:** CLR I and II. *Additional Course Information:* Satisfies Experiential Learning degree req

**LAWSTUDY 620A Advanced Legal Writing: Argument, Advocacy, Drafting (3 Credit Hours)** In this course, students will discuss and recognize general principles of good written legal communication and advocacy. The course provides opportunities to write letters to clients, formal and informal memoranda, persuasive documents, and to edit each other's work. With every assignment, you will strive to write clearly and concisely. Evaluation method: written papers (memoranda, letters). The course will be useful preparation for any professional communication in law and business. **PREREQUISITE:** CLR I and II. *Additional Course Information:* Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

**LAWSTUDY 621 Advanced Legal Research: Historical Methods (2 Credit Hours)** ALR: Historical Methods develops students' knowledge of, and experience with interdisciplinary research in law, specifically history. The course gives students a grounding in how 21st century American lawyers and judges construct and critique historical arguments in contemporary legal cases based on appropriate sources of information. The course provides hands-on practice finding historical sources. *Additional Course Information:* Satisfies Experiential Learning degree req

**LAWSTUDY 622 Basics of Contract Drafting (2 Credit Hours)** This is an introductory course that will teach you the fundamentals of how to translate the terms of a business deal into a straightforward and well-organized written contract. The course is not intended to teach you how to draft any particular type of contract (e.g., employment agreements, asset purchase agreements, limited liability company operating agreements), but rather to introduce you to the basic contract concepts and organizational structure that most negotiated commercial contracts share, as well as give you practice spotting issues in contracts drafted by others. Although you will be exposed to, and work with, existing agreements relating to previous deals and other types of contract "precedent," the focus of the course will be on teaching original contemporary contract drafting. You will learn how to draft agreements in a formal, but modern, style free of archaic language, redundancies, and



legalese. *Additional Course Information:* Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

**LAWSTUDY 622WI Contract Drafting Basics (2 Credit Hours)** This seminar provides introductory training in the basic techniques of contract drafting. It is designed to help students acquire general tools and skills applicable to various types of contracts. Students may not receive credit for both LAWSTUDY 622 and LAWSTUDY 622WI. *Additional Course Information:* Satisfies Experiential Learning degree req

**LAWSTUDY 623S Effective Legal Writing (2 Credit Hours)** Effective Legal Writing is a master class that will prepare you to write well in any legal setting. Lawyers are in large part, professional writers. As professional writers, lawyers require a reliable writing process and familiarity with a set of tools that will permit them to produce high quality written work. Over four synchronous sessions, you will learn to write with impact, clarity, and appeal. We will discuss and practice the major principles of legal writing in plain English - rejecting clutter, legalese, and fuzzy thinking in favor of simplicity, incisiveness, and style. You will leave the course with a toolbox for legal writing, complete with a writing process and reliable methods for approaching organization, sentences, even words, that will serve you well in your legal practice.

**LAWSTUDY 624 Scholarly Writing Workshop (3 Credit Hours)** This Workshop permits students to write an academic paper within a structured format but without the topic-specific constrictions of a seminar. Students can write on any topic that is appropriate for legal-academic scholarship and must produce a final paper similar in length and research expectations to a student note. PRE-REQUISITE: CLR I and II. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 626 Advanced Legal Research in Intellectual Property (2 Credit Hours)** This course will provide you with an in-depth exploration of the tools and methodologies needed to conduct effective research in Intellectual Property legal issues and practice challenges. Note that the description is not limited to legal research as Intellectual Property research often requires practical, non-legal research to identify existing intellectual property, its owners, licensees, and assignees, similar concepts and processes such as research into "prior art" in Patent Law. Registration Requirements: Open to 2nd or 3rd year students who have completed CLR I and II. Evaluation Method: We will use problems, exercises, presentations and a written "pathfinder" to enhance your knowledge of the process or legal research. We will explore these research resources and processes in detail with an emphasis on strategic and cost-effective approaches applicable to particular legal issues and working objectives. All class materials will be provided through the course web page and/or in-class handouts.

**LAWSTUDY 627 Effective Approaches to Legal Research (1 Credit Hour)** Effective Approaches to Legal Research: This one-credit, "bootcamp" format course will take a very pragmatic approach to legal research, oriented toward providing students with the ability to address legal research questions and projects that may come up in their summer employment or other legal work. Students will learn the most effective and efficient methods for locating legal and other information with an emphasis on the contemporary research needs in the professional world, including not only case-law and statutory research, but also research in court dockets and court rules, document drafting resources, legislative and administrative research, complex secondary resource tools, and also non-legal research including business and corporate research and investigative research. The emphasis will be on locating information as effectively as possible using whatever print, Internet, database or Lexis Advance/Westlaw Next/Bloomberg Law resource is most applicable to the information. In the "Bootcamp" format, the course will meet for three hours a day, each day over a four day period. The course will meet on May

19, 20, 21 and 22 from 9am-12pm. The course sessions will include a mix of presentation, examples, exercises, workshops, and directed work. Each day will conclude with a research assignment to be completed by the next day. The course grade will be based on the completed research assignments along with the in-class exercises and class participation. Attendance at all 12 class hours will be mandatory. The course will be team-taught by the Pritzker Legal Research Center's Instructional Librarians including Profs. George Pike, Heidi Kuehl, Jamie Sommer, and Maribel Nash.

**LAWSTUDY 628 Advanced Legal Writing: Writing for the Court (2 Credit Hours)** In this course, students will learn the core principles of effective writing for judicial law clerks. Through readings, class discussion, and writing exercises and critique, students will develop the ability to read the parties' briefs with a critical eye, distill the relevant facts, conduct legal research, apply the rules of jurisdiction and procedure, and analyze the facts and law as an impartial decision-maker in order to draft and edit bench memoranda and opinions. PRE-REQUISITE: CLR I & II. *Additional Course Information:* Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

**LAWSTUDY 629 Foreign, Comparative, and International Legal Research (2 Credit Hours)** This course gives students a thorough grounding in the research skills needed by lawyers in today's global environment. Students will learn techniques to research sources of international law, including treaties, international customs, general principles of law as recognized by civilized nations, judicial decisions of international courts and tribunals, and scholarly writings. Students will also practice strategies for researching the laws of countries other than the United States. *Additional Course Information:* Satisfies Experiential Learning degree req

**LAWSTUDY 631E Law and Economics (ECON) (2.5 Credit Hours)** Law and Economics and Economics for Lawyers each aim to acquaint the student with various ways in which the tools of economics can be used to better understand certain legal issues. Law and Economics is aimed at students with a significant background in economics, two undergraduate price theory courses at a minimum, while Economics for Lawyers is aimed at students with little or no prior background. Students in Economics for Lawyers will examine a good deal of material from price theory texts, material that underlies the discussion of the electronic text but with which Law and Economics students will already be familiar. Law and Economics students will be able to devote that time instead to a number of journal articles that have used law and economics in insightful ways, material that students in Economics for Lawyers should be able to tackle after completing their course. Both courses will apply economic analysis to a limited number of cases as real world" illustrations of the potential uses for the theory. Economics is a systematic analysis of how various individuals would determine their preferred courses of action given the constraints imposed on their behavior. Some of those constraints are monetary, but many are not. Thus economics is not merely the study of money and wealth. For obvious reasons, of particular interest in these two courses are legal constraints. Private constrained optimizing decisions often help or harm people other than the decision-maker. For instance, my parties may disturb your sleep. If I ignore that, I am likely to party too often. A question arises, therefore, of whether that problem can be handled informally, or whether new legal rules are desirable. If the latter, what form should the rules take? Ignoring the lessons of economics can lead to rules that are ineffective, or even counterproductive. The tools of analysis in these courses will be largely verbal and graphical rather than algebraic. The method of instruction varies between lecture and discussion according to the material being covered. The text is new and old examinations, though available, may

prove of limited usefulness. Regular class attendance is expected. Final examination in class.

**LAWSTUDY 631L Economic Analysis of Law (3 Credit Hours)** This course focuses on familiarizing students with the economic approach to analyzing the operation and effectiveness of law. The economic approach views the law as a set of tools to be used to achieve socially desirable outcomes and looks at participants in the legal system as strategic agents who respond to incentives. The major goal of the course is to leave students with the ability to "think like an economist", that is to be able to analyze legal doctrine using the theoretical and empirical approaches accepted by economists. Economic analysis is not limited to aspects of the law that deal directly with monetary or business problems. In fact, this course will survey the application of economic analysis to most of the areas of law that make up the first year curriculum. We begin with a brief introduction to welfare analysis-the primary theory that economists use to compare the desirability of various policy outcomes. Our study of substantive law starts with applying an economic approach to property, contracts and tort law. We will then turn towards public law, with a brief study of the economics of crime, and the application of game theory and economics of civil procedure. We end with a brief economic analysis of law and income distribution. Students will be required to complete problem sets, which consist of applying economic analysis to hypothetical fact patterns, as well as working out numerical examples. These will not require mathematics beyond basic arithmetic. Study of economics is not a prerequisite. *Additional Course Information:* Counts toward Business Enterprise Concentration, Counts toward Law and Social Policy Concentration, Open to First Year Students

