

# Harvard Law School Course Catalog

2024-2025 Academic Year

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## A Comparative Perspective on Corporations, Ownership, and Capital Access

**Course #:** 3151

**Term:** 2024FA

**Faculty:** Kraakman, Reinier

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Comparative Law; Corporate and Transactional Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 6:00 PM - 8:00 PM

**Course Description:**

Prerequisite: Any one of the following: a prior course in corporate law, a parallel corporations course at HLS, or prior experience in matters relating to corporate governance or finance.

Exam Type: No Exam. A 20-page essay based on course readings that responds to a specific proposition about the relationship between corporate law, ownership structure, and sources of capital. The proposition will be announced at the beginning of the exam period and student responses (answers) will be due at the end of exam period. Regular class participation will also count heavily toward the final course grade.

This course explores differences in corporate governance and financing across listed companies both within and across jurisdictions. A principal point of comparison will be the structure of share ownership and the identity of large shareholders. For example, companies might be widely held by retail or institutional investors who play a passive role in corporate affairs except under unusual circumstances. Alternatively, a company might be controlled or influenced by large block shareholders. Family and founder control are common forms of blockholder control in most jurisdictions. But there are very different subtypes within this category. Even the venerable family dynasty comes in multiple flavors. Family members may inherit active leadership positions in their companies from the preceding generation or they may play the role of non-executive directors or monitoring shareholders who intervene only at critical moments. Similarly, founders may aspire to found family businesses or to secure leadership positions only for themselves as is usually the case when founders of American tech firms capitalize their companies with through multiclass IPOs. The principal example of the third major class of dominant shareholder is the State. And the motivations behind state ownership may be the most varied of all. They range from investment and security interests to advancing political or personal agendas with no immediate connection to a company's business. Our course materials match each of these ownership configurations with corresponding legal and capital constraints. Up to a point, financial markets, relational banking, and State-rationed capital each seem to align with ownership structure. But even as access to capital becomes more competitive, the legal, cultural, and political institutions that evolved with constrained access to capital may have an inertia of their own.

Students who enrolled and completed the course, Comparative Corporate Law, Finance and Governance, are not eligible to enroll in this offering.

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# Harvard Law School Course Catalog

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## Abortion: Law, Policy and Ethics

**Course #:** 3033

**Term:** 2025SP

**Faculty:** Sachs, Stephen; Schwoerke, Amanda

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Family; Civil Rights; Civil Rights; Family Member; Children and Family Law; Civil Rights; Constitutional Law; Gender and the Law; Law and Philosophy

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: Constitutional Law or equivalent coursework

Exam Type: No Exam

With the law of abortion in flux, it is important for future lawyers to have an opportunity to study the issue in detail and to decide what they think. This seminar is intended to give students a chance to discuss, in a relaxed academic setting, the difficult and important questions of ethics, policy, and law raised by abortion. These include questions of human personhood and futures of value; of autonomy and sex equality; of politics and history; of unenumerated rights and stare decisis; and of federal and state regulation.

Many of these questions are both highly abstract and deeply personal. While they are the subject of intense and heartfelt commitment on both sides, this course is offered in the belief that they are also a proper subject for intellectual inquiry. Within each unit, the assigned readings are roughly balanced as to viewpoint; they take deeply conflicting positions, and you will certainly disagree with some of them. Students will write occasional short papers in response to the readings, and each student is expected to participate fully in the discussions.

Note: Students who have taken Professor Sachss 1L reading group, Thinking About Abortion, are not eligible to enroll in this seminar.

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# Harvard Law School Course Catalog

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## Access to Justice in the Digital World

**Course #:** 3073

**Term:** 2025SP

**Faculty:** Plunkett, Leah

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Family; Contracts; State and Federal Courts; Contracts; Contracts; Family Member; Children and Family Law; Contracts; Courts, Jurisdiction, and Procedure; Poverty Law and Economic Justice; Technology Law and Policy

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Wed 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This reading group explores the impact of new and emerging digital technologies on the longstanding barriers that low-income and vulnerable individuals often face when interacting with the civil justice system, as well as the role that creative, zealous legal advocacy can play in surmounting these obstacles. From family relationships to housing security to consumer transactions, the civil justice system orders (or fails to order) our quotidian affairs. The disputes in family courts, housing courts, small claims courts, and other judicial settings that are high stakes for individuals but low dollar value for attorneys typically put pro se litigants on the front lines of the courtroom-if they even make it into court at all. Digital tech-especially during the judicial systems current pandemic operation mode-is sparking a new solution space for litigants, attorneys, and other stakeholders to resolve civil disputes; however, it is also creating new challenges in areas such as digital privacy. This reading group will unpack all dimensions of the impact of and potential for new digital technologies to change the contours of civil case-handling for low-income and vulnerable people, with an eye toward generating normative, values-based reflections on how to maximize the positive aspects of this change.

Note: This reading group will meet on the following dates: TBD.

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## Access to Justice Lab

**Course #:** 2581

**Term:** 2025SP

**Faculty:** Greiner, D. James

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** State Courts; Civil Litigation; Criminal Law and Procedure; Legal Profession and Ethics; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Thu 6:00 PM - 8:00 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This course will provide an opportunity for students interested in access to civil justice and/or criminal justice administration at the trial court level to work on independent research projects in a collaborative, interactive setting. Students will select one or more topics of interest to explore during the semester; we will meet each week to discuss one another's research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead contribute three substantive posts to the Access to Justice Lab's blog. Participants will also participate in online discussions and debates about other blog entries. Students interested in expanding their research into a full paper may do so for an appropriate number of additional independent writing credits.

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## Administrative Law

**Course #:** 2000      **Term:** 2025SP      **Faculty:** Block, Sharon      **Credits:** 3.00

**Type:** Multisection      **Subject Areas:** Administrative and Regulatory Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 10:15 AM - 11:45 AM

Wed 10:15 AM - 11:45 AM

**Course Description:** Prerequisite: None  
Exam Type: One-Day Take-Home

This course will explore the law governing federal administrative agencies, along with related matters of public policy and governing. Using the first-year "Legislation and Regulation" course as a foundation, this course will cover a variety of more advanced topics, including the structure and function of administrative agencies; the structure and function of the Office of Information and Regulatory Affairs and its relationship to administrative agencies and the President; the relationships of agencies with Congress and the president; the role of cost-benefit analysis; and judicial review of agency action. Also covered will be the problems of capture, bias and prejudice and the role of the public in rule making. Finally, the class will address the law governing other forms of executive action as tools of administrative policymaking, such as issuance of Executive Orders, conditions on federal procurement, approval of information collections pursuant to the Paperwork Reduction Act, and the President's use of the bully pulpit.

A major theme will be how administrative law can enable or constrain flexible, effective and equitable governance. We will use an examination of the range of executive actions employed to address recent significant public policy challenges, such as the pandemic, climate crisis, income inequality and racial justice, to elucidate the course's topics.

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## Administrative Law

**Course #:** 2000      **Term:** 2025SP      **Faculty:** Vermeule, Adrian      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Administrative and Regulatory Law; Constitutional Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None  
Exam Type: In Class

This course will study law making and law application by executive departments of government. Using the material covered in the first-year "Legislation and Regulation" course as a foundation, this class will cover a variety of topics, including the legal framework (both constitutional and statutory) that governs administrative rulemaking and adjudication; the proper role of agencies in interpreting statutory and regulatory law; and judicial review of agency decisions. The central theme of the course is how the law manages the tension between "rule of law" values (e.g., procedural regularity, accountability, and substantive limits on arbitrary action) and the desire for flexible, effective administrative governance.

Note: This course is open to upper-level JDs.

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## Administrative Law

**Course #:** 2000      **Term:** 2024FA      **Faculty:** Sunstein, Cass      **Credits:** 3.00

**Type:** Multisection      **Subject Areas:** Administrative and Regulatory Law; Constitutional Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 3:45 PM - 5:15 PM

Wed 3:45 PM - 5:15 PM

**Course Description:** Prerequisites: None  
Exam Type: In Class

This course will examine the legal controls on government regulation, in areas as diverse as environmental law, national security, communications, foreign affairs, taxation, labor-management relations, and much more. Pervasive questions will involve the constitutional legitimacy of "the regulatory state"; the procedures that are supposed to improve and discipline agency decisions; the right to a hearing; the role of cost-benefit analysis; and the allocation of power between regulators and judges. A distinctive feature of the course will be frequent focus on democratic theory, on regulatory policy, and on how administrative law can actually make society work better or worse.

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## Advanced Clinical Practice

**Course #:** 2001      **Term:** 2024FS      **Faculty:** Caramello, Esme; Lawrence, Eloise      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Disability; Family; Real Estate/Property; Civil Rights; Disability Law; Property; Civil Rights; Disability Law; Property; Harvard Law School Project on Disability; Disability Clinic; Race; Harvard Law School Project on Disability; Property; Family Member; Children and Family Law; Civil Litigation; Civil Rights; Disability Law; Gender and the Law; Leadership; Legal Profession and Ethics; Poverty Law and Economic Justice; Property; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Required Clinic Component: Harvard Legal Aid Bureau 3L (4 fall clinical credits + 4 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.  
Additional Co-/Pre-Requisites: Harvard Legal Aid Bureau 2L.  
By Permission: Yes. This course is restricted to 3L members of HLAB.  
Add/Drop Deadline: N/A.  
LLM Students: LLM students are not eligible to enroll.  
Multi-Semester: This is a fall-spring course (1 fall classroom credit + 1 spring classroom credit).  
This workshop, which is required for all 3L members of the Harvard Legal Aid Bureau, provides students with the opportunity to engage in further critical self-reflection on their clinical experience, focusing on their roles as advocates, mentors, and law office managers and incorporating readings on issues of poverty law and legal services delivery. The class will be graded credit/fail.  
Enrollment in this course is restricted to 3L Harvard Legal Aid Bureau members and will not be in clinical registration. The Office of Clinical and Pro Bono Programs will enroll all HLAB 3L members in this course.

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## Advanced Constitutional Law

**Course #:** 3216      **Term:** 2024FA      **Faculty:** Feldman, Noah      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** State Courts; Race; Constitutional Law; Gender and the Law; Jurisprudence and Legal Theory; Law and Political Economy; Law and Religion; Legal History; Race and the Law; State and Local Government

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 1:30 PM - 3:30 PM

Fri 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: 1L Constitutional Law or Constitutional Law: Separation of Powers

Exam Type: Any Day Take-Home

This course dives into the hardest questions in the field of constitutional law. Taught through close readings of cases in the areas of substantive due process, equal protection, federalism, and separation of powers, the course will engage the full range of contemporary approaches to the Constitution, such as: history, originalism, and living constitutionalism; critical readings of the Constitution through the lenses of race, class, gender, settler colonialism, and empire; conservative constitutional thought including Catholic constitutional theory and common good constitutionalism; political economy and the Constitution; constitutional pragmatism; and more. If you liked constitutional law and wanted to go deeper & much deeper - this is the class for you.

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## Advanced Issues in Administrative Law and Theory

**Course #:** 2676      **Term:** 2025SP      **Faculty:** Vermeule, Adrian      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Administrative and Regulatory Law; Constitutional Law; Jurisprudence and Legal Theory

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: Admission is by permission; applicants should submit a resume and a short (1-2 paragraph) statement of interest and relevant background (combined into 1 PDF) by January 1, 2023 to Brenda Bee at [bbee@law.harvard.edu](mailto:bbee@law.harvard.edu).

Exam: No Exam

We will address the place of the administrative state in the constitutional order, the design and operation of its institutions, and its relationship to law and the rule of law. Readings will include classic and contemporary academic theory in law and adjacent disciplines, caselaw, and other materials.

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## Advanced Negotiation: Money, Negotiation & You

**Course #:** 3115

**Term:** 2025SP

**Faculty:** Heen, Sheila

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**

**Location**

**Course Description:** Pre/Co-requisites: Students must have completed, or be concurrently enrolled in, the Negotiation Workshop.

Exam Type: No Exam

Money and other quantifiable outcomes grab our attention, and are the simplest yardstick by which negotiation outcomes are measured.

Yet many report that negotiating over money is uncomfortable, and particularly when representing themselves. This course will build on the Negotiation Workshop, and delve into the research on self-agency, mental accounting, decision biases, fair pay, and our own narratives about money and identity, and will explore ways to strengthen our comfort and ability to advocate effectively for ourselves. Homework will include:

Regular Fieldwork, designed as real-life experiments that invite you to step out of your comfort zone, and provide an opportunity to notice your own - and others' - reactions.

Digging into and summarizing relevant research, and presenting it to each other for discussion,

Preparing for and doing in-class negotiations over rent, buying and selling cars, offering professional services, setting fair pay within an organization, negotiating pay and start dates as a candidate, losses with meaningful compensation, and money's relationship to your values, happiness and making meaning in your life.

Writing reflection papers on your experiences, and reading others' reflections and discussing in small groups throughout the term.

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## Advanced Topics in Civil Procedure

**Course #:** 2695      **Term:** 2024FA      **Faculty:** Rubenstein, William      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Wed 10:15 AM - 12:15 PM

**Course Description:** Prerequisite: Civil Procedure  
Exam Type: No Exam

We will read and discuss both classic and new scholarly articles on a range of procedural issues. Possible topics include (but are not limited to): class actions, multidistrict litigation (MDL), preclusion, conflicts of law, the globalization of American litigation and cross-border litigation, litigation financing, and alternative forms of dispute resolution. Our emphasis will be on more theoretical papers. The goals of the reading group are to enhance students' knowledge of a variety of procedural topics; to consider different theoretical approaches to the field of procedure; and to examine what makes a piece of scholarship more or less successful. There is no exam or formal writing requirement, but students are expected to read each session's paper and to submit one question for discussion prior to each session.

Note: This reading group will meet on the following dates: TBD.

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## Advanced Topics in Jewish Law and Legal Theory

**Course #:** 2437      **Term:** 2025SP      **Faculty:** Feldman, Noah      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Comparative Law; International Law; Jurisprudence and Legal Theory; Law and Religion; Legal History

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Thu 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: This seminar will be by permission of the instructor, who strongly prefers that students have a background in advanced study of Jewish legal material. To apply please send a short statement of interest including background in Jewish legal studies to [nfeldman@law.harvard.edu](mailto:nfeldman@law.harvard.edu) with a copy to [swhalen@law.harvard.edu](mailto:swhalen@law.harvard.edu).

Exam Type: No Exam

The group will examine sociological questions of the Yeshiva world as well as theoretical/textual ones regarding what is studied, and how, and by whom.

Note: This reading group will meet on the following dates: TBD

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# Harvard Law School Course Catalog

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## Advanced Topics in Jewish Law and Legal Theory

**Course #:** 2437      **Term:** 2024FA      **Faculty:** Feldman, Noah      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Comparative Law; International Law; Jurisprudence and Legal Theory; Law and Religion; Legal History

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Thu 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: This seminar will be by permission of the instructor, who strongly prefers that students have a background in advanced study of Jewish legal material. To apply please send a short statement of interest including background in Jewish legal studies to [nfeldman@law.harvard.edu](mailto:nfeldman@law.harvard.edu) with a copy to [swhalen@law.harvard.edu](mailto:swhalen@law.harvard.edu).

Exam Type: No Exam

The group will examine sociological questions of the Yeshiva world as well as theoretical/textual ones regarding what is studied, and how, and by whom.

Note: This reading group will meet on the following dates: TBD

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## Advanced Written Advocacy

**Course #:** 3187      **Term:** 2025SP      **Faculty:** Clary, Richard      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: Civil Procedure

Exam Type: No Exam

This course will focus on effective written advocacy at the federal district court level, including why writing for the district court is a distinct art form from other forms of writing, such as appellate briefs. Topics will include motions to dismiss, discovery briefs and letter briefs, summary judgment motions and related papers, and other types of pre-trial submissions. The class will be a blend of lecture and group discussion, and we will look at examples from public filings to analyze what is effective, what is not effective, and what can be affirmatively harmful. The course will include advice on the brief writing process, as well as practical guidelines for being an effective advocate in the district court. Instead of a final exam there will be a variety of writing and editing exercises over the course of the semester.

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## Advertising Law

**Course #:** 2753      **Term:** 2025SP      **Faculty:** Tushnet, Rebecca      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Administrative and Regulatory Law; Arts, Entertainment, and Sports Law; Civil Litigation; Health, Food, and Drug Law; Intellectual Property

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

**Course Description:** Prerequisite: None  
Exam Type: Any Day Take-Home  
This course covers legal regulation of advertising in the United States, with some comparison to other countries. Private causes of action by consumers and competitors, state attorneys general, and the Federal Trade Commission all form part of the law of advertising. Topics will include falsity, substantiation, surveys, product placement, "green" marketing claims, disclosures and disclaimers, and First Amendment aspects of advertising regulation.

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## Algorithms, Rights, and Responsibilities

**Course #:** 3040      **Term:** 2025SP      **Faculty:** Kortz, Mason      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Torts; Torts; Torts; Intellectual Property; Technology Law and Policy; Torts

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

This reading group will address two pressing questions in the world of algorithms and the law: who holds the rights in beneficial algorithms and the outputs they create, and who is responsible when algorithms cause injury or harm? We will learn about and discuss ownership of code, algorithms, and statistical models; how generative artificial intelligences interact with intellectual property regimes, including copyright and patent; who is responsible when an artificial intelligence such as the driver of a self-driving car causes an injury; how we provide recourse for algorithmic discrimination; and more.

Note: This reading group will meet on the following dates: TBD.

This course is not available for cross-registration or auditing.

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## American Democracy

**Course #:** 2955      **Term:** 2025SP      **Faculty:** Unger, Roberto Mangabeira; Stauffer, John      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Law and Political Economy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 1:00 PM - 3:00 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam; Paper in lieu of examination

This course has two aims: to work toward a reinterpretation of the American experience and to explore a direction for the reshaping of the economic, political, and cultural institutions of the United States. In the first part of the course, we seek to identify the salvageable residue in the idea of American exceptionalism, the thesis that the United States is radically different from every other society. We ask what is really special about the United States and what it has in common with other major countries in the period of its independent life. In the second part of the course, we consider the limitations of change, as well as the opportunities for transformation, revealed by the crisis of the 1930s and by what has happened in the U.S. since then. In the third part of the course, we reconsider this past through the lens of the lives and ideas of a few American political, economic, and spiritual leaders. In the fourth part of the course, we discuss the future of the American project and the institutional innovations on which the deepening of American democracy depends.

A premise of the course is that our established ideas, ideals, and methods have failed to provide Americans alive now with an image of what the United States can and should next become.

Note: This course is cross-listed with FAS as English 172ad and HDS.

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## American Legal History: Law, Economy, and Society in the Era of the American Revolution

**Course #:** 3043      **Term:** 2025SP      **Faculty:** Mann, Bruce      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Legal History

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 6:00 PM - 8:00 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam  
The seminar will examine the legal and constitutional history of late-colonial America and the early republic, an era that spans the middle of the eighteenth century to the first decades of the nineteenth. Reading for the seminar will include books, articles, amicus briefs, and some primary materials on topics such as the impact of law on the Revolution, the impact of the Revolution on law, crime and punishment, probing for original intent, the conservative and revolutionary roles of law in economy and society, and changing legal definitions of slavery, freedom, and dependence.

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## Analytical Methods for Lawyers

**Course #:** 2006      **Term:** 2025SP      **Faculty:** Spier, Kathryn      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Corporate and Transactional Law; Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 8:30 AM - 10:00 AM

Tue 8:30 AM - 10:00 AM

**Course Description:** Prerequisite: None. This course is designed to be fully accessible to those with no prior quantitative training or background in the subjects covered.

Exam Type: In Class

Lawyers in almost every area of practice (litigation, corporate, government, public interest) deal routinely with problems that are usefully illuminated by basic business and economic concepts. This course is designed to teach the most important analytical methods to law students, in a manner that will be fully accessible to those with no prior quantitative training or background in the subjects covered. Using text, classroom activities, and written exercises, we will explore how these tools may be used to analyze concrete problems that arise in a wide range of legal practice settings. The course will consist of seven units:

1. Decision Analysis, Games and Information: Lawyers assist their clients in making a wide variety of decisions, ranging from the settlement of lawsuits to the purchase of property. We will explore a standard technique that has been developed to organize thinking about decision-making problems and to solve them. We will also consider strategic interactions between parties and considerations related to imperfect information.

2. Contracting: Lawyers write many contracts, concerning such matters as acquisitions of land or corporations, creation of partnerships and nonprofit entities, settlement of lawsuits, financing arrangements, and government procurement. This unit presents practical principles concerning what issues should be addressed in contracts and how they might best be resolved.

3. Accounting: Lawyers who counsel clients in conducting their affairs or who represent them in litigation must understand the parties financial circumstances and dealings, which often are represented in financial statements. Basic accounting concepts will be introduced, and the relationship between accounting information and economic reality will be examined.

4. Finance: Legal advice in business transactions, division of assets upon divorce, litigation, and many other matters require knowledge of valuation, assessment of financial risk, and comprehension of the relationships between those who provide financing and those who need it. We will consider basic principles of finance, such as present value, the tradeoff between risk and return, the importance of diversification, and basic methods for valuing financial assets.

5. Microeconomics: Lawyers need to understand their clients and other parties economic situations and opportunities as well as the principles that underlie many of the rules of our legal system. This unit presents basic economic concepts-the operation of competitive markets, imperfect competition, and market failures-that are necessary to this understanding.

6. Law and Economics: Legal rules have important effects on clients interests, which must be appreciated by lawyers who advise them and by judges, regulators, and legislators who formulate legal rules. We will explore these effects using the economic approach to law, with illustrations from torts, contracts, property, law enforcement, and legal procedure.

7. Statistics: Legal matters increasingly involve the use of statistics in business contexts, in the promulgation of government regulations, in the measurement of damages, in attempts to make inferences concerning parties behavior (such as those regarding discrimination in employment), and in determination of causation (in tort, contract, and other disputes). We will address the basic statistical methods, including regression analysis, as well as issues that commonly arise when statistics are used in the courtroom.

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## Animal Law

**Course #:** 2355

**Term:** 2025SP

**Faculty:** Stilt, Kristen

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Health Fee; Animal; Health/Bioethics/Biotechnology; Real Estate/Property; State Courts; Property; Property; Property; Private Room; Administrative and Regulatory Law; Animal Law; Comparative Law; Environmental Law and Policy; Health, Food, and Drug Law; Jurisprudence and Legal Theory; Law and Religion; Legal History; Private Law; Property; State and Local Government

**Delivery Mode:** Course

**Days and Times:**

**Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: There are no prerequisites, and 1L students are welcome in the class.

Exam Type: One Day Take-Home

Students will be evaluated on the basis of class participation and the final exam.

This course will introduce students to the broad range of laws that affect non-human animals (“animals”), including companion animals, farm animals (with a particular focus on factory farms), animals used in the context of entertainment (such as zoos and aquaria), animals used in scientific experimentation, and wild animals. The course will focus mainly on the U.S. but will also include some attention to the laws of other countries and to international law.

The course will also engage with fundamental questions about animals and the law, such as: Are some animals more deserving of protection than others, and if so, on what basis? What role does culture and belief play in animal law—why are dogs considered pets in the U.S. and food in some parts of the world, for example? Does the status of animals as property pose an insurmountable barrier to increasing protections for animals? What are the advantages and disadvantages of the concepts of “animal rights” and “animal welfare”?

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## Animal Law & Policy Clinic

**Course #:** 8052

**Term:** 2024FA

**Faculty:** Hollingsworth, Mary

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Animal; Animal Law; Environmental Law and Policy

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Animal Law and Policy Clinical Seminar (2 fall classroom credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Animal Law & Policy Clinic will provide students with direct hands-on experience in animal advocacy on behalf of both captive animals and wildlife, including litigation, legislation, administrative practice, and policymaking.

Students will be introduced to the overarching issues that non-human animal law advocates face in their work, including rulemaking petitions, open-government laws, and basic litigation, legislative, administrative, and organizing strategies. Students also learn how to pursue advocacy under several substantive areas of the law, including the Endangered Species Act, the National Environmental Policy Act, the Animal Welfare Act, the Humane Slaughter Act, the Marine Mammal Protection Act, the Wild Horse and Burros Act, and state animal cruelty codes.



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## Animal Law & Policy Clinic

**Course #:** 8052

**Term:** 2025SP

**Faculty:** Hollingsworth, Mary

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Animal; Animal Law; Environmental Law and Policy

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Animal Law and Policy Clinical Seminar (2 spring classroom credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Animal Law & Policy Clinic works to advance the interests of animals through litigation, administrative rulemaking, policy initiatives, organizing, and other legal advocacy avenues. You will gain direct experience with a broad range of federal and state laws-such as the Endangered Species Act and the Animal Welfare Act-and develop critically important strategic thinking and analytical skills. You will have significant responsibility over your projects, and will learn best practices of case management, including how to juggle multiple projects and how to work with co-counsel. The Clinic will be particularly informative for students considering a career in public interest law.

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## Animal Law & Policy Clinical Seminar

**Course #:** 3004

**Term:** 2024FA

**Faculty:** Hollingsworth, Mary

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Animal; Animal Law; Environmental Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Animal Law Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

This two-credit seminar is the required classroom component for students enrolled in the Animal Law and Policy Clinic and will be available only to those students. The seminar will introduce students to the overarching issues that non-human animal law advocates face in their work, including Article III standing, Administrative Procedure Act review, rulemaking petitions, open-government laws, and basic litigation, legislative, administrative, and organizing strategies. The seminar will also teach students how to pursue advocacy under several substantive areas of the law, including (but not limited to) the Endangered Species Act, the National Environmental Policy Act, the Animal Welfare Act, the Humane Slaughter Act, the Marine Mammal Protection Act, the Wild Horse and Burros Act, and state animal cruelty codes.

Note: This seminar will meet in the ALPC offices at 1607 Mass Ave.

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## Animal Law & Policy Clinical Seminar

**Course #:** 3004

**Term:** 2025SP

**Faculty:** Hollingsworth, Mary

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Animal; Animal Law; Environmental Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the [Clinic Website](#), [Clinic Q&A](#) and [OCP Blog Highlights](#).

Required Clinic Component: Animal Law Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

The Animal Law & Policy Clinic Seminar is the companion seminar for the Animal Law & Policy Clinic. You will learn about the core statutes and concepts used by animal lawyers, gain practical lawyering skills to be effective advocates for animals, and build a foundation for ethical, reflective legal practice. Foundational topics covered will include Article III standing, Administrative Procedure Act review, rulemaking petitions, and basic litigation, regulatory, legislative, and organizing strategies. The seminar will also introduce you to advocacy strategies under federal and state laws.

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## Anti-carceral Organizing and Lawyering

**Course #:** 3003      **Term:** 2025SP      **Faculty:** Crespo, Andrew      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Criminal Law and Procedure; Jurisprudence and Legal Theory; Legal Profession and Ethics; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 10:15 AM - 12:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and Blog Highlights.

Required Clinic Component: Institute to End Mass Incarceration Clinic (3 or 4 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due by October 18, 2024. Please see below for more information.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may apply to the clinic by the deadline (application instruction details are below).

What role can and should lawyers play in community led, organizer driven campaigns and movements to end mass incarceration? This seminar explores this essential question experientially, intellectually, and personally. Students begin the seminar by taking an intensive multi-day workshop that trains them in the theory and practice of community organizing. In teams facilitated by experienced organizer-coaches, students learn the craft of public narrative, weaving together stories of self and of shared communal purpose to motivate collective agency; the meaning of public leadership within the context of organizing teams; the relationship between strategy and tactical action; and the connection between organizing campaigns and enduring structures of community power. The workshop is team-based and coaches students in linking their personal sources of inspiration and motivation to focused and purposive action that is in service of social justice and emancipation.

The remainder of the semester focuses on lawyering and its relationship to organizing, movements, and social change. Can law be a useful tool in efforts to upend entrenched injustice, including systemic racism and economic oppression? How can lawyers share skills, knowledge and resources while supporting the collective agency and empowerment of nonlawyers working for bold emancipatory futures? What forms of relationships between lawyers and organizers in shared coalition spaces best facilitate such partnerships? And what do legal tactics that aim to support enduring community power, even above short-term campaign victories, look like in practice?

Students can expect to engage closely with readings from various traditions, including from scholars of abolition, critical studies (CLS and CRT), and law and social movements. This seminar accompanies and is a co/pre-requisite for the Institute to End Mass Incarceration Clinic. Admission is by application. For application requirements and details, please see the IEMI Clinic course listing.

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## Antitrust Law & Economics - Global

**Course #:** 2099

**Term:** 2025SP

**Faculty:** Elhauge, Einer

**Credits:** 5.00

**Type:** Elective

**Subject Areas:** Antitrust/Competition; Antitrust; Antitrust; Antitrust; Law and Economics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:10 PM

Thu 1:30 PM - 3:10 PM

Fri 1:30 PM - 3:10 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Note: Students who have taken U.S. Antitrust Law may not take this course because it duplicates the U.S. portion of the material covered in Global Antitrust Law.

Exam Type: In Class

Given the reality of global markets, modern antitrust law and legal practice are both global, as is any anticompetitive conduct they seek to regulate on global markets. This course thus teaches basic antitrust principles using cases and materials from throughout the world, with the focus on US and EC sources because those are the most active antitrust enforcers and have the most well developed antitrust doctrines.

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## Appellate Courts and Advocacy Workshop

**Course #:** 2426      **Term:** 2025WI      **Faculty:** Wolfman, Brian      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 9:00 AM - 12:30 PM

Tue 9:00 AM - 12:30 PM

Wed 9:00 AM - 12:30 PM

Thu 9:00 AM - 12:30 PM

Fri 9:00 AM - 12:30 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

The Appellate Courts and Advocacy Workshop combines a substantive review of key appellate litigation doctrines concerning appellate jurisdiction, standards of review, and other topics, with a significant litigation-skills component, including motion and brief writing. The course considers each stage of the appellate litigation process beginning with a general overview, moving to the various bases for appellate jurisdiction in the federal courts, then discussing standards of review, and concluding with an intense review of the anatomy of an appellate brief. We will also briefly consider U.S. Supreme Court practice. Students considering clerkships, particularly appellate clerkships, after graduation generally find this course useful.

There are about a half dozen small-to-medium-sized writing assignments, which have two purposes: They introduce students to an aspect of appellate practice, and they demand application of one or more of the course's doctrinal topics. In addition to these smaller assignments, students are also responsible for writing an appellate brief. For all assignments, students are provided copies of relevant practice rules, statutes, cases, and other items. No outside research is involved.

The doctrinal portion of the course and the corresponding small-to-medium-sized writing assignments will be covered during the first two weeks of the January Term. The appellate brief will be completed early in the Spring Term. During the Spring Term, each student will have a one-on-one meeting with the teacher to review a draft appellate brief.

The instructor, Brian Wolfman, is a Professor from Practice and Director of the Appellate Courts Immersion Clinic at Georgetown Law. Before that, he was a co-director of Stanford Law School's Supreme Court Litigation Clinic. Before joining Stanford in 2014, for five years, Mr. Wolfman was co-Director of Georgetown Law's Institute of Public Representation, where he directed a student-based clinic that handled a mix of individual civil-rights cases and public-interest impact litigation. He is the former Director of Public Citizen Litigation Group, a public-interest law firm in Washington, D.C., where he practiced for nearly 20 years. He began his career as a poverty lawyer in rural Arkansas. He has litigated dozens of cases in courts of appeals and in the Supreme Court. Feel free to direct questions about the class to Mr. Wolfman at bswolfman@yahoo.com.

Note: The credit breakdown for this course is as follows: three total credits, with two law classroom credits awarded during the January Term and one writing credit awarded during the Spring Term.

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This course will meet for the first two weeks of the winter term.

This course is open to upper-level JD students only.

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## Applied Quantitative Analysis

**Course #:** 2009

**Term:** 2025SP

**Faculty:** Avedian, Arevik

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Finance, Accounting, and Strategy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Tue 10:30 AM - 12:00 PM

Wed 10:30 AM - 12:00 PM

**Course Description:** Prerequisites: Fundamentals of Statistical Analysis or permission of the instructor. This class can be taken as part of the HLS empirical track.

Exam Type: No Exam

Intended as a continuation of the Fundamentals of Statistical Analysis, this course focuses on developing the theoretical basis and practical application of advanced multivariate techniques and interpreting and presenting statistical results and their implications. Topics include multivariate linear and nonlinear regression, binomial and multinomial logistic regression, ordinal logit analysis, time series and count data models. This is an applied class, providing students an opportunity to practice with hands-on examples involving the analysis of real data. The emphasis of the course will be on the conceptual understanding, application and interpretation of the methods and results, as opposed to the mathematical proofs underpinning the models. Students will use the Stata statistical software.

The course will culminate with an empirical paper where you will get an opportunity to apply the covered methods. Two options will be provided to the students for their final paper: (1) an empirical paper on a topic of your interest or (2) a replication paper. There is a growing awareness of the importance of replication in the empirical legal field. Producing or reproducing an empirical work will give students an opportunity to learn the methods used, data wrangling, or challenges and solutions that researchers encounter producing empirical work. Students who are replicating will be required to extend the study either by proposing or implementing a change to the original study through use of additional variables, different time periods/techniques/robustness checks, etc.

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# Harvard Law School Course Catalog

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## Applying Adaptive Leadership to Drive Change

**Course #:** 3083

**Term:** 2024FA

**Faculty:** Westfahl, Scott

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Leadership; Legal Profession and Ethics

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 6:00 PM - 8:00 PM

### Course Description:

Prerequisites: None

Exam Type: No Exam

This seminar offers students the opportunity to learn and apply principles of adaptive leadership to strengthen their ability to lead from any level and help people and organizations through significant change. First developed by faculty at the Kennedy School of Government and one of the most popular fields of study in their curriculum, adaptive leadership is particularly well-suited for the legal profession and the “trusted advisor” roles that lawyers often play in helping both public and private institutions navigate uncertain times and adapt and change as the world changes around them.

What you will learn: In this highly experiential, team-based course, you will learn about:

How to differentiate between technical challenges where solutions are known and exist and adaptive challenges where no expertise exists about how to solve them;

How to diagnose adaptive challenges, map stakeholders, and grow your options to help make progress on the challenge by exercising leadership from any level;

How to pay attention to and help grow a group's capacity for dealing with change;

How to lead and hold people through change;

How to thrive in uncertainty by increasing your tolerance for risk and ambiguity and gaining perspective about the dynamics of social disequilibrium;

How individuals, teams and organizations can achieve goals that have proven impervious to the best laid plans and intentions, by identifying and challenging operating assumptions, core values and motivations;

How to have courageous conversations to address the competing interests and conflicts that an adaptive challenge presents, to engage stakeholders and lead change more effectively; and

How to stay anchored, patient, engaged and creative in an adaptive, stress-filled situation, as you are doing the hard work of adaptive leadership.

How the course works: This course is team-based and will include a mixture of:

Short, interactive lectures;

Case-based analyses of past leadership experiences/failures (students' own cases and those of guest lecturers from the world of legal practice);

Interactive “leadership labs” that challenge students to help each other to learn about leadership; and

Weekly, self-facilitated 75-minute meetings in small teams to analyze team members' own leadership cases.

Students are required to read/view background material before each class and to submit weekly reflection papers and a short, final paper summarizing the learnings from the course. Student grades will be based upon how well they demonstrate in their reflection papers and final paper their understanding of the application of adaptive leadership principles to drive change, and their ability to apply those principles within the structure of the class. Students will receive weekly feedback on their reflection papers and will have the opportunity to meet frequently with Teaching Fellows and Professor Westfahl.

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## Art of Social Change

**Course #:** 2011      **Term:** 2025SP      **Faculty:** Gregory, Michael; Hazen, Crisanne      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Education; Family; Civil Rights; Civil Rights; Race; Family Member; Education; Administrative and Regulatory Law; Children and Family Law; Civil Rights; Education Law; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

This course explores various strategies for systemic law and policy reform, focusing on legal systems that impact children, including the education, juvenile legal, and child welfare systems, among others. We examine significant reform initiatives and consider how best to advance the interests of young people. The emphasis is on analyzing different approaches to system change, inside and outside of the courtroom, with the goal of informing students' future advocacy efforts. During approximately half of the class sessions, we bring into the classroom as visiting lecturers leaders and changemakers from the worlds of policy and practice who represent different disciplines, career paths, and approaches to system change. Through these sessions, we learn how child-centered legal systems (e.g., child welfare, education, and juvenile legal) inequitably distribute benefits and harms to various groups of children and think critically about different approaches to systemic law and policy reform. During the other weeks of the course, we convene in smaller learning communities, deepening our understanding of the work shared by guest speakers by using a conceptual model as a tool to 1) retrospectively analyze system change efforts and 2) prospectively (and iteratively) plan a campaign to achieve system change. Through readings, speakers, and in other ways, we will endeavor as much as possible to bring the voices of young people themselves into our conversations.

Throughout the semester, students work on their own system change project or paper, getting an opportunity to apply their learning to an issue that is important to them. The course places an emphasis on peer learning and integrates opportunities for workshopping and feedback on final projects as part of the bi-weekly learning community class sessions. Class participation is part of the final grade. There is no final exam.

Cross-registrants are welcome. This course is required for all Y-Lab Fellows.

This course is part of the Youth Advocacy & Policy Lab (Y-Lab). Please see the Y-Lab website for information about other related courses.

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## Asian Americans and the Law

**Course #:** 2344      **Term:** 2024FA      **Faculty:** Lee, William      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Immigration/Refugee; Civil Rights; Immigration Law; Civil Rights; Immigration Law; Immigration; Race; Civil Rights; Constitutional Law; Immigration Law; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

This course will explore the history of Asian Americans under the law. We will first address historical issues such as immigration in the 1800s and the Chinese Exclusion Act, state sponsored discrimination such as the Chinese Laundry and Pigtail Ordinance, and the internment of Japanese Americans during World War II. We will then turn to contemporary events including accusations of espionage, employment discrimination, affirmative action and the Asian hate crimes. We intend that students who join the class will explore and understand the history of Asian immigration to the United States, the critical legal events in Asian American history and the contemporary issues affecting Asian Americans.

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## Bankruptcy

**Course #:** 2013      **Term:** 2025SP      **Faculty:** Ellias, Jared      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Bankruptcy; Bankruptcy; Contracts; Bankruptcy; Contracts; Contracts; Private Room; Bankruptcy and Commercial Law; Contracts; Corporate and Transactional Law; Finance, Accounting, and Strategy; Financial and Monetary Institutions; Law and Economics; Negotiation and Alternative Dispute Resolution; Private Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

**Course Description:** Pre/Corequisite: Students without prior basic exposure to business should normally take Corporations concurrently.  
Exam Type: In Class

This is a comprehensive survey of the United States Bankruptcy Code, with special emphasis on corporate reorganization. We begin by asking whether federal regulation of insolvency is necessary. Are state laws inadequate for dealing with the financial distress of individuals and businesses? As we consider this question, we will develop a set of policies that optimal bankruptcy law should serve. These policies will help frame our discussion as we study the principal provisions of the Bankruptcy Code, such as the automatic stay, claim valuation, strong-arm powers, absolute priority rule, and cram-down. We will ask whether these provisions serve optimal bankruptcy policy. Although we will emphasize corporate reorganization, most of the Codes provisions apply equally to corporate and consumer bankruptcies. This class is highly recommended for anyone who intends to have a career working on the legal problems of businesses, whether on the transactional side or in litigation.

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## Bankruptcy

**Course #:** 2013      **Term:** 2024FA      **Faculty:** Roe, Mark      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Bankruptcy; Bankruptcy; Contracts; Bankruptcy; Contracts; Contracts; Private Room; Bankruptcy and Commercial Law; Contracts; Corporate and Transactional Law; Finance, Accounting, and Strategy; Law and Economics; Negotiation and Alternative Dispute Resolution; Private Law

**Delivery Mode:** Course

### Days and Times:

### Location

Thu 1:45 PM - 3:05 PM

Fri 1:45 PM - 3:05 PM

Wed 1:45 PM - 3:05 PM

**Course Description:** Prerequisite: None  
Exam Type: In Class

This basic bankruptcy course covers the major facets of bankruptcy that influence business financing transactions. Much of the deal-making in a financing transaction is negotiated in anticipation of a possible reorganization in Chapter 11 or of a private reorganization in its shadow. I.e., corporate lawyers often negotiate loans for their business clients; regulators, creditors, and employees of shaky companies want to know what will happen if the company goes bankrupt. For many lawyers, contact with bankruptcy law is anticipatory and not in front of the bankruptcy judge. When feasible, students will read not just bankruptcy court opinions and the Bankruptcy Code, but materials that financing lawyers use day-to-day: a loan agreement, a prospectus, a complaint in a loan dispute, and SEC submissions. In addition, to restructuring basics, I expect that we will consider ongoing bankruptcy&nbsp;disputes involving mass torts, government action, and labor contracts. Students will ordinarily participate in a simulated Chapter 11 reorganization.