**LAWSTUDY 632L Special Topics: Economic Analysis of the Law (3 Credit Hours)** Although the course title is similar to the perspective/open elective Economic Analysis of the Law, the courses are essentially independent and neither is a prerequisite for the other. Students are permitted to take one course or both, in either order. The course will apply simple junior high school level graphical (abundant) and algebraic (occasional) economic analysis to investigate selected legal topics. I. The Relevance of Supply and Demand to Legal Decisions - Montana v. Blackfeet Tribe of Indians, 471 U.S. 759 (1985)-State authority over tribes on their reservations - Cotton Petroleum v. New Mexico, 490 U.S. 163 (1989)-State authority over non-Indian contractors on tribal reservations - To Tax Tribes Or Not To Tax Tribes? That Is The Question, 12 Lewis & Clark Law Review 971-90 (2008)-Ignorance of rudimentary economics results in inconsistent decisions II. The Relevance of Shortages and Surpluses to Legal Decisions - Why Do Firms Contribute Shortages? The Economics of Intentional Mispricing, 32 Economic Inquiry 562-81 (1994) III. The Relevance of Derived Demand to Legal Decisions - Paul MacAvoy, The Trunk-Line Railroad Cartels and the Interstate Commerce Commission [selected parts] IV. The Relevance of Marginal Revenue and Marginal Cost to Legal Decisions - FTC v. A. E. Staley Mfg. Co., 324 U.S. 746 (1945) - Boise Cascade v. FTC, 637 F.2d 573 (1980) - Basing Point Pricing: Competitive vs. Collusive Theories, 72 American Economic Review 289-306 (1982). V. The Relevance of Factor Proportions for Legal Rules - The Black Death and Property Rights, 31 Journal of Legal Studies s545-88 (2002). VI. The Relevance of Focal Points for Legal Violations - Understanding Riots, 14 Cato Journal 147-57 (1994). VII. The Relevance of Concentrated Versus Dispersed Interests for Legal Rules - Toward a More General Theory of Regulation," Journal of Law and Economics, August 1976:211-240 - A Coasian Model of Insider Trading, 80 Northwestern University Law Review 1449-72 (Summer 1986) - League Structure & Stadium Rent Seeking - the Role of Antitrust Revisited, 65(1) Florida Law Review 1-72 - Fuel Economy and Perverse Unintended Consequences, 29(2) Environmental Forum 34-35 (March/April 2012) VIII. The Relevance of Property Rights for Legal Decisions - Sovereignty Can

be a Liability: How Tribes Can Mitigate the Sovereign's Paradox, in Self-Determination: The Other Path for Native Americans, Stanford: Stanford University Press, 194-213 IX. How Coase Got His Theorem - The Nature of the Firm, 4 Economica 386-405 (1937) - British Broadcasting [selected parts] - The Federal Communications Commission. Journal of Law and Economics 2:1-40 (1959) - The Problem of Social Cost, 3 Journal of Law and Economics 1-44 (1960) [selected parts] - Notes on The Problem of Social Cost, in The Firm, the Market, and the Law. Chicago: Univ. of Chicago Press (1988) Evaluation Method: Grading by attendance, participation, two or three in-class examinations Class Materials: All Materials are available in our library, often in electronic form.

**LAWSTUDY 633 Colloquium: Law and Economics (2 Credit Hours)** This is an advanced seminar that will focus on cutting-edge research in law and economics. In eight class weeks, we will host a faculty workshop during which a leading scholar will present a paper. On other weeks we will have general lecturers, by ourselves or other Northwestern faculty on empirical research in law, and on selected topics in law and economics. The papers in the workshops will primarily involve empirical research, but may also include some theoretical (modeling) papers, and more traditional "talk" papers, within the general ambit of law and economics. *Additional Course Information:* Counts toward Business Enterprise Concentration

**LAWSTUDY 640 Language and Law (3 Credit Hours)** The use of spoken and written language is central to the practice of law, whether in the courtroom, the law office, or the appellate court opinion. This course provides an introduction to social scientific studies of the language of the law as it functions in courtroom interactions, in jury decision making, in lawyer-client interviews, in caselaw, and in other legal contexts. Students will have an opportunity to do their own linguistic "fieldwork" in legal settings or to work with original data (for example, transcripts). Evaluation: Course grades will be based on brief oral reports of fieldwork, on contributions to class discussions, and on a written project report. Class participation will be considered in determining the final grade. Teaching method: Texts: Prerequisites: None. *Additional Course Information:* Open to First Year Students

**LAWSTUDY 642 Narrative Structures: Law, Literature, Journalism, Film (3 Credit Hours)** This course will compare the narrative techniques of novelists, journalists, film directors, and trial lawyers. In particular, the course will explore the devices employed by narrators to use stories as a means of persuasion. While trial lawyers are understood to be advocates, the persuasive aspect of storytelling is not always evident in other contexts. By examining novels, plays, films, and newspaper accounts, we will learn to identify the narrator's point of view, whether it is evident or concealed, while searching out alternative or suppressed stories that might also be supported by the same facts. *Additional Course Information:* Open to First Year Students

**LAWSTUDY 647A Lawyer Memoirs (2 Credit Hours)** This class will attempt to answer a perennial question, "how can a good lawyer be a good person," through an examination of attorney memoirs. We often study legal ethics through the use of hypothetical problems that are intended to raise vexing issues for practicing lawyers. Even in sophisticated simulations, however, it is nearly impossible to duplicate the exigencies, pressures, and conflicting demands experienced by contemporary lawyers. Studies of the legal profession are also often one step removed (at least) from actual law practice, based on surveys or aggregations of information that do not address the actions of individuals. Lawyer (and judge) memoirs may be the means to bridge this gap, providing an opportunity to explore the ways in which individuals assume roles, make compromises, and seek solutions to daily problems

in law firms and in courts. This literature can be the basis for some true insights into the way law is, and should be, practiced.

**LAWSTUDY 647B Authenticity in Legal Practice (3 Credit Hours)**

This course centers on the process through which students form their professional identity - identifying, engaging, and incorporating both their personal values and personal narrative. Without a strong sense of your values, narrative, and identity, others will determine and define them for you. In this course, we will examine iterative processes, from: - the building blocks of values to how those values fit into professional responsibility to how those values play out in a range of professional roles and settings; and - the stories that make up our personal narrative to how those stories influence our professional identity to how stories are an integral part of lawyer-client relations and the practice of law. Students will use interview and narrative skills to develop and challenge their notions of what it means to be a lawyer, to be a part of the legal profession, and to progress on a new and challenging career path. After exploring identity and narrative theory, students will explore the experiences, career, and life of a lawyer (of student choosing with professor approval), then use that exploration as a reflective tool on their own career development. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 658 Mental Health and the Law (3 Credit Hours)** This seminar course examines the intersection of mental health and the law in various criminal and civil contexts. The first session addresses general issues concerning interaction of the two disciplines and each of the subsequent sessions will focus on a specific legal issue and the mental health implications; for example, not guilty by reason of insanity, competence to stand trial, termination of parental rights based on a mental condition, involuntary hospitalization, or commitment of sexual offenders. Each seminar will discuss assigned readings that include landmark cases and secondary source material. Seminar sessions balance philosophical discussions (e.g., tension between individual rights and governmental intrusion on those rights for social goals) with practical implications (e.g., admissibility of mental health evidence) and experiential elements. The seminar also incorporates some guest speakers for part of approximately half the seminar sessions. The course has the following goals: - Refine students' understanding of mental health terminology, methods, and concepts. - Improve students' advocacy skills by learning how and when mental health information can be used in various legal proceedings. - Challenge students' assumptions regarding the impact of mental illness on legal status and competencies. Prerequisite: This seminar is open only to students who have completed a course in U.S. Constitutional Law (Con Law, ALS: Con Law) or Con Criminal Procedure (preferably both). Since the course is a seminar, students should be prepared to participate consistently in class discussions. Student preparation for and participation in the weekly seminar sessions counts for 20% of the final grade, based on the quality of student contributions to seminar discussion and participation in group exercises. A final paper counts for 80% of the final grade. The paper is expected to be between 15-20 pages (double spaced, 12 point font) using primary and secondary sources. By the end of the fifth seminar, students should have consulted with me and chosen their paper topic. A course packet with assigned readings will be available. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 659 Law Practice Field Studies (1 Credit Hour)** This course is open to (1) JD students who will be doing a paid or unpaid internship during the summer following their first or second year of law school in a country other than their home country and (2) JD students doing an unpaid internship during the summer following their first or second year of law school which does not qualify for one of the Law School's

Practicum courses. In this course, students will engage further in the legal and professional issues they encounter in their summer internships, develop understanding of cross-cultural aspects of the practice of law, engage in and apply self-reflection, learn about American and global law firms, and the career path of international lawyers. Students maintain reflective journals analyzing their internship experiences and responding to questions about their internships. At the end of the internship, students submit either a final paper or a final project. International students on F-1 visa should be able to use Curricular Practical Training (CPT) work authorization to take this course and pursue internships.

**LAWSTUDY 660 Law and Social Order (3 Credit Hours)** This course provides an advanced introduction to social scientific analyses of law. The central issue it addresses is the relationship between law and the distribution of power in society. Thus the course examines how social variables affect the structure and functioning of legal institutions, as well as how the law may reflect and reshape the organization of society. The first third of the course considers the nature and origins of the law and draws heavily on anthropological and historical studies of nonwestern legal systems. We will then review conceptions of law among classic and contemporary social theorists. The remainder of the course emphasizes the American legal system. It analyzes the social structure of the American legal profession, the system of civil litigation, and law as an instrument of social control. It then examines the relationship between law and social change as revealed in selected areas of private and public law, including torts, school desegregation, and discrimination. The course concludes by looking at the legitimacy of legal institutions in the United States and elsewhere. Evaluation: Performance will be evaluated based on class participation, two short writing assignments, and a final exam or a research paper. These will be weighted as follows: participation - 25 points; each assignment - 25 points; final exam or paper - 100 points. Students who elect to write a paper instead of taking the final exam must submit a written proposal by the fourth week of class, which is subject to approval by the instructor. The final exam will be an in-class exam on questions distributed a week in advance. Teaching method: Texts: Prerequisites: None.

**LAWSTUDY 661 Professional Responsibility, Leadership, and Lawyering Success (2 Credit Hours)** Research shows that being a great lawyer and being seen as having that potential encompasses more than rote knowledge, technical skills, and intelligence (in an IQ sense). Being a successful lawyer necessitates engaging in a wider range of skills, including but not limited to the ability to manage relationships with others, to build leadership skills, to know one's limits and standards, to manage one's emotions, to navigate complex and challenging work situations, and, ultimately, to be in the best position to succeed in an ever-changing job market and through changing career paths. This course will start with the meaning of professional responsibility, then turn to the concept of Emotional Intelligence and its value both to professional responsibility in general and within various basic aspects of the practice of law such as interviewing, counseling, conflict management, negotiations, and problem solving. Students will have the opportunity to complete an emotional intelligence assessment and use their tailored results to develop sound leadership skill. Through discussion of legal and other research, simulations, and reflection, this course will show students how to build individual professional capability to self-assess skills and abilities, to increase awareness of strengths and weaknesses, and to build and reinforce professional responsibility skills necessary to advance careers and success. Registration Requirements: No pre-requisites Evaluation Methods: Reflective Papers: 20% Capstone Reflective Paper: 60% Class Attendance: 20% Class Materials: 1. Daniel Goleman, Emotional Intelligence: Why It Can Matter More Than IQ 2. Douglas Linder & Nancy Levit, The Good Lawyer 3. Completing the Emotional and Social



Competency Inventory (ESCI) 4. Other course readings will be available online. Please note this class will meet on the following dates and times: December 17, 2016: 9am-4pm December 19, 2016: 9am-4pm December 20, 2016: 9am-4pm January 7, 2017: 9am-4pm The last day to drop this course is 12/16/2016.

**LAWSTUDY 662 Advanced Legal Writing: Preparing for a District Court Clerkship (2 Credit Hours)** In this course, students will learn the fundamentals of common legal issues they will encounter as federal district court law clerks, and how to research and write about those issues. Students will practice the work of judicial clerks and become familiar with the complexities of judicial decision-making as they draft documents in real cases, including an order, an opinion, and jury instructions. Students will further develop their writing skills through various in-class writing and editing assignments and by reviewing and critiquing real-world examples from judges and legal scholars. This course will help students further develop the research, analytical, communication, and problem-solving skills that are crucial to becoming an effective and successful law clerk. Prerequisites: Any student who has secured a federal district court clerkship is eligible to register for this course. Students who have not secured a federal district court clerkship must obtain the instructor's permission before enrolling in the course. Evaluation Method: Students will be assessed based upon the drafting and editing of various judicial research and writing tasks throughout the semester, including an order, an opinion, and jury instructions, and several short writing assignments. There will be no final exam or paper. Class Materials (Required): The Bluebook: A Uniform System of Citation (20th ed. 2015); and additional materials to be provided for download from the Canvas course.

**LAWSTUDY 663 Advanced Legal Reasoning: Sting Operations (2 Credit Hours)** • Advanced Legal Reasoning: Sting Operations explores the constitutional and procedural issues raised by government sting operations. The course uses the framework of these sting operations both to teach substantive criminal law topics and to enhance students' legal writing, exam-taking techniques and professional skills. Students will learn from prosecutors and criminal defense attorneys who litigated these cases and will consider the policy issues raised by government sting operations. There will be a significant one-on-one counseling component of the course, including multiple individual meetings with the primary instructor.

**LAWSTUDY 664 Discrimination, religion, and Bigotry (2 Credit Hours)** Should religious businesspeople, who feel morally obligated not to facilitate same-sex marriage, be exempted from antidiscrimination laws that protect gay people? This question draws together a number of different fields: religious liberty, antidiscrimination law, equal protection, free speech, statutory construction, and political philosophy. I'm working on a book manuscript that tries to pull these together. Opponents of such exemptions have argued that conservative condemnation of gay sex is as evil as racism and should likewise disqualify those who hold it from religious accommodations and even state funding. I argue that the racism analogy is sound, but that here as elsewhere, religion should be accommodated where this will not defeat the purposes of the law. Students who find this conclusion repellent are especially welcome, since I'm hoping to test the argument here. I require one reaction paper, attacking some claim that is made in one of the readings. It is due a week after the last class. I will provide comments and ask you to revise in light of them.

**LAWSTUDY 667 JDPhD Workshop (0.5 Credit Hour)** Students are expected to participate in the weekly one-hour JD/PhD seminar, either in-person or remotely, as early in their program as possible, but no later than the second year. Students should give a presentation at the

seminar at least once a year after their first year at the law school. During these presentations, students receive important feedback from their colleagues in the program and offer feedback to them in return. Funding support is available to assist in conference expenses if you present your paper in advance at the weekly seminar. Primary activities in the weekly seminar are: 1) research presentations, including practice conference and job talks, 2) try-outs of dissertation ideas and other works-in-progress, 3) discussion of special topics of interest to JD/PhD students (e.g., publishing in law reviews versus peer-reviewed journals), and 4) meetings with individual faculty about their research and career activities. The seminar provides an opportunity for students to meet law (particularly JD/PhD) faculty in a small-group, more-informal, setting than is generally available in formal classes, to learn about faculty research and experiences on the job market, and to get feedback on their own research. For those enrolled in the seminar, the seminar carries a one-hour credit for two semesters of participation, with an upper limit of two credit hours in total during the program.

**LAWSTUDY 668 Legal History Workshop (2 Credit Hours)** The Legal History Workshop is a hands-on course offering the opportunity to practice modern lawyering skills using historical legal material. This workshop will explore the case of Attorney General v. Newton & Herbert (Grocers' Case) heard in the English Court of Star Chamber in 1621. It is one of the most extensive, and puzzling, cases coming out of that court. The accusation was simple: Newton and Herbert were London grocers said to have deceived their customers by false weighing. False weights and measures were a constant problem in premodern Europe, and merchants were disciplined for these frauds with regularity, though usually in local or guild courts. Yet this case, although ordinary in its facts, generated almost 300 pages of deposition testimony heard by a court staffed by the highest lords in the land. The dispute also led to a libel suit in Star Chamber, debates in the Grocers' guild, and petitions to the House of Lords. In addition, the whole conflict seems to have started from an earlier contract dispute brought against Newton in the Court of Chancery, a dispute that may itself have been manufactured by disgruntled former apprentices. What made this seemingly mundane case spin out of control? We will read the Grocers' Case record, and the other legal disputes associated with it, to try to answer that question. Working in teams, the students will prepare the case for litigation, drafting trial memos and briefs. Then, with two students arguing as lawyers and the rest of the class sitting as the judges of the Star Chamber, we will hold a trial late in the semester to decide how the case should come out. The professor will provide all course material.

**LAWSTUDY 669 Advanced Legal Reasoning: Federal Sentencing (2 Credit Hours)** Advanced Legal Reasoning: Federal Sentencing explores how sentencing jurisprudence intersects with sentencing practice in the federal courts. Students will trace the doctrinal evolution of sentencing law and then study the relevant statutes, procedural rules, and sentencing guidelines that govern federal practice. Students will have the opportunity to observe sentencing hearings in the Northern District of Illinois and hear from a variety of guest speakers.

**LAWSTUDY 672 Pro Bono in Large Law Firms (2 Credit Hours)** This course will explore ethical, practical, and structural issues surrounding pro bono work and how associates can incorporate meaningful pro bono work into their law firm experience. The court also will explore law firm economics and how pro bono fits into the realities of law firm life. The course also will allow students the opportunity to connect with pro bono counsel at law firms about their ongoing pro bono programs and legal aid senior leaders about the access to justice crisis and how legal aid and pro bono are meeting the need for access to justice. Class discussions and readings will focus on a wide range of issues. The course will first explore the need for pro bono work and current inequalities in access to

the legal system. We will examine the relationship between pro bono work and the concepts of professionalism, public service, and equal access to justice. The course will highlight pro bono work in various areas of interest, including racial justice (and the Law Firm Antiracism Alliance), immigration/refugees, domestic violence, and much more. The course will explore ethical issues that may arise in pro bono representation and will examine the structural issues affecting pro bono work in law firms. Finally, the course will examine opportunities in global law firms for international pro bono work, including challenges to doing such work.

**LAWSTUDY 674 Persuasion Theory and Practice (2 Credit Hours)** This course has four goals: to expand students' knowledge of argumentation strategies beyond the analogical "apply, distinguish, reconcile" variety as taught in law school; to connect students to the tradition of Western thought on the role and function of those who seek to persuade; to help students situate their own practice of persuasion/argument within the context of the epistemological debate around the uses of persuasion; and to explore the manner in which the theory and practice of persuasion come together in ways that are useful to their future practices of law. Each week we will consider foundational and contemporary thinking about the role of persuasion and those who practice it in civil society. We will also study the art of rhetoric/persuasion itself, the forms, tropes and strategies that shape the various ways we can make arguments to courts and tribunals. Finally, each week we will spend time delivering and evaluating arguments in the context of the readings for that week. Students will be broken into groups and assigned a topic, a side to argue, and a particular problem with the nature of persuasion to explore in their arguments which will be delivered in class. Each student will then write a short think-piece describing their process, intentions, and takeaways from the in-class experience. *Additional Course Information:* Satisfies Prof Writing degree req

**LAWSTUDY 677 Colloquium: Legal History (2 Credit Hours)** This is an advanced seminar that will focus on innovative research and works-in-progress in legal history. During six class weeks, we will host a faculty workshop where a leading scholar will present a work-in-progress or a recently completed portion of a larger research project. During the other classes, we will prepare for the forthcoming scholar-led workshop or discuss the different methods of historical analysis. The workshop papers will reflect a variety of legal history topics and methods, including socio-legal history, global histories of law, and research in the history of legal ideas. The seminar will bring together scholar-presenters, Northwestern law students and faculty, as well as faculty and graduate students from Northwestern, the American Bar Foundation, and Chicago-area universities.

**LAWSTUDY 679 Empirical Analysis and the Law (2 Credit Hours)** In many areas of law and law-making, attorneys are increasingly called upon to evaluate and present empirical evidence to support their claims. Fortunately, much empirical research today uses only a handful of research methods. In this seminar, you will learn about these methods and the types of legal questions that they can address. The goal of this seminar is not to equip students to become producers of empirical research, but rather, to help students become better consumers of empirical research and in so doing, build an important set of skills for legal practice.

**LAWSTUDY 680 Liberalism and Its Critics (2 Credit Hours)** Liberalism – the idea that the purpose of government is to guarantee to individuals the freedom to shape their own lives – is in retreat around the world today. The deepest challenge to liberalism is loss of faith in its institutions. The fall of the Soviet Union showed that a regime is vulnerable if its leaders no longer believe its guiding philosophy. Many prominent writers, on left and right – authoritarian, communitarian, nationalist, anticolonialist,

Marxist, populist, and religious – are proposing alternatives. This class will examine those writers.