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## Bankruptcy and Corporate Restructuring: Current Issues

**Course #:** 3228      **Term:** 2024FA      **Faculty:** Roe, Mark; Ellias, Jared      **Credits:** 2.00  
**Type:** Elective      **Subject Areas:** Bankruptcy; Bankruptcy; Bankruptcy; Bankruptcy and Commercial Law; Corporate and Transactional Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

**Course Description:** Prerequisite: Bankruptcy or Corporate Restructuring is a pre- or co-requisite. Alternatively, equivalent professional experience or course work, with the instructors' permission.

Exam Type: No Exam

In this seminar, we will examine major cases and controversies in bankruptcy today. Where appropriate, we will focus on new strategies, both unsuccessful and successful. Where appropriate, we will invite participants in major recent bankruptcies, often for an hour at lunch after we have had a seminar session on the topic. Where possible, students will read underlying documents and present the lawyers' strategies to the class.

Readings: Readings will be excerpts from primary sources describing corporate failures and scandals, and academic analyses of these and other current issues. Some readings will be challenging, and the students will not be expected to fully understand everything described in the reading.

Some of that understanding will come from our guest lawyer events. Part of the goal of the exercise is for you to become familiar with the work product of excellent lawyers who are doing deep dives into important corporate events.

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## Becoming a Law Professor

**Course #:** 2416      **Term:** 2025SP      **Faculty:** Tobin, Susannah      **Credits:** 1.00  
**Type:** Elective      **Subject Areas:** Leadership

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Mon 10:30 AM - 11:30 AM

**Course Description:** Prerequisite: Admission is by application via email to Susannah Barton Tobin at [stobin@law.harvard.edu](mailto:stobin@law.harvard.edu) by October 31, 2024. Please include a paragraph expressing your interest in the reading group and a CV.  
Exam Type: No Exam

This reading group will focus on the generative scholarly process that is at the center of the life of the law professor. Each week, a member of the faculty will present a working draft of her or his scholarship, and that piece will be discussed by the group. Discussions will focus in part on the genesis of the research project being presented, in order to demonstrate how articles develop from the first spark of an idea to final publication. Students will also explore substantive issues raised in the pieces, the better to become familiar with the latest work being done across a variety of subject areas. Students will also develop their own research and scholarly agendas as the semester progresses.

Note: This reading group will meet weekly.

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## Behavioral Economics, Law and Public Policy

**Course #:** 2589      **Term:** 2025SP      **Faculty:** Sunstein, Cass      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Disability; Civil Rights; Disability Law; Civil Rights; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Administrative and Regulatory Law; Civil Rights; Constitutional Law; Disability Law; Environmental Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: Instructor permission is required. Please send your CV to Brenda Bee (bbee@law.harvard.edu).

Exam Type: No Exam

This seminar will explore a series of issues at the intersection of behavioral economics and public policy. Potential questions will involve climate change; energy efficiency; health care; and basic rights. There will be some discussion of paternalism and the implications of neuroscience as well.

Note: This seminar is jointly listed with FAS as ECON 2050 & HKS as API-305.

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## Business Negotiations

**Course #:** 3264

**Term:** 2024FA

**Faculty:** Coakley, Antoinette

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 6:00 PM - 9:15 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

Negotiation is an important skill that all attorneys will practice during the course of their legal careers. Many law students, however, are apprehensive about negotiating and lack confidence in their negotiation skills. In this course, students will learn fundamental negotiation principles, strategies and techniques to help them develop their negotiation skills and build confidence in their negotiation abilities. Through a series of simulated business transactions informed by real world corporate experiences, students will have the opportunity to practice their negotiation skills and develop their own personal negotiation style. Students will engage in: (1) negotiation preparation and planning, (2) matter/case evaluation, (3) client counseling and securing of informed client consent, (4) analysis of bargaining range and principled concession patterns, (5) problem-solving strategies, (6) information bargaining, and (7) dispute resolution. Students will consider ethical requirements and norms in negotiations. Students also will complete various written assignments, including reflection journals, negotiation plans and deal documentation. Students will learn to internalize habits of preparation, analysis, prediction, flexibility, and self-evaluation, which will support continuous improvement of their negotiation skills.

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## Business Strategy for Lawyers

**Course #:** 2015

**Term:** 2024FA

**Faculty:** Spier, Kathryn

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Antitrust/Competition; Antitrust; Antitrust; Antitrust; Corporate and Transactional Law; Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 8:30 AM - 10:00 AM

Tue 8:30 AM - 10:00 AM

**Course Description:** Prerequisites: Students should have some exposure to microeconomics or a related discipline (e.g., Analytical Methods, Law & Economics, an undergraduate class in economics, finance, etc.). Familiarity with algebra is assumed. Students who are unsure should contact the professor.

Exam Type: In Class

In Class Requirements include several analytical assignments, frequent in-class evaluations, and a final exam.

This course presents the fundamentals of business strategy to a legal audience. The class sessions include both traditional lectures and business-school case discussions. The lecture topics and analytical frameworks are drawn from MBA curriculums at leading business schools. The cases are selected for both their business strategy content and their legal interest.

The main course material is divided into four parts. The first part presents the basic frameworks for the analysis of strategy. The topics include economic and game theoretic approaches to strategy, competitive advantage and industry analysis. The second part is concerned with organizational and contractual responses to agency problems. Topics include pay-for-performance, corporate control, and the design of partnerships and other business associations. The third part takes a broader view of business associations, considering the horizontal and vertical scope of the firm and the advantages of hybrid organizational forms such as franchising and joint ventures. The fourth part covers special topics in competitive strategy, including product differentiation, tacit collusion, facilitating practices, network externalities, market foreclosure, and innovation.

This course is well-suited for students interested in economic analysis of the law with a strong business and industry focus. Because of the significant overlap with the MBA curriculum, this class is not appropriate for students in the JD-MBA program. Since the lectures and assignments focus on abstract frameworks and theoretic approaches, familiarity with economic reasoning and algebra is assumed.

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## Capital Punishment Clinic

**Course #:** 8005      **Term:** 2025WS      **Faculty:** Steiker, Carol      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Race; Constitutional Law; Criminal Law and Procedure; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Capital Punishment in America (4 fall classroom credits). Some seats are reserved for clinical students. Once a student enrolls in this clinic, the Office of Clinical and Pro Bono Programs will enroll them in the required course. If a student drops this clinic, they will also lose their seat in the required class component.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline:&nbsp;September 1, 2023.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 2-3 spring clinical credits).

Placement Site: Various externship placements.

The Capital Punishment Clinic offers opportunities for students to represent clients with capital sentences through placements at capital punishment organizations, law firms, and governmental agencies throughout the country. Clinical work is full-time and on-site during the winter term, and continues on a part-time and remote basis in the spring term. This clinic is graded Credit/Fail. During spring term, students are required to attend mandatory 6 meetings with Prof. Steiker. Meetings held before spring break will be held during lunch hour, with Prof. Steiker, on zoom, with students together in a room, with lunch provided. After spring break, Prof. Steiker will meet in-person, with students, during these required lunch meetings.

This is an externship clinic. During spring term students should have at least one full day available to work on clinic assignments, with the remaining time available in 4-5 hour blocks.

Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic and its possible placements ([clinical@law.harvard.edu](mailto:clinical@law.harvard.edu) or 617-495-5202).

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## Capital Punishment in America

**Course #:** 2020

**Term:** 2024FA

**Faculty:** Steiker, Carol

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Race; Constitutional Law; Criminal Law and Procedure; Race and the Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: For JD students, Criminal Law is required. For LLM students, permission of the instructor is required to waive the requisite.

Exam Type: In Class

This course considers the legal, political, and social implications of the practice of capital punishment in America, with an emphasis on contemporary legal issues. The course will frame contemporary questions by considering some historical perspectives on the use of the death penalty in America and by delving into the moral philosophical debate about the justice of capital punishment as a state practice. It will explore in detail the intricate constitutional doctrines developed by the Supreme Court in the five decades since the Court "constitutionalized" capital punishment in the early 1970s. Doctrinal topics to be covered include the role of aggravating and mitigating factors in guiding the sentencers decision to impose life or death; challenges to the arbitrary and racially discriminatory application of the death penalty; the ineligibility of juveniles and persons with intellectual disability for capital punishment, limits on the exclusion and inclusion of jurors in capital trials; allocation of authority between judges and juries in capital sentencing; and the scope of federal habeas review of death sentences, among other topics.

This course satisfies the clinical seminar requirement for the Capital Punishment Clinic. The drop deadline for students enrolled in this course in a clinical seat is September 6, 2024.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

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## Case Studies in Public and Private Policy Challenges of Artificial Intelligence

**Course #:** 3226

**Term:** 2025SP

**Faculty:** Zittrain, Jonathan

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Intellectual Property; Technology Law and Policy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

**Course Description:** Prerequisites: Admission to the course is by permission of the instructor. Students should complete the application at this link: <https://brk.mn/AIPolicyChallenges24>. Applications should be completed by tbd-date for tbd-date admission decisions and thereafter rolling admission may be considered beginning tbd-date.

Exam Type: No Exam

The use of machine learning has skyrocketed in recent years, becoming embedded retail and wholesale across society without substantial reflection on its implications. Through engagement with those building some of the most provocative models and tools - many of which have become part of the public imagination - we will see what gives their builders pause; reflect on possible solutions or mitigations; and develop suggestions about what they might be missing in their own canvassing of the ethical and policy terrain.

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## Child Advocacy Clinic

**Course #:** 8001      **Term:** 2025WS      **Faculty:** Hazen, Crisanne      **Credits:** 7.00

**Type:** Clinic      **Subject Areas:** Disability; Education; Family; Disability Law; LGBTQ+; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Race; Harvard Law School Project on Disability; Family Member; Education; Children and Family Law; Disability Law; Education Law; LGBTQ+; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Class Component: Lawyering for Children & Youth Clinical Seminar (2 spring classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: Early drop of November 1, 2024.

LLM Students:&nbsp;International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Placement Site: Various externship placements. Visit the Youth Advocacy & Policy Lab website to see a list of recent placement sites.

The Child Advocacy Clinic is an externship clinic where students conduct fieldwork under the supervision of a practicing attorney at an external legal setting that is focused on one or more aspects of youth advocacy.&nbsp;Students take a companion seminar and bring into the classroom their experiences and learning from the field.&nbsp;The course is designed to educate students about a variety of substantive areas impacting the lives of children-such as child welfare, education, and juvenile justice-and the different systems that are meant to serve them.&nbsp;In addition, the course exposes students to a range of system change strategies to encourage critical thinking about the pros and cons of different approaches. The Clinic is relevant not only for students with a particular interest in childrens issues, but also for those more generally interested in system change.

Enrollment Options: The Child Advocacy Clinic offers three different clinical fieldwork options: a fall-only clinic, a spring-only clinic, and a winter-spring clinic.&nbsp;The clinical seminar is taken concurrently with the spring fieldwork.&nbsp;This offering is for the winter-spring Child Advocacy Clinic. Winter-spring clinical students work at a child advocacy organization&nbsp;full-time during winter term (for 2 clinical credits) and continue at the same organization, working&nbsp;part-time (16-20 hours/week for 4-5 clinical credits) during spring term.

Fieldwork Component: Students are placed as externs, working under a supervising attorney, in a wide array of fieldwork settings that focus on child welfare, education, and the juvenile legal system. Clinical fieldwork may implicate more discrete issues, such as older youth transitioning out of the foster care system, sexual exploitation of children, LGBTQ youth, special education and school discipline, and eliminating racial disparities in various systems.&nbsp;Placements range from organizations providing individual advocacy, to those promoting systemic change through impact litigation, legislative reform, movement lawyering, or policy.

Based on their host placement, students may: engage in courtroom advocacy; draft briefs and other litigation memoranda; participate in school and home visits; assist with interviews of child victims; analyze

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social science and psychological research; leverage the media and write op-ed articles; provide trainings to various stakeholders; develop legislative reform proposals; and participate in mediations. For instance:

In the child welfare area, students may represent individual children who are abused and neglected; serve alongside District Attorneys prosecuting caretakers accused of child maltreatment; or work with juvenile court judges adjudicating care and protection and other child welfare cases.

In the education area, students may engage in efforts to advance educational outcomes for low-income students; participate in special education cases; or work with the state agency charged with overseeing schools on issues such as charter schools, assessment and accountability, student rights, and school discipline.

In the juvenile legal system area, students may support legislative changes to improve conditions of confinement for young people; promote policies to reform the legal system for youth of color; or work alongside public defenders in delinquency and youthful offender cases.

Note that many placements cut across substantive areas and engage students in a host of advocacy strategies and skills.

Matching Process: Once enrolled in the Clinic, the Clinic director will provide students with a list of fieldwork placement organizations and their potential projects. Students will give the Clinic director information about their background and interests and rank their placement preferences. The director will then match students with a placement based on their preferences, the organizations needs, and the goal to provide students with a broad spectrum of experiences. Please note that the matching process takes place during the fall; enrolled students will need to be available to communicate with the Clinic director and their host organization about various details.

This course is part of the Youth Advocacy & Policy Lab (Y-Lab). Please see the Y-Lab website for information about other related courses.

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## Child Advocacy Clinic

**Course #:** 8001      **Term:** 2025SP      **Faculty:** Hazen, Crisanne      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Disability; Education; Family; Disability Law; LGBTQ+; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Race; Harvard Law School Project on Disability; Family Member; Education; Children and Family Law; Disability Law; Education Law; LGBTQ+; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Lawyering for Children & Youth Clinical Seminar (2 spring classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: Early drop of December 1, 2024.  
LLM Students:&nbsp;International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
Placement Site: Various externship placements. Visit the Youth Advocacy & Policy Lab website to see a list of recent placement sites.  
The Child Advocacy Clinic is an externship clinic where students conduct fieldwork under the supervision of a practicing attorney at an external legal setting that is focused on one or more aspects of youth advocacy.&nbsp;Students take a companion seminar and bring into the classroom their experiences and learning from the field.&nbsp;The course is designed to educate students about a variety of substantive areas impacting the lives of children-such as child welfare, education, and juvenile justice-and the different systems that are meant to serve them.&nbsp;In addition, the course exposes students to a range of system change strategies to encourage critical thinking about the pros and cons of different approaches. The Clinic is relevant not only for students with a particular interest in childrens issues, but also for those more generally interested in system change.  
Enrollment Options: The Child Advocacy Clinic offers three different clinical fieldwork options: a fall-only clinic, a spring-only clinic, and a winter-spring clinic.&nbsp;The clinical seminar is taken concurrently with the fieldwork.&nbsp;This offering is for the spring Child Advocacy Clinic. Spring clinical students work part-time (16-20 hours/week for 4-5 clinical credits) at a child advocacy organization.  
Fieldwork Component: Students are placed as externs, working under a supervising attorney, in a wide array of fieldwork settings that focus on child welfare, education, and the juvenile legal system. Clinical fieldwork may implicate more discrete issues, such as older youth transitioning out of the foster care system, sexual exploitation of children, LGBTQ youth, special education and school discipline, and eliminating racial disparities in various systems.&nbsp;Placements range from organizations providing individual advocacy, to those promoting systemic change through impact litigation, legislative reform, movement lawyering, or policy.  
Based on their host placement, students may: engage in courtroom advocacy; draft briefs and other litigation memoranda; participate in school and home visits; assist with interviews of child victims; analyze social science and psychological research; leverage the media and write op-ed articles; provide trainings to various stakeholders; develop legislative reform proposals; and participate in mediations. For instance:  
  
In the child welfare area, students may represent individual children who are abused and neglected; serve alongside District Attorneys prosecuting caretakers accused of child maltreatment; or work with juvenile

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court judges adjudicating care and protection and other child welfare cases.

In the education area, students may engage in efforts to advance educational outcomes for low-income students; participate in special education cases; or work with the state agency charged with overseeing schools on issues such as charter schools, assessment and accountability, student rights, and school discipline.

In the juvenile legal system area, students may support legislative changes to improve conditions of confinement for young people; promote policies to reform the legal system for youth of color; or work alongside public defenders in delinquency and youthful offender cases.

Note that many placements cut across substantive areas and engage students in a host of advocacy strategies and skills.

Matching Process: Once enrolled in the Clinic, the Clinic director will provide students with a list of fieldwork placement organizations and their potential projects. Students will give the Clinic director information about their background and interests and rank their placement preferences. The director will then match students with a placement based on their preferences, the organizations needs, and the goal to provide students with a broad spectrum of experiences. Please note that the matching process takes place during the fall; enrolled students will need to be available to communicate with the Clinic director and their host organization about various details.

This course is part of the Youth Advocacy & Policy Lab (Y-Lab). Please see the Y-Lab website for information about other related courses.

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## Child Advocacy Clinic

**Course #:** 8001      **Term:** 2024FA      **Faculty:** Hazen, Crisanne      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Disability; Education; Family; Disability Law; LGBTQ+; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Race; Harvard Law School Project on Disability; Family Member; Education; Children and Family Law; Disability Law; Education Law; LGBTQ+; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Lawyering for Children & Youth Clinical Seminar (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: Early drop of August 1, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
Placement Site: Various externship placements. Visit the Youth Advocacy & Policy Lab website to see a list of recent placement sites.  
The Child Advocacy Clinic is an externship clinic where students conduct fieldwork under the supervision of a practicing attorney at an external legal setting that is focused on one or more aspects of youth advocacy.  Students take a companion seminar and bring into the classroom their experiences and learning from the field.  The course is designed to educate students about a variety of substantive areas impacting the lives of children-such as child welfare, education, and juvenile justice-and the different systems that are meant to serve them.  In addition, the course exposes students to a range of system change strategies to encourage critical thinking about the pros and cons of different approaches. The Clinic is relevant not only for students with a particular interest in childrens issues, but also for those more generally interested in system change.  
Enrollment Options: The Child Advocacy Clinic offers three different clinical fieldwork options: a fall-only clinic, a spring-only clinic, and a winter-spring clinic.  The clinical seminar is taken concurrently with the fieldwork.  This offering is for the fall Child Advocacy Clinic. Fall clinical students work part-time (16-20 hours/week for 4-5 clinical credits) at a child advocacy organization.  
Fieldwork Component: Students are placed as externs, working under a supervising attorney, in a wide array of fieldwork settings that focus on child welfare, education, and the juvenile legal system. Clinical fieldwork may implicate more discrete issues, such as older youth transitioning out of the foster care system, sexual exploitation of children, LGBTQ youth, special education and school discipline, and eliminating racial disparities in various systems.  Placements range from organizations providing individual advocacy, to those promoting systemic change through impact litigation, legislative reform, movement lawyering, or policy.  
Based on their host placement, students may: engage in courtroom advocacy; draft briefs and other litigation memoranda; participate in school and home visits; assist with interviews of child victims; analyze social science and psychological research; leverage the media and write op-ed articles; provide trainings to various stakeholders; develop legislative reform proposals; and participate in mediations. For instance:  
  
In the child welfare area, students may represent individual children who are abused and neglected; serve alongside District Attorneys prosecuting caretakers accused of child maltreatment; or work with



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juvenile court judges adjudicating care and protection and other child welfare cases.

In the education area, students may engage in efforts to advance educational outcomes for low-income students; participate in special education cases; or work with the state agency charged with overseeing schools on issues such as charter schools, assessment and accountability, student rights, and school discipline.

In the juvenile legal system area, students may support legislative changes to improve conditions of confinement for young people; promote policies to reform the legal system for youth of color; or work alongside public defenders in delinquency and youthful offender cases.

Note that many placements cut across substantive areas and engage students in a host of advocacy strategies and skills.

Matching Process: Once enrolled in the Clinic, the Clinic director will provide students with a list of fieldwork placement organizations and their potential projects. Students will give the Clinic director information about their background and interests and rank their placement preferences. The director will then match students with a placement based on their preferences, the organizations needs, and the goal to provide students with a broad spectrum of experiences. Please note that the matching process takes place during the summer; enrolled students will need to be available to communicate with the Clinic director and their host organization about various details.

This course is part of the Youth Advocacy & Policy Lab (Y-Lab). Please see the Y-Lab website for information about other related courses.

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## China and the International Legal Order

**Course #:** 3137

**Term:** 2025SP

**Faculty:** Wu, Mark

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** International Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 6:00 PM - 8:00 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

Students will be expected to complete three reaction papers and send in discussion questions in advance of class.

In the Xi era, China has started to cast aside the long-standing maxim of keeping a low profile and biding one's time in international affairs. What does China's rise portend for the international legal order? In what ways is China seeking to reshape global norms versus uphold a status quo order exhibiting increasing fragility? This seminar examines this question for various domains of international law, including climate change, economics, sovereignty, human rights, and development. It will consider the ways in which history, geostrategic competition, as well as domestic economic and political interests impact these questions.

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## Citizenship

**Course #:** 2264      **Term:** 2024FA      **Faculty:** Neuman, Gerald      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Immigration/Refugee; Immigration Law; Immigration Law; Immigration; Constitutional Law; Election Law and Democracy; Immigration Law

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam  
The term "citizenship" has many meanings in sociology, political theory, and law. It can denote a relationship to a polity, a social status, an activity, a package of rights or a package of responsibilities. This reading group will discuss both theoretical and practical perspectives on citizenship, particularly as they affect the legal construction of citizenship and nationality. The topics to be considered may include women's citizenship, birthright citizenship, inequality among citizens, and deprivation of citizenship. No prior study of immigration or nationality law is necessary.  
Note: This reading group will meet on the following dates: TBD.

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## Civil Rights Litigation

**Course #:** 2651      **Term:** 2025SP      **Faculty:** Michelman, Scott      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; State and Federal Courts; Civil Rights; Civil Litigation; Civil Rights; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Fri 8:30 AM - 10:00 AM

Thu 3:45 PM - 5:15 PM

**Course Description:** Prerequisite: Civil Procedure  
Exam Type: One-Day Take-home  
In developing rules for the enforcement of constitutional and statutory civil rights through civil actions, the Supreme Court has attempted to balance the need to enforce the Constitution and civil rights laws with countervailing interests such as state sovereignty, separation of powers, and the goal of protecting officers from being deterred from the performance of their duties. With that balancing act as backdrop, this course will trace the evolution of the legal tools available to civil rights plaintiffs and the legal obstacles they must overcome to obtain relief, including immunities, justiciability, and limitations on the enforceability of statutory rights. We will analyze the applicable legal principles both in terms of their theoretical and policy underpinnings and their practical effects, in order to provide students considering careers involving civil rights litigation with a solid foundation in civil rights enforcement doctrines and to consider broadly how procedural rules can dictate substantive outcomes and how gaps develop between rights and remedies.

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## Class Actions: Litigating Advanced Topics

**Course #:** 2024      **Term:** 2024FA      **Faculty:** Clary, Richard      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisite: Civil Procedure

Exam Type: No Exam

This course will focus on current topics in federal class action litigation through an experiential lens. In addition to readings and classroom discussion, students will be asked to draft three briefs (one on the plaintiff side, one on the defense side, and a reply brief), and a judicial opinion over the course of the semester. This course will cover class actions through the various stages of litigation, from initiation and initial motion practice (federal jurisdiction, selecting plaintiffs, standing, &quot;class standing&quot;, mootness, etc.), to class certification standards, procedures and opt outs, to class settlements, objectors&nbsp;and fee awards, class action tolling, and management of repetitive class actions.

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## Classical Liberalism and the Rule of Law

**Course #:** 3042      **Term:** 2025SP      **Faculty:** Kethledge, RaymondM      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Administrative and Regulatory Law; Human Rights; Jurisprudence and Legal Theory; Law and Economics; Legal History

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam Students will be expected to complete two short papers in response to course readings, and a longer paper at the end of the course.

This course will examine the indispensable role of the Rule of Law in free societies. We will first explore the the nature of free societies as described by classical-liberal theory, notably in the writings of Friedrich Hayek. We will also contrast free societies with collectivist ones, which rule by commands. We will then identify the essential elements of the Rule of Law as understood by classical-liberal theory. To that end, we will examine the development of the Rule of Law in 17th century England, the extent to which our Constitution embodies the classical-liberal understanding of the Rule of Law, and the tension between the Rule of Law and the modern administrative state.

Note: This seminar will meet over six weeks, dates TBD.

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## Commercial Law: Secured Transactions

**Course #:** 2026

**Term:** 2024FA

**Faculty:** Jacoby, Melissa

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Bankruptcy; Bankruptcy; Contracts; Bankruptcy; Contracts; Contracts; Bankruptcy and Commercial Law; Contracts; Corporate and Transactional Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Fri 10:15 AM - 11:45 AM

Thu 10:15 AM - 11:45 AM

**Course Description:** Prerequisites: None

Exam Type: In Class

This course explores the law surrounding secured transactions, a type of loan used by individuals, businesses of all sizes, non-profits, and sometimes even government units. A secured transaction gives the lender special rights in identified assets of the debtor, whether something tangible like a car or intangible such as intellectual property or rights to payment. If executed correctly, a secured creditor gets to exercise remedies without any court or public intervention and gets priority in recovery over workers, injured people, or others to whom the debtor owes legal obligations. Some lenders use secured transactions to control a debtor's business and financial decisions, especially for debtors sliding into financial distress. If a secured transaction is executed incorrectly, a lender may end up recovering only pennies on the dollar (with a malpractice action against lawyers soon to follow).

The main source of law for the course is Article 9 of the Uniform Commercial Code, one of the most successful uniform law projects in American history and enacted in all states. To get a complete picture, the course also touches on non-uniform real estate foreclosure law and the impact of a federal bankruptcy case on the rights of secured creditors.

Class format: most days we will use assigned problems as the focal point for class discussions.

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## Communication, Law and Social Justice

**Course #:** 2844      **Term:** 2024FA      **Faculty:** Jenkins, Alan      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Constitutional Law; Gender and the Law; Human Rights; Leadership; Legal Profession and Ethics; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: None  
Exam Type: One-Day Take-home  
This course will introduce students to the role that written, oral, and multi-media communications play in the development of American law and policy, with a focus on social issues and movements. Using as case studies advocacy for racial equity, criminal justice reform, immigrant rights, gun rights, environmental protection, reproductive justice, and economic opportunity, we will explore how change agents on multiple sides have used strategic framing and messaging, communications campaigns, and art and culture to influence - and in some instances transform - relevant law and policy. We will also examine the ethical rules and legal parameters that regulate attorneys communications regarding pending litigation and broader legal advocacy.  
Class participation and a final exam will count for significant portions of students final grades. Assigned material will include cases, legislation, legal scholarship, social science literature, and mass media works.

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## Comparative Abolitions (Slavery, Capital Punishment, Prison, Police)

**Course #:** 3304      **Term:** 2024FA      **Faculty:** Steiker, Carol      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Race; Constitutional Law; Criminal Law and Procedure; Legal History; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam  
This seminar will consider four abolition movements spanning two centuries: slavery, capital punishment, prisons, and police. &nbsp;These distinct yet overlapping movements resonate with one another across time in shared themes of human dignity, racial oppression, and the appropriate limits of state (and private) power. &nbsp;They also share the choice to use the morally loaded demand for "abolition" (rather than reform or even repeal), which shapes the nature of the rhetoric that advocates use and the remedies or alternatives that they propose. Students will write a paper of 20-25 pages on a topic addressing connections between at least two of these movements.

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## Comparative and International Legal Struggles Over Sexual and Reproductive Health and Rights

**Course #:** 3183      **Term:** 2024FA      **Faculty:** Yamin, Alicia      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; LGBTQ+; LGBTQ+; LGBTQ+ Advocacy Clinic; Gender and the Law; Health, Food, and Drug Law; Human Rights; International Law; LGBTQ+

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

At the intersection of debates about religion, private morality and public policy, and sexual and reproductive health and rights (SRHR) are lightning rods of controversy in most societies. While the pandemic revealed the precariousness of some advances, a wave of ethno-nationalism and conservative populism has brought a sharp backlash against SRHR in many countries across the globe, including the United States. Drawing on examples from multiple regions, as well as in supra-national human rights forums, the reading group will critically explore strategies used to assert legal claims relating to SRHR of LGBTIQ+ persons; involuntary sterilization; abortion; maternal health care; obstetric violence; and assisted reproductive/gestative technologies. We will discuss strengths and limitations of advancing reproductive justice through human rights law; and contested narratives about health, sexuality and dignity embedded in SRHR claims.

Note: This reading group will meet on the following dates: TBD.

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## Comparative Citizenship and Migration Law

**Course #:** 3317

**Term:** 2024FA

**Faculty:** Shachar, Ayelet

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Immigration/Refugee; Immigration Law; Immigration Law; Immigration; Comparative Law; Human Rights; Immigration Law; International Law; Jurisprudence and Legal Theory

**Delivery Mode:** Course

**Days and Times:**

**Location**

Tue 3:45 PM - 5:15 PM

Wed 3:45 PM - 5:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: No Exam

From legal battles over the US-Mexico border to heated debates about the citizenship oath in Canada, to recurring refugee crises in Europe and the rising global challenges of climate migration, the movement of people across borders has been high on the agenda. Moving beyond the traditional country-specific lens, this course explores major developments in citizenship and migration law and policy from a comparative perspective. We will survey key debates and topics such as admission requirements, steps to naturalization, the rights of non-members, civic integration tests, identity-based claims for exemption and accommodation, barriers to the acquisition of citizenship, visa-waiver programs, dual nationality, and new border regimes. Throughout the course, we will place these developments in a broader theoretical, comparative, and international context. Emphasis will be given to the growing influence of bilateral and multilateral instruments in regulating mobility, emerging patterns of policy diffusion and inter-jurisdictional learning, and the turn to AI in immigration decision-making. Highlighting the dynamic interaction between countries of origin, transit, and destination, we will consider the implications of these developments on the meaning of citizenship, the rights of migrants, and the future of borders in a post-pandemic world.

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## Comparative Constitutional Law

**Course #:** 2028      **Term:** 2024FA      **Faculty:** Khaitan, Tarunabh      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Comparative Law; Courts, Jurisdiction, and Procedure; International Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

Fri 1:30 PM - 3:30 PM

**Course Description:** Prerequisites:None, constitutional law/politics (of any jurisdiction) helpful but not required.  
Exam Type:No Exam

This course is a study of constitutional law and politics from a comparative perspective. It has three features that make it distinctive from, and supplementary to, more traditional courses on constitutional law: first, it examines comparative constitutional law primarily through the lens of plurinational and deeply divided societies. One supposed function of constitutions is to enshrine the priority of political and legal mechanisms over violence for resolving societal disputes. A focus on deeply divided societies will allow us to examine this function closely. We will, therefore, draw our examples not only from constitutionally influential jurisdictions (such as United States, United Kingdom and Germany), but also from constitutions of plurinational or deeply divided societies (such as South Africa, Israel, and India). The course may also include material from jurisdictions firmly outside the canon of comparative constitutional law, such as China, Iran, Australia, Thailand, Pakistan, Sri Lanka, Hong Kong, Afghanistan, and the Netherlands.

Second, this course will focus on constitutional values, rather than the usual focus on constitutional rights. We will think about how the values of liberty, equality, and solidarity/fraternity/sorority can manifest themselves in constitutional design-sometimes as rights, but often in forms other than rights.

Third, the course goes beyond a focus on courts and takes constitutional politics seriously. We will look at some non-judicial constitutional actors closely, such as political parties, the political opposition, and fourth-branch or guarantor institutions such as electoral commissions, ombudsoffices, human rights and equality commissions, and anti-corruption bodies).

The rough structure of the course is around the following four themes:

Constitutions & Constitutionalism: Basic Concepts (including non-liberal approaches)

Constitutional values: Liberty, Equality, Solidarity/Fraternity/Sorority

Constitution Making in deeply divided societies

Non-judicial constitutional institutions-political parties, guarantor/fourth branch institutions, political opposition

Apart from a flavour of how different constitutional systems try to solve similar problems differently, and an insight into some cutting-edge developments in the practice of constitutionalism, the course should also help you understand your own system better by facilitating its examination from a different-external-perspective. This course will require you to read a lot of secondary material (and some case law). Some of this material can be a bit theoretical and abstract. If you have mainly studied law through case law until now, this may seem a bit daunting. But fear not, everyone gets the hang of it pretty soon, and help (from me) will always be at hand. Plus, you will expand your repertoire of legal understanding significantly. You may even come to enjoy it, and many in your situation in the past have. No prior knowledge of constitutional law is required. If you have studied constitutional law already, this course will



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help you look at familiar topics from a somewhat different vantage point.

Note: This course will meet for 12 total sessions on a condensed schedule, over four weeks in September.

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## Comparative Corporate Governance

**Course #:** 2029

**Term:** 2024FA

**Faculty:** Pargendler, Mariana

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Comparative Law; Corporate and Transactional Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 3:45 PM - 5:15 PM

Tue 3:45 PM - 5:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: Any-Day Take-Home

Students will have the option to write a paper in lieu of the exam.

The business corporation is a central institution in the modern capitalist economy. There are, however, considerable differences in the ways corporations are owned, controlled, and governed around the world. This course compares the corporate laws and governance arrangements of key jurisdictions. We will explore the root causes of the observed divergences in corporate governance, as well as their implications for the organization of the economy and society. The themes covered include the distribution of power among shareholders, boards of directors, and management; the protection afforded to minority shareholders, employees, and external constituencies; the complementarities between corporate governance systems and the prevailing economic and social structure; the distinctive features of state-owned enterprises; the influence of globalization and nationalism on corporate governance practices; and the ESG and climate risk agenda. The course will enable students to engage critically with key debates in contemporary corporate governance and provide relevant background for those interested in cross-border legal work.

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## Comparative Law: Why Law? The Experience of China

**Course #:** 2461

**Term:** 2025SP

**Faculty:** Alford, William

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Comparative Law; Human Rights; International Law; Jurisprudence and Legal Theory; Law and Political Economy; Legal History; Technology Law and Policy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 10:15 AM - 12:15 PM

Wed 10:15 AM - 12:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: Any Day Take-Home

This course uses the example of China as a springboard for asking fundamental questions about the nature of law, and the ways in which it may (or may not) differ in different societies. Historically, China is said to have developed one of the worlds great civilizations while according law a far less prominent role than in virtually any other. This course will test that assertion by commencing with an examination of classic Chinese thinking about the role of law in a well-ordered society and a consideration of the nature of legal institutions, formal and informal, in pre-20th century China-all in a richly comparative setting. It will then examine the history of Sino-Western interaction through law, intriguing and important both in itself and for the broader inquiry into which it opens concerning the transmission of ideas of law cross culturally.

The remainder (and bulk) of the course will use the example of the Peoples Republic of China - which has, for example, gone from 3,000 to more than 650,000 lawyers in a few decades - to ask what it means to build a legal order. Simply stated, what is central and why, what is universal and what culturally specific and why, and so forth? In addition to examining the principal institutions of the Party-state and the uses to which law is put, the contemporary parts of the course will consider issues of the economy (e.g., corporate governance and trade), human rights, the family and much more.

This course, which satisfies the Law Schools international legal studies graduation requirement for JDs, is intended to be inviting to individuals both with and without prior study of China.

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## Complex Litigation: Legal Doctrines, Real World Practice

**Course #:** 2366      **Term:** 2024FA      **Faculty:** Clary, Richard      **Credits:** 2.00  
**Type:** Elective      **Subject Areas:** State and Federal Courts; Civil Litigation; Conflict of Laws; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: Civil Procedure or faculty permission to waive the prerequisite is required.

Exam Type: Any Day Take-Home

This course will study legal doctrines, litigation strategies (viewed from both plaintiff and defendant perspectives) and current "best practices" relating to complex litigation. Topics will include forum selection strategies (state versus federal court); removal from and remand to state court (including substantive bases and procedural rules); transfer, coordination and consolidation of federal actions; multi-district litigation, including choice of law in transferred cases; management of parallel federal/state proceedings and protection of MDL proceedings (including the All Writs Act and the Anti-Injunction Act); and practical issues relating to managing both MDL and multi-case litigation, such as coordination orders, counsel structure, and bellwether trials.

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## Conceptions of Legal Entities

**Course #:** 2807      **Term:** 2025SP      **Faculty:** Kraakman, Reinier      **Credits:** 2.00  
**Type:** Elective      **Subject Areas:** Private Room; Corporate and Transactional Law; Jurisprudence and Legal Theory; Law and Economics; Private Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 6:00 PM - 8:00 PM

**Course Description:** Prerequisites: A prior or parallel course in corporate law at HLS or elsewhere, or prior experience in matters relating to the corporation or other business entities.

Exam Type: No Exam Students will be asked to actively engage in class discussion and to submit nine reaction memos after the first meeting of the seminar.

This seminar explores legal entities—principally, but not exclusively, the corporation—from a variety of perspectives. The only distinctive feature of legal entities, of course, is that they are not "natural" persons. Nevertheless, the law attributes to them many of the legal rights and responsibilities that it ascribes to natural persons. The questions are why and to what effect? Our readings fall into one of three categories: the theory of the firm literature in micro-economics, the evolution of "real entity" theory from its 19th century origins forward, and the role of entity concepts in contemporary American law—ranging from 1st Amendment rights to the current discussion of shareholder primacy, stakeholder theory, and corporate purpose. In addition, the readings touch on entity issues in academic literature adjacent to law, including sociology, business administration, and moral philosophy.

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## Conflict of Laws

**Course #:** 2033      **Term:** 2024FA      **Faculty:** Singer, Joseph      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** Private Room; American Indian Law; Conflict of Laws; Private Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Prerequisites: Open to upper-level JD students. For LLM students: this upper-level course assumes that students have prior knowledge of the basic principles of American law of contracts, torts, property, and procedure (including personal jurisdiction law), as well as knowledge of common law reasoning and argument. LLM students may take this course only if they concurrently take a course at Harvard Law School in contracts, torts, or property law in the fall semester of 2024.  
Exam Type: No Exam. The grade will be based on papers and moot court oral exercises.  
This course examines how courts choose which law should be applied to transactions, relationships, or occurrences having contacts with more than one state in the United States, or with a state in the United States and a foreign nation. The course will also touch on adjudicatory jurisdiction, recognition of foreign judgments, and tribal sovereignty of American Indian nations. We will address the various approaches adopted by states and/or advocated by scholars, focusing on cases involving torts, contracts, property, family law, procedure, and tribal sovereignty. Roughly one-half of the class days will be devoted to a series of moot court exercises. Students will present oral arguments and act as judges, both asking questions and meeting in conference to decide the cases. Students will be required to write short, two-page single-spaced memoranda on five or six of the problem cases over the course of the semester, as well as two 5-page single-spaced proposed opinions on two of the moot court cases.

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## Conflict of Laws

**Course #:** 2033      **Term:** 2025SP      **Faculty:** Sachs, Stephen      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Civil Litigation; Conflict of Laws; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:40 PM - 3:10 PM

Tue 1:40 PM - 3:10 PM

**Course Description:** Prerequisites: LLM students must have taken (1) Either Civil Procedure or Federal Courts, or equivalent coursework; AND (2) one of the following: Contracts, Torts, or Property, or equivalent coursework.

Exam Type: One Day Take-Home

A study of the special problems that arise when a case is connected with more than one state or nation. Topics include choice of law, personal jurisdiction, judgment recognition, and relevant constitutional doctrines.

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## Conservative Thought in the United States

**Course #:** 3292      **Term:** 2024FA      **Faculty:** Goldsmith, Jack      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Arts, Entertainment, and Sports Law; Criminal Law and Procedure; International Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: None

Exam Type: No Exam

This seminar will examine the history of conservative thought in the United States in an effort to understand the modern state of conservative thinking, including conservatism's relationship to Trumpian populism. Reading will be on the heavy side. Grades will be based on eight very short thought papers and class participation.

## Constitutional Law: First Amendment

**Course #:** 2035      **Term:** 2025SP      **Faculty:** Fallon, Richard      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Civil Rights/Liberties; Civil Rights; State and Federal Courts; Civil Rights; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 1:30 PM - 2:50 PM

Thu 1:30 PM - 2:50 PM

Fri 1:30 PM - 2:50 PM

**Course Description:** Prerequisites: None

Exam Type: In Class

This course will deal principally with the Free Speech Clause of the First Amendment. Free Exercise and Establishment Clause issues will also be discussed, though in less detail. Assigned materials will include readings in First Amendment theory as well as Supreme Court cases. Willingness to participate in class discussion, including in response to cold calls, is a requirement of enrollment.

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## Constitutional Law: First Amendment

**Course #:** 2035

**Term:** 2024FA

**Faculty:** Parker, Richard

**Credits:** 4.00

**Type:** Multisection

**Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Constitutional Law; Election Law and Democracy; Human Rights; Jurisprudence and Legal Theory; Law and Religion; Legal History; Race and the Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:**

Prerequisite: None

Exam Type: Any-Day Take-Home

This is one of the basic courses in the field. It addresses the Freedom of Speech, the Free Exercise of Religion and the Establishment Clause.

Because constitutional law is always (at least potentially) in motion, this class will feature its development through time, structured and animated by internal conflicts and by momentous shifts in its politics and society. Interweaving issues of free speech and religion, and concentrating on the last fifty years, we'll go on to speculate about future developments amid crises set off by the internet, political polarization and the implosion of democratic traditions and institutions.