**LAWSTUDY 690 Senior Research (1-12 Credit Hours)** The OWEN L. COON/JAMES A. RAHL SENIOR RESEARCH PROGRAM is an opportunity for students in their third year of study to conduct in depth, supervised legal research. The Program contemplates frequent, weekly individual meetings between the student and the supervising faculty member. An oral examination may also be required by the supervising faculty member. Senior Research is research leading to a publishable paper or article under the direct and active supervision of a faculty member. Senior Research may be taken by third-year students for 4 to 12 total credit hours in one or two semesters (minimum of 4 credits in the first semester taken, maximum 8 in any semester) in any field of study upon agreement with the supervising professor, subject to the rules governing the program. Any variation requires early, personal discussion with and approval of the Director of Research. Enrollment presumes and assumes student knowledge of program rules and requirements. Students must obtain final approval from the supervising professor and the Director of the Senior Research Program before they can be enrolled. Enrollment is manual in the Registrar's Office, not self-service on CAESAR. A completed, approved research plan must be filed in the Registrar's Office before the end of any drop/add period. The research plan form is available on the Registration and Records web page, and in the Registrar's Office. The research plan form should be submitted to the Registrar's Office after the signature approval of the supervising professor. The Registrar's Office will submit the plan to the Director of Research for final approval. Senior Research requires close and frequent consultation between the student and the supervising professor, which means local presence. Proposed plans that involve distant research would be very much the exception and require early, personal review with the Director of Research. Senior Research projects of at least 4 credits meet the research writing graduation requirement. *Additional Course Information:* Third year students only

**LAWSTUDY 693 Accounting and Finance (3 Credit Hours)** This course provides an introduction to financial accounting, with an emphasis on the interpretation of financial statements. The course is not appropriate for students with a significant amount of coursework in accounting at the undergraduate or graduate level. We will learn how financial statements reflect a firm's economic events, and discuss the generally accepted accounting rules for these events, their alternatives, and their limitations. There will be special emphasis on the areas of the financial statements that include significant managerial discretion, because those are the areas that most often result in litigation. Many of the examples we discuss in class will be based on real-world financial statements. By the end of this course, you should be able to read and understand a basic set of financial statements. Prerequisites: None Evaluation Methods: Midterm Exam (40%) and Final Exam (60%). Please note the final exam will be a self-scheduled exam. Required Materials: Financial Accounting (8th Edition) by Libby, Libby & Short (ISBN: 978-0078025556).

**LAWSTUDY 694 Bioethics and the Law (3 Credit Hours)** This course is intended to provide insight into controversial and difficult ethical issues that arise at the intersection of law and medicine. Topics include issues of reproductive ethics and law; the ethics of vaccine research, distribution, and requirements; ethics and regulation of research with human tissues; access to and regulation of innovative or experimental therapies; public health ethics, including access, justice, allocation and the limits of state authority; and the ethics of end of life care, including withdrawal and withholding of life sustaining therapies, brain death and organ donation. We will touch on how these perennial issues take on new salience in the COVID-19 pandemic.



**LAWSTUDY 694A Leadership and Organizations (2 Credit Hours)** This course focuses on providing social science tools useful for solving organizational problems, and managing the actions of individuals, groups, and organizations. It helps prepare law students in their future role as managers in legal organizations. Decision Making Under Uncertainty - expected value; confirmation bias; availability bias; overconfidence; framing; motivated reasoning; escalation of commitment Judgments in Social Context - egocentric bias; fundamental attribution error; halo effects; self-fulfilling prophecy Social influence - framing messages; commitment and consistency; minority faction influence Social Networks - social capital; reciprocity; optimal structure Motivating performance - measureable and achievable goals; motivation theory; reinforcement; perceived control; extrinsic v. intrinsic motivation; equity theory; myths about pay Negotiation Introduction/Review - compromising v. logrolling; Pareto efficiency; strategic misrepresentation Leadership - determinants and consequences of leadership styles Managing Teams - team structure; selection considerations; building trust and collaboration; leveraging team members - expertise Use and Abuse of Authority - compliance; organizational roles; social proof; diffusion of responsibility Course is restricted to Accelerated JD students.

**LAWSTUDY 695 Quantitative Reasoning in the Law (3 Credit Hours)** This course introduces students to numerical ideas and techniques that have relevance for courtroom decision making. The ideal student for this class is one who does not have a strong background in math or statistics, but who wishes to understand what every 21st century lawyer should know about quantitative evidence. Quantitative techniques as applied to discrimination, trademark, forensics, medical malpractice, and toxic torts will be covered.

**LAWSTUDY 696 ALW: Introduction to Judicial Writing (2 Credit Hours)** This course will introduce students to the writing process that judges and law clerks use to decide cases and communicate with the public through orders and opinions. Students will learn about the mechanics of judicial writing, including how it differs from advocacy, as well as the ethical rules and practical considerations that guide judges and law clerks. Students will develop and practice their judicial writing skills through graded and ungraded writing, editing, and critique assignments. *Additional Course Information:* Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

**LAWSTUDY 697 Empirical Research in Health Policy (2 Credit Hours)** Health policy involves many important and politically divisive issues that involve the interaction between legal and regulatory policy, our system of health care delivery, and economics. For example, how many people file for bankruptcy because they are uninsured and have large medical bills? How many people die or suffer disability because they don't have health insurance? Does a cap on non-economic damages in medical malpractice lawsuits attract physicians to a state? Does such a cap reduce "defensive medicine" and thus overall healthcare spending? Do nonprofit hospitals behave differently than for-profit hospitals and if so, how? Empirical research can cast light on these issues. This seminar will explore the empirical evidence and research methods used to examine these and other important questions in health law and policy. The course will begin with basic concepts and research designs commonly used in quantitative research on law and public policy, to provide students with an introduction to the tools needed to understand and evaluate empirical research. These research strategies are general in nature - they are not limited to health policy research. We will then consider empirical studies of health insurance, medical bankruptcy, medical malpractice reforms, hospital ownership, and competition in healthcare markets. The strengths and weaknesses of the empirical methods used in each study will be closely examined. Registration Requirements: None. Prior class experiences in statistics, economics, or other quantitative social sciences

would be helpful, but is not required. Evaluation Method: Final grades for the course will be determined based on class participation, presentation, and a final paper. Students are required to submit the paper by the end of the final exam period. For most students, the final paper will take the form of a critical review of prior studies on a particular issue in health policy, focusing on the methods and research design. Original empirical research papers are acceptable and encouraged - but more difficult to carry out. Students who want to prepare their own research paper should contact the instructor early in the semester to discuss their proposed topic. Class Materials: Hyman, David A. (2006), *Medicare Meets Mephistopheles*, Cato Institute, ISBN: 1930865929. Baker, Tom (2005), *The Medical Malpractice Myth*, University of Chicago Press, ISBN: 0226036480. Other readings will be journal articles and research reports, to be distributed. Suggested Class Materials: Suggested readings, if any, will be journal articles and research reports, to be distributed.

**LAWSTUDY 698 Access to Justice in the U.S. & the Developing World (2 Credit Hours)** This course will address current issues in access to justice in the U.S. and in developing countries. "Access to Justice" is a broad concept that includes issues ranging from the ability of people to experience justice in their daily interactions with each other, with government, and in our courts, to the provision of services that enable them to enforce recognition and implementation of their human rights. "Access" implicates the ability of people to realize the promises of justice made to them through recognition of their humanity, and by constitutions and legislation. "Justice" includes basic concepts of human rights, equity, fairness and due process.

**LAWSTUDY 699 Summer Research Internship (2 Credit Hours)** The Summer Research Internship will offer students an opportunity to do substantive work with a professor during the summer months, learn about the process of legal scholarship, maintain resume continuity, and earn two credits toward graduation. It also can fill the gap in research opportunities for students who do not yet qualify for the Senior Research program. The internship would be two credits, Pass/ No Credit and limited to the summer session - Interns would be required to meet with the faculty member once per week for one hour. - Meetings can be held on a distance basis. - The interns and faculty member would agree on the form of a "deliverable" work product due at the end of the summer session. - Regardless of the form of the work product, participation in the internship would not count toward the graduation writing requirement, nor will it be a vehicle for commencing work on an anticipated journal note or comment. - Paid research assistants do not qualify for this program. Students must elect paid RA status or this for-credit program. To enroll, complete a counter registration form, signed by the supervising professor to reflect approval. Enrollment will be manually accomplished in the Registration and Records Office.

**LAWSTUDY 700 Pornography, Free Speech, and Moral Harm (2 Credit Hours)** The regulation of pornography may seem anachronistic in the age of the internet, but it continues to be an object of considerable controversy. (For many years, approximately 40% of Americans have thought that pornography should be banned even for adult readers.) Is there a good reason to restrict the availability of pornography, or of some particularly offensive pornography, such as that involving violence? Does such regulation infringe on freedom of speech, or is pornography simply outside the scope of free speech concerns? This course will explore these questions, examining the history of speech regulation and the arguments surrounding such regulation today. The format of the class will be discussion, so please come prepared to talk. All of the readings are available as pdf files on the course's Blackboard web site, <https://courses.northwestern.edu>, where they can be found under course documents. I strongly suggest that you complete the readings for each 2-day unit before the first day of class. The second day's readings in each

unit are too much to cover in one evening. \*\*\*Please Note the class will meet on the following days: December 21, 2015 - 10am - 5pm December 22, 2015 - 10am - 5pm January 7, 2016 - 10am - 5pm January 8, 2016 - 10am - 5pm Please note: The last day to add/drop is December 16, 2015.

**LAWSTUDY 701 Persuasion: Writing Across Disciplines (1 Credit Hour)** This course is preparation for, among other things, writing an effective statement of facts and learning to be sensitive and critically intelligent about nuances of language and diction, and presentations and representations of fact by others. Persuasion is an art, not a science, and writers adopt widely different strategies in order to accomplish their goals. The course is built around a close examination of the narrative nonfiction strategies, the art and techniques of one book: Isabel Wilkerson's *The Warmth of Other Suns*. All students in the class are required to read the entire book before the first class in January. The book is long and tells a complex story with great concentration and attention. A writer must always be asking, who is the audience for this piece of writing? How does the tone of a particular piece of writing influence the reader and how the 'factual' material is received? How does the writer establish authority? A writer's first audience is always one's self: Is what you are writing interesting to you? To others? To whom? What is the object here -- to educate, to inform, to do intellectual work for others? Who are the others? Critical aspects of writing are the key to communication, including, voice, diction, mode of address, and acknowledged and unspoken assumptions about the education and level of understanding of the audience. As a class, we will analyze the structure and other aspects of narrative of the Wilkerson book. Some of this work will be group projects; other assignments will be individual. Some writing assignments will be individual assignments, and there will be individual and group class presentations. During the course there will be several cross disciplinary panels which will address how written work is professionally published and evaluated in their discipline, and how the skills of persuasion are critical to accomplishing goals such as obtaining foundation grants, persuading members of Congress or other policy makers to support your project, or simply to enlist the support of others. All class assignments will be due the Monday after the last class session. All other written work will also be due at that time.

**LAWSTUDY 703 Analytical Methods (2 Credit Hours)** Analytical and quantitative tools are becoming increasingly important in a wide variety of areas of legal practice. This course provides an introduction to decision theory, game theory, law & economics, probability, and statistics and discusses how these subject are applied in legal contexts. Applications include litigation, settlement bargaining, criminal law, anti-discrimination law, and antitrust. No prerequisites. This course does not require any background in mathematics, economics, or statistics. Evaluation Method: Class participation and final exam Class Materials: Jackson, et al., *Analytical Methods for Lawyers*, 2d ed., ISBN: 978-1599419213 Supplementary materials posted on course website.

**LAWSTUDY 704 Colloquium: Public Law (2 Credit Hours)** This advanced seminar brings outside scholars together with Northwestern faculty and students to discuss significant topics in public law scholarship, including questions of constitutional, administrative, and procedural law. Covering a broad range of methodologies and doctrinal and theoretical issues, the Public Law Colloquium will provide students an opportunity to consider and critically evaluate the works in progress of established public law scholars. Throughout the semester, leading scholars will be invited to present current papers on issues of public law. Students will have the opportunity to offer written and oral feedback to these presentations.

**LAWSTUDY 705 Colloquium: Public Law II (3 Credit Hours)** This is an advanced seminar that will bring together outside scholars, resident faculty, and Northwestern students for an exchange of views about

cutting-edge research on public law. The course covers all of public law, broadly defined and encompassing a variety of disciplines and approaches. Topics will include constitutional law, judicial decision-making, and interactions between the judiciary and the political branches of government. For two weeks out of three, a workshop will be held at which a leading scholar will present an in-progress paper growing out of his or her research. On weeks when there is no outside speaker, the seminar will meet to review the two papers in depth. The papers will be on four topics of public law: constitutional law, constitutional criminal procedure, judicial politics and behavior, and structure of government. Students are required to write one short reaction paper in response to the two speakers in each topic - thus there will be four papers in total - and to participate actively in the discussions of workshop presentations. Grades will be based on the quality and consistency of classroom attendance and discussion, and the quality and timeliness of the reaction papers. Reading materials will be posted on-line; there is no required textbook for this course. There are no prerequisites for this course, although students with a background in constitutional, international, and comparative law, as well as political science or economics, can draw on their knowledge of those subjects in fashioning reaction papers. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 706 Representing Clients with Criminal Records: Advocacy for employment and Housing Rights (2 Credit Hours)** While lawyers often use their skills to argue facts given the constraints of current law, they can also use their skills to change or create law. This course will hone students' ability to do both. Students will do this as they learn about, and fight against, the New Jim Crow laws and policies that prevent men and women with criminal records from accessing basic necessities like employment and housing. With that lens in mind, students who participate in this course will get an opportunity to: 1) Research relevant law, draft legal pleadings and possibly argue on behalf of community members seeking to access the remedies that will help them overcome barriers to employment, occupational licenses or housing; 2) Research laws and pending legislation across the nation and draft recommended legislation and policies designed to help make our criminal justice system more effective; 3) Convert legal concepts into training materials that are easily digestible by lay-people and present them in a community setting; and then, 4) Write and present a 10-page research paper detailing every facet of their policy recommendation with appendices that include concise fact sheets relating to the model legislation presented. Course Requirements: 1) Class Participation (includes attendance) - Timely class attendance and participation are an important part of this seminar and will factor into each student's grade. 2) In Class Component - Students will research, draft, and present a 10-page paper containing a proposed law addressing some aspect of the post-conviction issues discussed in class. 3) Experiential Learning Component - Each student must spend a minimum of 30 hours: participating in at least one client intake meeting; assisting in researching and drafting a pleading on behalf of a client; and presenting training materials at a community event. All work will be supervised and graded by Professor Belcore. Students may work in groups of three or fewer for any of the coursework. Grading: a. Class Participation (includes attendance): 25% b. Client Work (including training materials): 35% c. Drafted Policy/Legislation, Paper and Presentation: 40% Required Text: Seminar coursepack. Additional readings will be posted on Blackboard.

**LAWSTUDY 707 English Legal History (3 Credit Hours)** English common and constitutional law form the basis of U.S. law and government. To understand ourselves as American lawyers, therefore, we should understand something about where our law comes from. This class will study the development of the English common law and constitution with a particular focus on the formative period of the sixteenth and

seventeenth centuries. The grade will be based on an in-person essay exam, 5-minute homework quizzes on the readings, class participation, and a 2-3 page paper analyzing a case from the period that can be done with a partner. Computers are not permitted in class. The readings will be available in pdf or print-on-demand. *Additional Course Information:* Open to First Year Students

**LAWSTUDY 707W Legal History Workshop (3 Credit Hours)** The Legal History Workshop is a hands-on course offering the opportunity for students to work with both historical court records in the archives and a modern artificial intelligence model that helps transcribe these documents. We will focus on the early modern English equity courts. These were royal courts of discretionary justice that offered an alternative to the common law courts. Because equity courts used a fully written procedure, their records are rich sources of information about many aspects of life and legal practice of the time. We will study the equity courts and their procedure from the period between the fifteenth and seventeenth centuries, read case files, and learn to transcribe the script in which the court documents were written. To take the course, students \*must\* be able to spend 4 days of Spring Break in London working at the National Archives. Airfare and hotel expenses will be paid for by a Law School travel grant. The grade will be based on class participation and a transcription of and paper about a case the student selects in the archives. You can read more about the course and see images of the documents here: [bit.ly/3OQ02cc](http://bit.ly/3OQ02cc). Please note that the required Spring Break travel will conflict with the required travel for ITP. Students may not enroll in both courses.

**LAWSTUDY 708 Law and Literature (2 Credit Hours)** Literature is a cultural artifact, a creative practice, and a social bellwether. As lawyers we work with legal precedent that reflect a culture of rights and duties, we engage a creative rhetorical practice, and we make arguments about where we are or should be as a society. Stated this way, possible connections between literary and legal practices are revealed. In this course we will interrogate those connections. There will be three core inquiries around the ideas of: law in literature, law as literature, and literature as law. Does our literary past inform our jurisprudential constitution? What can we learn as lawyers from a fictive practice of storytelling and close reading of texts? Can literary texts serve as persuasive authority for us as we make larger arguments about the social/legal/policy world we inhabit as lawyers?

**LAWSTUDY 709 Law, Legal Institutions, and the New Political Economy (2 Credit Hours)** In this seminar, we consider key legal ideas through the lens of political economy – which is the interplay among economics, law, and politics. This perspective has had a powerful and growing impact on how scholars and judges view the nature and scope of law and politics in the modern regulatory state. We look at a range of topics from this perspective, including: constitutional adjudication, statutory interpretation, administrative law and regulation, and jurisprudence – all with an eye toward better understanding the dynamic interaction among law, politics, and social change. There are no prerequisites for this seminar. The first meeting for this seminar will be during the third week of the semester, September 13, and the final meeting will be November 15. There will one or two longer sessions to make up the required minutes for a 2-credit seminar. The final paper for this seminar will count for the research writing requirement. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 710 Privacy Law (3 Credit Hours)** This course examines the law of information privacy: an individual's ability to control their personal information. We begin by reviewing theories underlying privacy protection and then reflect on current state and federal privacy law. We also look at recent controversies involving domestic surveillance, automatic

identification systems, social networking sites, DNA databases, and nonconsensual pornography. Evaluation will be based on class participation and a final exam. *Additional Course Information:* Open to First Year Students

**LAWSTUDY 711 Client Strategies (2 Credit Hours)** This is the first course offering designed through the work of the Northwestern Pritzker Center for Practice Engagement and Innovation: <http://www.law.northwestern.edu/research-faculty/practice-engagement/>. New lawyers must become strategic partners for their clients earlier in their careers than ever before. They must provide superb legal services in a way that is sensitive to each client's individual needs and goals. This course is intended to provide students with a multidisciplinary approach to learning the skills necessary to craft solutions to legal problems in a client -relevant context. Centered on a single hypothetical client matter, over the course of four days, students will encounter a variety of exercises aimed at developing skills across a wide range of subject areas: organizational behavior and decision-making, project management, law firm economics and operations, and business development and marketing. In addition to direct classroom instruction modules, students each day will engage in simulation exercises designed to allow them to practice these new skills in the context of working with and serving a client. Teaching Methods Under the direction of Prof. Lupo, the course will be led by a corps of experts in the covered subject areas as well as experienced practitioners as client facilitators. Each day will begin with direct content delivery on a different topic. A subject area expert will teach each of these content modules. Each afternoon, students will convene in groups of 5-6 and the groups will be paired with a facilitator. Facilitators will play the role of the client for problem simulations. Each student group will then prepare a deliverable responding to the day's client simulation. Evaluation Methods The course will be two credits, pass/no credit. Credit will be awarded for successful completion of each day's assignment. *Additional Course Information:* Satisfies Experiential Learning degree req