The aim will be to explore constitutional argument, its variety of modes and moves, and equip students to make it from any point of view. Specifically (hubristically) my aim will be to empower them to "win" any constitutional argument they join. I'll make my own viewpoint clear, but not so as to indoctrinate or even convince, but to provoke self-education.

In class, there will be anonymous polling and occasional cold calling with a pass option, but mostly voluntary discussion. If there are under 50 students, a few grades may be raised in cases of excellent participation in class discussions.

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## Constitutional Law: First Amendment

**Course #:** 2035      **Term:** 2024FA      **Faculty:** Feldman, Noah      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Civil Rights/Liberties; State Courts; Civil Rights; Civil Rights; Race; Civil Rights; Constitutional Law; Gender and the Law; Jurisprudence and Legal Theory; Law and Political Economy; Law and Religion; Legal History; Race and the Law; State and Local Government

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: None. Students who have previously taken Religion and the First Amendment may not take this course.  
Exam Type: Any Day Take-Home  
This course is one of the two basic courses in the field: it focuses on the First Amendment and deals with the Freedom of Speech, the Free Exercise of Religion, and the Establishment Clause. The course will be taught largely through lectures, with some discussion and time for Q&A exchanges in each class. Students should be aware before enrolling in the course that the use of laptops, iPhones, Blackberries, and other similar devices will not be permitted during class.

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## Constitutional Law: First Amendment

**Course #:** 2035      **Term:** 2025SP      **Faculty:** Field, Martha      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Civil Rights/Liberties; Disability; Family; Civil Rights; Disability Law; State and Federal Courts; Civil Rights; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Race; Harvard Law School Project on Disability; Family Member; Children and Family Law; Civil Litigation; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure; Disability Law; Gender and the Law; Law and Religion; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: None  
Exam Type: In Class

This course is one of two basic courses in Constitutional Law. We will study the Freedom of Speech in many different contexts; Freedom of Association; Free Exercise of Religion; and the Establishment of Religion.

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## Constitutions, Law, and Empire

**Course #:** 2412

**Term:** 2025SP

**Faculty:** Gordon-Reed, Annette; Onuf, Peter

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Race; Constitutional Law; Legal History; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 6:00 PM - 8:00 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

What is a Constitution? Why, and under what circumstances, do people make them? What about the United States and its written constitution: Exactly when and how was it made? This seminar will consider these and other questions as we read literature on constitutional developments in the British Empire, with a focus on settler constitutionalism in North America, the constitutional origins of the American Revolution, the development of state constitutions and the Federal Constitution, the law of nations (international law) with respect to slavery, colonization, and territorial expansion, Manifest Destiny, and the crisis of constitutionalism and law that led to the American Civil War.

Note: This course is jointly listed with FAS as HIST 2445.

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## Consumer Protection Clinic

**Course #:** 8035

**Term:** 2025SP

**Faculty:** Bertling, Roger

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Bankruptcy; Civil Rights/Liberties; Bankruptcy; Civil Rights; Contracts; Bankruptcy; Civil Rights; Contracts; Contracts; Bankruptcy and Commercial Law; Civil Litigation; Civil Rights; Contracts; Financial and Monetary Institutions; Poverty Law and Economic Justice

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Consumer Protection Clinical Seminar (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Consumer Protection Clinic combats abuses of consumers by the financial services industry and sellers or financiers of consumer goods, and reversing the negative consequences that can result from those abuses.

The Clinic is primarily litigation and involves consumer, bankruptcy, contract, and tort law.

The Clinic:

defends consumers against unlawful debt collection practices in state court.

represents consumers in affirmative litigation against high cost and abusive creditors.

represents consumers seeking a fresh start through petitions for bankruptcy.

We enforce the rights of our clients using the Massachusetts Consumer Protection Act, federal and state debt collection laws and other federal and state consumer protection laws.

Students in the Clinic gain extensive experience with a variety of practical skills, including: interviewing clients, analyzing financial documents, drafting complaints, participating in discovery, developing litigation strategies, and occasionally, federal and state policy advocacy.

For more information on the Consumer Protection Clinic, see our website or call Roger Bertling at 617-390-2572.

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## Consumer Protection Clinic

**Course #:** 8035

**Term:** 2024FA

**Faculty:** Bertling, Roger

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Bankruptcy; Civil Rights/Liberties; Bankruptcy; Civil Rights; Contracts; Bankruptcy; Civil Rights; Contracts; Contracts; Bankruptcy and Commercial Law; Civil Litigation; Civil Rights; Contracts; Financial and Monetary Institutions; Poverty Law and Economic Justice

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Consumer Protection Clinical Seminar (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Consumer Protection Clinic combats abuses of consumers by the financial services industry and sellers or financiers of consumer goods, and reversing the negative consequences that can result from those abuses.

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The Clinic:

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represents consumers in affirmative litigation against high cost and abusive creditors.

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We enforce the rights of our clients using the Massachusetts Consumer Protection Act, federal and state debt collection laws and other federal and state consumer protection laws.

Students in the Clinic gain extensive experience with a variety of practical skills, including: interviewing clients, analyzing financial documents, drafting complaints, participating in discovery, developing litigation strategies, and occasionally, federal and state policy advocacy.

For more information on the Consumer Protection Clinic, see our website or call Roger Bertling at 617-390-2572.

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## Consumer Protection Clinical Seminar

**Course #:** 2204      **Term:** 2025SP      **Faculty:** Bertling, Roger; Rosenbloom, Alexa      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Bankruptcy; Bankruptcy; Bankruptcy; Bankruptcy and Commercial Law; Civil Litigation; Financial and Monetary Institutions; Poverty Law and Economic Justice

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Required Clinic Component: Consumer Protection Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: LLM students may enroll in this clinic through Helios.  
The Consumer Protection Clinical Seminar is a required component of a clinical placement in the Consumer Protection Clinic at the WilmerHale Legal Services Center.  
This workshop is the required classroom component that complements the work of combating abuses of consumers by the financial services industry and fighting back against the negative consequences that can result from those abuses. Specifically, our clinical work focuses on consumer debt collection, consumer scams, car financing, utility and credit card debt, bankruptcy, and mortgage servicing.  
The seminar introduces students to the substantive law germane to the clinics areas of practice, trains students in the skills needed to litigate effectively, such as interviewing and counseling, drafting of pleadings and oral argument, and provides the opportunity for students to think strategically about their cases and to consider larger policy frameworks.  
Students are graded based upon their participation in class, their completion of written work assigned for class, and performance of in-class exercises.  
A clinical practice component is required of all students. Enrollment is through clinical registration. Clinical placements are with the Consumer Protection Clinic at the WilmerHale Legal Services Center. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

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## Consumer Protection Clinical Seminar

**Course #:** 2204      **Term:** 2024FA      **Faculty:** Bertling, Roger; Rosenbloom, Alexa      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Bankruptcy; Bankruptcy; Contracts; Bankruptcy; Contracts; Contracts; Bankruptcy and Commercial Law; Civil Litigation; Contracts; Financial and Monetary Institutions; Poverty Law and Economic Justice

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Consumer Protection Clinic (3-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

The Consumer Protection Clinical Seminar is a required component of a clinical placement in the Consumer Protection Clinic at the WilmerHale Legal Services Center.

This workshop is the required classroom component that complements the work of combating abuses of consumers by the financial services industry and fighting back against the negative consequences that can result from those abuses. Specifically, our clinical work focuses on consumer debt collection, consumer scams, car financing, utility and credit card debt, bankruptcy, and mortgage servicing.

The seminar introduces students to the substantive law germane to the clinics areas of practice, trains students in the skills needed to litigate effectively, such as interviewing and counseling, drafting of pleadings and oral argument, and provides the opportunity for students to think strategically about their cases and to consider larger policy frameworks.

Students are graded based upon their participation in class, their completion of written work assigned for class, and performance of in-class exercises.

A clinical practice component is required of all students. Enrollment is through clinical registration. Clinical placements are with the Consumer Protection Clinic at the WilmerHale Legal Services Center. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

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# Harvard Law School Course Catalog

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## Contemporary Issues in Constitutional Law

**Course #:** 2897      **Term:** 2024FA      **Faculty:** Liu, Goodwin      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; LGBTQ+; State and Federal Courts; Civil Rights; LGBTQ+; LGBTQ+ Advocacy Clinic; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Election Law and Democracy; LGBTQ+

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 5:00 PM - 8:00 PM

Thu 5:00 PM - 8:00 PM

Mon 5:00 PM - 8:00 PM

Tue 5:00 PM - 8:00 PM

**Course Description:** Prerequisites: Introductory Constitutional Law. For LLM students, enrollment is by permission of the instructor.

Exam Type: No Exam

This is an advanced constitutional law seminar for students who have already taken the introductory Constitutional Law course. The seminar will provide an opportunity for in-depth discussion of competing theories of constitutional interpretation, the role of the Supreme Court in our political system, and analysis of the judicial process. Each week, these themes will be examined through the lens of a current "hot topic" in constitutional law - for example, religious liberty, emergency powers, partisan gerrymandering, free speech, the limits of executive power, voting rights, campaign finance, immigration, same-sex marriage, and other topics.

Note: This seminar will meet over two weeks, dates TBD.

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# Harvard Law School Course Catalog

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## Copyright

**Course #:** 2042

**Term:** 2025SP

**Faculty:** Fisher, William

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Intellectual Property

**Delivery Mode:** Course

### Days and Times:

### Location

Mon 10:30 AM - 11:50 AM

Tue 10:30 AM - 11:50 AM

Wed 10:30 AM - 11:50 AM

### Course Description:

Prerequisite: None

Exam Type: One-Day Take-Home

This course explores copyright law and policy. Approximately two thirds of the readings and class time are devoted to the American copyright system; the remainder are devoted to the major relevant multilateral treaties and to the laws pertaining to copyright and "neighboring rights" in other countries. Substantial attention is paid to the efforts of philosophers, economists, and social theorists to justify, reform, or abolish the copyright system.

The course is unusual in several respects. First, the classes are different from those in most law-school courses. Each week, one class takes the form of a recorded lecture. (All of the lectures are available at <http://copyx.org/lectures/>.) In-person classes are held on Mondays and Tuesdays. Most consist of discussions of case studies, which are designed to explore in more depth and detail the rules and theories introduced in the week's recorded lecture. On occasion, the course also meets on Wednesdays (during the regular class meeting time) to hear guest speakers.

Next, the course lacks a traditional casebook. Instead, all of the reading materials are available online (<https://ipxcourses.org/harvard-law-school-copyright-law-2023/>) and in a paper compendium that can be purchased through Amazon.

Finally, the Harvard Law School course on Copyright will be paralleled by — and at times will overlap with — a networked course known as CopyrightX. A detailed description of CopyrightX is available at <https://ipxcourses.org/course-overview/>. In brief, approximately 500 students from approximately 70 countries will be watching the same recorded lectures that you watch and will be reading a subset of the materials that you read. Those students will be organized into "sections," each led by a Harvard Teaching Fellow. In addition, roughly 400 students will participate in affiliated courses in other universities, law firms, and nonprofit organizations, most of them in other countries. You will have an opportunity (not an obligation) to interact with these other groups of students in two contexts: they will join the class via an interactive webcast on the Wednesdays when guest speakers visit Harvard; and you can participate along with them in an online discussion forum.

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# Harvard Law School Course Catalog

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## Copyright

**Course #:** 2042      **Term:** 2024FA      **Faculty:** Tushnet, Rebecca      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** Arts, Entertainment, and Sports Law; Intellectual Property

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 8:00 AM - 10:00 AM

Thu 8:00 AM - 10:00 AM

**Course Description:** Prerequisites: None  
Exam Type: Any Day Take-Home

This course examines the law of copyright and its role within the overall framework of intellectual property law. Topics covered include the subject matter requirements for copyrightability; the rules that govern determination of authorship, the rights that copyright law confers on authors and the limitations and exceptions to those rights; the rules governing indirect liability of intermediaries and liability for circumvention of technological protections; and the scope of copyright preemption.

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## Copyright and Trademark Litigation

**Course #:** 2043      **Term:** 2024FA      **Faculty:** Cendali, Dale      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Intellectual Property

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None  
Exam Type: In Class

The class will analyze the strategic, practical and policy issues involved with copyright and trademark litigation from the beginning of a case where emergency injunctive relief might be sought, to its potential end at the U.S. Supreme Court. Substantive areas of copyright and trademark law will include copyrightability, authorship, substantial similarity, fair use, nominative fair use, the likelihood of confusion, use of consumer surveys, dilution, the role of the First Amendment, the theory behind injunctive relief, the nature of irreparable injury, and trademarks as a form of property right. The course will discuss how to persuasively present evidence and try a case. The course will also address the special nature of Supreme Court litigation and techniques for an effective oral argument. Each student will participate in one very brief oral argument during the semester. Real-life cases the instructor has litigated will be used to illustrate points.

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# Harvard Law School Course Catalog

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## Corporate and Capital Markets Law and Policy

**Course #:** 2362

**Term:** 2024FA

**Faculty:** Bebchuk, Lucian

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Corporate and Transactional Law; Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: There are no prerequisites for the course. However, it is recommended that students either (a) have taken (or are taking concurrently) the Corporations course at HLS, (b) have taken some course that considers corporations or business associations at another law school in the US or abroad, or (c) have had prior experience that exposed them to corporate law and governance issues. Students who have questions regarding whether the course would be suitable for them should feel free to contact the instructors.

Exam Type: No Exam

This course will consider a range of policy issues in the law governing corporations, securities, and capital markets. Issues to be considered include the allocation of power between managers and shareholders, hedge fund activism, control contests, executive compensation, controlling shareholders, dual-class structures, and securities regulation. A substantial number of sessions will feature outside speakers; such speakers will include prominent practitioners presenting on current policy and practice issues as well as prominent academics presenting their current research. To illustrate, recent speakers in this course have included prominent hedge fund activists, a sitting SEC Commissioner, the former Chief Justice of the Delaware Supreme Court, a leading M&A litigator, and prominent academics.

Readings will mainly be law review articles and materials related to speakers' practice activities or policy research. Some of the readings will use economic reasoning, and an interest in or tolerance for such reasoning will be helpful. The aim of the course will be to give students a good sense of the issues that have been discussed in the literature or in current debates, and the ways in which policy arguments about such issues can be developed.

The course will not meet on all Wednesdays and Thursdays during the semester; rather, the course will meet for twelve 2-hour sessions which will take place during the time slot of the course and will be concentrated during the first two month of the semester. There will be no examination. Instead, students will be asked to submit, before sessions, a brief memo on the assigned readings. Grades will be based on these memos (primarily) and on participation in class discussion.

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# Harvard Law School Course Catalog

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## Corporate Criminal Investigations

**Course #:** 2263      **Term:** 2024FA      **Faculty:** Tsao, Leo; Kahn, Daniel; Laryea, Lorinda      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Corporate and Transactional Law; Criminal Law and Procedure

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam

The criminal investigation and prosecution of corporate misconduct are among the most high profile areas of focus for federal prosecutors and the white-collar defense bar. Recent major prosecutions of corporations and individuals for violations of the Foreign Corrupt Practices Act (FCPA), the Bank Secrecy Act (BSA), and the International Emergency Economic Powers Act (IEEPA) demonstrate that this is an increasing area of enforcement in the United States. Yet, the practice of prosecuting and defending corporations remains one of the least understood areas of criminal law. Decisions on how to charge and sanction corporations are subject to policies set by the U.S. Department of Justice. Moreover, such matters are becoming increasingly complex as foreign law enforcement and regulatory agencies become more active in focusing on these corporate crimes. These multi-jurisdictional investigations pose new obstacles to government enforcers and defense practitioners, and new legal questions for courts to address.

This seminar will explore various aspects of corporate criminal investigations and prosecutions. Topics to be covered include principles of corporate liability; conducting internal and government investigations of corporate misconduct; strategic considerations for prosecutors and defense counsel in corporate criminal investigations; Department of Justice policies on charging, including those designed to incentivize voluntary disclosures, cooperation and remediation; legal and practical issues implicated by multi-jurisdictional cases; corporate compliance programs; and proposals for reform of corporate criminal laws and policies.

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# Harvard Law School Course Catalog

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## Corporate Finance

**Course #:** 2044

**Term:** 2024FA

**Faculty:** Spamann, Holger

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: Students must have taken Analytical Methods, Introduction to Finance Concepts, or a similar introduction to basic present value calculations at HLS or elsewhere.

Exam Type: In Class

This course's immodest ambition is to equip you with powerful analytical tools to understand your clients, the law, and the world. "Corporate" describes most of the applications in the course, but the concepts are much more general. They include (1) replicating cash flows and the law of one price; (2) diversification and market efficiency; (3) capital structure; (4) options and auction. Learning these concepts is hard but rewarding.

The course is roughly divided into four modules of three weeks each covering concepts (1)-(4) mentioned above. The bulk of the course is hands-on financial exercises, small and big; the only lectures will be pre-recorded videos you can watch at home. There will be few legal materials, and only as illustrations of financial concepts. As compared to a typical business school course, this course will put more emphasis on concepts and less on details of project valuation. We will not waste time with practice acronyms and jargon, which are very easy to learn on the job.

Students must be willing to use and engage with middle-school math.

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## Corporate Restructuring

**Course #:** 2047

**Term:** 2024FA

**Faculty:** Ellias, Jared

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Bankruptcy; Bankruptcy; Contracts; Bankruptcy; Contracts; Contracts; Bankruptcy and Commercial Law; Contracts; Corporate and Transactional Law; Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:** Prerequisite: None

Exam Type: In Class

This is a course that covers the (non-bankruptcy) law of financial distress. Historically, companies that fell into financial distress filed for bankruptcy, making bankruptcy law the central body of law regulating distressed firms and the legal maneuvers they can make to try to resolve their distress. That is increasingly not the case: today, the most sophisticated companies often seek to restructure their debt outside of bankruptcy. In this class, we will cover the bodies of law that regulate the behavior of troubled companies beyond bankruptcy law. Topics will include, among others, fiduciary duty law and other corporate law remedies, distressed debt exchanges and the trust indenture act, fraudulent transfer law, state foreclosure law and assignments for the benefit of creditors, debt contracts, corporate finance and lender liability law. We will devote special attention to the cutting edge transactions at the forefront of corporate restructuring practice, which are usually referred to as "liability management exercises."

This class is highly recommended to anyone who intends to have a career working with troubled companies or doing transactional work for sophisticated firms. Importantly, this class is a complement to the normal bankruptcy class and does not replace that class, as we will not cover very much bankruptcy law in this course and students interested in the topic are encouraged to take both classes.

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# Harvard Law School Course Catalog

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## Corporations

**Course #:** 2048      **Term:** 2025SP      **Faculty:** Tallarita, Roberto      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Corporate and Transactional Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: There is no formal prerequisite for the course. Students without a basic familiarity &ndash; not necessarily expertise &ndash; with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the same semester you are enrolled in Corporations.

Exam Type: In Class

This course surveys the legal rules governing corporations, with an emphasis on the large public corporation. Topics include asset partitioning, protection of creditors, protection of other stakeholders, allocation of power between shareholders and management, fiduciary duties, shareholder voting & proxy fights, shareholder suits, M&A, and insider trading.

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## Corporations

**Course #:** 2048      **Term:** 2024FA      **Faculty:** Tallarita, Roberto      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Corporate and Transactional Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: There is no formal prerequisite for the course. Students without a basic familiarity &ndash; not necessarily expertise &ndash; with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the same semester you are enrolled in Corporations.

Exam Type: In Class

This course surveys the legal rules governing corporations, with an emphasis on the large public corporation. Topics include asset partitioning, protection of creditors, protection of other stakeholders, allocation of power between shareholders and management, fiduciary duties, shareholder voting & proxy fights, shareholder suits, M&A, and insider trading.

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## Corporations

**Course #:** 2048

**Term:** 2024FA

**Faculty:** Spamann, Holger

**Credits:** 4.00

**Type:** Multisection

**Subject Areas:** Corporate and Transactional Law; Law and Economics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 8:00 AM - 10:00 AM

Tue 8:00 AM - 10:00 AM

**Course Description:** Prerequisites: There is no formal prerequisite for the course. Students without a basic familiarity & not necessarily expertise & with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the semester you are enrolled in Corporations.

Exam: In Class

This course surveys the legal rules governing corporations with an emphasis on the protection of shareholders in large public corporations against management and controlling shareholders. Topics include asset partitioning, governance (shareholder voting, fiduciary duties, derivative suits, executive compensation), M&A, securities trading, corporate finance, protections of creditors and other constituencies, and choice of law. One quarter of the course will be based on problems drawn from transactional settings. The course emphasizes financial and strategic considerations throughout. In addition to the final exam, there will be regular pass/fail quizzes throughout the semester.

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## Corporations

**Course #:** 2048      **Term:** 2024FA      **Faculty:** Kraakman, Reinier      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Private Room; Corporate and Transactional Law; Law and Economics; Private Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 3:50 PM - 5:10 PM

Tue 3:50 PM - 5:10 PM

Wed 3:50 PM - 5:10 PM

**Course Description:** Prerequisites: There is no formal prerequisite for the course. Students without a basic familiarity &ndash; not necessarily expertise &ndash; with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the same semester you are enrolled in Corporations.

Exam Type: In Class

This course surveys the role of legal structure and legal controls on business enterprises with an emphasis on Delaware law and the duties of the managers, directors, and controlling shareholders of public corporations. It reviews the law of agency, which is fundamental to all legal entities. It addresses non-corporate business entities to highlight their continuities with &ndash; and differences from &ndash; business corporations. Corporate topics include limited liability, fiduciary law, shareholder voting, executive compensation, derivative suits, control transactions, mergers and acquisitions, and insider trading. This course also surveys topics in securities law that are closely related to corporate governance: in particular, the SEC's proxy and tender offer rules and the reach of anti-fraud liability. One theme throughout the course is corporate law's role in empowering actors with a flexible legal form, another is the law's role in constraining insider opportunism, and a third is the judiciary's pivotal role in balancing flexibility against constraint.

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## Corporations

**Course #:** 2048      **Term:** 2025SP      **Faculty:** Ramseyer, J. Mark      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Private Room; Corporate and Transactional Law; Law and Economics; Private Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: There is no formal prerequisite for the course. Students without a basic familiarity &ndash; not necessarily expertise &ndash; with rudimentary accounting and finance concepts, including the time value of money, expected value, diversification, and the overall content and purpose of basic financial accounting statements, are encouraged to take Analytical Methods for Lawyers, or equivalent courses, whether at HLS, elsewhere at HU, or online, preferably before the semester you are enrolled in Corporations.

Exam Type: In Class

This course surveys the role of legal controls on business organizations. Aspects of the law of agency, partnership, and closely held corporations are reviewed to highlight continuities and discontinuities with the publicly held corporation. Topics include basic fiduciary law, insider trading, shareholder voting, reorganizations, and control transactions. The emphasis throughout is on the functional analysis of legal rules as one set of constraints on corporate behavior among others.

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## Corporations

**Course #:** 2048      **Term:** 2024FA      **Faculty:** Pargendler, Mariana      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Corporate and Transactional Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Prerequisite: None

Exam Type: In Class

This course surveys legal rules governing business organizations with an emphasis on the protection of shareholders in large public corporations against management and controlling shareholders. Topics include choice of legal entity, asset partitioning, the allocation of power between shareholders and management, fiduciary duties, derivative suits, and control transactions. We will focus on the functional analysis of legal rules as one set of constraints on corporate behavior.

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## Crafting Change & Elevating Impact: Advanced Skills & Ethics in Human Rights Practice

**Course #:** 2399      **Term:** 2024FA      **Faculty:** Farbstein, Susan      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** LGBTQ+; LGBTQ+; LGBTQ+ Advocacy Clinic; Race; Comparative Law; Gender and the Law; Human Rights; International Law; Leadership; LGBTQ+; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: By Permission. Interested students should send their resume and a statement of interest (no more than 500 words) to Sanjana Nayak, [snayak@law.harvard.edu](mailto:snayak@law.harvard.edu).

Exam Type: No Exam

This seminar offers advanced training for students with prior human rights experience—whether through law school clinics, summer internships, or academic and professional experiences before law school—who are interested in careers in human rights or social justice. It is team taught by the clinicians in the International Human Rights Clinic, and therefore exposes students to a variety of perspectives and approaches.

The seminar is designed to help students to understand their potential place in the human rights movement, to evaluate the different practice settings in which they might work, and to improve their impact and effectiveness as advocates. In addition to creating community on campus among students with similar career aspirations, it also offers students the opportunity to build their own professional networks and consider different future paths.

Through the seminar, students will confront tough questions about careers as attorneys in human rights organizations and institutions with varying professional norms, expectations, resources, and influence. They will also examine questions of ethics and responsibilities in the human rights space, such as those posed by working cross-culturally and on diverse teams. Finally, students will consider and cultivate their teamwork and leadership skills, including by examining issues of identity and power.

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## Creating Electricity in the U.S.: Exploring the Tradeoffs

**Course #:** 2931

**Term:** 2024FA

**Faculty:** Peskoe, Ari

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Administrative and Regulatory Law; Environmental Law and Policy

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Wed 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

In this reading group, we will explore historic and ongoing legal and policy debates about the fuels that power the US electric system. We will begin with efforts by the federal government to construct mega-dams in the first half of the twentieth century and continue to current controversies about rooftop solar. The fuels that generate electricity have implications for economic growth, local environmental quality, and greenhouse gas emissions. To provide context, we will read about the utility industry's business model, the electric system's operations, and the pros and cons of various energy sources. We will discuss how the evolution of the electric power industry intersects with debates about the role of government in our economy and question the balance between the benefits of cheap power and the burdens faced by communities across the country that host energy infrastructure.

Note: This reading group will be held on the following dates: TBD.

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## Criminal Justice Appellate Clinic

**Course #:** 8050      **Term:** 2025WS      **Faculty:** Rao, Devi; Ali, Amir      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Civil Rights; State and Federal Courts; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Criminal Justice Appellate Clinical Seminar (1 winter classroom credit + 1 spring classroom credit). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due October 1, 2024.

Add/Drop Deadline: November 18, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students on F-1 visas are not eligible for CPT.

Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 2-3 spring clinical credits).

Placement Site: Washington D.C. office.

Students will participate in an externship with the MacArthur Justice Center in Washington, D.C., working on appeals before federal circuit courts and/or the U.S. Supreme Court that raise important issues related to civil rights and the criminal justice system.

Students will learn the ins-and-outs of litigating appeals in the field criminal justice, including general appellate strategy and skills, and emerging issues in the criminal justice system. Under the supervision of the director of MJCs D.C. Office, students will have the opportunity to make a substantial contribution to the office's ongoing appellate cases, including performing research and draft legal analysis for briefs that will be filed in federal court. Depending on the particular matters students work on, this may also include participation in client interaction and strategic decision-making, analysis of factual records, and participation in moot oral arguments (depending upon the stage of their assigned appeals). Students may also have the option of continuing the clinic remotely in the spring semester, allowing more substantial involvement in their assigned appeals and increased exposure to appellate litigation.

MJC is one of the nation's premier civil rights organizations and champions criminal justice reform through litigation, in areas that include police misconduct, rights of the accused, issues facing indigent prisoners, the death penalty, and the rights of detainees. The organization's Washington, D.C. office focuses specifically on appellate litigation as a vehicle for achieving change in these areas.

Examples of issues raised in MJC appeals include:

Unsettled questions of criminal procedure under the Fourth, Fifth, and Sixth Amendments (search and seizure, privilege against self-incrimination, right to a jury, right to counsel); Issues facing indigent prisoners, including the constitutional rights of prisoners to be free from cruel and unusual treatment by prison officials and access to courts; Constitutional challenges to the use of solitary confinement in the prison system; Fundamental trial rights under the Due Process Clause, including issues unique to capital trials; Challenges to certain discriminatory executive actions outside of the criminal justice system,

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including discriminatory practices of Immigration and Custom Enforcement and discrimination against Muslim travelers at the border.

Students admitted to the clinic will be supervised by Amir H. Ali, nationwide Executive Director of the MacArthur Justice Center, and Devi Rao, who directs the organizations D.C. Office.

Application: Students interested in this clinic should submit a resume, an unedited writing sample, and a statement of interest (less than 300 words) that includes: (i) the students reason for applying to the clinic, including particular criminal justice issues the student is interested in, and (ii) any prior exposure to appellate and/or criminal justice issues. Applications should be submitted to [clinical@law.harvard.edu](mailto:clinical@law.harvard.edu) by the deadline above.

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## Criminal Justice Appellate Clinical Seminar

**Course #:** 2363      **Term:** 2025WS      **Faculty:** Rao, Devi; Ali, Amir      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Criminal Law and Procedure

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Criminal Justice Appellate Clinic (2 winter clinical credits + 2-3 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due October 1, 2024.

Add/Drop Deadline: November 18, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students on F-1 visas are not eligible for CPT.

Placement Site: Washington D.C. office.

This winter-term course is taken concurrently with the Criminal Justice Appellate Clinic.

Students will participate in an externship with the Roderick Solange MacArthur Justice Center in Washington, D.C., working on appeals before federal circuit courts and/or the U.S. Supreme Court that raise important issues related to civil rights and the criminal justice system.

Students will learn the ins-and-outs of litigating appeals in the field criminal justice, including general appellate strategy and skills, and emerging issues in the criminal justice system. Under the supervision of the director of MJC's D.C. Office, students will have the opportunity to make a substantial contribution to the office's ongoing appellate cases, including performing research and draft legal analysis for briefs that will be filed in federal court. Depending on the particular matters students work on, this may also include participation in client interaction and strategic decision-making, analysis of factual records, and participation in moot oral arguments (depending upon the stage of their assigned appeals). Students may also have the option of continuing the clinic remotely in the spring semester, allowing more substantial involvement in their assigned appeals and increased exposure to appellate litigation.

MJC is one of the nation's premier civil rights organizations and champions criminal justice reform through litigation, in areas that include police misconduct, rights of the accused, issues facing indigent prisoners, the death penalty, and the rights of detainees. The organization's Washington, D.C. office focuses specifically on appellate litigation as a vehicle for achieving change in these areas.

Examples of issues raised in MJC appeals include:

Unsettled questions of criminal procedure under the Fourth, Fifth, and Sixth Amendments (search and seizure, privilege against self-incrimination, right to a jury, right to counsel);

Issues facing indigent prisoners, including the constitutional rights of prisoners to be free from cruel and unusual treatment by prison officials and access to courts;

Constitutional challenges to the use of solitary confinement in the prison system;

Fundamental trial rights under the Due Process Clause, including issues unique to capital trials;

Challenges to certain discriminatory executive actions outside of the criminal justice system, including

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discriminatory practices of Immigration and Custom Enforcement and discrimination against Muslim travelers at the border.

Students admitted to the clinic will be supervised by Amir H. Ali, nationwide Executive Director of the MacArthur Justice Center, and Devi Rao, Director of the organization's D.C. Office.

Application: Students interested in this clinic should submit a resume, an unedited writing sample, and a statement of interest (less than 300 words) that includes: (i) the student's reason for applying to the clinic, including particular criminal justice issues the student is interested in, and (ii) any prior exposure to appellate and/or criminal justice issues. Applications should be submitted to [clinical@law.harvard.edu](mailto:clinical@law.harvard.edu) by the deadline above.

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## Criminal Justice Institute: Criminal Defense Clinic

**Course #:** 8002      **Term:** 2025WS      **Faculty:** Umunna, Dehlia      **Credits:** 6.00

**Type:** Clinic      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Open to 3Ls only

Required Class Component: Criminal Justice Institute: Defense Theory and Practice (3 fall classroom credits + 1 winter classroom credit). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: Due to the prerequisites, LLM students are not eligible to enroll.

Multi-Semester: This is a winter-spring clinic (1 winter clinical credit + 5 spring clinical credits).

Placement Site: HLS.

Mandatory Meetings: All students enrolled in the clinic (fall-winter and winter-spring) must attend a mandatory orientation week which takes place from Monday, September 23- Friday, September 27. Students will examine the nature, functions, dynamics, and ethics of such tasks as interviewing, investigation, examination and cross-examination of witnesses, argument, and other aspects of criminal defense advocacy, both in and out of the courtroom. They will also examine the theory and practice of defense advocacy for minors accused of delinquency, focusing on the constitutional framework of the juvenile justice system. Students will study the Massachusetts juvenile courts, examining the history and philosophy of a separate juvenile system, juvenile court jurisdiction, and the impact of various state agencies on the administration of justice in juvenile court. The class component will attempt to develop a variety of operational and ethical frameworks within which students can understand and evaluate their practice experience.

Students can expect to represent clients on criminal and juvenile delinquency cases in the local courts. In the course of representing clients, students may be required to visit correctional institutions, which necessitate a background check. They may also provide representation to minors in school disciplinary hearings or represent adult clients in appellate or other post-conviction legal proceedings. Students will be responsible for providing complete legal representation to their clients during the course of the term and are expected to work a minimum of twenty hours per week at the Criminal Justice Institute under the supervision of a clinical instructor at the Institute. Students will receive one-to-one supervision, individual critique of their courtroom work, and participate in regular group sessions with their supervisor. Classroom reading and discussion will draw upon and complement the students experiences as defense counsel.

The teaching method will include exercises and discussions on the Code of Professional Responsibility and the Model Rules of Professional Responsibility. Students will become familiar with the Fourth, Fifth, Sixth, and Fourteenth Amendment rights of both adults and juveniles accused of delinquency, as well as the law

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of evidence and sentencing. There will be a review of essential lawyering skills in criminal practice. The clinic and class will start the week after Fall TAW, September 23 &ndash; September 27, 2024. During this first week of CJL, all students must attend the following mandatory orientation sessions. Monday (Sept. 23) students will do court observations as assigned between 9:00 am- 2:00pm. Tuesday (Sept. 24) 11:00 am-3:00 pm. On Wednesday (Sept.25) from 12:00 pm-3:00 pm, Thursday (Sep.26) from 2:00 PM &ndash; 5:00 PM, and Friday (Sep. 27) from 9:00 AM &ndash; 12:30 PM.&nbsp; Starting this first week and throughout the Fall, class will meet on Tuesdays and Wednesdays from 3:45 PM - 5:45 PM.&nbsp; During the winter, class will meet on Wednesdays and Thursdays from 1:45 PM - 3:45 PM.&nbsp; There will be a mandatory mini-orientation session on Wednesday, January 8, 2025, for students enrolled in the winter-spring clinic; winter-spring clinic students required to attend all orientation sessions scheduled in September and January.

Arraignments: For those enrolled in the fall-winter clinic arraignments will be held during the month of October. Those enrolled in the winter-spring clinic will be attending arraignments during the month of January. During arraignments all students must have at least one morning available for court, Monday through Thursday. Juvenile cases are heard only on Tuesdays, and Wednesdays. After arraignments students should have ample availability for court appearances (ex: trials, motion hearings, pre-trial hearings, and other dispositions).

Students enrolled in the fall-winter clinic will submit a reflection paper in mid-January. Those enrolled in the winter-spring clinic will be submitting their paper the first week of May.

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## Criminal Justice Institute: Criminal Defense Clinic

**Course #:** 8002      **Term:** 2024FW      **Faculty:** Umunna, Dehlia      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Open to 3Ls only  
Required Class Component: Criminal Justice Institute: Defense Theory and Practice (3 fall classroom credits + 1 winter classroom credit). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.  
By Permission: No.  
LLM Students: Due to the pre-requisites, LLM students are not eligible to enroll.  
Multi-Semester:  
This is a fall-winter clinic (4 fall clinical credits + 1 winter clinical credit). Students in the fall-winter clinic may enroll for a spring advanced clinical if they choose and with professor approval.  
Placement Site: HLS.  
Add/Drop Deadline: August 23, 2024.  
Mandatory Meetings: All students enrolled in the clinic (fall-winter and winter-spring) must attend a mandatory orientation week which takes place from Monday, September 23- Friday, September 27. Students will examine the nature, functions, dynamics, and ethics of such tasks as interviewing, investigation, examination and cross-examination of witnesses, argument, and other aspects of criminal defense advocacy, both in and out of the courtroom. They will also examine the theory and practice of defense advocacy for minors accused of delinquency, focusing on the constitutional framework of the juvenile justice system. Students will study the Massachusetts juvenile courts, examining the history and philosophy of a separate juvenile system, juvenile court jurisdiction, and the impact of various state agencies on the administration of justice in juvenile court. The class component will attempt to develop a variety of operational and ethical frameworks within which students can understand and evaluate their practice experience.  
Students can expect to represent clients on criminal and juvenile delinquency cases in the local courts. In the course of representing clients, students may be required to visit correctional institutions, which necessitate a background check. They may also provide representation to minors in school disciplinary hearings or represent adult clients in appellate or other post-conviction legal proceedings. Students will be responsible for providing complete legal representation to their clients during the course of the term and are expected to work a minimum of twenty hours per week at the Criminal Justice Institute under the supervision of a clinical instructor at the Institute. Students will receive one-to-one supervision, individual critique of their courtroom work, and participate in regular group sessions with their supervisor. Classroom reading and discussion will draw upon and complement the students experiences as defense counsel.  
The teaching method will include exercises and discussions on the Code of Professional Responsibility and



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the Model Rules of Professional Responsibility. Students will become familiar with the Fourth, Fifth, Sixth, and Fourteenth Amendment rights of both adults and juveniles accused of delinquency, as well as the law of evidence and sentencing. There will be a review of essential lawyering skills in criminal practice.

The clinic and class will start the week after Fall TAW, September 23 &ndash; September 27, 2024. During this first week of CJL, all students must attend the following mandatory orientation sessions. Monday (Sept. 23) students will do court observations as assigned between 9:00 am- 2:00pm. Tuesday (Sept. 24) 11:00 am-3:00 pm. On Wednesday (Sept.25) from 12:00 pm-3:00 pm, Thursday (Sep.26) from 2:00 PM &ndash; 5:00 PM, and Friday (Sep. 27) from 9:00 AM &ndash; 12:30 PM.&nbsp; Starting this first week and throughout the Fall, class will meet on Tuesdays and Wednesdays from 3:45 PM - 5:45 PM.&nbsp; During the winter, class will meet on Wednesdays and Thursdays from 1:45 PM - 3:45 PM.&nbsp; There will be a mandatory mini-orientation session on Wednesday, January 8, 2025, for students enrolled in the winter-spring clinic; winter-spring clinic students required to attend all orientation sessions scheduled in September and January.

Arraignments: For those enrolled in the fall-winter clinic arraignments will be held during the month of October. Those enrolled in the winter-spring clinic will be attending arraignments during the month of January. During arraignments all students must have at least one morning available for court, Monday through Thursday. Juvenile cases are heard only on Tuesdays, and Wednesdays. After arraignments students should have ample availability for court appearances (ex: trials, motion hearings, pre-trial hearings, and other dispositions).

Students enrolled in the fall-winter clinic will submit a reflection paper in mid-January. Those enrolled in the winter-spring clinic will be submitting their paper the first week of May.

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## Criminal Justice Institute: Defense Theory and Practice

**Course #:** 2261      **Term:** 2024FW      **Faculty:** Umunna, Dehlia      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Race; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

Wed 3:45 PM - 5:45 PM

Wed 1:45 PM - 3:45 PM

Thu 1:45 PM - 3:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and Open to 3Ls only  
Required Clinic Component: Criminal Justice Institute: Criminal Defense Clinic, either fall-winter (4 fall clinical credits + 1 winter clinical credit) or winter-spring (1 winter clinical credit + 5 spring clinical credits).  
Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.  
By Permission: No.  
LLM Students: Due to Massachusetts Court Practice rules, LLM students are not eligible to enroll.  
Multi-Semester: This is a fall-winter course (3 fall classroom credits + 1 winter classroom credit)  
Placement Site: HLS  
Add/Drop Deadline: August 23, 2024.  
Mandatory Meetings: All students enrolled in the clinic (fall-winter and winter-spring) must attend a mandatory orientation week which takes place from Monday, September 23- Friday, September 27. Students will examine the nature, functions, dynamics, and ethics of such tasks as interviewing, investigation, examination and cross-examination of witnesses, argument, and other aspects of criminal defense advocacy, both in and out of the courtroom. They will also examine the theory and practice of defense advocacy for minors accused of delinquency, focusing on the constitutional framework of the juvenile justice system. Students will study the Massachusetts juvenile courts, examining the history and philosophy of a separate juvenile system, juvenile court jurisdiction, and the impact of various state agencies on the administration of justice in juvenile court. The class component will attempt to develop a variety of operational and ethical frameworks within which students can understand and evaluate their practice experience.  
Students can expect to represent clients on criminal and juvenile delinquency cases in the local courts. In the course of representing clients, students may be required to visit correctional institutions, which necessitate a background check. They may also provide representation to minors in school disciplinary hearings or represent adult clients in appellate or other post-conviction legal proceedings. Students will be responsible for providing complete legal representation to their clients during the course of the term and are expected to work a minimum of twenty hours per week at the Criminal Justice Institute under the supervision of a clinical instructor at the Institute. Students will receive one-to-one supervision, individual critique of their courtroom work, and participate in regular group sessions with their supervisor. Classroom reading and discussion will draw upon and complement the students experiences as defense counsel.  
The teaching method will include exercises and discussions on the Code of Professional Responsibility and

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the Model Rules of Professional Responsibility. Students will become familiar with the Fourth, Fifth, Sixth, and Fourteenth Amendment rights of both adults and juveniles accused of delinquency, as well as the law of evidence and sentencing. There will be a review of essential lawyering skills in criminal practice.

The clinic and class will start the week after Fall TAW, September 23 &ndash; September 27, 2024. During this first week of CJL, all students must attend the following mandatory orientation sessions. Monday (Sept. 23) students will do court observations as assigned between 9:00 am- 2:00pm. Tuesday (Sept. 24) 11:00 am-3:00 pm. On Wednesday (Sept.25) from 12:00 pm-3:00 pm, Thursday (Sep.26) from 2:00 PM &ndash; 5:00 PM, and Friday (Sep. 27) from 9:00 AM &ndash; 12:30 PM.&nbsp; Starting this first week and throughout the Fall, class will meet on Tuesdays and Wednesdays from 3:45 PM - 5:45 PM.&nbsp; During the winter, class will meet on Wednesdays and Thursdays from 1:45 PM - 3:45 PM.&nbsp; There will be a mandatory mini-orientation session on Wednesday, January 8, 2025, for students enrolled in the winter-spring clinic; winter-spring clinic students required to attend all orientation sessions scheduled in September and January.

Arraignments: For those enrolled in the fall-winter clinic arraignments will be held during the month of October. Those enrolled in the winter-spring clinic will be attending arraignments during the month of January. During arraignments all students must have at least one morning available for court, Monday through Thursday. Juvenile cases are heard only on Tuesdays, and Wednesdays. After arraignments, students should have ample availability for court appearances (ex: trials, motion hearings, pre-trial hearings, and other dispositions).

Students enrolled in the fall-winter clinic will submit a reflection paper in mid-January. Those enrolled in the winter-spring clinic will be submitting their paper the first week of May.

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## Criminal Justice Institute: Defense Theory and Practice

**Course #:** 2261      **Term:** 2024FW      **Faculty:** Umunna, Dehlia      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Race; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 1:45 PM - 3:45 PM

Tue 3:45 PM - 5:45 PM

Wed 3:45 PM - 5:45 PM

Wed 1:45 PM - 3:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Open to 3Ls only  
Required Clinic Component: Criminal Justice Institute: Criminal Defense Clinic, either fall-winter (4 fall clinical credits + 1 winter clinical credit) or winter-spring (1 winter clinical credit + 5 spring clinical credits). The clinic and course are bundled; enrollment in either clinic will automatically enroll you in this required course.  
Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both classes separately from the clinic enrollment. Failure to meet the pre/co-requisites by the clinic's add/drop deadline will result in the student being dropped from this clinic and class.  
By Permission: No.  
LLM Students: Due to the pre-requisites, LLM students are not eligible to enroll.  
Multi-Semester: This is a fall-winter course (3 fall classroom credits + 1 winter classroom credit)  
Placement Site: HLS  
Add/Drop Deadline: August 23, 2024.  
Mandatory Meetings: All students enrolled in the clinic (fall-winter and winter-spring) must attend a mandatory orientation week which takes place from Monday, September 23- Friday, September 27. Students will examine the nature, functions, dynamics, and ethics of such tasks as interviewing, investigation, examination and cross-examination of witnesses, argument, and other aspects of criminal defense advocacy, both in and out of the courtroom. They will also examine the theory and practice of defense advocacy for minors accused of delinquency, focusing on the constitutional framework of the juvenile justice system. Students will study the Massachusetts juvenile courts, examining the history and philosophy of a separate juvenile system, juvenile court jurisdiction, and the impact of various state agencies on the administration of justice in juvenile court. The class component will attempt to develop a variety of operational and ethical frameworks within which students can understand and evaluate their practice experience.  
Students can expect to represent clients on criminal and juvenile delinquency cases in the local courts. In the course of representing clients, students may be required to visit correctional institutions, which necessitate a background check. They may also provide representation to minors in school disciplinary hearings or represent adult clients in appellate or other post-conviction legal proceedings. Students will be responsible for providing complete legal representation to their clients during the course of the term and are expected to work a minimum of twenty hours per week at the Criminal Justice Institute under the supervision of a clinical instructor at the Institute. Students will receive one-to-one supervision, individual critique of their courtroom work, and participate in regular group sessions with their supervisor.

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Classroom reading and discussion will draw upon and complement the students experiences as defense counsel.

The teaching method will include exercises and discussions on the Code of Professional Responsibility and the Model Rules of Professional Responsibility. Students will become familiar with the Fourth, Fifth, Sixth, and Fourteenth Amendment rights of both adults and juveniles accused of delinquency, as well as the law of evidence and sentencing. There will be a review of essential lawyering skills in criminal practice.

The clinic and class will start the week after Fall TAW, September 23 &ndash; September 27, 2024. During this first week of CJL, all students must attend the following mandatory orientation sessions. Monday (Sept. 23) students will do court observations as assigned between 9:00 am- 2:00pm. Tuesday (Sept. 24) 11:00 am-3:00 pm. On Wednesday (Sept.25) from 12:00 pm-3:00 pm, Thursday (Sep.26) from 2:00 PM &ndash; 5:00 PM, and Friday (Sep. 27) from 9:00 AM &ndash; 12:30 PM.&nbsp; Starting this first week and throughout the Fall, class will meet on Tuesdays and Wednesdays from 3:45 PM - 5:45 PM.&nbsp; During the winter, class will meet on Wednesdays and Thursdays from 1:45 PM - 3:45 PM.&nbsp; There will be a mandatory mini-orientation session on Wednesday, January 8, 2025, for students enrolled in the winter-spring clinic; winter-spring clinic students required to attend all orientation sessions scheduled in September and January.

Arraignments: For those enrolled in the fall-winter clinic arraignments will be held during the month of October. Those enrolled in the winter-spring clinic will be attending arraignments during the month of January. During arraignments all students must have at least one morning available for court, Monday through Thursday. Juvenile cases are heard only on Tuesdays, and Wednesdays. After arraignments students should have ample availability for court appearances (ex: trials, motion hearings, pre-trial hearings, and other dispositions).

Students enrolled in the fall-winter clinic will submit a reflection paper in mid-January. Those enrolled in the winter-spring clinic will be submitting their paper the first week of May.

This course satisfies the HLS professional responsibility requirement.

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## Criminal Procedure Survey

**Course #:** 3296      **Term:** 2024FA      **Faculty:** Re, Richard      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** Criminal Law and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None

Exam Type: In Class

This course surveys criminal procedure, including both investigative and adjudicatory issues. We will focus on the Fourth, Fifth, and Sixth Amendment rights regarding searches and seizures, self-incrimination, and the right to counsel. We will also consider due process, equal protection, the jury trial, and remedial issues. Topics include warrants, stop and frisk, electronic surveillance, custodial interrogations, prosecutorial discretion, plea bargaining, and jury selection. Across these topics, we will explore the legal significance of historical practices, technological change, bias and discrimination, and deference to legislative bodies.

Students who have completed Criminal Procedure: Investigations and/or Criminal Procedure: Adjudication are not eligible to enroll in this offering due to substantial overlap. Additionally, if you complete this offering, you cannot enroll in Criminal Procedure: Investigations or Criminal Procedure: Adjudication for credit.

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## Criminal Procedure: Adjudication

**Course #:** 2049      **Term:** 2025SP      **Faculty:** Lanni, Adriaan      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** Criminal Law and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Prerequisite: None

Exam Type: In Class

The subject of this course is the criminal process "from bail to jail." We will address some of the main constitutional and policy issues that arise about the structure of this process, including the right to counsel, the influence of prosecutorial discretion, the institution of plea bargaining, the role of the jury, and the choice of sentencing procedures. We will also address some important issues about the outcomes produced by this process, including the problem of wrongful convictions (innocence) and disparate racial and class impacts.

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## Criminal Procedure: Investigations

**Course #:** 2050      **Term:** 2025SP      **Faculty:** Natapoff, Alexandra      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Constitutional Law; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: None  
Exam Type: In Class  
This course examines the law governing police behavior, primarily by examining the constitutional doctrines of the Fourth, Fifth, and Sixth Amendments that regulate law enforcement action. Topics covered include the right to counsel, search and seizure, stop and frisk, electronic surveillance, warrants and their exceptions, police use of force, custodial interrogation, and exclusionary remedies. In addition to doctrinal examination, the course will also ask broader policy questions about the regulation, democratic accountability, and scope of police behavior in the United States today.

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## Criminal Procedure: Investigations

**Course #:** 2050      **Term:** 2024FA      **Faculty:** Crespo, Andrew      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Civil Rights/Liberties; Civil Rights; State and Federal Courts; Civil Rights; Race; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None  
Exam Type: In Class  
This course examines the relationship between the people and the police, primarily by examining the constitutional doctrines of the Fourth and Fifth Amendments that regulate law enforcement behavior. Topics will include custodial interrogation, search and seizure, stop and frisk, electronic surveillance, probable cause, warrants and their exceptions, excessive force, and exclusionary remedies. In addition to doctrinal examination, the course will also explore some of the challenging policy questions associated with contemporary policing, as it exists and is carried out in Americas cities.

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## Criminal Prosecution Clinic

**Course #:** 8003      **Term:** 2024FW      **Faculty:** Corrigan, John      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Criminal Law and Procedure

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Open to 3Ls only

Required Class Component: Prosecution Clinical Seminar (2 fall classroom credits + 1 winter classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Enrollment in TAW and Evidence is separate from clinical registration.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Multi-Semester: This is a fall-winter clinic (4 fall clinical credits + 1 winter clinical credit).

Placement Site: Various D.A. Offices throughout Massachusetts.

This clinic and course will focus on the role of and decision-making by the prosecutor in the criminal justice system, with particular attention to the exercise of discretion by the prosecutor in investigation, charging, plea negotiation and sentencing recommendation decisions. It will also involve an examination of the lawyering skills involved in case analysis, interviewing witnesses, and negotiation, and other aspects of case handling and courtroom advocacy, in the context of the District Court.

During the fall and winter terms, the class will consist of one two-hour class per week, in addition to the clinical assignment.

A clinical practice component is required of all students. Students must have at least two full days in their schedule free from 8am to 5pm for the clinical component. Clinical placements are with the Middlesex, Norfolk, Suffolk, or Essex County District Attorneys Office. Under the supervision of assistant district attorneys, students work a minimum of twenty hours per week to represent the Commonwealth in prosecuting District Court criminal cases. While student experiences vary, students are likely to handle arraignments, bail hearings, pretrial conferences, motion hearings, pleas and trials. Some students may handle a jury trial. Clinical placements will begin immediately after the completion of the fall Trial Advocacy Workshop. Readings will consist primarily of multilithed materials. Students are required to keep a journal relating to their fieldwork experiences and to prepare several short practical skills exercises. The classroom component of this clinical course satisfies the Law Schools professional responsibility requirement.



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## Criminal Prosecution Clinical Seminar

**Course #:** 2328      **Term:** 2024FW      **Faculty:** Corrigan, John      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Criminal Law and Procedure

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 5:00 PM - 8:15 PM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Open to 3Ls only

Required Clinic Component: Criminal Prosecution Clinic (4 fall clinical credits + 1 winter clinical credit). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: Trial Advocacy Workshop (TAW) and Evidence. Students must enroll in both TAW and Evidence. Enrollment is separate from their clinical registration.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Multi-Semester: This is a fall-winter course (2 fall classroom credits + 1 winter classroom credit).

Please Note: This course will start meeting after the conclusion of fall TAW.

This course will focus on the role of and decision-making by the prosecutor in the criminal justice system, with particular attention to the exercise of discretion by the prosecutor in investigation, charging, plea negotiation and sentencing recommendation decisions. It will also involve an examination of the lawyering skills involved in case analysis, interviewing witnesses, and negotiation, and other aspects of case handling and courtroom advocacy, in the context of the District Court.

During the fall and winter terms, the class will consist of one three-hour class per week, in addition to the clinical assignment.

A clinical practice component is required of all students. Students must have at least two full days in their schedule free from 8am to 5pm for the clinical component. Clinical placements are with the Middlesex, Norfolk, Suffolk, or Essex County District Attorneys Office. Under the supervision of assistant district attorneys, students work a minimum of twenty hours per week to represent the Commonwealth in prosecuting District Court criminal cases. While student experiences vary, students are likely to handle arraignments, bail hearings, pretrial conferences, motion hearings, pleas and trials. Some students may handle a jury trial. Clinical placements will begin immediately after the completion of the fall Trial Advocacy Workshop. Readings will consist primarily of multilithed materials. Students are required to keep a journal relating to their fieldwork experiences and to prepare several short practical skills exercises. This course satisfies the HLS Professional Responsibility requirement.

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## Crimmigration Clinic

**Course #:** 8043      **Term:** 2024FA      **Faculty:** Torrey, Philip      **Credits:** 3.00

**Type:** Clinic      **Subject Areas:** Immigration/Refugee; Immigration Law; Immigration Law; Immigration; Administrative and Regulatory Law; Civil Litigation; Criminal Law and Procedure; Immigration Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Crimmigration: The Intersection of Criminal Law and Immigration Law (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required clinical course component by the Office of Clinical and Pro Bono Programs, unless they have already completed the course as a non-clinical student.

Additional Co-/Pre-Requisites: No.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

In the Crimmigration Clinic students work on cutting-edge issues regarding the intersection of criminal law and immigration law. The content of the clinical projects will depend on the legal landscape and political climate at the time of clinical enrollment. &nbsp;In the past, students have worked on administrative and federal litigation in both federal appellate courts and district courts concerning criminal bars to immigration relief, detention, and the crime-based grounds of removal. Students also work with community-based organizations and non-profits to develop affirmative district court litigation challenging anti-immigrant policies. Clinical students will also work with the Harvard Criminal Justice Institute and other criminal defense attorneys around the country to provide advice about the immigration consequences of criminal charges.

The Crimmigration Clinic is offered for 3 clinical credits in both the Fall and Spring semesters. Students in the clinic (both Fall and Spring semesters) are required to enroll in the Fall clinical course component.

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# Harvard Law School Course Catalog

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## Crimmigration Clinic

**Course #:** 8043      **Term:** 2025SP      **Faculty:** Torrey, Philip      **Credits:** 3.00

**Type:** Clinic      **Subject Areas:** Immigration/Refugee; Immigration Law; Immigration Law; Immigration; Administrative and Regulatory Law; Civil Litigation; Criminal Law and Procedure; Immigration Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Crimmigration: The Intersection of Criminal Law and Immigration Law (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required clinical course component by the Office of Clinical and Pro Bono Programs, unless they have already completed the course as a non-clinical student.

Additional Co-/Pre-Requisites: No.

By Permission: No.

Add/Drop Deadline: September 6, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

In the Crimmigration Clinic students work on cutting-edge issues regarding the intersection of criminal law and immigration law. The content of the clinical projects will depend on the legal landscape and political climate at the time of clinical enrollment. &nbsp;In the past, students have worked on administrative and federal litigation in both federal appellate courts and district courts concerning criminal bars to immigration relief, detention, and the crime-based grounds of removal. Students also work with community-based organizations and non-profits to develop affirmative district court litigation challenging anti-immigrant policies. Clinical students will also work with the Harvard Criminal Justice Institute and other criminal defense attorneys around the country to provide advice about the immigration consequences of criminal charges.

The Crimmigration Clinic is offered for 3 clinical credits in both the Fall and Spring semesters. Students in the clinic (both Fall and Spring semesters) are required to enroll in the Fall clinical course component.

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## Crimmigration: The Intersection of Criminal Law and Immigration Law

**Course #:** 2597

**Term:** 2024FA

**Faculty:** Torrey, Philip

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Immigration/Refugee; Immigration Law; Immigration Law; Immigration; Administrative and Regulatory Law; Civil Litigation; Criminal Law and Procedure; Immigration Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 10:15 AM - 12:15 PM

**Course Description:**

Prerequisites: None

Exam Type: One-Day Take-Home

The intersection of criminal law and immigration law is a growing field of law that is at the forefront of today's immigration debate. As immigration laws have become more "criminalized" and criminal laws have become more "immigrationized" it is increasingly important to understand the intersection of criminal law and immigration law. The goal of this course is to give students the skills to recognize and examine immigration consequences of criminal convictions and to understand how those laws have developed in light of historical trends related to immigration detention, border security, race, poverty, national security, and Fifth Amendment Due Process jurisprudence.

This course satisfies the clinical seminar requirement for the Crimmigration Clinic. The drop deadline for students enrolled in this course in a clinical seat is August 23, 2024 for Fall students and September 6, 2024 for Spring students.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

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## Critical Race Theory

**Course #:** 2279

**Term:** 2025SP

**Faculty:** Ahmed, Aziza

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Race; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

### Course Description:

Prerequisites: None

Exam Type: No Exam

This seminar examines the role of the law and legal activism in perpetuating and alleviating racial inequality in the United States. Several questions animate our readings and discussions. First, how have laws and legal institutions shaped racial identity? Second, how have ideas about race shaped legal institutions? Third, why does racial inequality persist despite social movement organizing and progressive legal transformations? Our readings excavate the various ways scholars and advocates have grappled with these questions. We will consider tensions and debates among race theorists including the dominant school of race theory in law, Critical Race Theory. We will identify the stakes of these debates and the consequences (intended and unintended) of various legal reform projects designed to issues of race.

Note: This seminar will have some overlap with Professor Alan Jenkins Spring 2021 Race and the Law course. Students interested in enrolling in both offerings are asked to consult with Professor Jenkins and Ahmed.

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## Cyberlaw Clinic

**Course #:** 8004

**Term:** 2024FA

**Faculty:** Bavitz, Christopher

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Civil Rights/Liberties; Civil Rights; Contracts; Civil Rights; Contracts; Contracts; Arts, Entertainment, and Sports Law; Civil Litigation; Civil Rights; Contracts; Corporate and Transactional Law; Human Rights; Intellectual Property; Technology Law and Policy

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

### Course Description:

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Cyberlaw Clinical Seminar (2 fall classroom credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Cyberlaw Clinic, based at Harvards Berkman Klein Center for Internet and Society, engages Harvard Law School students in a wide range of real-world client counseling, licensing and transactional, litigation, advocacy, and policy projects and cases, covering a broad spectrum of issues relating to technology and the Internet. The Clinics work includes offering legal guidance in areas of law that include&nbsp;Communications Infrastructure; Consumer Protection, Privacy, & Compliance; General Internet Business Law; Government Innovation; Intellectual Property; Litigation and Amicus Advocacy; Online Safety, Digital Civil Liberties, & User Rights; Speech, Media Law, & First Amendment; and Technology & Access to Justice. Clinic clients include entrepreneurs; mission-oriented non-profits and other startups; public media companies; government institutions; and advocacy organizations working on issues relating to privacy, IP, online speech, civil liberties, and human rights. Students in the Clinic have the opportunity to develop substantive legal knowledge and hone their practice skills by managing projects, engaging directly with clients, and receiving feedback and mentorship from instructors who are experienced practitioners in the field. Detailed information about all aspects of the Clinics practice, including descriptions of representative clients and projects and copies of Clinic filings and publications, is available at the Clinics website, <http://clinic.cyber.harvard.edu>&nbsp;

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# Harvard Law School Course Catalog

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## Cyberlaw Clinic

**Course #:** 8004

**Term:** 2025SP

**Faculty:** Bavitz, Christopher

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Civil Rights/Liberties; Civil Rights; Contracts; Civil Rights; Contracts; Contracts; Arts, Entertainment, and Sports Law; Civil Litigation; Civil Rights; Contracts; Corporate and Transactional Law; Human Rights; Intellectual Property; Technology Law and Policy

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

### Course Description:

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Cyberlaw Clinical Seminar (2 spring classroom credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Cyberlaw Clinic, based at Harvards Berkman Klein Center for Internet and Society, engages Harvard Law School students in a wide range of real-world client counseling, licensing and transactional, litigation, advocacy, and policy projects and cases, covering a broad spectrum of issues relating to technology and the Internet. The Clinics work includes offering legal guidance in areas of law that include&nbsp;Communications Infrastructure; Consumer Protection, Privacy, & Compliance; General Internet Business Law; Government Innovation; Intellectual Property; Litigation and Amicus Advocacy; Online Safety, Digital Civil Liberties, & User Rights; Speech, Media Law, & First Amendment; and Technology & Access to Justice. Clinic clients include entrepreneurs; mission-oriented non-profits and other startups; public media companies; government institutions; and advocacy organizations working on issues relating to privacy, IP, online speech, civil liberties, and human rights. Students in the Clinic have the opportunity to develop substantive legal knowledge and hone their practice skills by managing projects, engaging directly with clients, and receiving feedback and mentorship from instructors who are experienced practitioners in the field. Detailed information about all aspects of the Clinics practice, including descriptions of representative clients and projects and copies of Clinic filings and publications, is available at the Clinics website, <http://clinic.cyber.harvard.edu>.

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# Harvard Law School Course Catalog

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## Cyberlaw Clinic Seminar

**Course #:** 2674      **Term:** 2025SP      **Faculty:** Bavitz, Christopher; Kortz, Mason      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Contracts; Civil Rights; Contracts; Contracts; Arts, Entertainment, and Sports Law; Civil Litigation; Civil Rights; Contracts; Corporate and Transactional Law; Human Rights; Technology Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Required Clinic Component: Cyberlaw Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: LLM students may enroll in this clinic through Helios.  
This seminar is required for all students enrolled in the Cyberlaw Clinic. The course incorporates instruction about substantive legal issues at the heart of the Clinics practice, case studies and exercises designed to enhance students practice skills, and consideration of questions of ethics and professional responsibility that arise in the Clinics practice. Through regular case rounds presentations and discussions, students have the opportunity to share information with and solicit feedback from Clinic colleagues about their work.  
Please see the clinics course description for more information.

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# Harvard Law School Course Catalog

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## Cyberlaw Clinic Seminar

**Course #:** 2674      **Term:** 2024FA      **Faculty:** Bavitz, Christopher; Kortz, Mason      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Contracts; Civil Rights; Contracts; Contracts; Arts, Entertainment, and Sports Law; Civil Litigation; Civil Rights; Contracts; Corporate and Transactional Law; Human Rights; Intellectual Property; Technology Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Cyberlaw Clinic (3-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

This seminar is required for all students enrolled in the Cyberlaw Clinic. The course incorporates instruction about substantive legal issues at the heart of the Clinics practice, case studies and exercises designed to enhance students practice skills, and consideration of questions of ethics and professional responsibility that arise in the Clinics practice. Through regular case rounds presentations and discussions, students have the opportunity to share information with and solicit feedback from Clinic colleagues about their work.

Please see the clinics course description for more information.

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## Deals

**Course #:** 2445      **Term:** 2025SP      **Faculty:** Subramanian, Guhan      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** Corporate and Transactional Law; Finance, Accounting, and Strategy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

Wed 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Prerequisite: For JD students, you must have completed Corporations prior to enrolling in this course. For LLM students, Corporations or its equivalent is a prerequisite.  
Exam Type: No Exam Evaluation will be on the basis of class participation and deal presentation.  
This advanced negotiation course examines complex corporate deals. Many of the class sessions will be structured around recent or ongoing deals, selected for the complex issues of law and business that they raise. Student teams will research and analyze these transactions in order to present their most important aspects and lessons to the class. For many of these presentations (as well as some more traditional case studies and exercises), the lawyers, bankers, and/or business principals who participated in the transaction under discussion will attend class, listen to the team's assessment, provide their perspectives, and suggest broader negotiation insights.  
Topics developed throughout the course include: how negotiators create and claim value through the setup, design, and tactical implementation of agreements; complexities that can arise through agency, asymmetric information, moral hazard, and adverse selection; structural, psychological, and interpersonal barriers that can hinder agreement; and the particular challenges inherent in the roles of advisors as negotiators. The course will also explore the differences between deal-making and dispute resolution; single-issue and multiple-issue negotiations; and between two parties and multiple parties.  
The class will be comprised of approximately an equal number of students from HBS and HLS.  
This course will meet on HBS's campus and adheres to HBS's academic calendar.  
Cross-registration is not allowed for this course.

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## Deals

**Course #:** 2445      **Term:** 2024FA      **Faculty:** Subramanian, Guhan      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Corporate and Transactional Law; Finance, Accounting, and Strategy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

Wed 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Prerequisite: For JD students, this course is open to those who have taken, or are concurrently taking, Corporations.  
For LLM students, Corporations must be taken concurrently.

Exam Type: No Exam Evaluation will be on the basis of class participation and bi-weekly journals.

This advanced negotiation course examines complex corporate deals. Many of the class sessions will be structured around recent or ongoing deals, selected for the complex issues of law and business that they raise. Student teams will research and analyze these transactions in order to present their most important aspects and lessons to the class. For many of these presentations (as well as some more traditional case studies and exercises), the lawyers, bankers, and/or business principals who participated in the transaction under discussion will attend class, listen to the team's assessment, provide their perspectives, and suggest broader negotiation insights.

Topics developed throughout the course include: how negotiators create and claim value through the setup, design, and tactical implementation of agreements; complexities that can arise through agency, asymmetric information, moral hazard, and adverse selection; structural, psychological, and interpersonal barriers that can hinder agreement; and the particular challenges inherent in the roles of advisors as negotiators. The course will also explore the differences between deal-making and dispute resolution; single-issue and multiple-issue negotiations; and between two parties and multiple parties.

The class will be comprised of approximately an equal number of students from HBS and HLS.

Note: This course will meet for 12 sessions starting in October, dates TBD.

This course will meet on HBS's campus and adheres to HBS's academic calendar.

Cross-registration is not allowed for this course.

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## Democracy and the Rule of Law Clinic

**Course #:** 8049      **Term:** 2025SP      **Faculty:** Schwartztol, Larry      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Election Law and Democracy

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Legal Tools for Protecting Democracy and the Rule of Law in America (2 spring classroom credits). The clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: December 13, 2024. LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Placement Site: Students will participate in an externship with Protect Democracy, a nonpartisan nonprofit founded by former White House and Department of Justice attorneys and dedicated to preventing our democracy from declining into a more authoritarian form of government. Protect Democracy accomplishes its mission by working to combat the tactics that authoritarian leaders use to undermine our free, fair, and fully-informed pursuit of self-government, and by pursuing pro-democracy reforms to renew and improve our democratic norms and institutions. Most clinical work will be done remotely.

Students in the Democracy and the Rule of Law Clinic will work with Protect Democracy to safeguard the key features of a democratic society through a variety of tools that advance the organizations mission, including: impact litigation; policy advocacy to members of Congress, and other local, state, and federal officials; strategic partnerships with other groups and individuals who align with the organizations mission; communications through media outlets, reports, social media posts, and the organizations website; and Freedom of Information Act requests. The Clinic will focus on issues such as protecting free and fair elections, ensuring the impartial application of the rule of law, safeguarding healthy civic institutions that allow for public participation in political debate, prohibiting official corruption, and challenging government if it targets marginalized communities.

Students will be integrated into existing Protect Democracy project teams and take on legal research and writing, legal drafting, policy advocacy and analysis, and other assignments to advance projects' advocacy goals. Some examples of such projects include:

Developing litigation memoranda setting forth proposed legal theories and possible causes of action, and assessing approaches to overcome justiciability barriers. Identifying potential plaintiffs for litigation and analyzing potential jurisdictions in which to file. Drafting complaints, preliminary injunction motions, dispositive motions and other briefs, including appellate and amicus briefs. Drafting white papers, op-eds, blog posts, and letters or memoranda to federal, state, and local government officials. Developing proposals and assessing opportunities for legislative reform, and helping advocate for desired reforms. Participating in moot courts and assisting counsel with preparation for oral arguments. Developing and submitting FOIA requests, including identifying recipients and shaping requests in a manner likely to lead to useful information. Students need not have any particular background or experience to enroll; Protect Democracy recognizes that there is strength in diversity and strongly encourages students from

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historically marginalized and other underrepresented and non-traditional backgrounds and from across the political and ideological spectrum to join the clinic. Students will have the opportunity to develop substantive knowledge; build litigation, oversight, oral advocacy, and other practical skills; and gain opportunities for professional development. They will work closely with experienced attorneys and policy advocates.

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## Democracy and the Rule of Law Clinic

**Course #:** 8049      **Term:** 2024FA      **Faculty:** Schwartztol, Larry      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Election Law and Democracy

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Legal Tools for Protecting Democracy and the Rule of Law in America (2 fall classroom credits). The clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: August 23, 2024. LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT. Placement Site: Students will participate in an externship with Protect Democracy, a nonpartisan nonprofit dedicated to preventing American democracy from declining into a more authoritarian form of government. Protect Democracy accomplishes its mission by working to combat the tactics that authoritarian leaders use to undermine our free, fair, and fully-informed pursuit of self-government, and by pursuing pro-democracy reforms to renew and improve our democratic norms and institutions. Most clinical work will be done remotely.

Students in the Democracy and the Rule of Law Clinic will work with Protect Democracy to safeguard the key features of a democratic society through a variety of tools that advance the organizations mission, including: impact litigation; policy advocacy to members of Congress, and other local, state, and federal officials; strategic partnerships with other groups and individuals who align with the organizations mission; communications through media outlets, reports, social media posts, and the organizations website; and Freedom of Information Act requests. The Clinic will focus on issues such as protecting free and fair elections, ensuring the impartial application of the rule of law, safeguarding healthy civic institutions that allow for public participation in political debate, prohibiting official corruption, and challenging government if it targets marginalized communities.

Students will be integrated into existing Protect Democracy project teams and take on legal research and writing, legal drafting, policy advocacy and analysis, and other assignments to advance projects' advocacy goals. Some examples of such projects include:

- Developing litigation memoranda setting forth proposed legal theories and possible causes of action, and assessing approaches to overcome justiciability barriers.
- Identifying potential plaintiffs for litigation and analyzing potential jurisdictions in which to file.
- Drafting complaints, preliminary injunction motions, dispositive motions and other briefs, including appellate and amicus briefs.
- Drafting white papers, op-eds, blog posts, and letters or memoranda to federal, state, and local government officials.
- Developing proposals and assessing opportunities for legislative reform, and helping advocate for desired reforms.
- Participating in moot courts and assisting counsel with preparation for oral arguments.
- Developing and submitting FOIA requests, including identifying recipients and shaping requests in a manner likely to lead to useful information.



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Students need not have any particular background or experience to enroll; Protect Democracy recognizes that there is strength in diversity and strongly encourages students from historically marginalized and other underrepresented and non-traditional backgrounds and from across the political and ideological spectrum to join the clinic. Students will have the opportunity to develop substantive knowledge; build litigation, oversight, oral advocacy, and other practical skills; and gain opportunities for professional development. They will work closely with experienced attorneys and policy advocates.

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## Democratic Innovations

**Course #:** 3302      **Term:** 2024FA      **Faculty:** Lessig, Lawrence      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Constitutional Law; Election Law and Democracy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

This seminar will explore innovations in democratic practice in America, informed by the many innovations happening across the world. We will spend significant time exploring the history of conventions in America, the development of elections across our history, the challenges with elections, especially in the current moment, and citizen assemblies as complements or substitutes for elections as ways to populate representative and administrative entities, or as constraints on the work of representative democracies. Short essays (800 words) are required each week based upon the reading, as well as either a group project or paper (20 pages) at the end of the term.

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## Digital Governance: Privacy, Artificial Intelligence and Information Technology

**Course #:** 3101      **Term:** 2024FA      **Faculty:** Raul, Alan      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Administrative and Regulatory Law; Constitutional Law; National Security Law; Technology Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam  
Grading will be based 50% on class participation and 50% on 5 short thought papers submitted and presented orally over the course of the semester.

This seminar will examine the laws, policies and ethical frameworks that govern the use of personal data, automated decision-making, and sensitive cyber technologies. Focus will be on identifying, understanding and evaluating relevant risks, harms, benefits, economic and social impacts, and corresponding tradeoffs. Topics will include digital privacy, data protection, artificial intelligence, behavioral and location tracking, profiling, microtargeting, personalized advertising, biometrics and facial recognition, ubiquitous sensors, commercial collection and use of data, government access and surveillance, Section 230 and online disinformation. US and European privacy and data protection philosophies and protocols will be compared. Readings will include statutes, regulations, judicial decisions, enforcement actions, government reports and policy documents, as well as scholarly, philosophical, and practical articles, and news stories. Current privacy, data protection and information technology developments will be discussed regularly.

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## Disability Rights Law

**Course #:** 2058      **Term:** 2025SP      **Faculty:** Stein, Michael Ashley      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Health Fee; Civil Rights/Liberties; Disability; Health/Bioethics/Biotechnology; State Courts; Civil Rights; Disability Law; Civil Rights; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Civil Rights; Constitutional Law; Disability Law; Employment and Labor Law; Health, Food, and Drug Law; Human Rights; International Law; Jurisprudence and Legal Theory; State and Local Government

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 6:00 PM - 8:00 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam  
This course encompasses many aspects of United States disability rights, laws, and policies, with particular emphasis on the Americans with Disabilities Act (ADA) which regulates employment, state and local governments, transportation, and public accommodations. Readings, lectures, and other disability studies materials will provide context for the covered legal issues. All materials are posted to the course website. Your grade will be determined by a 15-20 page research and reflection paper.  
I am happy to meet with you at a mutually convenient time to discuss class, papers, jobs, life, etc. Please email me to make an appointment: [mastein@law.harvard.edu](mailto:mastein@law.harvard.edu). I am also available to review two drafts of your paper.  
Note: This course is not available for cross-registration.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Dispute Systems Design Clinical Seminar

**Course #:** 2194

**Term:** 2024FA

**Faculty:** Parrish, Deanna

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 3:45 PM - 5:45 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component Harvard Dispute Systems Design Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.Placement Site: HLS.

This 2-credit seminar is the required classroom component for students doing work through the Dispute Systems Design Clinic. Students will read and discuss works related to the various models for conducting conflict assessments, designing dispute systems, and working as an effective dispute system designer. In addition, readings and discussions will focus on the practical and ethical quandaries and special challenges faced by professionals in conflict resolution, mediation, and dispute systems design. Some sessions will require students to present problems related to the clinical work in which they are currently engaged to the members of the class for discussion and brainstorming.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Dispute Systems Design Clinical Seminar

**Course #:** 2194

**Term:** 2025SP

**Faculty:** Budish, Sara

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 3:45 PM - 5:45 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component Harvard Dispute Systems Design Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

This 2-credit seminar is the required classroom component for students doing work through the Dispute Systems Design Clinic. Students will read and discuss works related to the various models for conducting conflict assessments, designing dispute systems, and working as an effective dispute systems designer. In addition, readings and discussions will focus on the practical and ethical quandaries and special challenges faced by professionals in conflict resolution, mediation, and dispute systems design. Some sessions will require students to present problems related to the clinical work in which they are currently engaged to the members of the class for discussion and brainstorming.

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# Harvard Law School Course Catalog

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## Diversity and Dispute Resolution

**Course #:** 2929      **Term:** 2025WI      **Faculty:** Hoffman, David; Lee, Audrey      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Disability; Civil Rights; Disability Law; LGBTQ+; Civil Rights; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Race; Harvard Law School Project on Disability; Civil Rights; Disability Law; Gender and the Law; Leadership; LGBTQ+; Negotiation and Alternative Dispute Resolution; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

**Course Description:** Prerequisite: None

Exam Type: No Exam There will be no final exam or research paper - instead, students will write a 300-500 word reading response for each day of class, except for the final class, for which the reading response is 800-1,000 words.

In this course, we will examine the ways in which various types of diversity - such as class, culture, disability, ethnicity, gender, race, religion, and sexual orientation - impact the way we negotiate and resolve conflict, including the effects of intersectionality and privilege. Although the main focus of the class will be on readings and discussion, we will also use experiential exercises, including role plays, to enhance our personal understanding of how diversity affects our experience of conflict and our ability to manage difficult conversations involving identity and diversity.

Readings will include excerpts from Ta-Nehisi Coates, Kim Crenshaw, Richard Delgado, Trina Grillo, Jerry Kang, Jamaica Kincaid, Carol Liebman, Mari Matsuda, Larry Susskind, Isabel Wilkerson, and Kenji Yoshino.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Drug Product Liability Litigation

**Course #:** 2293

**Term:** 2024FA

**Faculty:** Grossi, Peter

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Torts; Torts; Torts; Civil Litigation; Health, Food, and Drug Law; Technology Law and Policy; Torts

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

**Course Description:**

Prerequisites: None

Exam Type: Any Day Take-home

Class participation (10%); short mid-term "bench memorandum" in mid-October (40%); final exam (open book) (50%).

More product liability lawsuits are filed against prescription drug manufacturers than against all other industries combined. As one scholar put it, the pharmaceutical industry is now "in tobacco-land in terms of how much people hate it," and drug product liability litigation is a "growth industry." This course, which will be taught by a practitioner with 25 years of experience trying such cases, will consider the theory and practice of such litigation before and after the Supreme Courts landmark decision in Wyeth v. Levine.

At the outset, we will focus on the similarities and differences between pharma cases and other product liability cases, using the "Phen-Fen" (Diet Drug) cases tried by the instructor as a model, and on the special context of FDA regulation. We will then consider the legal doctrines governing such lawsuits, such as "failure to test"; inadequate warning; learned intermediary; medical causation; and various forms of damages. We will discuss these issues both in their classic formulations in a single lawsuit, but also in the way those principles are applied in the context of a mass pharmaceutical litigation where there may be several thousand individual claimants and multiple jury trials.

The course will also consider the practical application of these doctrines, including the special evidentiary problems when doctors are witnesses; discovery tactics where regulatory agencies are involved; techniques to present complex scientific material to juries; approaches to trial examination; jury selection strategies; and the problems in structuring mass tort settlements. Again, we will review both the legal principles governing these issues and the way they are often mutated in the context of mass claims and trials. The final class will focus on the alternative ways vaccines and pandemic treatments are regulated and litigated.

Note: There is also a three-credit version of this course. You can view the details under a separate offering in the course catalog.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Drug Product Liability Litigation

**Course #:** 2293      **Term:** 2024FA      **Faculty:** Grossi, Peter      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Torts; Torts; Torts; Civil Litigation; Health, Food, and Drug Law; Torts

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Prerequisites: None  
Exam Type: Any Day Take-home  
Class participation (5%); mid-term (40%); final exam (15%); jury presentation (40%).  
More product liability lawsuits are filed against prescription drug manufacturers than against all other industries combined. As one scholar put it, the pharmaceutical industry is now "in tobacco-land in terms of how much people hate it," and drug product liability litigation is a "growth industry." This course, which will be taught by a practitioner with 25 years of experience trying such cases, will consider the theory and practice of such litigation before and after the Supreme Courts landmark decision in Wyeth v. Levine. At the outset, we will focus on the similarities and differences between pharma cases and other product liability cases, using the "Phen-Fen" (Diet Drug) cases tried by the instructor as a model, and on the special context of FDA regulation. We will then consider the legal doctrines governing such lawsuits, such as "failure to test"; inadequate warning; learned intermediary; medical causation; and various forms of damages. We will discuss these issues both in their classic formulations in a single lawsuit, but also in the way those principles are applied in the context of a mass pharmaceutical litigation where there may be several thousand individual claimants and multiple jury trials. The course will also consider the practical application of these doctrines, including the special evidentiary problems when doctors are witnesses; discovery tactics where regulatory agencies are involved; techniques to present complex scientific material to juries; approaches to trial examination; jury selection strategies; and the problems in structuring mass tort settlements. Again, we will review both the legal principles governing these issues and the way they are often mutated in the context of mass claims and trials. The final class will focus on the alternative ways vaccines and pandemic treatment drugs are regulated and litigated.  
Note: There is also a two-credit version of this course. The three-credit version of the course will include all of the classes and materials in the two-credit version. In addition, the students who elect to take the three-credit version will review, in detail, the transcript of an actual trial of a drug product liability case. They will then each prepare a 4-5 page (with Powerpoints) section of competing statements they will present, in teams, to a jury composed of Cambridge residents (not members of the HLS community). The jurors, in turn, will provide their reactions, much as the jury research most sophisticated practitioners conduct prior to major product liability actions. The three-credit version will include additional class time to work as a team on the presentation. The presentation to the jurors will be a final (3 hour) class.