**LAWSTUDY 712 Advanced Legal Writing (2 Credit Hours)** Lawyers must communicate complex information in a manner that is easy to comprehend in order to persuade, to convey strategy and analysis, to manage expectations, and to share news. This course will provide best practices for communicating in typical lawyering situations, such as email communication, telephonic communication, meetings, and presentations. Through writing exercises, role-playing, presentations, and critique, students will develop their ability to critically prepare for and engage in persuasive communication with the wide variety of audiences they will encounter as lawyers. The course will be highly useful training for students seeking to practice law in any workplace setting. For section specific information please see class description. *Additional Course Information:* Satisfies Prof Writing degree req

**LAWSTUDY 713 Introduction to Software Development & Coding (2 Credit Hours)** This course is geared for non-programmers, offering an introduction to the practical software development. Students will learn how to build their own web-based applications using modern computer programming languages and techniques. Previous programming experience is neither assumed nor required. Law students will benefit from the class (a) by learning about technologies that drive many businesses in the modern economy, (b) learning techniques that can increase their own personal productivity as lawyers, and (c) learning what solutions are possible so that they can work with technologists, both in their law practices and their client bases. Students will: • tackle the essentials of coding through hands-on labs and assignments, creating software applications that access databases and work across today's platforms and devices • build their own website and deploy it on a variety of platforms, including tablets and mobile devices, using



modern development tools and techniques • use publicly available software interfaces to integrate with commercial and open datasets • gain exposure to open-source business initiatives from Facebook, Google, and other major contributors to the languages and frameworks shaping modern software development Perhaps most importantly, students will gain an advanced literacy surrounding the ideas that go into building online products and services, understand controversies surrounding their construction and maintenance, and grasp the essential role of software automation in a modern society. Students should expect to spend 6-8 hours a week on various assignments as well as a substantial final project. All students must have a modern Mac or Windows computer for completing homework and in-class projects. Detailed instructions on setup will be provided prior to the first day of class.

**LAWSTUDY 714 The Craft of Judicial Opinion Writing (2 Credit Hours)**

This course is for those students who plan to serve as a judicial clerk after law school, for those who plan to be litigators and wish to know how judges approach the task of analyzing cases and crafting judicial opinions, and also those who would like simply to engage deeply in legal writing. The course will begin with an in-depth study of different opinion styles, focusing primarily on judges and justices who have made their mark during the past few decades. What makes an opinion persuasive, or the most enjoyable to read? What style of opinion provide the best guidance to lower courts and lawyers? Are good reads compatible with clear guidance? Is what makes a good trial court opinion different from what makes a good appeals court or Supreme Court opinion? The course will proceed with a series of exercises in which students will draft opinions in yet-to-be-decided cases for presentation to the class. Course will be taught by Hon. Gary Feinerman is a United States District Judge, Northern District of Illinois.

**LAWSTUDY 715 Libertarianisms (2 Credit Hours)** Libertarianism holds that if government has any purpose (which some libertarians doubt), it is to protect people from violence and theft. Regulation and redistribution are either categorically barred or, at least, deeply suspect. Libertarianism has influenced legislation and adjudication, and is likely to continue doing so. What are the arguments for this view? Is it in fact likely to enable people to live as they choose, or to promote people's well-being? Libertarianism is not a single philosophy. There are different formulations with different entailments. A book manuscript by Prof. Koppelman disentangles them. We shall read it, some pertinent libertarian theorists, and some of their adversaries. Please note this class will meet on the following dates and times: Class meets: • Monday, December 18, 10am-5pm • Tuesday, December 19, 10am-5pm • Saturday, January 6, 10am-5pm • Sunday, January 7: 10am-5pm LAST DAY TO DROP without receiving a "W": Friday, December 15 at 11:59pm.

**LAWSTUDY 716 Advanced Legal Writing (LLM) (2 Credit Hours)** In this course, international LLM students will gain further practice and skill in developing effective legal writing and research techniques for a U.S. legal audience, with a focus on persuasive writing and advocacy, including memoranda, emails, letters, and contracts. Students will draft a short email memo and a contract, and they will research and draft a trial brief. During the research process, the student will summarize and report on his or her progress to the professor. The student will also draft a client letter in connection with the brief, and will complete a Multistate Performance Test-like final assignment, which will help all students who intend to sit for the bar examination in New York or another state. Class Materials: Thornton, U.S. Legal Reasoning, Writing, and Practice for International Lawyers (2014); The Bluebook: A Uniform System of Citation (20th ed. 2015); and additional materials to be downloaded from Canvas. Prerequisite: Common Law Reasoning. Registration Requirements. Prerequisite: Common Law Reasoning. Evaluation Methods The professor will evaluate your written work and provide detailed comments on it.

You will also be evaluated on your presentation to the professor of your research results in preparation for writing the trial brief. Class Materials Thornton, U.S. Legal Reasoning, Writing, and Practice for International Lawyers (2014); The Bluebook: A Uniform System of Citation (20th ed. 2015); and additional materials to be downloaded from Canvas. *Additional Course Information:* LLM Candidates only

**LAWSTUDY 717 Artificial Intelligence and Legal Reasoning (2 Credit Hours)** This course introduces students to the fundamentals of artificial intelligence and the many opportunities AI advancements present today and in the near future to automate and augment the delivery of legal services. We will explore modeling statutory reasoning, computational law, expert systems, predicting legal outcomes, information retrieval, machine learning, information extraction, and other related topics. The aim is to develop students' understanding of cognitive computing and their ability to deconstruct law, legal reasoning, and legal practice to engineer legal processes, applications, and systems that improve access to the law and legal services for everyone, from legal aid and the consumer market to corporations and governments facing increasingly complex multinational challenges. Students will complete a project, which requires that they design and build an AI-related application for law using tools that do not require prior programming experience. This course assumes that students are not familiar with programming. While programming is not the focus of this class, students will learn pseudocode and sufficient coding basics to complete the course project and engage with lawyers, legal knowledge engineers, technologists, operations professionals, and other professionals engineering the future of legal services. *Additional Course Information:* Satisfies Experiential Learning degree req

**LAWSTUDY 718 Law of Artificial Intelligence and Robotics (2 Credit Hours)** This course explores legal, regulatory, and policy questions raised by rapid advancements in artificial intelligence and robotics. We will explore legal issues related to autonomous vehicles, drones, augmented reality, virtual reality, Internet of Things, service robots, robot policing, warfare, the automation of knowledge work, Big Data, algorithms impacting agency and liberty, and more. We will examine these issues within the context of existing law, including tort, property, copyright, war, agency, criminal, and international law, and assess the need for new laws and regulations. (This course does not discuss the use of artificial intelligence to automate legal-services delivery, which is the subject of another course: Artificial Intelligence and Legal Reasoning.) Students will complete a substantial research paper on a topic approved by the professor. This course has no prerequisites. The primary course requirements are (1) a substantial research paper on a topic approved by the professor, (2) weekly short write-ups on selected readings, (3) classroom participation (including attendance), and (4) collaborative in-class exercises and mini projects.

**LAWSTUDY 719 Advanced Legal Writing: Trial-Level and Post-Hearing Briefs (2 Credit Hours)** In this course, students will refine their persuasion, research, and writing skills in a practice-based situations. Through readings, class discussion, and writing assignments and critique, students will develop their ability to determine which legal arguments to make, conduct legal research, apply procedural rules, strategize, and write persuasive arguments. Assignments will be trial-level persuasive documents, such as venue, evidentiary, or discovery motions, settlement letters, trial briefs, and post-hearing briefs. The course will be highly useful training for students planning to litigate, seeking to improve their persuasive writing, or in need of a writing sample. Prerequisites: LAWSTUDY 540 Communication and Legal Reasoning I & LAWSTUDY 540 Communication and Legal Reasoning II Students will be assessed on the drafting and editing of three graded research and writing assignments and one oral argument, as well as

class participation which will include ungraded in-class assignments.  
*Additional Course Information:* Satisfies Experiential Learning degree req,  
 Satisfies Prof Writing degree req

**LAWSTUDY 720 Empirical legal Studies (2 Credit Hours)** This course is intended for students who wish to deepen their understanding of the empirical study of the law. We will learn to develop empirical research questions about the law and related institutions and how to use experimental, quantitative and qualitative research methodologies to study the ways in which the law operates. Our empirical focus will be on the interrelations across markets, law, and societies. Dates of teaching: This class will meet over a 4 week period: March 18 to April 19. Dates are noted in the class description.

**LAWSTUDY 721 Leading in the Law (2 Credit Hours)** The practice of law requires strong leadership skill to achieve personal fulfillment, attain professional success, and maintain the highest ethical standards. Increasingly law graduates are expected to know how to lead at the start of their career. This course will introduce and train students on critical leadership competencies necessary for personal fulfillment and professional success in a legal career. The aim of the course is to develop whole-lawyers - lawyers who are equipped with the necessary intellectual and technical skills to succeed and the intra- and interpersonal skills necessary to lead, and reaching high levels of happiness in their legal career. While the course will introduce popular leadership theories, such as Authentic Leadership and Resonant Leadership, the course is grounded in Emotional Intelligence (EI), which has been found to account for more of the variance in successful leadership than IQ and technical legal skills.

**LAWSTUDY 722 Economic Analysis of Corp. Securities Law (3 Credit Hours)** This seminar will focus on using economic and statistical analysis to study the core issues in corporate and securities laws. The topics include: the relationship between shareholder protection, ownership concentration, and economic development; the role of the board of directors; shareholder litigation; various forms of insider or majority-shareholder theft; shareholder voting; the role of institutional shareholders (especially activist shareholders); executive compensation; and the borrowing of foreign corporate and securities regimes through cross-listing and other channels. For all of these topics, we will look into both theoretical and empirical research. For some topics, we will also consider empirical evidence from other countries, and especially from massive cross-country studies involving dozens of countries and thousands of companies. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 723 Legal History Colloquium (2 Credit Hours)** This is an advanced seminar that will focus on innovative research and works-in-progress in legal history. During six class weeks, we will host a faculty workshop where a leading scholar will present a work-in-progress or a recently completed portion of a larger research project. During the other classes, we will prepare for the forthcoming scholar-led workshop or discuss the different methods of historical analysis. The workshop papers will reflect a variety of legal history topics and methods, including socio-legal history, global histories of law, and research in the history of legal ideas. The seminar will bring together scholar-presenters, Northwestern law students and faculty, as well as faculty and graduate students from Northwestern, the American Bar Foundation, and Chicago-area universities.