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# Harvard Law School Course Catalog

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## Economic Analysis of Law

**Course #:** 2062      **Term:** 2024FA      **Faculty:** Shavell, Steven      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Real Estate/Property; Contracts; Property; Torts; Contracts; Property; Torts; Contracts; Property; Torts; Contracts; Criminal Law and Procedure; Law and Economics; Property; Torts

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 8:30 AM - 10:00 AM

Tue 8:30 AM - 10:00 AM

**Course Description:** Prerequisites: None  
Exam Type: In Class  
What effects does law have? Do corporations pollute less, market safer products, and adhere more often to their contractual obligations in order to avoid suit? Is innovation spurred by intellectual property rights? Are individuals led to comply with the tax rules, drive more carefully, and commit fewer crimes by the prospect of sanctions for wrongdoing? Such questions about the influence of legal rules on outcomes—and about the social desirability of the outcomes—have been investigated by legal scholars and economists in a systematic manner since the 1970s. Their approach is widely considered to be intellectually important and to be of significant value in practice. This course will survey the field of economic analysis of law and illustrate its relevance to judicial decisions, legal argument, expert witness work, and public policy. The subjects covered are the major building blocks of law: torts, contracts, property law, criminal law, and the legal process. The course will also address the tension between functional, economic arguments and those phrased in moral terms. The course is aimed at a general audience of students; no background in economics is needed to take it.  
Textbook: Steven Shavell. Foundations of Economic Analysis of Law, Harvard University Press, 2004 (available for free downloading from the Law School library).

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# Harvard Law School Course Catalog

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## Economic Tools of National Security

**Course #:** 3306

**Term:** 2024FA

**Faculty:** Eichensehr, Kristen

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Administrative and Regulatory Law; International Law; National Security Law; Technology Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

As the United States has pulled back from military engagements around the world, it is relying more heavily on economic tools to address national security concerns. The United States has deployed economic sanctions, export controls, and investment screening regimes to address issues such as Russia's invasion of Ukraine, technological competition with China, cybersecurity threats, proliferation of weapons of mass destruction, and human rights abuses. Many of these economic tools rest on long-standing delegations of authority to the executive branch that are being deployed in new and different ways or at a different scale. Among other topics, this seminar will explore the legal authorities underlying the executive branch's use of economic tools of national security, the role that Congress plays in authorizing and overseeing executive branch actions, and the role of courts in reviewing challenges from regulated parties. It will also look internationally to the comparative practice of other countries and to international law and institutions that might limit U.S. use of economic tools of national security.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Education Law Clinic: Individual Representation

**Course #:** 8006      **Term:** 2024FA      **Faculty:** Guinn, Jodi      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Disability; Education; Family; State Courts; Disability Law; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Family Member; Education; Administrative and Regulatory Law; Children and Family Law; Disability Law; Education Law; Poverty Law and Economic Justice; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Special Education Advocacy for Students Impacted by Trauma (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Early drop of August 5, 2024.Placement Site: HLS.

Students must attend a mandatory orientation session on Friday, September 6, 2024 from 1:00-4:00pm. The Education Law Clinic: Individual Representation engages students in individual client representation in special education as well as systemic change advocacy to advance the school success of children who have endured highly adverse childhood experiences. Students use the legal tools contained in the federal Individuals with Disabilities Education Act (IDEA) and related laws (including the McKinney-Vento Homeless Assistance Act, Section 504 of the Rehabilitation Act of 1972, federal Medicaid laws, and federal and state statutes regarding confidentiality, among others) to advocate for individual remedies that will enable their clients children to succeed in school. Students will utilize research from psychology, neurobiology, and education about the effects of trauma on learning to inform their representation. Depending on the posture of the cases in the clinic, students will represent clients either at the first administrative hearing level - the IEP team meeting - or at the administrative appeal level - the Bureau of Special Education Appeals. Past students have made enormous differences in the lives of children by obtaining an appropriate education, and in many cases reversing school exclusions, for individual children at school. Though the major focus of students clinic work will be direct client representation, students will also engage in systemic advocacy that furthers the Clinic's broader mission. In recent semesters, this has included conducting legal trainings for expert evaluators and community-based mental health providers so they can assist their families to navigate the special education system at school and assert their legal rights. The Education Law Clinic is part of the Trauma and Learning Policy Initiative (TLPI), the mission of which is to ensure that all children, including those traumatized by exposure to violence and other adverse childhood experiences, succeed in school. The clinics direct legal representation of individual families is a key strategy in TLPIs ongoing multi-strategic advocacy campaign to create safe and supportive school environments where all students can learn and thrive.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Education Law Clinic: Individual Representation

**Course #:** 8006

**Term:** 2025SP

**Faculty:** Guinn, Jodi

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Disability; Education; Family; State Courts; Disability Law; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Family Member; Education; Administrative and Regulatory Law; Children and Family Law; Disability Law; Education Law; Poverty Law and Economic Justice; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

### Course Description:

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Special Education Advocacy for Students Impacted by Trauma (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Early drop of November 15, 2024.Placement Site: HLS.

Students must attend a mandatory orientation session on Friday, January 31, 2025 from 1:00-4:00pm.

The Education Law Clinic: Individual Representation engages students in individual client representation in special education as well as systemic change advocacy to advance the school success of children who have endured highly adverse childhood experiences. Students use the legal tools contained in the federal Individuals with Disabilities Education Act (IDEA) and related laws (including the McKinney-Vento Homeless Assistance Act, Section 504 of the Rehabilitation Act of 1972, federal Medicaid laws, and federal and state statutes regarding confidentiality, among others) to advocate for individual remedies that will enable their clients children to succeed in school. Students will utilize research from psychology, neurobiology, and education about the effects of trauma on learning to inform their representation.

Depending on the posture of the cases in the clinic, students will represent clients either at the first administrative hearing level - the IEP team meeting - or at the administrative appeal level - the Bureau of Special Education Appeals. Past students have made enormous differences in the lives of children by obtaining an appropriate education, and in many cases reversing school exclusions, for individual children at school. Though the major focus of students clinic work will be direct client representation, students will also engage in systemic advocacy that furthers the Clinic's broader mission. In recent semesters, this has included conducting legal trainings for expert evaluators and community-based mental health providers so they can assist their families to navigate the special education system at school and assert their legal rights. The Education Law Clinic is part of the Trauma and Learning Policy Initiative (TLPI), the mission of which is to ensure that all children, including those traumatized by exposure to violence and other adverse childhood experiences, succeed in school. The clinics direct legal representation of individual families is a key strategy in TLPIs ongoing multi-strategic advocacy campaign to create safe and supportive school environments where all students can learn and thrive.

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# Harvard Law School Course Catalog

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## Education Law Clinic: Legislative & Administrative Lawyering

**Course #:** 8057      **Term:** 2024FA      **Faculty:** Gregory, Michael      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Education; Family; State Courts; Family Member; Education; Administrative and Regulatory Law; Children and Family Law; Education Law; Poverty Law and Economic Justice; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Systemic Advocacy for Safe and Supportive Schools (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: Early drop of August 2, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Education Law Clinic is part of the Youth Advocacy & Policy Labs (Y-Lab) Trauma and Learning Policy Initiative (TLPI). TLPI's mission is to ensure that all students succeed in school, including those traumatized by exposure to violence and other adverse childhood experiences, including experiences of racism and other forms of structural inequality. Students in this clinic will participate directly in TLPI's ongoing multi-strategic advocacy campaign for antiracist, healing-centered, trauma-sensitive schools in Massachusetts. Students will learn by doing state-level legislative and administrative lawyering work that furthers TLPI's mission, with particular attention paid to elevating the voices of impacted students. In Spring 2021, students in the clinic launched a website called Students Speak, which showcases advocacy and actions by Massachusetts high school students, and clinic students will continue to build on this work going forward. Specific activities will vary depending on the semester, but have included: supporting secondary school students to testify at the Massachusetts legislature and before other public bodies; meeting directly with members of the legislature, the education bureaucracy, and their staff; organizing a legislative briefing; organizing a statewide, day-long Youth Summit; drafting and distributing media advisories, op-eds, and press releases; communicating with and rallying constituents to advocate with their lawmakers; organizing an agenda for and participating in a coalition meeting; using branding and media as strategies for effectively conveying a message; using empirical research as part of an advocacy strategy; and drafting legislation.

Please note that students are required to schedule a substantial portion of their clinic office hours on Tuesdays, Wednesdays and Thursdays because these are the days the Massachusetts legislature is typically in session. Beginning in the third week of the semester, students will be required to attend a one-hour weekly team meeting each Tuesday morning from 9:00-10:00 am. Also, please be sure to consult the course description for the co-requisite seminar, Systemic Advocacy for Safe and Supportive Schools, to review the unique course schedule.

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# Harvard Law School Course Catalog

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## Education Law Clinic: Legislative & Administrative Lawyering

**Course #:** 8057      **Term:** 2025SP      **Faculty:** Gregory, Michael      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Education; Family; State Courts; Race; Family Member; Education; Administrative and Regulatory Law; Children and Family Law; Education Law; Poverty Law and Economic Justice; Race and the Law; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Systemic Advocacy for Safe and Supportive Schools (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: Early drop of November 15, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Education Law Clinic is part of the Youth Advocacy & Policy Labs (Y-Lab) Trauma and Learning Policy Initiative (TLPI). TLPI's mission is to ensure that all students succeed in school, including those traumatized by exposure to violence and other adverse childhood experiences, including experiences of racism and other forms of structural inequality. Students in this clinic will participate directly in TLPI's ongoing multi-strategic advocacy campaign for antiracist, healing-centered, trauma-sensitive schools in Massachusetts. Students will learn by doing state-level legislative and administrative lawyering work that furthers TLPI's mission, with particular attention paid to elevating the voices of impacted students. In Spring 2021, students in the clinic launched a website called Students Speak, which showcases advocacy and actions by Massachusetts high school students, and clinic students will continue to build on this work going forward. Specific activities will vary depending on the semester, but have included: supporting secondary school students to testify at the Massachusetts legislature and before other public bodies; meeting directly with members of the legislature, the education bureaucracy, and their staff; organizing a legislative briefing; organizing a statewide, day-long Youth Summit; drafting and distributing media advisories, op-eds, and press releases; communicating with and rallying constituents to advocate with their lawmakers; organizing an agenda for and participating in a coalition meeting; using branding and media as strategies for effectively conveying a message; using empirical research as part of an advocacy strategy; and drafting legislation.

Please note that students are required to schedule a substantial portion of their clinic office hours on Tuesdays, Wednesdays and Thursdays because these are the days the Massachusetts legislature is typically in session. Beginning in the third week of the semester, students will be required to attend a one-hour weekly team meeting each Tuesday morning from 9:00-10:00 am. Also, please be sure to consult the course description for the co-requisite seminar, Systemic Advocacy for Safe and Supportive Schools, to review the unique course schedule.

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# Harvard Law School Course Catalog

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## Education Law Clinic: Strategic Litigation

**Course #:** 8059      **Term:** 2024FA      **Faculty:** Gregory, Michael      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Education; Family; State Courts; Civil Rights; State and Federal Courts; Civil Rights; Family Member; Education; Children and Family Law; Civil Litigation; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure; Education Law; Poverty Law and Economic Justice; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Required Class Component: Strategic Litigation in Education Clinical Seminar (2 fall credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Please contact Prof. Gregory for more information.

Add/Drop Deadline: August 23, 2024.

Placement Site: HLS.

Students in this clinic will engage in preparing the groundwork for possible state constitutional litigation designed to fully define and enforce the right to a meaningful public education. More specifically, we aim to pursue a vision for the constitutional right to an education that clearly outlines the educational outcomes and resource inputs necessary to provide all students with the skills and capacities they need to participate meaningfully in democratic society and in the world of work. In collaboration with the Center for Educational Equity at Columbia University, the Clinic has outlined a national action plan for pursuing such advocacy across the country and has begun deep work in one particular state where we hope to establish the efficacy of our model. In this particular state, clinic students will work closely with our partner organization - a youth voice non-profit founded by secondary school students - to carry out a public engagement campaign designed to elicit factual evidence about the state of public education in local communities, build relationships with key individuals and organizations, increase public awareness, and identify potential plaintiffs. This campaign will include a series of regional public forums across the state throughout the winter and spring that clinic students will help to plan and implement. Students will analyze and synthesize transcripts from these forums and prepare memos that detail key findings. Students will also identify particular forum attendees for follow-up in-depth interviews and will conduct interviews in collaboration with secondary school student partners. All of this factfinding will result in a state of our schools report to be authored and released by our partner organization. The findings in the report will also potentially serve as key allegations in a state court complaint, which we may begin drafting before the conclusion of the semester. In addition to the work outlined above in our first state, students may also engage in research and stakeholder outreach to develop potential advocacy activities in other states identified as viable jurisdictions for implementation of our advocacy model. Students in this clinic will also be required to register for a companion seminar that will focus on the historical, jurisprudential, and doctrinal underpinnings of our legal theory.

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# Harvard Law School Course Catalog

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## Education Law Clinic: Strategic Litigation

**Course #:** 8059      **Term:** 2025SP      **Faculty:** Gregory, Michael      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Education; Family; State Courts; Civil Rights; State and Federal Courts; Civil Rights; Family Member; Education; Children and Family Law; Civil Litigation; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure; Education Law; Poverty Law and Economic Justice; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Required Class Component: Strategic Litigation in Education Clinical Seminar (2 spring credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Please contact Prof. Gregory for more information.

Add/Drop Deadline: December 13, 2024.

Placement Site: HLS.

Students in this clinic will engage in preparing the groundwork for possible state constitutional litigation designed to fully define and enforce the right to a meaningful public education. More specifically, we aim to pursue a vision for the constitutional right to an education that clearly outlines the educational outcomes and resource inputs necessary to provide all students with the skills and capacities they need to participate meaningfully in democratic society and in the world of work. In collaboration with the Center for Educational Equity at Columbia University, the Clinic has outlined a national action plan for pursuing such advocacy across the country and has begun deep work in one particular state where we hope to establish the efficacy of our model. In this particular state, clinic students will work closely with our partner organization - a youth voice non-profit founded by secondary school students - to carry out a public engagement campaign designed to elicit factual evidence about the state of public education in local communities, build relationships with key individuals and organizations, increase public awareness, and identify potential plaintiffs. This campaign will include a series of regional public forums across the state throughout the winter and spring that clinic students will help to plan and implement. Students will analyze and synthesize transcripts from these forums and prepare memos that detail key findings. Students will also identify particular forum attendees for follow-up in-depth interviews and will conduct interviews in collaboration with secondary school student partners. All of this factfinding will result in a state of our schools report to be authored and released by our partner organization. The findings in the report will also potentially serve as key allegations in a state court complaint, which we may begin drafting before the conclusion of the semester. In addition to the work outlined above in our first state, students may also engage in research and stakeholder outreach to develop potential advocacy activities in other states identified as viable jurisdictions for implementation of our advocacy model. Students in this clinic will also be required to register for a companion seminar that will focus on the historical, jurisprudential, and doctrinal underpinnings of our legal theory.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Election Law

**Course #:** 2928

**Term:** 2024FA

**Faculty:** Charles, Guy-Uriel

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Rights; Constitutional Law; Election Law and Democracy; Law and Political Economy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

In this course will examine the constitutional and statutory rules that govern our democracy. Substantive topics will include the constitutional structure of republican government, the sources of state and federal power to regulate the electoral system, distribution of the franchise and the right to vote, apportionment and representation, the federal Voting Rights Act, the regulation of candidacy, the party system, election administration, and campaign finance. Throughout, we will try to discern the social and philosophical assumptions underlying contemporary election law doctrine and determine whether existing legal frameworks effectively institutionalize those assumptions.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Election Law Clinic

**Course #:** 8053      **Term:** 2024FA      **Faculty:** Greenwood, Ruth; Stephanopoulos, Nicholas      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Litigation; Civil Rights; Constitutional Law; Election Law and Democracy; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Election Law Clinical Seminar (2 fall classroom credits). The clinic and course are bundled; your enrollment in the clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: TBD.  
Add/Drop Deadline: August 23, 2024.  
LLM Students: TBD.  
The Election Law Clinic offers Harvard Law students the opportunity to do hands-on litigation and advocacy work across a range of election law areas, including current active redistricting and vote suppression cases. Clinic offerings will include federal and state litigation projects, as well as some advocacy opportunities. Under the supervision of Clinic Director Ruth Greenwood, Litigation Director Theresa Lee, and Clinical Instructor Daniel Hessel, clinic students will work on every aspect of litigation, including pre-filing investigations, meeting and retaining clients, engaging in lay and expert discovery, briefing and arguing dispositive motions, pre-trial preparations and trial practice, as well as the appellate process. Election law cases rely heavily on political scientists as experts, so students will have broad exposure to emerging theories and methods in political science and how to communicate them to a legal audience. Students will also engage in one-off amicus brief work for cases of national importance. Professor Nicholas Stephanopoulos will provide strategic guidance and supervision for briefing, expert discovery, and appellate work.  
In addition to the regular caseload, students may work on advocacy opportunities such as drafting legislation, legislative testimony, and engaging experts in the policy advocacy process at the federal and state levels. There will also be opportunities to attend national and state coalition meetings that include lawyers, organizers, and communications experts.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Election Law Clinic

**Course #:** 8053      **Term:** 2025SP      **Faculty:** Greenwood, Ruth; Stephanopoulos, Nicholas      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Litigation; Civil Rights; Constitutional Law; Election Law and Democracy; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Election Law Clinical Seminar (2 spring classroom credits). The clinic and course are bundled; your enrollment in the clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: TBD.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: TBD.  
The Election Law Clinic offers Harvard Law students the opportunity to do hands-on litigation and advocacy work across a range of election law areas, including current active redistricting and vote suppression cases. Clinic offerings will include federal and state litigation projects, as well as some advocacy opportunities. Under the supervision of Clinic Director Ruth Greenwood, Litigation Director Theresa Lee, and Clinical Instructor Daniel Hessel, clinic students will work on every aspect of litigation, including pre-filing investigations, meeting and retaining clients, engaging in lay and expert discovery, briefing and arguing dispositive motions, pre-trial preparations and trial practice, as well as the appellate process. Election law cases rely heavily on political scientists as experts, so students will have broad exposure to emerging theories and methods in political science and how to communicate them to a legal audience. Students will also engage in one-off amicus brief work for cases of national importance. Professor Nicholas Stephanopoulos will provide strategic guidance and supervision for briefing, expert discovery, and appellate work.  
In addition to the regular caseload, students may work on advocacy opportunities such as drafting legislation, legislative testimony, and engaging experts in the policy advocacy process at the federal and state levels. There will also be opportunities to attend national and state coalition meetings that include lawyers, organizers, and communications experts.

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# Harvard Law School Course Catalog

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## Election Law Clinical Seminar

**Course #:** 3005      **Term:** 2024FA      **Faculty:** Greenwood, Ruth; Lee, Theresa      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Litigation; Civil Rights; Constitutional Law; Election Law and Democracy; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Required Clinic Component: Election Law Clinic (2-5 fall clinical credits). The clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: TBD.  
Add/Drop Deadline: August 23, 2024.  
LLM Students: TBD.  
This seminar is for all students enrolled in the fall Election Law Clinic. The seminar will expose students to all stages of election law litigation including researching and filing a case, preliminary relief, discovery, trial testimony, and appellate work. It also offers insight into voting rights policy advocacy. It features a number of practitioners as guest speakers, and culminates in students presenting their own litigation or advocacy proposal to the class.  
Please see the Election Law Clinic course description for additional information.

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# Harvard Law School Course Catalog

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## Election Law Clinical Seminar

**Course #:** 3005      **Term:** 2025SP      **Faculty:** Greenwood, Ruth; Lee, Theresa      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Litigation; Civil Rights; Constitutional Law; Election Law and Democracy; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Required Clinic Component: Election Law Clinic (2-5 spring clinical credits). The clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: TBD.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: TBD.  
This seminar is for all students enrolled in the spring Election Law Clinic. The seminar will expose students to all stages of election law litigation including researching and filing a case, preliminary relief, discovery, trial testimony, and appellate work. It also offers insight into voting rights policy advocacy. It features a number of practitioners as guest speakers, and culminates in students presenting their own litigation or advocacy proposal to the class.  
Please see the Election Law Clinic course description for additional information.

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# Harvard Law School Course Catalog

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## Empirical Law and Finance

**Course #:** 2253      **Term:** 2024FA      **Faculty:** Cohen, Alma; Bebchuk, Lucian      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

Empirical tools have been increasingly used in litigation, regulation, and policymaking in the fields of corporate law, corporate governance, securities regulation, and financial regulation. This course will aim to expose students to, and enable them to engage with, empirical work in these fields. To this end, sessions of this course will feature professors from law schools and business schools who will present and discuss their empirical research studies with the students.

The course will meet for six 2-hour sessions which will take place during the time slot of the course and will be concentrated during the first two months of the semester. There will be no examination. Instead, students will be asked to submit, before sessions, brief memos on the readings assigned for the session. Grades will be based on these memos (primarily) and on participation in class discussion.

Some background or interest in corporate law, economics, finance, or empirical methods will be helpful, but no technical knowledge in these areas will be necessary. Students who have questions regarding whether the course would be suitable for them should feel free to contact the instructor.

Note: This course will meet for six sessions, which will be concentrated during the first two months of the semester.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Empirical Methods and Data Analysis for Lawyers

**Course #:** 2708

**Term:** 2024FA

**Faculty:** Cohen, Alma

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: None

Exam Type: No Exam

Empirical data, as well as empirical tools and concepts, are increasingly used in litigation, regulation, and legal policymaking and research. This course aims at providing students with basic training in using statistical and empirical tools. No prior work in empirical methods or statistics will be required or assumed. The course is hands-on and applied in nature, and the course will therefore count toward fulfilling the law school's experiential learning requirement. Students will learn to use a standard statistical/empirical software package and subsequently use it to analyze data.

Topics that will be covered include descriptive statistics and graphs, statistical inferences and hypothesis testing, correlation, regressions (both simple regression and multiple regression), and distinguishing between correlation and causation. Students will use actual data, and law-related examples will be used to illustrate the concepts and tools taught.

There will be no exam. Instead, students will be required to submit ungraded exercises and to submit an empirical analysis of a dataset. Grading will be based on the student's empirical analysis of the dataset. Note: The course will meet for 18 two-hour sessions, which will all meet during the time slot of the course and will be concentrated during the first two months of the semester.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Employment Law

**Course #:** 2069

**Term:** 2024FA

**Faculty:** Block, Sharon

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Employment and Labor Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:**

Prerequisite: None

Exam Type: One-Day Take-Home

In this 4-credit course, we will examine the laws that govern and structure the employment relationship in nonunion workplaces. As such, the course will provide students an understanding of the law of work for the vast majority of workers in the U.S. We will discuss the elements of establishing employee versus independent contractor status and examine the implications of that difference throughout the course. We will address the doctrine of employment at will, along with exceptions to that rule. We will cover the basic principles of employment discrimination law; the constitutional rights (including the free speech rights) of public employees; mandatory arbitration of workplace disputes and employment rights; post-employment issues including covenants not to compete; workplace safety and health; and the laws governing wages and hours.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Employment Law Clinic

**Course #:** 8012      **Term:** 2025SP      **Faculty:** Churchill, Steve      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Disability; Civil Rights; Disability Law; LGBTQ+; Civil Rights; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Harvard Law School Project on Disability; Civil Litigation; Civil Rights; Disability Law; Employment and Labor Law; Gender and the Law; LGBTQ+; Poverty Law and Economic Justice

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Employment Law Workshop: Strategies for Social Change (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
Placement Site: Various externship placements.  
The Employment Law Clinic focuses on rights in the workplace, with a particular emphasis on state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. Work may also address issues such as unemployment benefits, wage and hour claims, severance negotiations, union issues, workplace safety, and more. Students in this clinic will have placements at externships, such as with non-profit/advocacy groups (such as Lawyers for Civil Rights; Gay and Lesbian Advocates and Defenders; Justice at Work; or Greater Boston Legal Services) or with government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; the U.S. Equal Employment Opportunity Commission; or the U.S. Department of Labor).  
Placements: Students who enroll in this clinic will be contacted by the Office of Clinical and Pro Bono Programs to begin the placement process of matching students with externship organizations. This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Most placement organizations are open Monday-Friday from 9am-5pm.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Employment Law Clinic

**Course #:** 8012      **Term:** 2024FA      **Faculty:** Churchill, Steve      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Disability; Civil Rights; Disability Law; LGBTQ+; Civil Rights; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Harvard Law School Project on Disability; Civil Litigation; Civil Rights; Disability Law; Employment and Labor Law; Gender and the Law; LGBTQ+; Poverty Law and Economic Justice

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Employment Law Workshop: Advocacy Skills (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: August 23, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
Placement Site: Various externship placements.  
The Employment Law Clinic focuses on rights in the workplace, with a particular emphasis on state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. Work may also address issues such as unemployment benefits, wage and hour claims, severance negotiations, union issues, workplace safety, and more. Students in this clinic will have placements at externships, such as with non-profit/advocacy groups (such as Lawyers for Civil Rights; Gay and Lesbian Advocates and Defenders; Justice at Work; or Greater Boston Legal Services), or with government agencies (such as the Massachusetts Commission Against Discrimination; the Massachusetts Attorney Generals Office; the U.S. Equal Employment Opportunity Commission; or the U.S. Department of Labor).  
Placements: Students who enroll in this clinic will be contacted by the Office of Clinical and Pro Bono Programs to begin the placement process of matching students with externship organizations. This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Most placement organizations are open Monday-Friday from 9am-5pm.

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# Harvard Law School Course Catalog

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## Employment Law Workshop: Advocacy Skills

**Course #:** 2070      **Term:** 2024FA      **Faculty:** Churchill, Steve      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Disability; Civil Rights; Disability Law; LGBTQ+; Civil Rights; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Harvard Law School Project on Disability; Civil Litigation; Civil Rights; Disability Law; Employment and Labor Law; Gender and the Law; LGBTQ+; Poverty Law and Economic Justice

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Required Clinic Component: Employment Law Clinic (3-5 fall clinical credits). This clinic and course are bundled; enrollment in the clinic will automatically enroll you in this course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: August 23, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
This course will develop lawyering skills in the context of employment law. After a brief overview of relevant doctrine and procedure, the course will address - through readings, lectures, and exercises - skills related to legal writing, oral advocacy, discovery, depositions, negotiations, counseling, and ethics. The course will follow the progress of a typical civil rights lawsuit involving a terminated employee. For example, one class session will require students to engage in a mock deposition of an opposing witness in a hypothetical sex discrimination case, and the next class will require students to engage in a negotiation in the same case.  
A more general goal of the course is to develop the ability (1) to identify what skills make a lawyer effective, and (2) to implement strategies for independently identifying and improving those critical skills. Because this goal is advanced by exposure to actual lawyering, all students will have a clinical placement with the Employment Law Clinic. The workshop will require completion of an individual or group project that will connect clinical placements with course topics.

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# Harvard Law School Course Catalog

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## Employment Law Workshop: Strategies for Social Change

**Course #:** 2071

**Term:** 2025SP

**Faculty:** Churchill, Steve

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Disability; Civil Rights; Disability Law; LGBTQ+; Civil Rights; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Race; Harvard Law School Project on Disability; Civil Litigation; Civil Rights; Disability Law; Employment and Labor Law; Gender and the Law; LGBTQ+; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 6:00 PM - 8:00 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Employment Law Clinic (3-5 spring clinical credits). This clinic and course are bundled; enrollment in the clinic will automatically enroll you in this course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

This course will examine how lawyers can use different strategies to effect social change, with a special emphasis on advancing the right to be free from workplace discrimination based on protected characteristics such as race and sex. After surveying the relevant law and reviewing empirical information about the nature of civil rights violations, we will evaluate possible strategies for social change, including government action, individual and class action litigation, self regulation, alternative dispute resolution, organizing, and social entrepreneuring. All students will have a clinical placement through the Employment Law Clinic. All clinical placements will include exposure to some aspect of employment rights and will play an important role in bringing diverse perspectives to the workshop. The workshop will require completion of an individual or group project. Projects may include some combination of empirical research, legal analysis, program evaluation, or other approaches to examining and improving the effectiveness of existing workplace protections.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Engaging China

**Course #:** 2650

**Term:** 2024FA

**Faculty:** Alford, William

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Comparative Law; Corporate and Transactional Law; Human Rights; International Law; Law and Political Economy; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

This seminar will focus on the myriad of legal and related policy questions that are central to the U.S.-P.R.C. relationship. Earlier iterations of this class have addressed issues regarding trade, human rights, technology transfer, corporate governance, climate change, corruption, foreign direct and portfolio investment, disability, Taiwan, competing visions of law and development (as played out in Africa), and the role of lawyers. We anticipate covering a similar set of topics next fall, and may also delve into AI, sanctions, and law of the sea, among other topics.

In addressing such topics, the seminar will examine the role that China has been playing in a world order in flux. We will consider, inter alia, China's engagement of existing global norms, ways in which China may (or may not) now or in the foreseeable future be shaping such norms, and their impact on China. We will do so in a global setting, considering U.S. engagement of such norms, as well as that of selected other countries.

The written work for this seminar is intended to enable students to satisfy HLS's professional writing requirement and will take the form of memos and briefing papers. We also anticipate at least two mock negotiations.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Entrepreneurship and Venture Capital

**Course #:** 2073

**Term:** 2025SP

**Faculty:** Hornik, David

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Technology Law and Policy

**Delivery Mode:** Course

### Days and Times:

### Location

Tue 6:00 PM - 8:00 PM

Wed 6:00 PM - 8:00 PM

Thu 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: None

Exam: No Exam

This course focuses on the entrepreneurial process—from company creation and formation to finance. The course will cover a range of topics following the life-cycle of a company and will engage students in hands-on activities to reinforce key learnings about entrepreneurship, including executive summary writing and term sheet negotiation (there will be no written exam). Students will learn about the startup process from entrepreneurs and venture capitalists with decades of company building experience.

Note: This course will meet over two weeks in April, dates TBD.

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# Harvard Law School Course Catalog

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## Environmental Justice

**Course #:** 3114      **Term:** 2025SP      **Faculty:** Simms, Patrice      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Rights; Environmental Law and Policy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:30 AM - 12:00 PM

Fri 10:30 AM - 12:00 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

Environmental justice has taken center stage as a social, political, and legal issue in recent years, and one cannot fully understand environmental law and policy, or the contemporary environmental movement, without a meaningful appreciation of the history, goals, and principles of environmental justice. Emerging at the intersection of environment and civil rights, the environmental justice movement is a response to the lived experience of people of color, and an indictment of the many ways that race determines environmental burdens and affects people's access to environmental decision-making. This course will explore the history of the environmental justice movement in the United States, its connection to the long history of racism in America, key features of modern environmental justice advocacy, and the laws and policies that both helped to create (and perpetuate) environmental inequity and that seek to remedy environmental injustice. We will explore important principles of procedural justice and distributive justice and how they play out in the environmental arena, the role of federal agencies and federal regulatory programs like the Clean Air Act, and the relationship between the environmental justice community and the largely white-led mainstream environmental movement. Finally, we will examine recent developments, and consider the kinds of changes in law and policy that offer the most promise for creating a more fair, equitable, and just environmental policy landscape.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Environmental Law

**Course #:** 2074

**Term:** 2024FA

**Faculty:** Freeman, Jody

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Administrative and Regulatory Law; Environmental Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 1:30 PM - 3:30 PM

Fri 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None

Exam Type: One Day Take-Home

This introductory course will focus on the variety of legal mechanisms we use to address environmental harms such as air and water pollution, global climate change, and habitat destruction. We will focus on the key federal environmental statutes, including the National Environmental Policy Act, the Clean Air Act, the Clean Water Act, and the Endangered Species Act, and the leading cases in which these statutes have been interpreted by courts. The statutes will be studied in some detail so that students emerge with a basic understanding of their major regulatory provisions. Thematically, the statutes serve as illustrations of different regulatory approaches to environmental problems, from command and control standards to market-based instruments. In addition, we will discuss important matters of policy, including the Obama administrations efforts to address climate change through the use of Executive Power, and the Trump administrations efforts to rescind these policies. The course will also cover developments in constitutional law which significantly affect federal environmental law; and will cover the role of cost-benefit analysis in environmental regulation. Finally, we will discuss the political economy of environmental regulation, specifically the role played by interest groups (both industry and environmental organizations) in producing, implementing and enforcing environmental law.

Students need not be self-identified "environmentalists" to be interested in this course. Nearly every area of law is now affected by environmental regulation, including private law fields such as real estate, bankruptcy and financial regulation. The legal issues presented by environmental problems offer ample opportunities for students to develop important and transferable legal skills, including statutory interpretation, constitutional analysis and application of administrative law doctrines.

Laptops and other electronic devices will not be permitted in class. Regular attendance and participation in class discussion is expected.

Cross-Registration: No undergraduates please, and cross-reg students allowed only with permission of instructor.

Note: This course is not available for auditing.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Environmental Law and Policy Clinic

**Course #:** 8008      **Term:** 2024FA      **Faculty:** Mergen, Andrew      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** State Courts; Administrative and Regulatory Law; Environmental Law and Policy; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Environmental Law and Policy Clinical Course (1 fall classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: Most clinical work is done on HLS campus; some placements are available at externship locations (government agencies and nonprofits). Students are carefully matched to their projects/placements by the Clinic Director approximately 4 weeks in advance of the semester. Certain projects and placements have a longer lead time. The Clinic Director speaks with each enrolled student to determine the appropriate project or placement.

This clinic is available for 4 or 5 clinical credits, plus 1 credit for the required class component. Students wishing to take the clinic for 3 clinical credits must apply to the Clinic Director to receive an exception and waiver; students approved to take the clinic for 3 clinical credits will still be required to take the 1 credit class component.

The Emmett Environmental Law and Policy Clinic at Harvard Law School offers students the opportunity to practice environmental law through work on a variety of litigation, administrative, legislative, and policy projects. The Clinic works with scientists, medical professionals, nonprofit and public interest organizations, and government clients on environmental and energy issues at the federal, state, and local level. The work includes writing briefs and comment letters, drafting climate change mitigation and adaptation regulations and policies for municipalities, preparing guidance documents and manuals for non-lawyers, drafting model legislation, and preparing policy papers. The Clinic develops novel strategies to address thorny environmental problems; investigates new cases; works with scientific, economic, and policy experts to help them present their views about the impacts of legal reforms; advises citizen scientists; and convenes meetings of policy-makers and regulators.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Environmental Law and Policy Clinic

**Course #:** 8008      **Term:** 2025SP      **Faculty:** Mergen, Andrew      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** State Courts; Administrative and Regulatory Law; Environmental Law and Policy; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Environmental Law and Policy Clinical Course (1 spring classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required one-credit course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: Most clinical work is done on campus; some placements are available at externship locations (government agencies and nonprofits). Students are carefully matched to their projects/placements by the Clinic Director approximately 4 weeks in advance of the semester. Certain projects and placements have a longer lead time. The Clinic Director speaks with each enrolled student to determine the appropriate project or placement.

This clinic is available for 4 or 5 clinical credits, plus 1 credit for the required class component. Students wishing to take the clinic for 3 clinical credits must apply to the Clinic Director to receive an exception and waiver; students approved to take the clinic for 3 clinical credits will still be required to take the 1 credit class component.

The Emmett Environmental Law and Policy Clinic at Harvard Law School offers students the opportunity to practice environmental law through work on a variety of litigation, administrative, legislative, and policy projects. The Clinic works with scientists, medical professionals, nonprofit and public interest organizations, and government clients on environmental and energy issues at the federal, state, and local level. The work includes writing briefs and comment letters, drafting climate change mitigation and adaptation regulations and policies for municipalities, preparing guidance documents and manuals for non-lawyers, drafting model legislation, and preparing policy papers. The Clinic develops novel strategies to address thorny environmental problems; investigates new cases; works with scientific, economic, and policy experts to help them present their views about the impacts of legal reforms; advises citizen scientists; and convenes meetings of policy-makers and regulators.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Environmental Law and Policy Clinic

**Course #:** 8008      **Term:** 2025WI      **Faculty:** Mergen, Andrew      **Credits:** 2.00

**Type:** Clinic      **Subject Areas:** State Courts; Administrative and Regulatory Law; American Indian Law; Environmental Law and Policy; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Environmental Law and Policy Clinical Course (1 winter classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required one-credit course.  
Additional Co-/Pre-Requisites: None.  
By Permission: Yes. Applications should include a resume and one-page statement of interest. Applications from JD students should be sent directly to Clinic Director Andrew Mergen (amergen@law.harvard.edu) and Jacqueline Calahong (jcalahong@law.harvard.edu) by October 31, 2024.  
Add/Drop Deadline: November 18, 2024.  
LLM Students: LLM students may submit an application.  
Placement Site: HLS. Students are carefully matched to their projects/placements by the Clinic Director approximately 4 weeks in advance of the semester. Certain projects and placements have a longer lead time. The Clinic Director speaks with each enrolled student to determine the appropriate project or placement.  
The Emmett Environmental Law and Policy Clinic at Harvard Law School offers students the opportunity to practice environmental law through work on a variety of litigation, administrative, legislative, and policy projects. The Clinic works with scientists, medical professionals, nonprofit and public interest organizations, and government clients on environmental and energy issues at the federal, state, and local level. The work includes writing briefs and comment letters, drafting climate change mitigation and adaptation regulations and policies for municipalities, preparing guidance documents and manuals for non-lawyers, drafting model legislation, and preparing policy papers. The Clinic develops novel strategies to address thorny environmental problems; investigates new cases; works with scientific, economic, and policy experts to help them present their views about the impacts of legal reforms; advises citizen scientists; and convenes meetings of policy-makers and regulators.  
This winter term clinic is limited to 10 students and is by application only.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Environmental Law and Policy Clinical Seminar

**Course #:** 2842      **Term:** 2024FA      **Faculty:** Mergen, Andrew      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** State Courts; Administrative and Regulatory Law; Corporate and Transactional Law; Environmental Law and Policy; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Required Clinic Component: Environmental Law and Policy Clinic (4-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: August 23, 2024. LLM Students: LLM students may enroll in this clinic through Helios.Placement Site: HLS. This course teaches skills and strategies for practicing environmental law as a supplement to enrollment in the Emmett Environmental Law & Policy Clinic. The class examines and works through legal mechanisms for identifying and addressing environmental liabilities in transactions, e.g., the sale of real estate or corporate shares. Students will practice skills such as: parsing and applying statutes and regulations; drafting contract language; interpreting and evaluating environmental assessment reports; issue spotting; and advising clients. These skills are relevant to a wide array of legal work—not just transactional matters. Some learning of environmental laws will be necessary, but mastering black letter law is not the focus of the course. The course is practical, hands-on and participatory. Students will develop and apply skills through class discussions, in-class and written exercises.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Environmental Law and Policy Clinical Seminar

**Course #:** 2842

**Term:** 2025SP

**Faculty:** Mergen, Andrew

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Administrative and Regulatory Law; Environmental Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Environmental Law and Policy Clinic (4-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

This course teaches practical skills, knowledge, and strategies for practicing environmental law. To supplement your experience in the Emmett Environmental Law & Policy Clinic, the class examines and works through several of the legal and practical issues involved in enforcing the federal environmental laws through citizen suits. You will practice skills such as: parsing and applying relevant statutes, regulations, and case law; identifying procedural pathways and strategies for successful judicial challenges to harmful actions; engaging in effective fact gathering; and drafting key documents in a citizen suit (60-day notice letter, standing declarations, and summary judgment briefs). The course is practical, hands-on, and participatory. You will develop and apply skills through class discussions, in-class and written exercises, and peer review.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Environmental Law and Policy Clinical Seminar

**Course #:** 2842      **Term:** 2025WI      **Faculty:** Mergen, Andrew      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** State Courts; Administrative and Regulatory Law; Environmental Law and Policy; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 5:00 PM - 6:15 PM

Tue 5:00 PM - 6:15 PM

Wed 5:00 PM - 6:15 PM

Thu 5:00 PM - 6:15 PM

Fri 5:00 PM - 6:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Required Clinic Component: Environmental Law and Policy Clinic (2 winter clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: Yes. Applications should include a resume and one-page statement of interest. Applications from JD students should be sent directly to Clinic Director Andrew Mergen (amergen@law.harvard.edu) and Jacqueline Calahong (jcalahong@law.harvard.edu) by October 31, 2024. Add/Drop Deadline: November 18, 2024. LLM Students: LLM students may submit an application. In this clinical course students will participate actively in a variety of classroom instruction activities designed to focus on substantive and administrative/procedural law, ethical issues, practice skills and the clinical experience generally.

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# Harvard Law School Course Catalog

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## Equal Protection/the 14th Amendment

**Course #:** 3229      **Term:** 2025SP      **Faculty:** Charles, Guy-Uriel      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Legal History; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

In this seminar, we will study the history, doctrine, and conceptual understanding of the Fourteenth Amendment. We will examine its drafting history, the different ways of interpreting it, and the role of the political process, the Court, and social movements. Substantively, we will focus on the state action doctrine, the privileges or immunities clause, the due process clause, the disqualification clause, and the equal protection clause.

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## ERISA

**Course #:** 2659      **Term:** 2024FA      **Faculty:** Rosenberg, Peter      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Trusts and Estates; Administrative and Regulatory Law; Employment and Labor Law; Financial and Monetary Institutions; Trusts, Estates, and Fiduciary Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 10:15 AM - 12:15 PM

**Course Description:** p>Prerequisites: Familiarity with one or more of: trusts & estates, federal income tax, corporations - is recommended but not required.

Exam Type: Any Day Take-home

This two credit course will cover the comprehensive employee benefits regime under the Employee Retirement Income Security Act, otherwise known as "ERISA". Our goal will be to provide students with a working understanding of the history and policies driving the legislative and regulatory efforts, the range and types of benefit plans affected, and the issues and challenges facing employers, employees, and fiduciaries. Our primary context will be retirement plans - including traditional pension plans, 401(k)s and IRAs, and those responsible for funding and stewardship of the trillions of dollars underwriting our private retirement systems.

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# Harvard Law School Course Catalog

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## ESG: Corporate Ethics in the 21st Century

**Course #:** 3111      **Term:** 2024FA      **Faculty:** Portugal Gouvea, Carlos      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Comparative Law; Corporate and Transactional Law; Environmental Law and Policy; Finance, Accounting, and Strategy; Human Rights; International Law; Jurisprudence and Legal Theory; Law and Economics; Technology Law and Policy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:15 AM - 11:45 AM

Fri 10:15 AM - 11:45 AM

**Course Description:** Prerequisite: None  
Exam Type: One-Day Take-Home, Paper Option Available

This course will investigate the rise of ESG (Environmental, Social and Governance) as a dominant investment strategy and its consequences for corporate governance and regulation of several sectors in the global economy. Many might view ESG as simply a facet of corporate social responsibility, corporate governance, stakeholderism, business and human rights or other well-established topics among legal scholars. In order to investigate what it is and is not, we will review the main theories of corporate ethics, focusing on concepts of legal personality and corporate responsibility. From such conceptual discussion, we will deep dive into the understanding of ESG as a methodology to create metrics for investment. We will cover legal aspects of green finance instruments, such as carbon credit markets, green bonds, and sustainability linked-bonds, including their respective model documents and taxonomies. We will also examine current developments in ESG methodology, in particular the race for the creation of global standards and metrics. With the machinery of ESG in mind, we will review how regulators around the world have been reacting to such demands, with a focus on the efforts by the U.S. Securities and Exchange Commission and the European Securities and Markets Authority to fight greenwashing. We will debate complex topics that connect the ESG methodology and law based on case-studies, such as the barriers to the implementation of international carbon markets and its effects on climate change, the social efforts to increase racial and gender diversity in companies, and the progress and backlash in the fight against corruption. We will analyze these topics in light of the challenges in regulating technology companies that usually perform well based on current ESG metrics, but also present major threats, such as increasing demand for energy sources, the presence of algorithmic discrimination, and the difficulties of governing artificial intelligence. Finally, the course will focus on the concept of twin transformation, with the purpose of articulating the current challenges of regulating both new technologies and climate change. At the end, students will be invited to confront this conundrum: is ESG the ultimate technique to actualize corporate ethics, or is it too little, too late, and does not really capture the major ethical problems facing corporations in the 21st century?

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# Harvard Law School Course Catalog

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## Estate Planning

**Course #:** 2592      **Term:** 2025SP      **Faculty:** Bloostein, Marc      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Trusts and Estates; Trusts, Estates, and Fiduciary Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisite: Trusts and Estates, which may be taken concurrently with this course as well.

Exam Type: No Exam. Grading will be based upon practice exercises and class participation.

This course will examine basic and sophisticated estate planning techniques. It will take a practical perspective, studying how the estate planner navigates the federal transfer tax and property law rules with sensitivity to a clients personal circumstances and concerns in order to achieve the clients objectives.

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## Evidence

**Course #:** 2079      **Term:** 2024FA      **Faculty:** Schulman, Emily      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 8:00 AM - 10:00 AM

Tue 8:00 AM - 10:00 AM

**Course Description:** Prerequisites: None

Exam Type: In Class

This course will examine the rules of evidence, focusing primarily on the Federal Rules of Evidence, with additional consideration given to select state rules and cases. Topics covered will include: relevance, hearsay and exceptions, exclusion, confrontation, direct and cross examination, character evidence, impeachment, rehabilitation, lay opinion, expert evidence, privileges and more. We will consider how the rules function in practice, the rationales underlying them, and how they might be improved.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can be the basis for certification to practice in conjunction with some of the Law Schools clinical offerings.

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# Harvard Law School Course Catalog

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## Evidence

**Course #:** 2079      **Term:** 2024FA      **Faculty:** Rubin, Peter      **Credits:** 2.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None

Exam Type: In Class

In this course we will study the basic rules and principles of American evidence law, focusing primarily on federal law (the Federal Rules of Evidence and cases interpreting them). Topics covered will include: relevance, the hearsay rule and its exceptions, character and propensity evidence, examination and impeachment of witnesses, authentication and best evidence rules, privilege, unfair prejudice, and some of the constitutional questions that arise in connection with evidence.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can be the basis for certification to practice in conjunction with some of the Law Schools clinical offerings.

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## Evidence

**Course #:** 2079      **Term:** 2025SP      **Faculty:** Rubin, Peter      **Credits:** 2.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None

Exam Type: In Class

In this course we will study the basic rules and principles of American evidence law, focusing primarily on federal law (the Federal Rules of Evidence and cases interpreting them). Topics covered will include: relevance, the hearsay rule and its exceptions, character and propensity evidence, examination and impeachment of witnesses, authentication and best evidence rules, privilege, unfair prejudice, and some of the constitutional questions that arise in connection with evidence.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can be the basis for certification to practice in conjunction with some of the Law Schools clinical offerings.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Evidence

**Course #:** 2079

**Term:** 2025WI

**Faculty:** Medwed, Daniel

**Credits:** 3.00

**Type:** Multisection

**Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

### Days and Times:

### Location

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

**Course Description:** Prerequisites: None

Exam Type: In Class

This course has three chief objectives: (1) to provide instruction on the technical rules of evidence; (2) to assist you in understanding the theoretical justifications and policy underpinnings for those rules; and (3) to help you begin to apply those rules in "real-life" practice situations. The course focuses on the Federal Rules of Evidence.

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# Harvard Law School Course Catalog

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## Evidence

**Course #:** 2079      **Term:** 2024FA      **Faculty:** Brewer, Scott      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure; Jurisprudence and Legal Theory

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 1:30 PM - 3:30 PM

Fri 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None  
Exam type: In Class

We rely on judgments about evidence throughout our personal and professional lives. These judgments include the evidence supplied by our senses (such as, seeing that the sky is cloudy as evidence of actual or likely rain) as well as the evidence supplied by our reasoning faculties (such as, advice from experts as evidence regarding risks we face and steps we can take to prevent harms to ourselves and others). Lawyers and judges also constantly make judgments about evidence when they assess the applicability of legal rules to the facts of cases, which of course involves determining what exactly those facts are. American legal systems have developed Evidence law, a distinct set of rules, policies, and procedures that guide legal factfinders (lawyers, judges, and juries) in their judgments about what factual claims are taken to be sufficiently proven for the purposes of civil and criminal litigation -- for depriving civil or criminal litigants of property, liberty, or life. In this course we study the rules, policies, and institutions of Evidence law, with a cohering focus on the argument practices of trial and appellate lawyers and judges under that law. We will be attentive to the illuminating and clarifying connections among legal arguments under rules of Evidence and the many other ways in which we make arguments that rely on evidence outside of the legal setting.

The course focuses on federal law (the Federal Rules of Evidence and cases interpreting them) but also covers selected state rules and cases. Topics include: presumptions and standards of proof and persuasion, judicial notice, relevance, privileges, authentication and best evidence rules, hearsay, lay, expert, and scientific expert evidence, examination and impeachment of witnesses, habit and character evidence, and some of the constitutional questions that arise in connection with rules of evidence. Our approach in this class is informed by the Logocratic Method, a special method of understanding and mastering the strengths and weakness of arguments, which law students, lawyers, and judges around the world have found to be a valuable way to master Evidence and other legal doctrines. Course work consists of regular class attendance and participation, and an in-class final exam.

Evidence is a recommended prerequisite for the Trial Advocacy Workshop and can be used as the basis for certification to practice in conjunction with some of the HLS clinical offerings.

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# Harvard Law School Course Catalog

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## Evidence

**Course #:** 2079      **Term:** 2025SP      **Faculty:** Clary, Richard      **Credits:** 3.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 1:30 PM - 3:00 PM

Thu 1:30 PM - 3:00 PM

**Course Description:** Prerequisite: None  
Exam Type: One-Day Take-Home (3 hours)

This course will study the basic rules and principles of American evidence law, focusing on the Federal Rules of Evidence and cases interpreting them. Topics to be covered will include: relevance, irrelevance, and unfair prejudice; the hearsay rule and its exemptions and exceptions; character and propensity evidence; forbidden inferences; impeachment and rehabilitation; lay and expert opinions; privileges; authentication; the best evidence rule; and some of the constitutional questions under the Confrontation Clause and Due Process Clause that arise in connection with evidence. We will also look at related practical aspects of trial, such as referencing evidence in opening statements, conducting direct, cross and re-direct examinations, and making and responding to objections.

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## Evidence

**Course #:** 2079      **Term:** 2024FA      **Faculty:** Lvovsky, Anna      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 3:50 PM - 5:10 PM

Tue 3:50 PM - 5:10 PM

Wed 3:50 PM - 5:10 PM

**Course Description:** Prerequisite: None  
Exam Type: In Class

This course will examine the rules and principles of American evidence law, focusing on both the practical application and impact of evidentiary rules in court and the questions of policy, epistemology, and institutional design that govern those rules. Topics will include relevance, competence, character evidence, hearsay and its exceptions, privileges, lay and expert opinion, scientific proof, impeachment, rehabilitation, and authentication, as well as certain constitutional issues bearing on evidence. The course will center on the Federal Rules of Evidence but may incorporate select state counterparts.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Evidence

**Course #:** 2079      **Term:** 2024FA      **Faculty:** Lvovsky, Anna      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 10:20 AM - 11:40 AM

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

**Course Description:** Prerequisite: None  
Exam Type: In Class

This course will examine the rules and principles of American evidence law, focusing on both the practical application and impact of evidentiary rules in court and the questions of policy, epistemology, and institutional design that govern those rules. Topics will include relevance, competence, character evidence, hearsay and its exceptions, privileges, lay and expert opinion, scientific proof, impeachment, rehabilitation, and authentication, as well as certain constitutional issues bearing on evidence. The course will center on the Federal Rules of Evidence but may incorporate select state counterparts.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Fairness and Privacy: Perspectives of Law and Probability

**Course #:** 2672      **Term:** 2024FA      **Faculty:** Minow, Martha; Dwork, Cynthia      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Race; Administrative and Regulatory Law; Human Rights; Race and the Law; Technology Law and Policy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 9:00 AM - 10:00 AM

Tue 9:00 AM - 10:00 AM

**Course Description:** Prerequisites: Admission is by permission of instructors; applicants should submit letters of inquiry with CVs (as a single PDF) to Caroline Fitzgerald (cfitzgerald@law.harvard.edu) by June 15.

Exam Type: No Exam

From old problems like affirmative action to newer ones like the turn to algorithms in criminal justice and credit, law and private actions use group traits to influence or determine the treatment of individuals. When do these practices run afoul of conceptions of fairness in law or in computer science and statistics? When do alternatives even exist? New approaches to data analysis quantify and control individual privacy loss while revealing information about larger groups. When do these concepts run afoul of conceptions of privacy in law? What elements of legal and quantitative reasoning exacerbate or resolve such issues, and how can people with training in one field better collaborate with those from other disciplines? This intensive seminar will bring together advanced students in computer science, statistics, law, and government to tackle these and related questions.

Offered concurrently by HLS and SEAS, with co-teacher computer science professor Cynthia Dwork, our interwoven tracks emphasize, respectively, law and computer science, the tracks will meet jointly and separately.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Family Justice Clinic

**Course #:** 8032      **Term:** 2024FA      **Faculty:** Yang, Marianna      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Family; State and Federal Courts; Family Member; Administrative and Regulatory Law; Children and Family Law; Civil Litigation; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Family Justice Clinical Seminar (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Family Justice Clinic (FJC) provides students the opportunity to engage in community lawyering to both improve outcomes on individual cases and to effect systemic change. FJC embraces the need to evolve our legal advocacy to fight systems of oppression. In this spirit, FJC is practicing in the emerging field of early family defense, providing lawyers to individuals facing early-stage involvement with the Department of Children and Families (DCF). Early family defense utilizes a range of advocacy tools to build power and shift the coercive relationship between clients and the carceral state.

Legal advocacy in this space includes representation of clients when they are under DCF investigation for abuse and neglect allegations. If an investigation leads to a supported finding of abuse or neglect, FJC can provide representation in the fair hearing administrative appeal process to challenge this finding. In addition, students can help clients navigate problematic surveillance and monitoring by DCF under the guise of providing supportive services. Students in FJC will also develop community legal education programming to expand access to know your rights information.

In addition to early family defense representation, students will litigate family law cases with a focus on serving survivors of intimate partner violence. Through the Passageway Health Law Collaborative (PHLC), students will learn to work within an interdisciplinary model with social workers at Mass General Brigham. Litigation opportunities can include a mix of divorce, child custody, paternity or abuse prevention cases. Case assignments take into consideration each student's expressed areas of interest.

Under close supervision of a clinical instructor, students manage all aspects of their assigned cases including counseling clients, conducting factual investigation and legal research, developing case strategies, conducting and analyzing discovery, and drafting pleadings. Oral advocacy opportunities include conducting administrative hearings (direct and cross-examinations), appearances in Family and District Courts for motion hearings, restraining orders, pre-trial conferences, and/or status conferences. Students negotiate directly with opposing attorneys, pro se opponents, and in dispute resolution sessions. In the few cases scheduled for full trial, students may conduct depositions, develop witness and exhibit lists, trial strategies and trial notebook, prepare and conduct witness examinations, make opening statements and closing arguments, and/or draft post-trial briefs and memoranda.

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## Family Justice Clinic

**Course #:** 8032      **Term:** 2025SP      **Faculty:** Yang, Marianna      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Family; State and Federal Courts; Family Member; Administrative and Regulatory Law; Children and Family Law; Civil Litigation; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component:&nbsp;Family Justice Clinical Seminar (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: LLM students may enroll in this clinic through Helios.  
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Family Justice Clinic (FJC) provides students the opportunity to engage in community lawyering to both improve outcomes on individual cases and to effect systemic change.&nbsp;&nbsp;FJC embraces the need to evolve our legal advocacy to fight systems of oppression. In this spirit, FJC is practicing in the emerging field of early family defense, providing lawyers to individuals facing early-stage&nbsp;involvement with the Department of Children and Families (DCF). Early family defense utilizes a range of advocacy tools to build power and shift the coercive relationship between clients and the carceral state.&nbsp;

Legal advocacy in this space includes representation of clients when they are under DCF investigation for&nbsp;abuse and neglect allegations. If an investigation leads to a supported finding of abuse or neglect, FJC can provide representation in the fair hearing administrative appeal process to challenge this finding. In addition, students can help clients navigate problematic surveillance and monitoring by DCF under the guise of providing supportive services. Students in FJC&nbsp;will&nbsp;also develop community legal education programming to&nbsp;expand access to know your rights information.&nbsp;&nbsp;

In addition to early family defense representation, students will litigate family law cases with a focus on serving survivors of intimate partner violence. Through the Passageway Health Law Collaborative (PHLC), students will learn to work within an interdisciplinary model with social workers at Mass General Brigham. Litigation opportunities can include a mix of divorce, child custody, paternity or abuse prevention cases. Case assignments take into consideration each&nbsp;student&rsquo;s expressed areas of interest.&nbsp;&nbsp;

Under close supervision of a clinical instructor, students manage all aspects of their assigned cases including counseling clients, conducting factual investigation and legal research, developing case strategies, conducting and analyzing discovery, and&nbsp;drafting pleadings. Oral advocacy opportunities include conducting administrative hearings&nbsp;(direct and cross-examinations), appearances in Family and District Courts for motion hearings, restraining orders, pre-trial conferences, and/or status conferences. Students negotiate directly with opposing attorneys, pro se opponents, and in dispute resolution sessions. In the few cases scheduled for full trial, students may conduct depositions, develop witness and exhibit lists, trial strategies and trial notebook, prepare and conduct witness examinations, make opening statements and closing arguments, and/or draft post-trial briefs and memoranda.

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## Family Justice Clinical Seminar

**Course #:** 2085      **Term:** 2024FA      **Faculty:** Yang, Marianna; Greening, Rebecca      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Family; State and Federal Courts; Family Member; Administrative and Regulatory Law; Children and Family Law; Civil Litigation; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Family Justice Clinic (3-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

The Family Justice Clinical Seminar provides students who are concurrently enrolled in the Legal Services Center Family Justice Clinic, with the practical skills and substantive knowledge necessary to effectively advocate for their clients in and out of the courtroom and administrative hearings. Objectives of the course include: developing practical lawyering skills to be applied in the clinical component and beyond; understanding the statutory and case law applicable in family law litigation; understanding the regulatory and administrative agency policies; enhancing student understanding of the professional roles, values, and ethics involved in the practice of law; gaining insight into unique challenges of low-income clients, racial disparity in state intervention and surveillance of families, and survivors of intimate partner violence; as well as analyzing and proposing legal advocacy approaches to contemporary legal issue in these fields.&nbsp;

This course is hands-on and group-oriented. Most classes involve both small and large-group exercises and discussions. Throughout the course, students work on a hypothetical case from the initial client interview through the final disposition of the case. In a series of simulated group exercises, students conduct in-depth interviews with the client, write memoranda, prepare case and client theories, argue for and defend against Motions, manage discovery, counsel the client as the facts of the case evolve, engage in settlement negotiations on the clients behalf, and reflect on ethical issues encountered during the course of representation. In addition, students will prepare a memorandum and conduct a substantive presentation on one of their active real life cases at the Legal Services Center, and will lead class discussion on the case and on the larger ethical and legal questions it presents. There is no final examination or final paper for this course. Students will be evaluated based on their preparation for, and participation in, class exercises and discussions.

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## Family Justice Clinical Seminar

**Course #:** 2085      **Term:** 2025SP      **Faculty:** Yang, Marianna; Greening, Rebecca      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Family; State and Federal Courts; Family Member; Administrative and Regulatory Law; Children and Family Law; Civil Litigation; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Required Clinic Component: Family Justice Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: LLM students may enroll in this clinic through Helios.  
The Family Justice Clinical Seminar provides students who are concurrently enrolled in the Legal Services Center Family Justice Clinic, with the practical skills and substantive knowledge necessary to effectively advocate for their clients in and out of the courtroom and administrative hearings. Objectives of the course include: developing practical lawyering skills to be applied in the clinical component and beyond; understanding the statutory and case law applicable in family law litigation; understanding the regulatory and administrative agency policies; enhancing student understanding of the professional roles, values, and ethics involved in the practice of law; gaining insight into unique challenges of low-income clients, racial disparity in state intervention and surveillance of families, and survivors of intimate partner violence; as well as analyzing and proposing legal advocacy approaches to contemporary legal issue in these fields. 

This course is hands-on and group-oriented. Most classes involve both small and large-group exercises and discussions. Throughout the course, students work on a hypothetical case from the initial client interview through the final disposition of the case. In a series of simulated group exercises, students conduct in-depth interviews with the client, write memoranda, prepare case and client theories, argue for and defend against Motions, manage discovery, counsel the client as the facts of the case evolve, engage in settlement negotiations on the clients behalf, and reflect on ethical issues encountered during the course of representation. In addition, students will prepare a memorandum and conduct a substantive presentation on one of their active real life cases at the Legal Services Center, and will lead class discussion on the case and on the larger ethical and legal questions it presents. There is no final examination or final paper for this course. Students will be evaluated based on their preparation for, and participation in, class exercises and discussions.

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## Family Law

**Course #:** 2084

**Term:** 2024FA

**Faculty:** Halley, Janet

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Family; Family Member; Children and Family Law; Gender and the Law; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 10:15 AM - 11:45 AM

Tue 10:15 AM - 11:45 AM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

We will study the increasingly complex "marriage system," in which new forms of adult relationship join marriage in the legal order; the rules making marriage a significant distributive institution both in the larger political economy and amongst family members; and the role of criminal law and administrative law in governing conflict among family members. We will study the role of constitutional law in shaping the family and making family-law and sexual-liberty issues controversial in the polity. Throughout we will compare marriage with its alternatives and with informal relationships, and will seek to understand how the family law system complements market labor and public welfare provision in distributing social welfare. Students will engage in a divorce negotiation exercise involving short writing assignments. Writing assignments analyzing course readings distributed through the Discussion capacity of Canvas will constitute the remainder of the courses writing requirements. Feedback will be provided and revisions encouraged.

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## Farmed Animal Law and Policy

**Course #:** 2860

**Term:** 2024FA

**Faculty:** Stilt, Kristen

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Health Fee; Animal; Health/Bioethics/Biotechnology; Real Estate/Property; State Courts; Property; Property; Race; Property; Private Room; Administrative and Regulatory Law; Animal Law; Constitutional Law; Environmental Law and Policy; Gender and the Law; Health, Food, and Drug Law; Human Rights; International Law; Law and Economics; Law and Religion; Legal History; Private Law; Property; Race and the Law; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: There are no formal prerequisites for the class, although an environmental law or animal law survey course is recommended.

Exam Type: No Exam

This seminar will explore farmed animal law and policy, with a focus on high-profile issues concerning the use of animals for food, including current controversies over animal welfare, environmental degradation, public health, consumer protection, worker safety, and climate change. The seminar will examine the history and evolution of animal agriculture from early agrarian domestication to modern industrial farming, and highlight the major ethical, cultural, ecological, social and economic issues that shape farmed animal law and policy in the 21st century. The seminar will include an overview of key laws and regulations concerning farmed animals, as well as an exploration of current legislation, litigation, ballot initiatives and consumer-based campaigns to reform animal agriculture. The seminar will also compare farmed animal laws and regulations in different countries, and touch on the role of international trade agreements in both promoting and preventing legal protections for farmed animals.

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## Federal Budget Policy

**Course #:** 2566      **Term:** 2025WI      **Faculty:** Jackson, Howell      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State Courts; Administrative and Regulatory Law; Constitutional Law; Finance, Accounting, and Strategy; Financial and Monetary Institutions; Law and Economics; State and Local Government

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 9:00 AM - 11:45 AM

Tue 9:00 AM - 11:45 AM

Wed 9:00 AM - 11:45 AM

Thu 9:00 AM - 11:45 AM

Fri 9:00 AM - 11:45 AM

**Course Description:** Prerequisites: None  
Exam Type: No Exam Students enrolled in the course will be expected to submit a series of reaction papers to daily assignments, some of which may be team reaction papers, as well as a somewhat longer blog post addressing an issue of current policy debate.

The goal of this course is to introduce students to the law and practice of federal budgeting in the United States. We will begin with the basic structure of the federal budget process, including the Presidents budget and Congressional budget procedures.&nbsp; We will explore the roles of all three branches of federal government in setting budget policy in the United States, covering government shut-downs, debt ceiling crises, continuing resolutions, and ongoing debates over budget reforms and fiscal challenges. We will also examine current debates over deficits and public debt levels. Based on student interest, we may also take up entitlement reform, defense spending, budgeting for infrastructure as well as topics related to state budgeting practices and federal-state relations in budget policy.

Readings will be from Fiscal Challenges: An Interdisciplinary Approach to Budget Policy (2007) (Howell Jackson, et al., eds.) and additional distributed materials.

Students interested in writing a research paper on budget policy can sign up to write such a paper for independent credit in the Spring semester. Research topics should be arranged with permission of the instructor. Examples of student papers from past years are available at&nbsp;<http://scholar.harvard.edu/briefingpapers/home>.

Note: This course will be jointly listed with HKS as MLD-420M. This course will meet over the first two weeks of the term.

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## Federal Courts and the Federal System

**Course #:** 2086

**Term:** 2024FA

**Faculty:** Goldsmith, Jack

**Credits:** 5.00

**Type:** Multisection

**Subject Areas:** Civil Rights/Liberties; Civil Rights; State and Federal Courts; Civil Rights; Administrative and Regulatory Law; Civil Litigation; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:10 PM

Thu 1:30 PM - 3:10 PM

Fri 1:30 PM - 3:10 PM

**Course Description:** Prerequisite: 1L Constitutional Law or Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment; students who have not completed that pre-requisite may enroll only with the permission of the instructor. For LLM students, instructor permission is required to enroll in this course.

Exam Type: In Class

This course studies the role of the federal courts in the federal system. Topics covered will include the case or controversy requirement and justiciability, congressional authority to regulate the jurisdiction of the federal courts, federal habeas corpus, advanced Erie issues, federal common law, and sovereign immunity.

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# Harvard Law School Course Catalog

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## Federal Courts and the Federal System

**Course #:** 2086      **Term:** 2024FA      **Faculty:** Jackson, Vicki      **Credits:** 3.00

**Type:** Multisection      **Subject Areas:** Civil Rights/Liberties; State Courts; Civil Rights; State and Federal Courts; Civil Rights; Race; Administrative and Regulatory Law; American Indian Law; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Race and the Law; State and Local Government

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 10:15 AM - 11:45 AM

Wed 10:15 AM - 11:45 AM

**Course Description:** Prerequisite: For JD students, this course is open to those who have taken, or are concurrently taking, Constitutional Law: Separation of Powers, Federalism, and the Fourteenth Amendment, or have completed the required 1L Constitutional Law offering, as this requires some knowledge of substantive constitutional law. For LLM students, instructor permission is required to enroll in this course.

Exam type: Any Day Take-Home

This course studies the role of the federal courts in the federal system and their relationship to the state courts. Topics include the power of Congress to regulate the jurisdiction of the Supreme Court and the lower federal courts; federal question jurisdiction; Supreme Court review of state court judgments; federal common law; sovereign and official immunity doctrines; abstention and related limitations on federal courts jurisdiction; and federal habeas corpus.

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## Federal Courts and the Federal System

**Course #:** 2086      **Term:** 2025SP      **Faculty:** Re, Richard      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 10:30 AM - 11:50 AM

Tue 10:30 AM - 11:50 AM

Wed 10:30 AM - 11:50 AM

**Course Description:** Prerequisite: 1L Constitutional Law or Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment.

Exam Type: In Class

This course studies the role of the federal courts in the federal system. Topics include the case or controversy requirement and justiciability, congressional authority to regulate the jurisdiction of the federal courts, Supreme Court review of state court judgments, federal common law, sovereign and official immunity doctrines, and federal habeas corpus.

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# Harvard Law School Course Catalog

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## Federal Courts Clinic

**Course #:** 8056      **Term:** 2025WS      **Faculty:** Zimmer, David      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Civil Rights; State and Federal Courts; Civil Rights; Civil Litigation; Civil Rights; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Federal Courts Clinical Seminar (1 spring classroom credit). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: Early drop of September 6, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 2-3 spring clinical credits).

Placement Site: Various externship placements.

The Federal Courts Clinic allows students to work with federal judges throughout the country and at different levels of the judicial system to gain a greater insight into the workings of the federal judiciary. Students in the clinic will spend winter term on-site working in the Chambers of a federal judge, and then continue their work remotely in the spring semester.

Most students will likely work in the Chambers of either a court of appeals or district court judge, but some students may also work for federal bankruptcy or magistrate judges. Students' specific assignments will vary according to the needs of their judge, but will likely include drafting bench memos, assisting with preparations for trials, hearings and arguments, and other work related to cases before the court.

The Clinic will be directed by David Zimmer, a Partner in the Supreme Court and Appellate practice at Goodwin Procter, who clerked at both the U.S. Supreme Court and the Ninth Circuit Court of Appeals, and who has significant experience practicing before all levels of the federal courts. Mr. Zimmer will also teach the Federal Courts Clinical Seminar, in which students in the clinic will have the opportunity to discuss and analyze their experiences to gain greater insight into the broader work of the federal judiciary.

Once enrolled in the clinic, students will meet with the clinic director and then begin the process of applying to potential judicial placements. The required clinical seminar component will meet in the spring term only.

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# Harvard Law School Course Catalog

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## Federal Courts Clinical Seminar

**Course #:** 3066      **Term:** 2025SP      **Faculty:** Zimmer, David      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 8:30 AM - 10:00 AM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website.

Required Clinic Component: Federal Courts Clinic (2 winter clinical credits + 2-3 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: Early drop of September 6, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

This Clinical Seminar accompanies the Federal Courts Clinic. Students in the clinic will spend winter term on-site working in the Chambers of a federal judge, and then continue their work remotely in the spring semester. in the Chambers of a federal judge - usually a court of appeals or district court judge, but also potentially a bankruptcy or magistrate judge. In the Clinical Seminar, students will share and analyze their experiences in Chambers (to the extent consistent with confidentiality requirements), with the goal of gaining a fuller understanding of overall functioning of the federal courts and the different roles that judges play at different levels in the federal judicial system (as well as the different views different judges have concerning those roles). Students will also discuss the role that clerks/externs do/should play, and other topics concerning the federal judicial system that are raised by the students work. The Clinical Seminar will be taught (and the Clinic directed) by David Zimmer, a Partner in the Supreme Court and Appellate practice at Goodwin Procter, who clerked at both the U.S. Supreme Court and the Ninth Circuit Court of Appeals, and who has significant experience practicing before all levels of the federal courts.

Note: This seminar will meet for 8, 90-minute sessions, dates TBD.

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## Federal Indian Law

**Course #:** 2002      **Term:** 2025WI      **Faculty:** Steele, Michalyn      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Race; American Indian Law; Legal History; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

**Course Description:** Prerequisites: None  
Exam Type: Any Day Take-Home

This course is an introduction to federal Indian law, the body of law recognizing and limiting the sovereignty of tribal governments. The course covers the origins of this law, founded in the conflict between colonialism, constitutionalism, and tribal resilience, as well as the modern doctrines governing tribal, federal, and state jurisdiction, the scope of federal power, equal protection, statutory and treaty interpretation, and the borders of Indian country. Students will gain a critical understanding of the contemporary challenges facing Native peoples, and the directions courts, tribes, and Congress may take in addressing them.

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## Feminist Legal Theory

**Course #:** 2301      **Term:** 2025SP      **Faculty:** Halley, Janet      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** LGBTQ+; LGBTQ+; LGBTQ+ Advocacy Clinic; Gender and the Law; Jurisprudence and Legal Theory; Law and Political Economy; LGBTQ+

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 10:20 AM - 11:50 AM

Tue 10:20 AM - 11:50 AM

**Course Description:** Prerequisites: None

Exam Type: No Exam

Students will write response papers analyzing the reading materials. The professor will provide feedback and revision will be encouraged.

This course will examine and compare eight major strands of contemporary North Atlantic feminism: liberal feminism, dominance feminism, cultural feminism, socialist/materialist feminism, economic feminism in a liberal market frame, critical race feminism, postmodern feminism, and the relations between feminism and conservatism. We will read classics in feminist legal theory and case studies allowing us to examine and compare the ways in which various strands of feminism have engaged law and law reform. The goal of this course is to enable each student to make informed decisions about which strands of feminist legal theory work best for them and to give all students a strong understanding of how past stages in the development of feminist legal theory and law reform help to shape contemporary expressions of feminism and feminist approaches to law.

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## Fiduciary Duties and Delaware Entity Law

**Course #:** 3301      **Term:** 2024FA      **Faculty:** Kraakman, Reinier      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Trusts and Estates; Contracts; Contracts; Contracts; Administrative and Regulatory Law; Contracts; Corporate and Transactional Law; Law and Political Economy; Trusts, Estates, and Fiduciary Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: Corporations  
Exam Type: No Exam

This discussion course will address recent case law dealing with fiduciary duties and related topics with an emphasis on Delaware corporations, limited partnerships, and limited liability companies. The issues for discussion will range from director duties in M&A transactions to the latitude allowed transactional planners to "contract out" of fiduciary duties, either with express statutory authorization or by contract alone, as in shareholder agreements. The course readings will also address broader issues such as whether contract or procedural requirements are displacing more general equitable standards and if so for what reasons?

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## Food and Drug Law

**Course #:** 2091      **Term:** 2025WI      **Faculty:** Hutt, Peter Barton; Grossman, Lewis      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Administrative and Regulatory Law; Health, Food, and Drug Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 9:00 AM - 12:30 PM

Fri 9:00 AM - 12:30 PM

Mon 9:00 AM - 12:30 PM

Tue 9:00 AM - 12:30 PM

Wed 9:00 AM - 12:30 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam. A paper is required.

This course explores the full range of federal regulation of products subject to the jurisdiction of the Food and Drug Administration (FDA). These products include food, human prescription and nonprescription drugs, animal feed and drugs, biologics and blood products, medical devices, and cosmetics, which together comprise approximately 20% of the gross national product. The course examines the public policy choices underlying the substantive law, FDA enforcement power, and agency practice and procedure. The course covers such contemporary issues as protecting against unsafe or mislabeled food, controlling carcinogens, expediting approval of AIDS and cancer drugs, assuring the safety of prescription drugs before and after marketing, importing drugs from abroad, switching drugs from prescription to nonprescription status, balancing the benefits and risks of breast implants, the compassionate use of experimental products, regulating complex new medical device technology, control of such biotechnology techniques as gene therapy, requiring adequate consumer and professional labeling for FDA-regulated products, and the relationship among international, federal, and state regulatory requirements.&nbsp;

Enrollment in this course is limited to fifty-two students. The required course paper may be combined with the Option 1 Written Work Requirement. This applies to students who take the course as a 2L or a 3L. Students who know that they wish to choose this option should e-mail the instructor at [phutt@cov.com](mailto:phutt@cov.com).

Note: This course will meet daily through winter exams.

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## Food Law and Policy

**Course #:** 2359      **Term:** 2024FA      **Faculty:** Broad Leib, Emily      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Health Fee; Animal; Health/Bioethics/Biotechnology; Administrative and Regulatory Law; Animal Law; Environmental Law and Policy; Health, Food, and Drug Law; Poverty Law and Economic Justice

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: No prerequisites for JD students. LLM students must seek faculty permission.

Exam Type: No Exam

This seminar will present an overview of topics in food law and policy, and will examine how these laws shape what we eat. In recent years, increasing attention has been paid to a range of issues impacting the food system from farm to fork to landfill. In the past few years, major news stories have covered the U.S. farm bill, labeling of genetically engineered food products, soda taxes, efforts to regulate school meals, and the misleading terrain of expiration date labels.

In order to better understand these issues and some of their root causes, we will examine food policy via the lenses of producers, consumers, and corporations, as well as using diverse disciplinary perspectives.

Each class will begin with ensuring a shared understanding of the relevant sources of law before delving into policy considerations and discussions of what the law could and should be. We will concentrate on food law in the United States, but will also include comparative global perspectives when helpful.

We begin the course by looking at the basic regulation of food, focusing on the history and current issues in rules regarding food safety. We then analyze federal agricultural policy and farm subsidies, and the environmental, health, and safety implications of our agricultural system. The course will cover issues in food labeling, including nutrition information, health claims, and GMO labeling. Students will also examine the role the government plays in determining what foods are consumed, through its Dietary Guidelines, food assistance programs, and other attempts to increase healthy food access or consumption. Finally, we will evaluate a range of existing and potential policy interventions at the federal, state, and local level.

The reading materials will be provided in a course reader and on the course website, and include various book chapters, cases, regulations, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The seminar is intended to spark debate between different sides of these often controversial issues.

The seminar is open to any student interested in food and agricultural policy and its implications on health and the environment, and no background or prerequisites are required. Rather than an examination, students will be required to submit short discussion posts via the online course discussion board; prepare for and participate in an in-class role play debate; and write a policy paper that explains a food law problem and recommends a policy change intended to improve the health, nutrition, or environmental outcomes. Grades will be determined on the basis of these written submissions, in-class role plays, and class participation.

Enrollment in the seminar is limited to 22 students and it is open to LLM students by permission.

Some seats are reserved for students in the fall Food Law and Policy clinic. Students who claim a clinical seat in this course will be enrolled in this course by the Office of Clinical and Pro Bono Programs. If a student in a clinical seat drops the fall Food Law and Policy clinic, they will also lose their reserved seat in this course. Please note that there is an early drop deadline of August 23, 2024 for fall clinical students in this course

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## Food Law and Policy

**Course #:** 2359      **Term:** 2025SP      **Faculty:** Broad Leib, Emily      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Health Fee; Animal; Health/Bioethics/Biotechnology; Administrative and Regulatory Law; Animal Law; Environmental Law and Policy; Health, Food, and Drug Law; Poverty Law and Economic Justice

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: No prerequisites for JD students. LLM students must seek faculty permission.

Exam Type: No Exam

This seminar will present an overview of topics in food law and policy, and will examine how these laws shape what we eat. In recent years, increasing attention has been paid to a range of issues impacting the food system from farm to fork to landfill. In the past few years, major news stories have covered the U.S. farm bill, labeling of genetically engineered food products, soda taxes, efforts to regulate school meals, and the misleading terrain of expiration date labels.

In order to better understand these issues and some of their root causes, we will examine food policy via the lenses of producers, consumers, and corporations, as well as using diverse disciplinary perspectives.

Each class will begin with ensuring a shared understanding of the relevant sources of law before delving into policy considerations and discussions of what the law could and should be. We will concentrate on food law in the United States, but will also include comparative global perspectives when helpful.

We begin the course by looking at the basic regulation of food, focusing on the history and current issues in rules regarding food safety. We then analyze federal agricultural policy and farm subsidies, and the environmental, health, and safety implications of our agricultural system. The course will cover issues in food labeling, including nutrition information, health claims, and GMO labeling. Students will also examine the role the government plays in determining what foods are consumed, through its Dietary Guidelines, food assistance programs, and other attempts to increase healthy food access or consumption. Finally, we will evaluate a range of existing and potential policy interventions at the federal, state, and local level.

The reading materials will be provided in a course reader and on the course website, and include various book chapters, cases, regulations, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The seminar is intended to spark debate between different sides of these often controversial issues.

The seminar is open to any student interested in food and agricultural policy and its implications on health and the environment, and no background or prerequisites are required. Rather than an examination, students will be required to submit short discussion posts via the online course discussion board; prepare for and participate in an in-class role play debate; and write a policy paper that explains a food law problem and recommends a policy change intended to improve the health, nutrition, or environmental outcomes. Grades will be determined on the basis of these written submissions, in-class role plays, and class participation.

This course satisfies the clinical seminar requirement for the Food Law & Policy Clinic. The drop deadline for students enrolled in this course in a clinical seat is December 13, 2024.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

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# Harvard Law School Course Catalog

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## Food Law and Policy Clinic

**Course #:** 8038      **Term:** 2025SP      **Faculty:** Broad Leib, Emily      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Administrative and Regulatory Law; Corporate and Transactional Law; Environmental Law and Policy; Health, Food, and Drug Law; International Law; Poverty Law and Economic Justice

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Students in the spring clinic must enroll in either Food Law and Policy (2 spring classroom credits) or Policy Advocacy Workshop (2 spring classroom credits), or must have taken one of those courses in a prior semester. Students who enroll in the spring clinic will be enrolled in one of the required courses by the Office of Clinical and Pro Bono Programs. Students are guaranteed a seat in one of these two required courses, but are not guaranteed their first choice. Students enrolled in either course under a clinical seat will lose their seat if they choose to drop the clinic.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Food Law and Policy Clinic of Harvard Law School (FLPC) provides students with the opportunity to practice using legal and policy tools in order to address the health, environmental, and economic impacts of our food system. FLPC utilizes substantive expertise in food law and policy and a robust policy skill set to assist clients and communities in understanding and improving the laws impacting the food system.

Students enrolled in the clinic get hands-on learning experience conducting legal and policy research for individuals, communities, and governments on a wide range of food law and policy issues.

Students have the opportunity to: comment on federal regulations, such as the Food and Drug Administration rules around health claims and healthy labels; identify and promote creative policies to reduce the 40% of food that goes to waste in the U.S.; train and empower food policy councils and community coalitions to achieve their food system goals; and research and recommend policies increasing access to healthy food at all levels of government.

Students develop a variety of transferable skills in areas such as research, writing, creative problem-solving, project management, oral communication, and leadership. In particular, students will have the opportunity to draft memoranda, white papers, and regulatory comments; conduct statutory interpretation; compose legislation and regulations; petition for agency rulemaking or enforcement actions; conduct interviews and fact-finding; and prepare and train communities about civic engagement, the food system, and policy change. Clinic clients are located around the United States and the globe, and some students may have the opportunity to travel.

For more information about the clinic, please email Professor Broad Leib at [ebroad@law.harvard.edu](mailto:ebroad@law.harvard.edu) or visit our clinic at 1607 Massachusetts Avenue, 4th floor.