**LAWSTUDY 724 Intersection of Crim, Education, Health, Env. And Immigration (3 Credit Hours)** The expanding carceral state intersects with other legal and social domains in significant ways. This class explores how criminal justice both influences and is influenced by the educational system, the environment, health systems, and immigration.

For example, the course examines not only the "school to prison pipeline" of school discipline, but also how parental incarceration affects children's academic success and how schools struggle to adapt to this challenge. In exploring connections between the criminal justice and health systems, we consider not only how contact with the criminal justice system affects individual health, but also how (and how well) public and correctional health systems respond. While the carceral state shapes educational and health systems, we will also consider how the environment affects crime and criminal justice, adding new meanings to the idea of "environmental justice." Finally, we conclude with a look at the many links between the criminal justice and immigration systems. Students will be evaluated based on class participation and a research paper. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 725 Data Privacy: How to Help Corporate Clients with Compliance and Privacy Program Management (2 Credit Hours)** In this interactive, activity-based seminar course, students will play the role of outside counsel as we examine corporate actors' privacy obligations. We will engage in interactive group exercises both during and outside of class, looking at practical approaches to legal privacy obligations; how stakeholders help guide companies towards compliance; and the skills lawyers use to support clients. *Additional Course Information:* First Class Attendance Required, Satisfies Experiential Learning degree req, Satisfies Prof Writing degree req

**LAWSTUDY 726 The Legal Profession: Careers of Law Graduates (3 Credit Hours)** This course explores the topic of careers and career trajectories of law graduates, using a combination of empirical and other research, news from the legal and popular press, existing case studies and those taking the form of in-class interviews with law graduates. The questions we will address over the course of the semester include first post-graduation jobs and their connection to long-term career opportunities, navigating change during a career, and differences related to identity. *Additional Course Information:* Open to First Year Students

**LAWSTUDY 727 Federalist Papers (3 Credit Hours)** The Federalist Papers, written by Alexander Hamilton, James Madison, and John Jay, have justly been called the most influential essays on government ever written by Americans. They are frequently cited by the Supreme Court. This seminar will involve a close reading of the most important Federalist Papers, as well as several Anti-Federalist writers to which the Federalists were responding. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 730 Fiduciary Investment Law (2 Credit Hours)** The seminar will focus on cases arising from claims surrounding breach of fiduciary obligation in the investment context both under ERISA and under state law of trusts. Emphasis will be on recent developments, but the first part of the course will discuss the historic antecedents of modern law. At least two weeks will involve reading the record of a case, including a complaint and depositions, and assessing it.

**LAWSTUDY 797 International JD Studies (1-30 Credit Hours)**

**LAWSTUDY 799 Law School Consortium (10 Credit Hours)** Visiting a Consortium or Foreign Law School in the current term.

**LAWSTUDY 802M Intro to American Law - Madrid (0.5 Credit Hour)** This course is for Executive LLM students. *Additional Course Information:* Executive LLM Program Students only

**LAWSTUDY 803I The American Constitution and Legal System (2 Credit Hours)** This course provides an introduction to the American constitutional law and theory. Topics to be covered include judicial review, approaches to constitutional interpretation, the separation of powers between Congress and the Executive, the division of authority

between federal and state governments, the Fourteenth Amendment's equal protection and due process guarantees, and time permitting, an introduction to the First Amendment's Free Speech clause. *Additional Course Information:* Executive LLM Program Students only

**LAWSTUDY 804M Contract Drafting (1 Credit Hour)** This class is for Executive LLM students only. *Additional Course Information:* Executive LLM Program Students only

**LAWSTUDY 806I History of American Public and Regulatory Law (2 Credit Hours)** This class will introduce students to key elements and themes in American legal history. We will not chronologically survey the evolution of American law through the centuries; rather we will discuss specific topics and thereby gain a better understanding of the role they played at different points in the development of modern law. Topics to be reviewed in this fashion will include Independence and Constitution, criminal procedure, race, international law and imperialism, Native American law, administrative law and the regulatory state, religion, land regulation, and the city. By examining these issues the course serves as the proper conclusion for the LL.M. program. It should enable students to not only see the specific historical background of each of the different classes taken earlier in the year, but also to tie those classes together by highlighting common themes. In addition, it will permit us to address general, and sometimes more abstract, questions that hovered over those doctrinal classes: what is the relationship between private and public law? How does legal change occur? How can law affect social dynamics and how does it interact with economic, social, and political processes? In answering these and other similar question, we will compare the American legal experience on which this class, as others in the program, focused, to the Israeli experience. *Additional Course Information:* Executive LLM Program Students only

**LAWSTUDY 808I Privacy Law (2 Credit Hours)** *Additional Course Information:* Executive LLM Program Students only

**LAWSTUDY 809E The Intersection Between Law and Technology (2 Credit Hours)** This course addresses the legal context in which the information technology (IT) industry and its professionals operate. We start with the classic regulation of network operators (telecom and Internet operators) and move to current public regulation of applications and service providers on issues such as intellectual property, privacy, and security. We also examine issues that IT professionals address internally to companies, such as responding to litigation holds and electronic discovery, managing workplace privacy, and complying with Sarbanes-Oxley requirements. Finally, we talk about the impact that IT makes on some traditional legal problems that companies face, such as electronic contracting and electronic marketing. The course will not only present the current legal rules, but will also cover both the underlying policy arguments and the best practices for compliance.

**LAWSTUDY 810-L Colloquium: Professional Roles and Special Issues (1 Credit Hour)** The Colloquium focuses on the professional roles lawyers play in the United States. By studying lawyers and their careers, students also gain insight into the ways in which law matters in society. Speakers will include law graduates who occupy positions of leadership in the fields of law, business and government. In addition, the Colloquium offers students an opportunity to learn about certain practical skills important to business lawyers as well as the substantive foundation of these skills.

**LAWSTUDY 850 The Surveillance State (3 Credit Hours)** The seminar will examine the myriad ways in which both Federal and State governments collect information about citizens and institutions, both openly and surreptitiously. The seminar will begin with a review of fourth and fifth amendment principles and then move on to topics such as searches of cell phones, cell phone tower data, email (and other communication software like Facebook) and computers and other data storage devices.

The implications of encryption will be examined. National security letters, the FISA Court, and privacy/security at the border will also be examined. With any time remaining, selected areas in the special needs/administrative search area will also be examined. *Additional Course Information:* Satisfies Research Writing degree req

**LAWSTUDY 900A Resident in Research (0 Credit Hour)** This course continues students in a student status pending dissertation defense in the SJD program. Effective for SJD candidates entering in the Fall, 2003. Lawstudy 900, Residence in research applies to students matriculated before Fall, 2003.

**LAWSTUDY 901-0 Negotiation Skills & Strategies (1.5 Credit Hours)**

In the Negotiation Skills and Strategies Workshop, students will have the opportunity to understand various approaches to conflict and how to manage difficult issues effectively. From there the Workshop will provide students with a theoretical framework for approaching negotiations in both the deal and the dispute contexts and will provide ample opportunities for putting the skills to practice in simulations. In addition, specific modules on working with lawyers and managing the process, substance and emotional components of a negotiation will be included. This is a highly interactive and fast-paced course. *Additional Course Information:* MSL Students Only

**LAWSTUDY 903-0 Negotiating with Stoic Empathy (0.5 Credit Hour)**

This course explores "tactical empathy" as an effective tool on the path to power and influence. By understanding more about what the "other" sitting across the table really wants and needs, we can gain more control in the negotiations process. Tactical empathy can be employed in a range of contexts, from negotiating a business deal to advocating for a client to mediating a dispute, pitching a sale, or managing a team. (It can also come in handy in our personal lives!) In this course, we explain what tactical empathy is, and how to tactically utilize empathy to achieve our goals. *Additional Course Information:* MSL Students Only

**LAWSTUDY 905-0 Quantitative Reasoning in the Law (1.5 Credit Hours)**

This course introduces MSL students to quantitative ideas and techniques that arise in the courtroom through expert testimony. No mathematical background is needed. Topics include chance, descriptive statistics, data collection, hypothesis testing, confidence intervals, statistical significance, elementary probability, selection bias, base rates, error rates, Bayesian reasoning, causation, legal studies, and the standards for admitting quantitative evidence. Application areas include discrimination claims, trademark studies, racial profiling proof, DNA evidence, medical malpractice cases, and epidemiological evidence. Grades will be based largely on several weekly analyses, a group project, and a short test. *Additional Course Information:* MSL Students Only

**LAWSTUDY 906 Global Exchange Study (0 Credit Hour)**

Through agreements between Northwestern University School of Law and international law schools, students study abroad for a term.