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# Harvard Law School Course Catalog

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## Food Law and Policy Clinic

**Course #:** 8038      **Term:** 2024FA      **Faculty:** Broad Leib, Emily      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Administrative and Regulatory Law; Environmental Law and Policy; Health, Food, and Drug Law; International Law; Poverty Law and Economic Justice

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Food Law and Policy (2 fall classroom credits). Some seats are saved for clinical students. Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. Students who drop this clinic will also lose their seat in the required class component.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: August 23, 2024.  
LLM Students: LLM students may apply to the clinic through the LLM General Clinic Application.  
Placement Site: HLS.  
The Food Law and Policy Clinic of Harvard Law School (FLPC) provides students with the opportunity to practice using legal and policy tools in order to address the health, environmental, and economic impacts of our food system. FLPC utilizes substantive expertise in food law and policy and a robust policy skill set to assist clients and communities in understanding and improving the laws impacting the food system. Students enrolled in the clinic get hands-on learning experience conducting legal and policy research for individuals, communities, and governments on a wide range of food law and policy issues. Students have the opportunity to: comment on federal regulations, such as the Food and Drug Administration rules around health claims and healthy labels; identify and promote creative policies to reduce the 40% of food that goes to waste in the U.S.; train and empower food policy councils and community coalitions to achieve their food system goals; and research and recommend policies increasing access to healthy food at all levels of government.  
Students develop a variety of transferable skills in areas such as research, writing, creative problem-solving, project management, oral communication, and leadership. In particular, students will have the opportunity to draft memoranda, white papers, and regulatory comments; conduct statutory interpretation; compose legislation and regulations; petition for agency rulemaking or enforcement actions; conduct interviews and fact-finding; and prepare and train communities about civic engagement, the food system, and policy change. Clinic clients are located around the United States and the globe, and some students may have the opportunity to travel.  
For more information about the clinic, please email Professor Broad Leib at [ebroad@law.harvard.edu](mailto:ebroad@law.harvard.edu) or visit our clinic at 1607 Massachusetts Avenue, 4th floor.

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## Foreign Relations

**Course #:** 2316

**Term:** 2024FA

**Faculty:** Eichensehr, Kristen

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Constitutional Law; International Law; National Security Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:00 PM

Fri 1:30 PM - 3:00 PM

**Course Description:** Prerequisites: None

Exam Type: In Class

This course examines the law governing the conduct of U.S. foreign relations. The Constitution sets out the basic framework for foreign relations law, but it leaves much unsaid and at least as much subject to interbranch contests for power. Topics will include: the allocation of authorities between the executive, legislature, and judiciary; the political question, act of state, and other doctrines that judges use in foreign relations-related cases; the role of states and federalism in foreign relations; the scope of the treaty power and U.S. practices for making and terminating international agreements; and the frameworks governing emergency powers and the use of force.

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## Foundations of International Arbitration: Theory and Practice

**Course #:** 2973

**Term:** 2025SP

**Faculty:** Sobota, Luke; Carlson, Hugh

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Private Room; International Law; Private Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: None

Exam Type: No Exam

Through a combination of lectures and in-class simulations, this course will (i) provide an overview of the foundational aspects that arise in the life cycle of an international arbitration; (ii) offer training in advocacy principles and techniques; and (iii) provide significant advocacy experience for students through in-class simulations. Course lectures and simulations will extend to both international commercial arbitration and investment arbitration.

Students will be graded on in-class participation, simulation performances, and advocacy outlines. There will be no final exam.

Note: This course will meet over six weeks:

February 19-20

March 4-5

March 18-19

March 25-26

April 1-2

April 15-16

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## Framing, Narrative, and Supreme Court Jurisprudence

**Course #:** 3011

**Term:** 2025SP

**Faculty:** Jenkins, Alan

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Constitutional Law; Jurisprudence and Legal Theory; Legal History; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Thu 6:00 PM - 8:00 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

In this seminar we will examine the ways in which the rhetorical and communications principles of framing and narrative inform U.S. Supreme Court jurisprudence and advocacy. Analyzing opinions, briefs, and oral arguments, as well as legal and social science scholarship, we will consider how different approaches to legal storytelling can lead to differing judicial outcomes. And we will discuss the implications of our findings for the development and integrity of the law.

Class participation and successful completion of written and oral assignments (including a final paper) will count for significant portions of students final grades. Assigned material will include cases, legal scholarship, social science literature, and mass media works.

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## Freedom of Expression and the Race Question

**Course #:** 3201      **Term:** 2025WI      **Faculty:** Kennedy, Randall      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Constitutional Law; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 9:00 AM - 12:15 PM

Fri 9:00 AM - 12:15 PM

Mon 9:00 AM - 12:15 PM

Tue 9:00 AM - 12:15 PM

Wed 9:00 AM - 12:15 PM

**Course Description:** Prerequisites: None  
Exam: No Exam

This course will examine racial influences on controversies involving claims to freedom of expression.

The provisional table of contents for the course is as follows:

Dissent, Repression, and Race in the Age of Slavery

Raising Voices despite Threats: protests against lynching and racial discrimination during wartime

Censorship as racial justice? -- the campaign against birth of a Nation

Anti-communism, race, and freedom of expression

Dissent, repression, and race in the second reconstruction

Can protest against racism go too Far? (Should church be off limits?)(Should homes be off limits?)

Reading, writing, and worshipping behind prison walls

Censorship as racial justice (ii): critical race theory and other challenges from the left to liberal freedom of expression

Problems in liberal free expression ideology ((the disinvitation controversy) (State mandated freedom)

Attempts to silence progressive race talk: the campaign against critical race theory

The road ahead: seeking robust pluralism

The reading for the course will consist of provocative pieces with widely divergent positions on the issues under discussion.

The requirements for the course are two fold: active participation in conversation and a 15 to 20 page, double-spaced paper due within two weeks after the final class. I am not looking for a paper that will

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require additional research. I am looking for a concise, intense response to a pertinent topic that puts to use the readings and conversations generated by the course.

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## From Protest to Law: Triumphs and Defeats in Struggles for Racial Justice, 1950-1970

**Course #:** 2697      **Term:** 2024FA      **Faculty:** Kennedy, Randall      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Constitutional Law; Legal History; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam  
The requirement for the course is writing that amounts to about thirty double spaced pages. The writing can take many forms - one paper or several.

This course will examine changes in law wrought by protests against racial injustice that erupted in the mid twentieth century. The principal topics will include disputes over segregation (see, e.g. Brown v. Board of Education and Loving v. Virginia), invidious private racial discrimination (see, e.g. the Civil Rights Acts of 1964 and 1968), and racial disfranchisement (see e.g. the Voting Rights Act of 1965). Considerable attention will be focused on lawyers and judges who played key roles in the drama of the Second Reconstruction.

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## Fundamentals of Statistical Analysis

**Course #:** 2093

**Term:** 2024FA

**Faculty:** Avedian, Arevik

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Tue 10:30 AM - 12:00 PM

Wed 10:30 AM - 12:00 PM

**Course Description:** Prerequisites: No prerequisites, prior empirical or software background is not required for this course. This class can be taken as part of the HLS empirical track as a prerequisite for the Applied Quantitative Analysis and the Advanced Quantitative Analysis.

Exam Type: No Exam

Intended for law students with little or no background in mathematics and statistics, Fundamentals of Statistical Analysis will provide basic tools needed for designing, conducting and critically assessing empirical legal research. Topics include research design, introduction to probability, descriptive statistics, hypothesis testing, statistical inference, univariate and bivariate analysis using one and two-sample t-tests, z-tests, Chi2 and ANOVA. We will learn and practice the math behind the models, to understand how distributions, differences, choice and size of samples impact our results mathematically as well as theoretically. The course is hands-on and applied in nature, it provides students an opportunity to become proficient in the use of the Stata statistical software. Applying mathematical concepts on real data enables students to acquire analytic skills in a realistic research context, which helps understanding not only how data are analyzed, but also why they are analyzed. Students will produce a 10-12 page empirical paper at the end of the semester.

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## Gender Identity, Sexual Orientation, and the Law

**Course #:** 2467

**Term:** 2024FA

**Faculty:** Chen, Alexander

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Civil Rights; LGBTQ+; Civil Rights; LGBTQ+; LGBTQ+ Advocacy Clinic; Civil Litigation; Civil Rights; Constitutional Law; Gender and the Law; LGBTQ+

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 3:45 PM - 5:45 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

This course explores the ways in which the law intersects with gender identity and sexual orientation, examining this complex and evolving area of law in the context of a changing judicial and political landscape. Taught by a leading practitioner in the field, this course emphasizes the legal tools and decision-making processes involved in doing pathbreaking civil rights work. Students will gain an insight into the strategic and ethical tradeoffs involved in using the legal and political system to enact societal change.

Topics covered include: overview of gender identity, sexual orientation, and the historical development of LGBTQ+ rights; constitutional and statutory protections based on gender identity and sexual orientation; access to sex-segregated spaces and activities; religion-, speech-, and ethics-based objections; access to health care and reproductive technologies; non-binary and intersex identities; race and intersectional experience; and unique considerations in military, family, and prison litigation.

Class materials include: case law, case documents, legislative materials, regulatory materials, press accounts, legal scholarship, and sources from other academic disciplines.

Students in the LGBTQ+ Advocacy Clinic in either the Fall or Spring semester are required to take this Fall course. The add/drop deadline for Fall clinical students is August 23, 2024; the add/drop deadline for Spring clinical students is September 6, 2024.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

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## Gender, Law, and Society in the Middle East and North Africa

**Course #:** 3313      **Term:** 2025SP      **Faculty:** Waheedi, Salma      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Family; Family Member; Children and Family Law; Comparative Law; Gender and the Law; Human Rights; Law and Religion

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam  
This reading group will examine questions of gender justice and the law in the Middle East and North Africa. We will discuss the evolution and development of law and legal frameworks across the region and their interaction with gender and social norms, taking into account the regions diversity of sociopolitical contexts and historical experiences. Using a case study approach, we will also explore historical and present trends and responses to questions of gender inequality, including feminist movements, grassroots mobilization, strategic litigation, and advocacy through arts and media. The readings will center the voices and scholarship of Middle Eastern legal academics, feminist scholars, and activists.  
Note: This reading group will meet on the following dates: TBD.

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## Global Anticorruption Lab

**Course #:** 2646      **Term:** 2024FA      **Faculty:** Stephenson, Matthew      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Comparative Law; Criminal Law and Procedure; Law and Political Economy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: Enrollment is limited to 12, and is by permission of the instructor. Interested students should email Professor Stephenson (mstephen@law.harvard.edu); the email should include a current CV and a statement of interest (preferably including one or two topics you might be interested in writing about).  
Exam Type: No Exam  
This course will provide an opportunity for students interested in anticorruption (from legal, social scientific, or policy perspectives) to work on independent research projects in a collaborative, interactive setting. Students will select one or more topics of interest to explore during the semester; we will meet each week to discuss one another's research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute three substantive posts to the Global Anticorruption Blog. Participants will also be expected to participate in online discussions and debates about other blog entries. Students interested in expanding their research into a full paper may do so for an appropriate number of additional independent writing credits.

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## Global Anticorruption Lab

**Course #:** 2646      **Term:** 2025SP      **Faculty:** Stephenson, Matthew      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Comparative Law; Criminal Law and Procedure; Law and Political Economy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: Enrollment is limited to 12, and is by permission of the instructor. Interested students should email Professor Stephenson (mstephen@law.harvard.edu); the email should include a current CV and a statement of interest (preferably including one or two topics you might be interested in writing about).

Exam Type: No Exam

This course will provide an opportunity for students interested in anticorruption (from legal, social scientific, or policy perspectives) to work on independent research projects in a collaborative, interactive setting. Students will select one or more topics of interest to explore during the semester; we will meet each week to discuss one another's research, and to brainstorm new topics. In lieu of a long final paper or short weekly response papers, students will instead be expected to contribute three substantive posts to the Global Anticorruption Blog. Participants will also be expected to participate in online discussions and debates about other blog entries. Students interested in expanding their research into a full paper may do so for an appropriate number of additional independent writing credits.

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## Global Justice Workshop

**Course #:** 3035      **Term:** 2024FA      **Faculty:** Blum, Gabriella; Goldberg, John      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Private Room; Human Rights; International Law; Law and Philosophy; National Security Law; Private Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: There are no prerequisites for this workshop, but it is intended for students with a strong academic bent.

Exam: No Exam

This workshop will involve reading, discussing, and critiquing scholarly works broadly relating to the theme of Global Justice. Among the topics we will address are distributive justice across national boundaries; state responsibility for the international consequences of domestic policy decisions; and comparisons between legal and moral responsibilities among states and among individuals. The focus will be on the doctrinal and theoretical aspects of these questions rather than hands-on practice. Some sessions will involve presentations by scholars who are invited to speak to the workshop.

Students will be required to submit four brief "reflection" papers commenting on works that are presented in or assigned for class, and will also be expected to raise questions in discussions with invited speakers. The final grade will take account of class participation. All students wishing to take the class, including those on the waitlist or considering adding it, must attend the first session.

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## Governance Feminism: Sexual and Gender-Based Violence

**Course #:** 3299      **Term:** 2025SP      **Faculty:** Halley, Janet      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Criminal Law and Procedure; Gender and the Law; Human Rights; International Law; Law and Political Economy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

Since the early 1970's, feminists have been involved in building legal responses to sexual and gender-based violence in domestic, international, and transnational law. There is a lot of law and legal practice now that is based on these feminist efforts: governance feminism. This Seminar will take stock of the campaigns for legal reform, the actual results in positive law, enforcement patterns, and internal feminist critique. Topics will include rape, rape in armed conflict, domestic violence, sexual harassment in the workplace and at school, anti-prostitution and anti-trafficking. Students will write a series of short papers about the readings.

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## Governing Digital Technologies

**Course #:** 3243      **Term:** 2024FA      **Faculty:** Zittrain, Jonathan      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Intellectual Property; Technology Law and Policy

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

There has been a vigorous, decades-long debate around the governance of digital technology — one conducted variously in the public sphere, in academia, and among regulators and legislators — with a discernible impact on the development and use of consumer-facing technologies. These technologies include the Internet and applications built on top of it; AI and machine learning; and the digital platforms that began as individual apps but then became themselves a more comprehensive, at times totalizing, infrastructure of ubiquitous sensors, data, and user analysis.

This reading group will strive to contextualize today's technology-driven policy challenges in terms of some of the complex technical, legal, and political arcs of digital governance. Over the course of six sessions, we will provide an introduction into the roots of seemingly novel governance problems, as well as look at a few examples of questions of technology policy, looking for the limitations and opportunities confronting both regulators and private-sector decision makers — and the users of these technologies.

Note: This reading group will meet on the following dates, subject to change: TBD./p>

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## Government Lawyer

**Course #:** 2103      **Term:** 2024FA      **Faculty:** Wroblewski, Jonathan      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and Clinic Q&A.  
Required Clinic Component: Government Lawyer: U.S. Attorney Clinic (4-5 clinical credits; either fall or spring semester). Students who are accepted into this clinic will be enrolled in the clinic and clinical seminar by the Office of Clinical and Pro Bono Programs.  
Additional Co-/Pre-Requisites: None.  
By Permission: Yes. Application deadline is April 12, 2024.  
Add/Drop Deadline:&nbsp;May 17, 2024 for Fall 2024 students; September 6, 2024 for Spring 2025 students.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
Exam Type: No Exam. A paper will be required in lieu of an examination.  
The course will examine the role and responsibilities of the prosecutor, with a particular focus on federal prosecutors.&nbsp; We will consider legal, ethical, policy, and strategic challenges facing prosecutors. The course will consider questions concerning the politics of prosecution, the role of the prosecutor in the adversarial system, and the autonomy and discretion of the prosecutor.&nbsp; We will look at policy issues that arise around prosecution, as well as those issues that individual prosecutors face in their work. &nbsp;Some specific topics that will be addressed will include prosecutorial ethics; disclosure and discovery issues; pretrial publicity; investigations (including use of the grand jury); sentencing; federalization of crime; and dealing with informants, cooperators, and victims. &nbsp;We will consider these issues in the context of different areas of criminal prosecution, including white-collar crime, organized crime, violent crime, and terrorism.

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## Government Lawyer: Attorney General Clinic

**Course #:** 8015      **Term:** 2024FA      **Faculty:** Tierney, James      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** State Courts; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: The Role of the State Attorney General (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops the clinic, they will also lose their seat in the required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: August 23, 2024. LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT. Placement Site: Various externship placements at the Massachusetts AG Office.

The State Attorney General Clinic offers students an opportunity to work with the Office of the Massachusetts Attorney Generals Office. Clinical students responsibilities will include writing and research work pertinent to the division in which they are placed. Assignments will often include research and drafting memos and briefs. Students are placed in various divisions including:

Criminal Bureau (Appeals Division, Cybercrime Division, Enterprise and Major Crimes Division, Environmental Crimes Strike Force, Public Integrity Division)  
Government Bureau (Trial Division)  
Public Protection Bureau (Civil Rights Division, Health Care Division, Consumer Protection, Environmental Protection Division)

Students must enroll for a minimum of 4 clinical credits (16 hours per week) and must have at least one full day available in their schedules to spend at the Attorney Generals Office. Remaining hours may be completed as half-days (or additional full days). Most offices are open Monday-Friday from 9am-5pm. The Office of the Attorney General in Massachusetts does not allow students to participate in the Tenant Advocacy Project, Prison Legal Assistance Project or Harvard Defenders while in the AG Clinic. Other activities or employment may also not be allowed. Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic (clinical@law.harvard.edu or 617-495-5202).

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## Government Lawyer: Attorney General Clinic

**Course #:** 8015

**Term:** 2025WI

**Faculty:** Tierney, James

**Credits:** 2.00

**Type:** Clinic

**Subject Areas:** State Courts; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: The Role of the State Attorney General (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs.

If a student drops the clinic, they will also lose their seat in the required course. Additional

Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Early drop deadline September 6, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT. Placement Site: Various externship placements at AG offices throughout the country during winter term.

The State Attorney General Clinic during the winter term offers students an opportunity to work in state attorney general offices around the country. Clinic work is full-time over winter term and care will be taken to place students in both states and divisions that meet their professional goals, although particular placements are not guaranteed. Winter term placements are generally involved in various divisions of State AG offices: environment, criminal trials and appeals, human trafficking, civil defense, opinions and consumer protection. Students are placed in offices across the country for a three week period. Some financial support is available to assist with transportation and lodging.

Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic (clinical@law.harvard.edu or 617-495-5202).

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# Harvard Law School Course Catalog

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## Government Lawyer: Attorney General Clinic

**Course #:** 8015

**Term:** 2025SP

**Faculty:** Tierney, James

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** State Courts; State and Local Government

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

### Course Description:

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: The Role of the State Attorney General (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs.

If a student drops the clinic, they will also lose their seat in the required course. Additional

Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Early drop deadline of September 6, 2024. LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT. Placement Site: Various externship placements at AG offices throughout the country during winter term.

The State Attorney General Clinic during the winter term offers students an opportunity to work in state attorney general offices around the country. Clinic work is full-time over winter term and care will be taken to place students in both states and divisions that meet their professional goals, although particular placements are not guaranteed. Winter term placements are generally involved in various divisions of State AG offices: environment, criminal trials and appeals, human trafficking, civil defense, opinions and consumer protection. Students are placed in offices across the country for a three week period. Some financial support is available to assist with transportation and lodging.

The Office of the Attorney General in Massachusetts does not allow students to participate in the Tenant Advocacy Project, Prison Legal Assistance Project or Harvard Defenders while in the AG Clinic. Other activities or employment may also not be allowed.

Please contact the Office of Clinical and Pro Bono Programs for more information about this clinic (clinical@law.harvard.edu or 617-495-5202).

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# Harvard Law School Course Catalog

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## Government Lawyer: Semester in Washington Clinic

**Course #:** 8016      **Term:** 2025SP      **Faculty:** Wroblewski, Jonathan      **Credits:** 6.00

**Type:** Clinic      **Subject Areas:** Law and Political Economy; Leadership; Legal Profession and Ethics

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Government Lawyer: Semester in Washington Clinical Seminar (3 spring classroom credits). Students who are accepted into the clinic will be enrolled in both the clinic and clinical seminar by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due August 16, 2024.

Add/Drop Deadline: December 13, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Placement Site: Various externship placements in Washington D.C.

Students spend the entire spring term (except for spring break) in Washington, D.C. working as legal interns in a federal government office while taking an evening seminar course (twice a week during the term) on government lawyering. Students are required to work at least 32 hours a week in the spring term, although most work full-time. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases. Placements in past years have included the House and Senate Judiciary Committees, the Departments of Justice and State, the White House Counsels Office, the Central Intelligence Agency, and the Federal Communications Commission. Placements are coordinated by the clinic director, Jonathan Wroblewski, in consultation with students. Students admitted to the clinic will meet individually with the clinic director to discuss their areas of interest and placement possibilities. Every effort will be made so that students can find placements to meet their interest. During the clinic, the director will be available to meet one-on-one with students to discuss their ongoing work experience and progress.

Given the nature of government office hiring and the timing of security clearances, it is possible that placements may not be finalized until after committing to this clinic. Every effort is made so students can find a placement in his or her interest area.

This option is for the spring clinic. There is also a separate winter-spring clinic option, where students also spend the Winter Term in Washington, D.C. working full-time at their placement offices.

To get an inside view of the Program, students may visit the Semester in Washington page on the OCP website, which contains detailed information about the current years syllabus, course requirements, events, funding, housing, placements, etc.

Enrollment is by application and limited to 2L and 3L students. Students must be enrolled full-time at Harvard Law School to apply. Interested students can apply by submitting an application form, current resume, and a writing sample of no more than 10 pages. Apply through an online application form by August 16, 2024.

Students should be aware of their yearly HLS credit minimums, as the spring semester is spent entirely off campus (students will receive 8 spring clinical credits + 3 spring course credits for a total of 11 spring semester credits).

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## Government Lawyer: Semester in Washington Clinic

**Course #:** 8016      **Term:** 2025WS      **Faculty:** Wroblewski, Jonathan      **Credits:** 6.00

**Type:** Clinic      **Subject Areas:** Law and Political Economy; Leadership; Legal Profession and Ethics

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Government Lawyer: Semester in Washington Clinical Seminar (3 spring classroom credits). Students who are accepted into the clinic will be enrolled in both the clinic and clinical seminar by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due August 16, 2024.

Add/Drop Deadline: November 18, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Multi-Semester: This is a winter-spring clinic (2 winter clinical credits + 8 spring clinical credits.)

Placement Site: Various externship placements in Washington D.C.

Students spend the entire winter and spring terms (except for spring break) in Washington, D.C. working as legal interns in a federal government office while taking an evening seminar course (twice a week during the spring) on government lawyering. Students are required to work full-time over the winter term (40 hours per week) and at least 32 hours per week in the spring term, although most work full-time during the spring term as well. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases. Placements in past years have included the House and Senate Judiciary Committees, the Departments of Justice and State, the White House Counsels Office, the Central Intelligence Agency, and the Federal Communications Commission. Placements are coordinated by the clinic director, Jonathan Wroblewski, in consultation with students. Students admitted to the clinic will meet individually with the clinic director to discuss their areas of interest and placement possibilities. Every effort will be made so that students find placements to meet their interests. During the clinic, the director will be available to meet one-on-one with students to discuss their ongoing work experience and progress.

Given the nature of government office hiring and the timing of security clearances, it is possible that placements may not be finalized until after committing to this clinic. Every effort is made so students find a placement in his or her interest area.

This option is for the winter and spring clinic. There is also a separate spring only clinic option. To get an inside view of the Program, students may visit the Semester in Washington page on the OCP website, which contains detailed information about the current years syllabus, course requirements, events, funding, housing, placements, etc.

Enrollment is by application and limited to 2L and 3L students. Students must be enrolled full-time at Harvard Law School to apply. Interested students can apply by submitting an application form, current resume, and a writing sample of no more than 10 pages. Apply through an online application form by August 16, 2024.

Students should be aware of their yearly HLS credit minimums, as the winter and spring semesters are spent entirely off campus (students will receive 2 winter clinical credits + 8 spring clinical credits + 3 spring

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course credits for a total of 13 winter and spring semester credits).

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## Government Lawyer: Semester in Washington Clinical Seminar

**Course #:** 2104      **Term:** 2025SP      **Faculty:** Wroblewski, Jonathan      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Law and Political Economy; Leadership; Legal Profession and Ethics

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.  
Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, and OCP Blog Highlights.  
Required Clinic Component: Government Lawyer: Semester in Washington Clinic, either during winter-spring (2 winter clinical credits + 8 spring clinical credits) or spring clinic (8 spring clinical credits). Students who are accepted into one of these two clinic offerings (winter-spring or spring) will be enrolled in the clinic and clinical seminar by the Office of Clinical and Pro Bono Programs.  
Additional Co-/Pre-Requisites: None.  
By Permission: Yes. Applications to the clinic are due August 16, 2024.  
Add/Drop Deadline: November 18, 2024 for Winter-Spring clinical students. December 13, 2024 for Spring clinical students.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
This course is offered as part of the Government Lawyer: Semester in Washington Clinic. Students spend the entire spring term (except for spring break) in Washington, D.C. working as legal interns in a federal government office while taking an evening course on government lawyering. Students may also begin the clinical work in the winter term. Students are required to work full-time (40 hours per week) over the winter term (if they begin their clinical placement then) and at least 32 hours per week in the spring term, although most students work full-time in the spring term. Clinical work exposes students to the distinct forms of lawyering practiced by government attorneys in diverse policy positions in the federal government. Placements are principally in federal government offices where lawyers conduct research and provide legal advice and assistance on policy, legislative or regulatory matters, rather than investigating and litigating cases.  
Students attend the evening seminar course twice a week during the spring term. Readings and classroom discussions will be supplemented by guest speaker events and visits to government offices on several occasions throughout the semester. Case studies will supplement the core readings. The course will focus on the role of the government lawyer in policymaking and the many forces that influence the work of policymaking generally, and the government lawyers part in that process specifically. The course will examine the skills required of government attorneys in policymaking, the unique ethical, legal, and moral issues they face, and the impact of politics and ideology on their work. The course will look at the discourse in policymaking in Washington, why it has changed over time, and the implications of the state of discourse for the government lawyer involved in policymaking, legal advice, and advocacy. Finally, the course will explore the process of policymaking, the use of data and research in policymaking, and the role of the bureaucracy. The course will include student discussions of their experiences in their clinical placements. Guest speakers, including government lawyers, issue advocates, and think tank scholars, will visit the class periodically throughout the semester. Students will be expected to research the background of the guests and participate in class interviews to explore their work. The course may also include visits to government offices to examine, for example, how data used in the policymaking process is actually collected and synthesized. A course paper relating to the students work or to classroom subjects will be required in lieu of an examination.

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To get an inside view of the Program, students may visit the Semester in Washington page on the OCP website, which contains detailed information about the current years syllabus, course requirements, events, funding, housing, placements, etc.

Enrollment is by application and limited to 2L and 3L students. Students must be enrolled full-time at Harvard Law School to apply. Interested students can apply by submitting an application form, current resume, and a writing sample of no more than 10 pages. Apply through an online application form by August 16, 2024.

Students should be aware of their yearly HLS credit minimums, as the spring semester is spent entirely off campus (students will receive 8 spring clinical credits + 3 spring course credits for a total of 11 spring semester credits). &nbsp;Students who begin their clinical placement in the winter term receive an additional two winter clinical credits).

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## Government Lawyer: United States Attorney Clinic

**Course #:** 8017      **Term:** 2024FA      **Faculty:** Wroblewski, Jonathan      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Legal Profession and Ethics

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and Clinic Q&A. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Government Lawyer (2 fall classroom credits). Students who are accepted into this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. If a student drops the clinic, they will also lose their seat in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: Yes. Applications are due April 12, 2024.  
Add/Drop Deadline: May 17, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
Placement Site: Various externship placements at the U.S. Attorneys office in Boston. Students must attend a mandatory training session during the first week of classes.  
The Government Lawyer clinic allows students to examine firsthand the roles and responsibilities of a federal prosecutor. &nbsp;Students are placed at the United States Attorneys Office in Boston. &nbsp;Work may include research, writing, trial and witness preparation, and attending depositions, hearings, and trials. &nbsp;The U.S. Attorneys Office offers placements in the following criminal divisions:  
  
Appeals Unit: The Appeals Unit is responsible for reviewing and approving all appellate briefs before they are filed.  
Anti-Terrorism and National Security Unit: The Anti-Terrorism and National Security Unit handles anti-terrorism investigations, those involving breaches of national security.  
Computer Crimes Unit: Investigates and prosecutes computer related crimes, including hacking, identity theft and other forms of computer fraud.  
Economic Crimes Unit: The Economic Crimes Unit handles complex economic crimes expected to require grand jury or other investigative effort.  
Health Care Fraud Unit: The Health Care Fraud Unit investigates and prosecutes complex health care fraud committed by corporate and individual defendants.  
Major Crimes Unit: The Major Crimes Unit handles violent crime, property crimes, fraud, theft, civil rights violations, and other matters of primary federal interest.  
Organized Crime Drug Enforcement Task Force: Drug Unit cases range from "buy/bust" prosecution to sophisticated money laundering prosecution.  
Organized Crime Strike Force: The organized crime unit handles complex long term matters, utilizing extensive grand jury and electronic surveillance, often using statutes such as RICO.  
Public Corruption and Special Prosecution Unit: The Public Corruption Unit handles sensitive cases involving allegations of corruption against elected and appointed federal, state, and local officials.  
  
Important: All students must be U.S. citizens and complete a lengthy security clearance process by the Department of Justice, which involves numerous forms and fingerprinting. This process takes between 8-10 weeks for final clearance, which is then valid for only six months. This clearance process is not just a



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formality, and in some instances clearance has been delayed or denied. &nbsp;This process is coordinated between the Office of Clinical and Pro Bono Programs and the Human Resources department of the U.S. Attorneys Office.

Students should have at least one full day available in their schedules for clinical work, and the additional hours worked must be for at least 5 hours at a time. Most offices are open Monday-Friday from 9 a.m.-5 p.m.

Applications are due April 12, 2024 to Maggie Bay ([mbay@law.harvard.edu](mailto:mbay@law.harvard.edu)). Applications should include a resume and a statement of interest no longer than 250 words. Students may apply for the fall, spring, or either. Accepted students will be enrolled in the clinic and the required course component by the Office of Clinical and Pro Bono Programs.

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# Harvard Law School Course Catalog

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## Government Lawyer: United States Attorney Clinic

**Course #:** 8017      **Term:** 2025SP      **Faculty:** Wroblewski, Jonathan      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Legal Profession and Ethics

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and Clinic Q&A. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Government Lawyer (2 fall classroom credits). Students who are accepted into this clinic will be enrolled in the required course by the Office of Clinical and Pro Bono Programs. &nbsp;If a student drops the clinic, they will also lose their seat in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: Yes - applications are due April 12, 2024.  
Add/Drop Deadline: Early drop deadline of September 6, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
Placement Site: Various externship placements at the U.S. Attorneys office in Boston. Students must attend a mandatory training session during the first week of classes.  
The Government Lawyer clinic allows students to examine firsthand the roles and responsibilities of a federal prosecutor. &nbsp;Students are placed at the United States Attorneys Office in Boston.  
&nbsp;Work may include research, writing, trial and witness preparation, and attending depositions, hearings, and trials. &nbsp;The U.S. Attorneys Office offers placements in the following criminal divisions:  
  
Appeals Unit: The Appeals Unit is responsible for reviewing and approving all appellate briefs before they are filed.  
Anti-Terrorism and National Security Unit: The Anti-Terrorism and National Security Unit handles anti-terrorism investigations, those involving breaches of national security.  
Computer Crimes Unit: Investigates and prosecutes computer related crimes, including hacking, identity theft and other forms of computer fraud.  
Economic Crimes Unit: The Economic Crimes Unit handles complex economic crimes expected to require grand jury or other investigative effort.  
Health Care Fraud Unit: The Health Care Fraud Unit investigates and prosecutes complex health care fraud committed by corporate and individual defendants.  
Major Crimes Unit: The Major Crimes Unit handles violent crime, property crimes, fraud, theft, civil rights violations, and other matters of primary federal interest.  
Organized Crime Drug Enforcement Task Force: Drug Unit cases range from "buy/bust" prosecution to sophisticated money laundering prosecution.  
Organized Crime Strike Force: The organized crime unit handles complex long term matters, utilizing extensive grand jury and electronic surveillance, often using statutes such as RICO.  
Public Corruption and Special Prosecution Unit: The Public Corruption Unit handles sensitive cases involving allegations of corruption against elected and appointed federal, state, and local officials.  
  
Important: All students must be U.S. citizens and complete a lengthy security clearance process by the Department of Justice, which involves numerous forms and fingerprinting. &nbsp;This process takes between 8-10 weeks for final clearance, which is then valid for only six months. &nbsp;This clearance

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process is not just a formality, and in some instances clearance has been delayed or denied. &nbsp;This process is coordinated between the Office of Clinical and Pro Bono Programs and the Human Resources department of the U.S. Attorney&rsquo;s Office.

Students should have at least one full day available in their schedules for clinical work, and the additional hours worked must be for at least 5 hours at a time. &nbsp;Most offices are open Monday-Friday from 9am-5pm.

Applications are due April 12, 2024 to Maggie Bay ([mbay@law.harvard.edu](mailto:mbay@law.harvard.edu)). Applications should include a resume and a statement of interest no longer than 250 words. Students may apply for the fall, spring, or either. Accepted students will be enrolled in the clinic and the required course component by the Office of Clinical and Pro Bono Programs.

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## Harvard Dispute Systems Design Clinic

**Course #:** 8019

**Term:** 2024FA

**Faculty:** Viscomi, Rachel

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

### Course Description:

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic may fulfill the HLS JD pro bono requirement depending on project assignment.

Please contact the Office of Clinical and Pro Bono Programs ([clinical@law.harvard.edu](mailto:clinical@law.harvard.edu)) for more information.

Required Class Component: Dispute Systems Design Clinical Seminar (2 fall classroom credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: Negotiation Workshop is recommended, but not required.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Dispute Systems Design (DSD) Clinic works with organizations and communities who are committed to engaging conflict more effectively and equitably. Clinical students will engage in projects that center listening to and learning from all stakeholders to ensure systems are informed by the people they affect.

Equipped with stakeholder and expert assessment data, dispute system design theory, and best practices in the field, clinical students help their clients envision more just and inclusive systems.

DSD Clinic students typically work in teams of 2–3, with a single client organization and a faculty supervisor, for the duration of the semester. Our practice areas include:

Community Engagement & Dialogue Across Differences;

Court-Related Programs & Access to Justice;

Global Development & Peacebuilding;

Strategic Negotiation & Conflict Consultation.

Students will have the opportunity to build the following skills in their day-to-day work:

Designing stakeholder-centered, systems-oriented approaches to engaging conflict;

Gathering a wide range of perspectives through interviews, focus groups, surveys, and other qualitative research methods

Managing client relationships

Facilitating meetings

Writing and presenting deliverables

Managing complex projects

Working as a team

For a sampling of past projects, please visit <https://hnmcp.law.harvard.edu/clients/> Please feel free to contact Tracy Blanchard at [tblanchard@law.harvard.edu](mailto:tblanchard@law.harvard.edu) with any questions about the clinic.

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# Harvard Law School Course Catalog

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## Harvard Dispute Systems Design Clinic

**Course #:** 8019      **Term:** 2025SP      **Faculty:** Viscomi, Rachel      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic may fulfill the HLS JD pro bono requirement depending on project assignment. Please contact the Office of Clinical and Pro Bono Programs ([clinical@law.harvard.edu](mailto:clinical@law.harvard.edu)) for more information. Required Class Component: Dispute Systems Design Clinical Seminar (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Co-/Pre-Requisites:&nbsp;Taking Negotiation Workshop prior to the clinic is recommended, but not required.&nbsp; By Permission: No. Add/Drop Deadline: December 13, 2024. LLM Students: LLM students may enroll in this clinic through Helios. Placement Site: HLS. The Dispute Systems Design (DSD) Clinic works with organizations and communities who are committed to engaging conflict more effectively and equitably. Clinical students will engage in projects that center listening to and learning from all stakeholders to ensure that systems are informed by the people they affect. Equipped with stakeholder and expert assessment data, dispute system design theory, and best practices in the field, clinical students help their clients envision more just and inclusive systems. DSD Clinic students typically work in teams of 2&ndash;3, with a single client organization and a faculty supervisor, for the duration of the semester. Our practice areas include:

Community Engagement & Dialogue Across Differences;  
Court-Related Programs & Access to Justice;  
Global Development & Peacebuilding;  
Strategic Negotiation & Conflict Consultation.

Students will have the opportunity to build the following skills in their day-to-day work:

Designing stakeholder-centered, systems-oriented approaches to engaging conflict;  
Gathering a wide range of perspectives through interviews, focus groups, surveys, and other qualitative research methods  
Managing client relationships&nbsp;  
Facilitating meetings  
Writing and presenting deliverables  
Managing complex projects  
Working as a team

For a sampling of past projects, please visit <https://hnmcp.law.harvard.edu/clients/> &nbsp;Please feel free to contact Tracy Blanchard at [tblanchard@law.harvard.edu](mailto:tblanchard@law.harvard.edu) with any questions about the



# Harvard Law School Course Catalog

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## Harvard Immigration and Refugee Clinic

**Course #:** 8020      **Term:** 2025SP      **Faculty:** Ardalan, Sabrineh      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Immigration/Refugee; Civil Rights; Immigration Law; Civil Rights; Immigration Law; Immigration; Race; Civil Rights; Gender and the Law; Human Rights; Immigration Law; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A, Clinic Info Session and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Immigration and Refugee Advocacy (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students LLM students may enroll in this clinic through Helios. International LLM students in F-1 student status cannot be placed at GBLS.

Placement Site: Either HLS or GBLS (downtown Boston).

For thirty years, the Harvard Immigration and Refugee Clinic (HIRC), in partnership with Greater Boston Legal Services (GBLS), has focused on direct representation of individuals applying for U.S. asylum and related relief, as well as representation of individuals who have survived domestic violence and other crimes and/or who seek avoidance of forced removal in immigration proceedings (i.e., VAWA, U-visas, Cancellation of Removal, Temporary Protected Status, etc.). HIRC is also involved in district court and appellate litigation, as well as policy advocacy at the local, national, and international levels.

HIRC students take the lead in representing clients from all over the world who are seeking protection from being returned to human rights abuses in their country of origin, protection from exile after years of living in the United States, or reunification with their families. About fifty students are placed each year with HIRC either at Harvard or at its partner clinic, Greater Boston Legal Services, Boston's oldest legal services organization (located in downtown Boston). Students are encouraged to sign up for either sixteen or twenty hours per week (4-5 clinical credits).

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# Harvard Law School Course Catalog

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## Harvard Legal Aid Bureau 2L

**Course #:** 8000      **Term:** 2024FS      **Faculty:** Caramello, Esme; Lawrence, Eloise      **Credits:** 8.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Disability; Family; Real Estate/Property; Civil Rights; Contracts; Disability Law; Property; State and Federal Courts; Torts; Civil Rights; Contracts; Disability Law; Property; Torts; Harvard Law School Project on Disability; Disability Clinic; Race; Harvard Law School Project on Disability; Contracts; Property; Torts; Family Member; Administrative and Regulatory Law; Children and Family Law; Civil Litigation; Civil Rights; Contracts; Courts, Jurisdiction, and Procedure; Disability Law; Gender and the Law; Leadership; Legal Profession and Ethics; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Property; Race and the Law; Torts

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Introduction to Advocacy: Ethics and Skills in Clinical Practice (2 fall classroom credits + 1 spring classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: Evidence. Students must enroll in Evidence during the fall of their 2L year. Enrollment in Evidence is separate from clinic enrollment.  
By Permission: Yes. Applications are due in March 2024.  
Add/Drop Deadline: Please contact HLAB for more information.  
LLM Students: LLM students are not eligible to enroll.  
Multi-Semester: This is a full-year clinic (4 fall clinical credits + 4 spring clinical credits).  
Placement Site: HLS.  
This clinic has a mandatory orientation in late August.  
The Harvard Legal Aid Bureau is a student-run civil legal aid organization committed to providing free representation to low-income and marginalized communities in the Greater Boston area. Students and staff aim to provide these services in a way that responds to the systemic racial, social, and economic inequalities that are the causes and consequences of poverty. To that end, the Bureau trains its student attorneys to advocate vigorously for their clients, create enduring community partnerships, and become socially conscious leaders. The Bureau represents clients in three primary practice areas, all led by student-members with guidance and support from experienced clinical instructors: housing (including eviction defense and movement lawyering to expand tenant power); family (including divorce and custody, guardianship, family defense, and Special Immigrant Juvenile Status); and wage-and-hour (including nonpayment of wages and overtime, denial of earned sick time, and retaliation for assertion of workplace rights). Because the Bureau is student-run, students take the lead on cases and in setting organizational policy and exploring potential new areas or modes of practice. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.