**LAWSTUDY 910 Common Law Reasoning (2 Credit Hours)**

This course is required for all LLM students. The goal of this course is to teach international attorneys how to function within the American legal discourse community. The course covers the structure and functions of the United States legal system and legal reasoning in the common law system, with emphasis on the important role of case precedent. Instruction is in legal problem solving, statutory and case analysis, expository writing, and legal research. Students write objective legal memoranda and perform U.S. legal research in books and electronic sources. Each student's written work is individually edited and evaluated. Class work on oral communication skills is augmented at the student's option by further work with the law school's English as a Second Language program. The course structure includes small section meetings and in individual conferences. PRE-REQUISITES/RESTRICTIONS: LLM



students only. *Additional Course Information:* LLM Candidates only, Course required for LLM degree

**LAWSTUDY 910-0 Ethics and Law in STEM-Related Fields (1.5 Credit Hours)** Employment Law is designed to pick up where other courses leave off. Equipped with strategies for managing intellectual property and business planning, you must consider how it will all work within the employment structure of your enterprise. Whether you plan to start your own business or work within an existing company, you will be faced with legal issues relating to human capital. To that end, this course will start with the legal consequences of how workers are classified, an issue central to running a business, managing others, and knowing your own rights. We will then talk about the risks and opportunities around granting and receiving job security through written contracts and other devices. After that, we will cover questions of utmost importance to workers and employers in the current legal-social-political climate: workplace privacy and employment discrimination. Both areas of law are in flux, and are crucial to risk management on the employer side and legal rights on the employee side. Course assessments will consist of weekly exercises, as well as a final examination and capstone assignment in the form of a team presentation. *Additional Course Information:* MSL Students Only, Course required for MSL degree

**LAWSTUDY 910V Visiting Away (0 Credit Hour)** For Northwestern Law Students who, with approval, visit another law school.

**LAWSTUDY 910WQ Non-Law Cross Registration in Winter Quarter to count toward Spring Semester (0 Credit Hour)** Student is taking the max 10 non-law grad-level credits in the Winter Quarter and applying them toward the JD. Winter quarter is not a law term, but it is contained within law's spring semester. Associated tuition and fees will be applied toward law's spring term with this enrollment.

**LAWSTUDY 912 Human Rights Advocacy: Legal Analysis and Writing (3 Credit Hours)** This course has been designed specifically for students in the LLM/MSL Program in International Human Rights, to be taken in lieu of the Common Law Reasoning course offered to other LLM students (except LLM students who possess an American JD or who waive out because of acceptable prior study of common law reasoning). No other students may enroll. The class explores sources and research methodologies for international human rights law, treaty interpretation, analysis of customary international law, modes of argument, the use of cases before international tribunals and bodies, the use of international law before domestic courts, and the proper use of citations. A major part of this course consists of a series of writing exercises analyzing and applying human rights cases. **PRE-REQUISITES/RESTRICTIONS** IHR LLM students only.

**LAWSTUDY 917-0 Environmental Law (1.5 Credit Hours)** The Environmental Law class will introduce students to the "nuts and bolts" of U.S. environmental law, with a focus on the most important United States Supreme court cases addressing environmental law issues. We begin with longstanding principles of the common law and then expand to consider the major federal statutes that have come to dominate the field. Using the statutory text and associated regulations, we will analyze the regulatory regimes governing air and water pollution, hazardous waste, and toxics. We will study some of the most hot-button issues in the field, including endangered species protection, environmental review, and climate change. We will also learn the practical, problem-solving art of navigating a complex field of law, and how agencies use the regulatory process to enact goals that may—or may not—comport with the statutory regime in which they operate. *Additional Course Information:* MSL Students Only

**LAWSTUDY 918-0 Medical Ethics and the Law (1.5 Credit Hours)** This course introduces students to medical ethics analysis and invites

them to consider the relationship between medical ethics and health law through consideration of compelling cases drawn from both headlines and clinical experience. Students will learn how hospital ethics consultants and ethics committees work, and they will examine the interplay between legal and ethics principles by puzzling through controversies in reproductive health, end-of-life care, the care of people with disabilities, and the legal and ethical requirements of health care provision (such as confidentiality and informed decision-making). At the end of the course, they will step into the simulated roles of ethics consultant and ethics committee members, putting what they learned into practice. *Additional Course Information:* MSL Students Only

**LAWSTUDY 919-0 Ethics & Criminal Justice (1 Credit Hour)** This course will introduce students to the field of substantive criminal law through an exploration of rules for imposing criminal liability, common features of modern criminal codes, practical workings of the criminal justice system, and ethical considerations that undergird criminal law. The course will discuss specific offense definitions and defenses while focusing on doctrines with special relevance to "white-collar" crimes, including accomplice liability, attempt liability, and conspiracy. We will examine these issues through case studies that illuminate the human facets of criminal justice. *Additional Course Information:* MSL Students Only

**LAWSTUDY 920 American Legal History (3 Credit Hours)** This course examines topics in American legal history, from the seventeenth to the twentieth century. General themes pursued throughout include the nature of the federal Constitution and its development over time; the significance of law in the structure of American social and legal institutions; the political, social and economic contexts of American legal revolutions; jurisprudential ideologies; and the relationship of law to politics. The required text for the course is Stephen B. Presser and Jamil S. Zainaldin, *Law and Jurisprudence in American History* (8th ed. 2013, West Publishing). **Prerequisites:** None. *Additional Course Information:* Counts toward Law and Social Policy Concentration, Open to First Year Students

**LAWSTUDY 922 American Legal Studies:Con Law (2 Credit Hours)** This course will provide an introduction to U.S. federal constitutional law. Areas of emphasis will include the theory and practice of judicial review, including approaches to constitutional interpretation; separation of powers, with emphases on congressional powers and the reserved powers of the states; and, as time permits, an introduction to individual rights protected in the federal bill of rights. The course will emphasize the manner in which U.S. constitutional law affects business development and business litigation. **PRE-REQUISITES/RESTRICTIONS:** LLM students only. *Additional Course Information:* LLM Candidates only

**LAWSTUDY 923 American Legal Studies:Civil Procedure (2 Credit Hours)** This course will examine the process of US civil litigation. Students will learn the key portions of the Federal Rules of Civil Procedure governing a civil case and the cases interpreting those rules. Particular attention will be given to those elements of U.S. civil procedure less commonly found in other systems, including litigation finance, pleadings, pre-trial motion practice, discovery practice, the use of expert witnesses, trial and post-trial motions, and the jurisdictional requirements and relationship between state and federal courts. *Additional Course Information:* LLM Candidates only

**LAWSTUDY 924 Legal Technology (2 Credit Hours)** Under the ABA's Model Rules of Professional Conduct, attorneys are required to "keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology." In this course, technology for law practice will be examined, with topics including, but not limited to, cloud computing, information security, analytics, AI, eDiscovery, and

access to justice. Evaluation will be based primarily on a final, student-selected technology project or paper.

**LAWSTUDY 935-0 Health, Environment & Human Rights (1 Credit Hour)**

The course examines the intersection of health and international human rights through the lens of environmental issues. Readings and discussion will focus on whether there is a universal right to health; the nexus between health and environment; how to maximize access to health; and beyond current limits design thinking for these contexts. Special attention will be paid to the role of corporate social responsibility and advanced economies in access to health. *Additional Course Information:* MSL Students Only

**LAWSTUDY 950-0 Research in Law, Business & Technology (1.5 Credit Hours)**

This course will provide students with the necessary tools to conduct basic legal, business, and technology research and evaluate the quality of materials and documents encountered in each discipline. Legal research is a unique skill that involves identifying and assessing relevant cases, statutes, and administrative materials. Business research, meanwhile, focuses on locating company, industry, and consumer market information, as well as examining financial statements and the financial and funding marketplaces. Finally, technology research, particularly in the intellectual property arena, involves identifying owners, licensees, and assignees of intellectual property rights including patents, trademarks and copyrights, as well as identifying and evaluating similar intellectual property concepts and processes, such as research into "prior art" in patent law. The course will explore both commercial database resources and freely accessible Internet-based resources used in each of these fields of research, with special attention paid to the modern trend of utilizing big data and analytics. *Additional Course Information:* MSL Students Only, Course required for MSL degree

**LAWSTUDY 951-0 Legal Operations (0.5 Credit Hour)** Legal operations" (or legal ops) describes a set of business processes and activities designed to manage resources, maximize productivity, measure outcomes, and define the value of legal services provided by legal departments. Over the past ten years, legal operations has coalesced into a discrete strategic discipline, and today, the practice has become critical for optimizing the performance of a company's legal function. This class will provide a description of legal operations, how it has transformed the way work is performed in-house, and explain why this field has become so crucial in the legal industry. We will look at best practices, the structure of legal departments, issues involving outside counsel, legal technology solutions, and how business and technical practices can be applied to improve the delivery of legal services. *Additional Course Information:* MSL Students Only

**LAWSTUDY 953-0 Forensic Science (0.5 Credit Hour)** This lecture, discussion, and hands-on course introduces MSL students to forensic science techniques and controversies. Issues related to the introduction of such evidence as DNA, fingerprints, ballistics, and shoeprints will be discussed. We will consider how a fingerprint analysis is conducted and students will get a chance to do their own analyses (bring a laptop). We will ask and answer a variety of questions including: What can and can't a forensic science examination reveal? What are the requirements that a court imposes before it will allow forensic science evidence to be presented to a jury? How do juries think about forensic science evidence? How should they think about it? This is a credit / no credit class. The awarding of credit for this class will be based on the outcome of a one-hour take home question and satisfactory completion of an in-class forensic analysis. *Additional Course Information:* MSL Students Only

**LAWSTUDY 956-0 Effective Professional Communication (1.5 Credit Hours)** In this course, students will read and analyze articles discussing contemporary issues in the STEM fields, such as when to use renewable

versus non-renewable energy sources and when to protect intellectual property using patents versus trade secrets, among other issues. We will debate these topics in class and discuss how we form conclusions about them and how to persuade others to adopt our positions. Students will write multiple short persuasive papers on these topics and will revise some of them as their final project. Students will receive oral feedback on their in-class performance and both oral and written feedback on the papers they write. Grades will be based on professionalism, in-class performance, and writing. *Additional Course Information:* MSL Students Only

**LAWSTUDY 990 Graduate Research (4-12 Credit Hours)** This is supervised, significant legal research for candidates for an advanced degree only and is limited to enrollment by LLM and SJD candidates. It involves closely supervised legal research leading to a publishable paper. The senior research rules generally apply. Each proposed graduate research project must be approved by the Director of Research. *Additional Course Information:* LLM Candidates only

**LAWSTUDY 991 Graduate PhD Coursework (12 Credit Hours)** Graduate PhD Coursework.

**LAWSTUDY 992 Dissertation (12-14 Credit Hours)** JDPHD students receive 14 general law transfer credits for PhD coursework and 12 enrolled/earned credits for the dissertation.