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# Harvard Law School Course Catalog

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## Harvard Legal Aid Bureau 3L

**Course #:** 8010      **Term:** 2024FS      **Faculty:** Caramello, Esme; Lawrence, Eloise      **Credits:** 8.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Disability; Family; Real Estate/Property; Civil Rights; Contracts; Disability Law; Property; State and Federal Courts; Torts; Civil Rights; Contracts; Disability Law; Property; Torts; Harvard Law School Project on Disability; Disability Clinic; Race; Harvard Law School Project on Disability; Contracts; Property; Torts; Family Member; Administrative and Regulatory Law; Children and Family Law; Civil Litigation; Civil Rights; Contracts; Courts, Jurisdiction, and Procedure; Disability Law; Employment and Labor Law; Gender and the Law; Leadership; Legal Profession and Ethics; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Property; Race and the Law; Torts

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Advanced Clinical Practice (1 fall classroom credit + 1 spring classroom credit). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: Harvard Legal Aid Bureau 2L.  
By Permission: Yes. This clinic is open only to students who have completed HLAB in their 2L year.  
Add/Drop Deadline: N/A.  
LLM Students: LLM students are not eligible to enroll.  
Multi-Semester: This is a full-year clinic (4 fall clinical credits + 4 spring clinical credits).  
Placement Site: HLS.  
The Harvard Legal Aid Bureau is a student-run civil legal aid organization committed to providing free representation to low-income and marginalized communities in the Greater Boston area. Students and staff aim to provide these services in a way that responds to the systemic racial, social, and economic inequalities that are the causes and consequences of poverty. To that end, the Bureau trains its student attorneys to advocate vigorously for their clients, create enduring community partnerships, and become socially conscious leaders. The Bureau currently has three primary practice areas, all led by student-members with guidance and support from experienced clinical instructors: housing (including eviction defense and movement lawyering in support of tenant power); family (including divorce, child custody, paternity, visitation, support, and Special Immigrant Juvenile Status); and wage-and-hour (including nonpayment of wages and overtime, denial of earned sick time, and retaliation for assertion of workplace rights). Because the Bureau is student-run, students take the lead on cases and in setting organizational policy and exploring potential new areas or modes of practice. Enrollment is by application during the spring of the students 1L year; participants commit to at least 20 hours per week of clinic work for the following two academic years.

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# Harvard Law School Course Catalog

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## Health Care Rights in the Twenty-First Century

**Course #:** 2989

**Term:** 2024FA

**Faculty:** Costello, Kevin

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Health Fee; Civil Rights/Liberties; Disability; Health/Bioethics/Biotechnology; Civil Rights; Disability Law; LGBTQ+; Civil Rights; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Race; Harvard Law School Project on Disability; Administrative and Regulatory Law; Civil Rights; Disability Law; Gender and the Law; Health, Food, and Drug Law; LGBTQ+; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: None

Exam Type: No Exam

Politicians and protesters alike often utter the familiar phrase that "health care is a right, not a privilege." People for whom access to health care is a quite literally a matter of life or death recognize that the truth is more complicated. American health care is broken. We long ago abandoned President Roosevelt's effort to include the right to adequate medical care as among those in a Second Bill of Rights necessary for the security and prosperity of all. The status quo reveals the central importance of rights within our health care system, especially around issues of resource allocation, access to care, and equity. This course will briefly trace the history of the American conception of health care rights through the last half-century of administrative and political cycles. We will contrast a diverse array of ideological perspectives over this progression to understand the context of the current climate.

Building on this background, we will consider a broad range of rights-affording sources across the landscape of the modern American health care system: Federal civil rights statutes; the laws and agreements that govern public and private health insurance arrangements; common law duties as between patients, providers and payers; and other state and federal statutes that govern health care consumers, insurers, institutions and spending. We will place congressional and common law health care rights provisions in the broader context of civil rights jurisprudence, including anti-discrimination regimes. We will consider differing avenues available to achieve enforcement of health care rights, including through administrative and policy-based advocacy, as well as more formalized litigation.

The seminar is designed to be limited lecture, incorporating debates, role-plays, and other interactive sessions. Class participation is expected. The seminar will culminate in a student project arising from the course materials. Students will have the option of further honing their health care rights skills by participating in the Health Law and Policy Clinic in conjunction with this seminar.

The seminar will appeal to law students interested in working across the spectrum of the health care field generally, to those interested in the intersection between law and health care, and to those who aspire to be civil rights lawyers.

This course satisfies the clinical seminar requirement for the Health Law & Policy Clinic. The drop deadline for students enrolled in this course in a clinical seat is August 23, 2024.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

# Harvard Law School Course Catalog

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## Health Law

**Course #:** 2107      **Term:** 2024FA      **Faculty:** Sachs, Rachel      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Health, Food, and Drug Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 8:30 AM - 10:00 AM

Tue 8:30 AM - 10:00 AM

**Course Description:** Prerequisites: None Exam Type: In Class

This survey course is designed to provide students with a general introduction to the law and policy of the delivery and financing of health care in the United States. The course will cover a wide range of topics, including but not limited to the physician-patient relationship, the structure and regulation of health insurance (both public and private), access to health care, public health, health care fraud and abuse, and others. This course provides important background not only for students intending to represent health care providers or payers, serve as health care regulators or policymakers, or advocate for individuals, but also for students seeking to learn more about the legal rules governing nearly one-fifth of the United States economy.

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## Health Law and Access to Medicines

**Course #:** 3307      **Term:** 2024FA      **Faculty:** Sachs, Rachel      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Health, Food, and Drug Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam

This seminar explores the frameworks within health law and policy that relate to access to investigational and prescription drugs. The seminar will focus on a number of foundational topics within health law, including the United States' fragmented structure of Medicare, Medicaid, and private insurance and how insurance relates to prescription drug affordability; the distribution of authority between legislators and regulators at the state and federal level as they make new law in this area; and how drug candidates are evaluated and, in the case of successful candidates, approved by federal regulators. The seminar will also apply these frameworks to a number of current issues in the area, including but not limited to drug pricing reform, expedited approval pathways, and the COVID-19 pandemic and its impact on drug and vaccine development.

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# Harvard Law School Course Catalog

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## Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

**Course #:** 8033      **Term:** 2024FA      **Faculty:** Shachar, Carmel      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Health, Food, and Drug Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Students in the fall clinic must enroll in either Public Health Law and Policy (2 fall classroom credits) OR Health Care Rights in the Twenty-First Century (2 fall classroom credits). Students who enroll in the fall clinic will be enrolled in one of the required courses by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

Students enrolled in the Health Law and Policy Clinic will work on cutting-edge legislative, regulatory and litigation projects at the state and national levels aimed at increasing access to quality, comprehensive health care for low-income individuals and families. Student projects involve: informing current debate on health reform efforts; providing law and policy analysis to national and state coalitions advocating to protect Medicaid, Medicare and discretionary health and public health programs; investigating best practices for initiatives to address health disparities and reduce barriers to health care for our most vulnerable populations; and litigating to address unfair and discriminatory public and private health insurance practices.

National level work involves advising government actors and leading chronic illness and disability partnerships to promote health and public health reform initiatives. State level work allows students the opportunity to travel to facilitate trainings and meetings and to support advocacy and litigation strategy development on a broad range of current health and public health concerns. (See the clinic website at [www.chlpi.org](http://www.chlpi.org) for a more in-depth description of current clinic projects.)

Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, and develop written products such as fact sheets, in-depth reports, comment letters, testimony, presentations, draft legislation, regulatory guidance and litigation-oriented document production. Students have the opportunity to develop a range of problem-solving, policy analysis, research and writing, oral communication, advocacy and leadership skills.

Students who would like to participate in the clinic must enroll through clinical registration. Clinical placements are available for 3, 4, or 5 clinical credits. Students who enroll in the clinic will also be enrolled in the required seminar (Public Health Law and Policy or Health Care Rights in the Twenty-First Century, 2 fall classroom credits) by the Office of Clinical and Pro Bono Programs. Their enrollment in this seminar is dependent on their clinical enrollment (should they drop the clinic, they will also be dropped from the seminar).

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# Harvard Law School Course Catalog

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## Health Law and Policy Clinic of the Center for Health Law and Policy Innovation

**Course #:** 8033      **Term:** 2025SP      **Faculty:** Shachar, Carmel      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Health, Food, and Drug Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Students in the spring clinic must enroll in either Public Health Law and Policy (2 spring classroom credits) or Policy Advocacy Workshop (2 spring classroom credits). Students who enroll in the spring clinic will be enrolled in one of the required courses by the Office of Clinical and Pro Bono Programs. Students are guaranteed a seat in one of these two required courses. Students enrolled in either course under a clinical seat will lose their seat if they choose to drop the clinic.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

Students enrolled in the Health Law and Policy Clinic will work on cutting-edge legislative, regulatory and litigation projects at the state and national levels aimed at increasing access to quality, comprehensive health care for low-income individuals and families. Student projects involve: informing current debate on health reform efforts; providing law and policy analysis to national and state coalitions advocating to protect Medicaid, Medicare and discretionary health and public health programs; investigating best practices for initiatives to address health disparities and reduce barriers to health care for our most vulnerable populations; and litigating to address unfair and discriminatory public and private health insurance practices.

National level work involves advising government actors and leading chronic illness and disability partnerships to promote health and public health reform initiatives. State level work allows students the opportunity to travel to facilitate trainings and meetings and to support advocacy and litigation strategy development on a broad range of current health and public health concerns. (See the clinic website at [www.chlpi.org](http://www.chlpi.org) for a more in-depth description of current clinic projects.)

Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, and develop written products such as fact sheets, in-depth reports, comment letters, testimony, presentations, draft legislation, regulatory guidance and litigation-oriented document production. Students have the opportunity to develop a range of problem-solving, policy analysis, research and writing, oral communication, advocacy and leadership skills.

Students who would like to participate in the clinic must enroll through clinical registration. Clinical placements are available for 3, 4, or 5 clinical credits. Students who enroll in the clinic will also be enrolled in one of the two required seminars by the Office of Clinical and Pro Bono Programs. Enrollment in either seminar is dependent on your clinical enrollment (should you drop the clinic, you will also be dropped from the seminar).

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## Health Law, Policy, Bioethics, and Biotechnology Workshop

**Course #:** 2652

**Term:** 2024FA

**Faculty:** Cohen, I. Glenn

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Administrative and Regulatory Law; Health, Food, and Drug Law; Intellectual Property; Technology Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

This seminar will feature the presentation and discussion of cutting edge scholarship on health law, health policy, biotechnology and bioethics. The evaluation mechanism is that students must submit brief written comments on a number of the papers during the course. Because the papers are different every term, students can take the class as many times as they wish. Presenters will come from a wide range of disciplines and departments, and papers may feature doctrinal, economics, philosophical, political science, or other methods, but students need not have prior training in these disciplines.

To determine whether this workshop is a good fit for their interests, students are encouraged to browse the listing of papers presented in past years that can be found here:

<http://petrieflom.law.harvard.edu/events/by-type/category/workshops>

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## Health Rights in Latin America: Defending Dignity or Judicializing Politics?

**Course #:** 3184      **Term:** 2025SP      **Faculty:** Yamin, Alicia      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Comparative Law; Health, Food, and Drug Law; Human Rights; International Law

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

Against backdrops of extreme social inequality in Latin America, with poor responsiveness from executive and legislative branches of government, as well as chronic regulatory failures within health systems, people frequently take claims for health care and health-related issues to courts. Across Latin America, courts enforce thousands of individual entitlements to health care every year (through easily accessible protection writs); they also regulate private providers and insurers, and in Colombia and Argentina, respectively, high courts have ordered and overseen structural health system reform as well as in environmental clean-up affecting health. Judicialization of health-related rights is deeply contested across the region: courts have been criticized for interfering with the political organs of government, bankrupting health systems, and exacerbating inequities in health. Others argue that courts have enhanced accountability within health systems, and that experimentalist remedies have catalyzed political organs of government to take action. Drawing on case studies from countries around the region, the reading group will discuss the lessons and challenges of judicial enforcement of the right to health in Latin America. Judges and scholars from various countries will present their perspectives via Zoom or in person.

Note: This reading group will meet on the following dates: TBD..

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## History of International Law

**Course #:** 3289

**Term:** 2024FA

**Faculty:** Fofana, Idriss

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Comparative Law; International Law; Jurisprudence and Legal Theory; Law and Political Economy; Law and Religion; Legal History

**Delivery Mode:** Course

**Days and Times:**

**Location**

Tue 10:15 AM - 11:45 AM

Mon 10:15 AM - 11:45 AM

**Course Description:** Prerequisite: None

Exam Type: Any Day Take-Home

This course explores the evolution and historical roots of the present-day international legal system from a global perspective. We will trace intellectual trends, institutional developments, and historical conflicts or oppositions that shaped relations between political communities from 1450 C.E. to the 1970s. The objective is to gain insight into why certain foundational aspects of today's international law, such as the doctrine of sources, the subjects of international law, and self-determination, have assumed their current form.

Our readings and discussions will address major debates in the burgeoning field of the history of international law, spanning topics such as periodization, methods, concepts, and the roles of European and non-European peoples.

We will devote particular attention to non-European traditions of inter-polity order and consider how legal theory and historical methodology can contribute to rigorous scholarship that appeals to legal scholars, historians, and area studies specialists.

No prior knowledge of international law or historical scholarship is required. Students can opt to write a research paper in lieu of the exam.

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# Harvard Law School Course Catalog

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## Housing Law and Policy

**Course #:** 2270      **Term:** 2025SP      **Faculty:** Caramello, Esme; Lawrence, Eloise      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Disability; Real Estate/Property; State Courts; Civil Rights; Disability Law; Property; Civil Rights; Disability Law; Property; Harvard Law School Project on Disability; Disability Clinic; Race; Harvard Law School Project on Disability; Property; Administrative and Regulatory Law; Civil Rights; Disability Law; Poverty Law and Economic Justice; Property; Race and the Law; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam

This course will provide an introduction to U.S. housing law and policy with a focus on low- and moderate-income tenants and homeowners. We will examine the state of public housing and federal housing subsidies; code enforcement; foreclosures and neighborhood stabilization; gentrification and displacement; affordable housing development; fair housing, including the racist roots of many U.S. housing policies and problems; and evictions and access to justice. The class will draw on students' personal and professional experiences as well as the perspectives of a variety of housing professionals - from developers to tenant organizers to judges and government officials - who will appear as guest speakers. Through this course, students will develop the background necessary to understand and evaluate the various strategies that housing advocates and activists are using - or might use - to promote housing justice in the United States.

The course is appropriate for students pursuing graduate work in other disciplines, including government, design, education, public health, and business, and cross-registrants are welcome.

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# Harvard Law School Course Catalog

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## Housing Law Clinic

**Course #:** 8034      **Term:** 2024FA      **Faculty:** McDonagh, Maureen; Devanthery, Julia      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Real Estate/Property; Civil Rights; Property; Civil Rights; Property; Property; Civil Litigation; Civil Rights; Poverty Law and Economic Justice; Property

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Housing Law Clinical Seminar (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

As part of a broad coalition of legal services providers and community organizers, the Housing Clinic represents low-income tenants who are facing eviction and at risk of homelessness. Students defend evictions and prosecute affirmative cases to improve housing conditions. Students engage actively in client interviewing and counseling, fact investigation, pre-trial discovery (including the taking and defending of depositions), negotiation, and motion practice, as well as trying cases in court. Students also have the opportunity to engage in community lawyering and mobilization efforts with long term community partners and to work on legislative and other law reform initiatives. Students participate in a Attorney for the Day Program and offer "game day" advice to unrepresented litigants in Housing Court on the day of the litigants hearing or trial. The Housing Clinic staffs the Attorney for the Day table at Housing Court on Thursday mornings (from 9:00 to 12:00). Students find the experience of assisting unrepresented tenants rewarding and try to arrange their schedules to allow for clinic work on Thursday mornings.

Housing Clinic students will work in one of two clinic tracks which represent low-income tenants facing loss of housing in various ways. The tracks are Community Lawyering and the Housing Justice for Survivors Project.

In the Housing Justice for Survivors Project students represent tenants who are survivors of domestic violence, sexual assault, and stalking. Housing Justice for Survivors clients may be facing loss of housing as a result of abuse, or may need to quickly relocate to safer alternative housing. Students provide trauma-informed representation to survivors facing housing instability as a result of abuse in a variety of different settings including housing court, housing authority/administrative proceedings, appeals, and in affirmative cases.

In the Community Lawyering track, students work closely with tenant organizers at CityLife/Vida Urbana and attend weekly meetings on zoom where they offer advice and counsel to CityLife members. The clinic is part of the Legal Services Center (LSC), a general practice community law office in the Jamaica Plain neighborhood of Boston. LSC's diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services. Students are taught and mentored under the supervision and guidance of clinic directors, instructors and have an opportunity to meet students and advocates working in many areas of the law.

For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh,

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mcdonagh@law.harvard.edu or Director of the Housing Justice for Survivors Project, Julia Devanthery (jdevanthery@law.harvard.edu).

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## Housing Law Clinic

**Course #:** 8034      **Term:** 2025SP      **Faculty:** McDonagh, Maureen; Devanthery, Julia      **Credits:** 5.00  
**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Real Estate/Property; Civil Rights; Property; Civil Rights; Property; Property; Civil Litigation; Civil Rights; Poverty Law and Economic Justice; Property  
**Delivery Mode:** Clinic  
**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Housing Law Clinical Seminar (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: LLM students may enroll in this clinic through Helios.  
Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

As part of a broad coalition of legal services providers and community organizers, the Housing Clinic represents low-income tenants who are facing eviction and at risk of homelessness. Students defend evictions and prosecute affirmative cases to improve housing conditions. Students engage actively in client interviewing and counseling, fact investigation, pre-trial discovery (including the taking and defending of depositions), negotiation, and motion practice, as well as trying cases in court. Students also have the opportunity to engage in community lawyering and mobilization efforts with long term community partners and to work on legislative and other law reform initiatives. Students participate in a Attorney for the Day Program and offer "game day" advice to unrepresented litigants in Housing Court on the day of the litigants hearing or trial. The Housing Clinic staffs the Attorney for the Day table at Housing Court on Thursday mornings (from 9:00 to 12:00). Students find the experience of assisting unrepresented tenants rewarding and try to arrange their schedules to allow for clinic work on Thursday mornings.

Housing Clinic students will work in one of two clinic tracks which represent low-income tenants facing loss of housing in various ways. The tracks are Community Lawyering and the Housing Justice for Survivors Project.

In the Housing Justice for Survivors Project students represent tenants who are survivors of domestic violence, sexual assault, and stalking. Housing Justice for Survivors clients may be facing loss of housing as a result of abuse, or may need to quickly relocate to safer alternative housing. Students provide trauma-informed representation to survivors facing housing instability as a result of abuse in a variety of different settings including housing court, housing authority/administrative proceedings, appeals, and in affirmative cases.

In the Community Lawyering track, students work closely with tenant organizers at CityLife/Vida Urbana and attend weekly meetings on zoom where they offer advice and counsel to CityLife members. The clinic is part of the Legal Services Center (LSC), a general practice community law office in the Jamaica Plain neighborhood of Boston. LSC's diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services. Students are taught and mentored under the supervision and guidance of clinic directors, instructors and have an opportunity to meet students and advocates working in many areas of the law.

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For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh, [mcdonagh@law.harvard.edu](mailto:mcdonagh@law.harvard.edu) or Director of the Housing Justice for Survivors Project, Julia Devanthery ([jdevanthery@law.harvard.edu](mailto:jdevanthery@law.harvard.edu)).

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## Housing Law Clinical Workshop

**Course #:** 2199      **Term:** 2024FA      **Faculty:** McDonagh, Maureen; Devanthery, Julia      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Real Estate/Property; Civil Rights; Property; Civil Rights; Property; Property; Civil Litigation; Civil Rights; Poverty Law and Economic Justice; Property

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights.

Required Clinic Component: Housing Law Clinic (3-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

The Housing Law Clinical Workshop provides students who are enrolled in the Legal Services Centers Housing Law Clinic with the practical skills and substantive knowledge necessary to effectively advocate for tenants in and out of the courtroom. Objectives of the course include: understanding the statutes, cases and rules applicable in housing law cases; enhancing student understanding of our professional roles, values and ethics involved in the practice of law; developing practical lawyering skills (such as interviewing clients, negotiating settlements, arguing motions, and introducing evidence); and analyzing and proposing advocacy approaches to contemporary housing law issues. A large part of the workshop is hands-on and group-oriented; students engage in small and large-group exercises and discussions. Throughout the course, we work on a hypothetical case from the initial client interview through the final disposition of the case. In addition, students will prepare a memorandum and conduct a presentation on one of their ongoing active cases at the Legal Services Center or on a housing policy issue and will lead class discussion. There is no final examination or paper for this course. Students will be evaluated based on their preparation for and participation in class exercises and discussions, especially in student led rounds discussions. This workshop is a required component for students working in the Housing Law Clinic of the Legal Services Center.

The Housing Clinic staffs an Attorney for the Day table at Housing Court on Thursday mornings (from 9:00 to 12:00). Students find the experience of assisting unrepresented tenants rewarding and try to arrange their schedules to allow for clinic work on Thursday mornings.

For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh, [mcdonagh@law.harvard.edu](mailto:mcdonagh@law.harvard.edu) or Director of the Housing Justice for Survivors Project, Julia Devanthery ([jdevanthery@law.harvard.edu](mailto:jdevanthery@law.harvard.edu)).

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## Housing Law Clinical Workshop

**Course #:** 2199      **Term:** 2025SP      **Faculty:** McDonagh, Maureen; Devanthery, Julia      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Real Estate/Property; Civil Rights; Property; Civil Rights; Property; Property; Civil Litigation; Civil Rights; Poverty Law and Economic Justice; Property

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights.  
Required Clinic Component:&nbsp;Housing Law Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.  
Additional Co-/Pre-Requisites:&nbsp;None.  
By Permission:&nbsp;No.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: LLM students may enroll in this clinic through Helios.Placement Site: HLS.

The Housing Law Clinical Workshop provides students who are enrolled in the Legal Services Centers Housing Law Clinic with the practical skills and substantive knowledge necessary to effectively advocate for tenants in and out of the courtroom. Objectives of the course include: understanding the statutes, cases and rules applicable in housing law cases; enhancing student understanding of our professional roles, values and ethics involved in the practice of law; developing practical lawyering skills (such as interviewing clients, negotiating settlements, arguing motions, and introducing evidence); and analyzing and proposing advocacy approaches to contemporary housing law issues. A large part of the workshop is hands-on and group-oriented; students engage in small and large-group exercises and discussions. Throughout the course, we work on a hypothetical case from the initial client interview through the final disposition of the case. In addition, students will prepare a memorandum and conduct a presentation on one of their ongoing active cases at the Legal Services Center or on a housing policy issue and will lead class discussion. There is no final examination or paper for this course. Students will be evaluated based on their preparation for and participation in class exercises and discussions, especially in student led rounds discussions. This workshop is a required component for students working in the Housing Law Clinic of the Legal Services Center.

The Housing Clinic staffs an Attorney for the Day table at Housing Court on Thursday mornings (from 9:00 to 12:00). Students find the experience of assisting unrepresented tenants rewarding and try to arrange their schedules to allow for clinic work on Thursday mornings.

For more information on the Clinic, contact Lecturer/Clinic Director Maureen McDonagh, [mcdonagh@law.harvard.edu](mailto:mcdonagh@law.harvard.edu) or Director of the Housing Justice for Survivors Project, Julia Devanthery ([jdevanthery@law.harvard.edu](mailto:jdevanthery@law.harvard.edu)).

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## Human Rights and International Law

**Course #:** 2423

**Term:** 2024FA

**Faculty:** Neuman, Gerald

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Comparative Law; Human Rights; International Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 3:45 PM - 5:15 PM

Tue 3:45 PM - 5:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: In Class

This course surveys the landscape of the global human rights system. It examines critically what it means to embody human rights conceptions in law at the international level. Topics will include the evolution of modern human rights law; connections between civil, political, social, and economic rights; comparative discussion of global and regional human rights regimes; and human rights responses to current challenges such as climate change. The course will also pay particular attention to the relationship between the United States and the international human rights system. No prior course in international law is required &ndash; the course will introduce the background rules that structure international human rights law.

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## Human Rights Entrepreneurs and Incubator Clinic

**Course #:** 8058      **Term:** 2025SP      **Faculty:** Giannini, Tyler      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Environmental Law and Policy; Human Rights; International Law; Leadership; Poverty Law and Economic Justice

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. Enrollment in this clinic will fulfill the HLS JD pro bono requirement. Required Class Component: Business and Human Rights (2 spring classroom credits). Once you have enrolled in this clinic, the Office of Clinical and Pro Bono Programs will enroll you in the required clinical course component. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: December 8, 2023. LLM Students: LLM students may enroll in this clinic through Helios. Placement Site: HLS. The Human Rights Entrepreneurs Clinic offers students the opportunity to work in a lab-like atmosphere to support entrepreneurs in start-ups as well as innovators within existing organizations as they translate their ideas for change into reality. The Clinic operates as a lab, and students have the opportunity to support partners as they develop and incubate ideas to pursue innovative strategic approaches that advance human rights. In particular, the Clinic focuses on frontier litigation related to climate justice and corporate accountability as well as community-centric approaches to business and human rights. The Clinic also supports student entrepreneurs whose work relates to human rights. During the 2024-2025 academic year, the Clinic will focus on two major areas. First, the Clinic will support strategic litigation related to corporate accountability and climate justice, assisting with field building and the development and incubation of new legal theories and cases in these practice areas. Second, the Clinic will work with a coalition of groups experimenting with how to make the field of business and human rights more community-centric in the coming years. Communities are still too often missing from the conversation and key decisions, and the Clinic will support the coalition's efforts to inform community engagement, business operations, and local, national, regional, and international frameworks, including relevant UN Guiding Principles, OECD Guidelines, an ongoing treaty-process, and European Union and national legislation and policies.

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## Human Rights Entrepreneurs and Incubator Clinic

**Course #:** 8058      **Term:** 2024FA      **Faculty:** Giannini, Tyler      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure; Environmental Law and Policy; Human Rights; International Law; Leadership

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Human Rights Litigation in U.S. Courts (2 fall classroom credits). Once you have enrolled in this clinic, the Office of Clinical and Pro Bono Programs will enroll you in the required clinical course component.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 18, 2023. LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Human Rights Entrepreneurs Clinic offers students the opportunity to work in a lab-like atmosphere to support entrepreneurs in start-ups as well as innovators within existing organizations as they translate their ideas for change into reality. The Clinic operates as a lab, and students have the opportunity to support partners as they develop and incubate ideas to pursue innovative strategic approaches that advance human rights. In particular, the Clinic focuses on frontier litigation related to climate justice and corporate accountability as well as community-centric approaches to business and human rights. The Clinic also supports student entrepreneurs whose work relates to human rights.

During the 2024-2025 academic year, the Clinic will focus on two major areas. First, the Clinic will support strategic litigation related to corporate accountability and climate justice, assisting with field building and the development and incubation of new legal theories and cases in these practice areas. Second, the Clinic will work with a coalition of groups experimenting with how to make the field of business and human rights more community-centric in the coming years. Communities are still too often missing from the conversation and key decisions, and the Clinic will support the coalition's efforts to inform community engagement, business operations, and local, national, regional, and international frameworks, including relevant UN Guiding Principles, OECD Guidelines, an ongoing treaty-process, and European Union and national legislation and policies.

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## Human Rights in the UN Treaty Bodies

**Course #:** 2343

**Term:** 2025SP

**Faculty:** Neuman, Gerald

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Human Rights; International Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: By permission of instructor. The permission is just to verify the prerequisite.&nbsp; Students who have taken the International Human Rights introductory course at HLS or who have completed a seminar in an international human rights clinic at HLS will definitely receive permission to enroll, but for technical reasons they should contact the instructor so that he can facilitate registration; other students who have not taken those courses but believe that they have equivalent preparation may contact the instructor, who will grant permission if he agrees that their prior preparation is equivalent. (Merely taking Public International Law is not sufficient.)&nbsp; Auditing will not be permitted.

Exam Type: No Exam Grading will be based on class participation and a series of short reaction papers.

This advanced seminar was designed as a capstone experience in human rights.&nbsp; It will focus on selected topics relating to the work of the UN human rights treaty bodies, including the Human Rights Committee (of which the instructor was previously a member), often in comparative perspective. Topics vary from year to year, but may include such subjects as arbitrary detention, religious exemptions, the right to life, forced evictions, reproductive rights, "hate speech," rights of persons with disabilities, migrants rights, climate change, and international monitoring procedures.

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## Human Rights Lawyering in Action: Skills, Strategies, and Challenges

**Course #:** 2510      **Term:** 2025SP      **Faculty:** Farbstein, Susan; Lindstrom, Beatrice      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; LGBTQ+; Civil Rights; LGBTQ+; LGBTQ+ Advocacy Clinic; Race; Civil Rights; Environmental Law and Policy; Gender and the Law; Human Rights; International Law; Law and Religion; Leadership; LGBTQ+; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic FAQ and News Highlights.

Required Clinic Component: International Human Rights Clinic (3-5 spring clinical credits). Students enrolled in the spring clinic must enroll in this seminar. &nbsp;

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline:&nbsp;

LLM Students: LLM students may enroll in this clinic through Helios.

Exam Type: No Exam

Course Description:&nbsp;

What does it mean to be a human rights lawyer? How do advocates around the world translate human rights legal frameworks into tools for meaningful change? And what are the strategic, ethical, and tactical considerations that arise in different human rights contexts?

This seminar provides a map of the human rights field, including its dominant strategies and methods. It offers students a reflective, contextualized, and participatory exploration of what it means to work in human rights, whether one's advocacy focuses on local or international issues. Through case studies, simulations, and interactions with practitioners, the course explores tools use by human rights practitioners such as litigation, media engagement, documentation of abuses, and advocacy to strengthen international law. It considers the parameters of various approaches, analyzing not only the rationales behind selection of tactics but also the opportunities and limitations of the methods chosen to influence governments and other actors.

Combining discussion-based modules with experiential exercises, students develop skills that they can utilize in multiple settings. Students learn to assess where they and human rights projects are positioned, the available routes for action, and how to pragmatically and responsibly choose which steps to take toward which ends. Students engage with the practical dilemmas that advocates face in a variety of scenarios and evaluate the ethical and strategic implications of different options. A workshop on collaboration familiarizes students with the complexities of joint human rights advocacy, addressing questions of power, representation, identity, and legitimacy. Students also facilitate rounds of project-based workshops and self-reflection focused on their experiences as advocates in the International Human Rights Clinic.

At the completion of the course, students will be equipped with the knowledge and skills to navigate multiple practice settings in which human rights advocates operate. Students will be able to confidently evaluate and deploy range of methods to achieve their goals in a broad and dynamic human rights field.

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## Human Rights Lawyering in Action: Skills, Strategies, and Challenges

**Course #:** 2510      **Term:** 2024FA      **Faculty:** Crowe, Anna; Ossom, Aminta      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Human Rights; International Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic FAQ and News Highlights.

Required Clinic Component: International Human Rights Clinic (3-5 fall clinical credits). Students enrolled in the fall clinic must enroll in this seminar or the Promises and Challenges of Disarmament clinical seminar.

Students are not guaranteed their first choice of clinical seminars. Clinical seminar selection and enrollment occurs once a student has enrolled in the fall clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 18, 2023.

LLM Students: LLM students may enroll in this clinic through Helios.

What does it mean to be a human rights lawyer? How do advocates around the world translate the human rights legal framework into a tool for meaningful change? And what are the strategic, ethical, and tactical considerations that arise in different human rights contexts?

This seminar provides a map of the human rights field, including its dominant strategies and methods. It offers students a reflective, contextualized, and participatory exploration of what it means to work in human rights, whether one's advocacy focuses on local or international human rights issues. Through case studies, simulations, and interaction with practitioners, the course explores methods such as litigation, media engagement, documentation of human rights abuses, and advocacy to strengthen international law. It considers the parameters of various advocacy approaches, analyzing not only the rationales behind selection of tactics but also the opportunities and limitations of the methods chosen to influence governments and other responsible actors.

Combining discussion-based modules with experiential exercises, students develop skills that they can utilize in multiple advocacy settings. Students engage with the practical dilemmas that advocates face in a variety of scenarios and evaluate the ethical and strategic implications of different choices. A workshop on collaboration familiarizes students with the complexities of joint human rights advocacy, addressing questions of power, representation, identity, and legitimacy. Students also facilitate rounds of project-based workshops and self-reflection focused on their practical experiences as advocates in the International Human Rights Clinic.

At the completion of the course, students will leave with the knowledge and skills to navigate the varied practice settings in which human rights advocates work. They will be able to confidently evaluate and choose from the range of methods human rights lawyers use to achieve advocacy goals.

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## Human Rights Litigation in U.S. Courts

**Course #:** 3002      **Term:** 2024FA      **Faculty:** Giannini, Tyler      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Civil Litigation; Courts, Jurisdiction, and Procedure; Environmental Law and Policy; Human Rights; International Law; Leadership

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This seminar will operate as a lab and explore the current landscape of human rights litigation in U.S. courts, examining both the doctrinal and practice dimensions of this litigation. We will look at how modern human rights litigation started, how it has evolved, how it has changed (and not changed), and where we stand now. We will also think about the future prospects of such litigation in the United States and how it connects to other jurisdictions, including in Canada, Europe, South Africa, and elsewhere.

Modern human rights litigation in U.S. courts started in the late 1970s with the resurrection of the Alien Tort Statute (ATS). For many, the ATS has defined U.S.-based human rights litigation for the past forty years, but the litigation landscape has changed significantly during over time. While this seminar will take a close look at the past several decades, this will only be the starting point. The seminar will focus the majority of its time on current approaches to human rights litigation, including innovative test cases and a number of statutes that receive far less attention than the ATS has. In particular, we will look at strategic litigation focused on climate justice and corporate accountability and efforts to develop and incubate new legal theories and cases in these practice areas.

The seminar will also give us a chance to connect with day-to-day litigation practice, including the various stages of litigation as well as how litigation fits within broader human rights and climate justice advocacy efforts. Together, we will examine how litigation strategies and techniques have been shared and developed over time and identify common strategies and recurring legal issues that arise across the cases. The seminar will also examine practical issues, including how to work with communities, how to coordinate cases that touch on multiple jurisdictions, how to interact with large teams of lawyers in different countries, and how to address unique cross-cultural and logistical challenges given the transnational nature of these cases.

A limited number of seats in the seminar are reserved for clinical students enrolled in the Human Rights Entrepreneurs Clinic, which gives students the opportunity to work in a lab-like atmosphere to support entrepreneurs in start-ups as well as innovators within existing organizations as they translate their ideas for change into reality. The Clinic operates as a lab, and students have the opportunity to support partners as they develop and incubate ideas to pursue innovative strategic approaches that advance human rights. In particular, the Clinic focuses on frontier litigation related to climate justice and corporate accountability as well as community-centric approaches to business and human rights. The Clinic also supports student entrepreneurs whose work relates to human rights.

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## Identity in American Literature of the 1940s

**Course #:** 3063

**Term:** 2024FA

**Faculty:** Tarullo, Daniel

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Jurisprudence and Legal Theory

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

Much American literature of the 1940s is concerned with issues of identity that resonate across the decades — race, gender, and the relationship of individuals to groups that help define them. Yet there are variations on these themes that may not be so familiar. These variations may give us some new perspective on contemporary perceptions of identity in society. We will read novels by five writers — two still well-known today (Carson McCullers and Ralph Ellison), and three considerably less so (John Horne Burns, Ann Petry, and Dawn Powell) — to explore some of these themes. Each student will be asked to give some introductory comments at one session to help begin the discussion of the novel assigned for that day.

Note: This reading group will meet on the following dates: TBD.

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## Immigration and Refugee Advocacy

**Course #:** 2115

**Term:** 2024FA

**Faculty:** Ardalan, Sabrineh

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Immigration/Refugee; Civil Rights; Immigration Law; Civil Rights; Immigration Law; Immigration; Civil Rights; Gender and the Law; Human Rights; Immigration Law; International Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 10:15 AM - 12:15 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Required Clinic Component: Harvard Immigration and Refugee Clinic (3-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students LLM students are eligible to enroll in this clinic through Helios. International LLM students in F-1 student status cannot be placed at GBLS.

This seminar addresses U.S. immigration and asylum law, as well as advocacy skills relevant to students work at the clinic. The skills component of the seminar addresses such areas as effective client interviewing, affidavit writing, trial preparation, policy advocacy, district court and appellate litigation, and amicus briefs. In order to cultivate best practices in student advocacy, this seminar draws heavily for instructional examples on students clinical experiences. It also allows students to connect their understanding of immigration and refugee law and lawyering skills to actual casework through consideration of specific issues of doctrine and policy implicated by students cases. Students will also have an opportunity to reflect critically on their experiences, models of advocacy, and social justice.

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## Immigration and Refugee Advocacy

**Course #:** 2115      **Term:** 2025SP      **Faculty:** Ardalan, Sabrineh      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Immigration/Refugee; Civil Rights; Immigration Law; Civil Rights; Immigration Law; Immigration; Civil Rights; Gender and the Law; Human Rights; Immigration Law; International Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 10:15 AM - 12:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A, Clinic Info Session and OCP Blog Highlights.

Required Clinic Component: Harvard Immigration and Refugee Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students LLM students may enroll in this clinic through Helios. International LLM students in F-1 student status cannot be placed at GBLS.

This seminar addresses U.S. immigration and asylum law, as well as advocacy skills relevant to students work at the clinic. The skills component of the seminar addresses such areas as effective client interviewing, affidavit writing, trial preparation, policy advocacy, district court and appellate litigation, and amicus briefs. In order to cultivate best practices in student advocacy, this seminar draws heavily for instructional examples on students clinical experiences. It also allows students to connect their understanding of immigration and refugee law and lawyering skills to actual casework through consideration of specific issues of doctrine and policy implicated by students cases. Students will also have an opportunity to reflect critically on their experiences, models of advocacy, and social justice.

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## Immigration Law

**Course #:** 2466

**Term:** 2025SP

**Faculty:** Neuman, Gerald

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Immigration/Refugee; Civil Rights; Immigration Law; Civil Rights; Immigration Law; Immigration; Administrative and Regulatory Law; Civil Rights; Constitutional Law; Immigration Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 3:45 PM - 5:15 PM

Tue 3:45 PM - 5:15 PM

**Course Description:** Prerequisites: Prior completion of a course in U.S. Constitutional Law that covers separation of powers and federalism is recommended, but not required.

Exam Type: In Class

This course provides an overview of federal regulation of immigration, and the peculiar constitutional doctrines that persist in that field, with attention to the normative debates. Migration policy has been bitterly controversial in recent years, and is currently in flux. Among other topics, we will consider the criteria for admission and residence in the United States, the grounds and process of deportation, an introduction to refugee law, and the endangered right to judicial review.

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# Harvard Law School Course Catalog

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## Indigenous Peoples and International Law

**Course #:** 2643

**Term:** 2025SP

**Faculty:** Davis, Megan

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Race; International Law; Race and the Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

Wed 3:45 PM - 5:45 PM

Thu 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None

Exam Type: Last Class Take-Home

This course explores the developments in international law pertaining to Indigenous peoples rights. The issue of Indigenous populations and Indigenous rights strike at the heart of the international statist system as their claims and the relevant normative framework question the legitimacy of states and state sovereignty. Through the standard setting mechanism of the UN international human rights system, a normative framework of indigenous peoples rights was endorsed by the UN General Assembly almost two decades ago. Also, international human rights law has been for many Indigenous peoples transformative and emancipatory. There are however limitations to this framework and this course will scrutinise the efficacy of the UN human rights system, the UN Indigenous mechanisms and the limitations of the right to self-determination. This course will consider the advocacy of Indigenous peoples over many decades and the substantive achievements of this advocacy in international law. It will adopt a critical lens in which to assess how effective this UN infrastructure, the DRIP framework and Indigenous advocacy internationally has been in terms of real impact on the ground in communities.

Note: This course will meet over six weeks, starting the week of March 10.

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## Indigenous rights recognition, reform and retreat

**Course #:** 3295

**Term:** 2024FA

**Faculty:** Davis, Megan

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

Wed 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

Almost two decades since the UN General Assembly adopted the United Nations declaration on the rights of indigenous peoples, we are seeing worrying trends in democracies retreating from the recognition of indigenous rights. This makes advocacy for law reform and change by Indigenous peoples much more difficult.

The referendum loss in Chile, the referendum loss in Australia, the blowback against Maori rights and the proposed winding back of the Treaty of Waitangi, the weakening of the Finnish Sami Parliament Act are a few examples of the ascendancy of an anti-Indigenous rights sentiment and rights retreat globally. The examples above demonstrate the defeat of active law reform proposals and current reviews of existing rights animated by global trends of populism, racism, authoritarianism. These agendas often promote formal equality and anti-democratic/democratic legitimacy as reasons for winding back Indigenous rights.

On the other hand, decisions by the Supreme Court of Canada in Reference re An Act respecting First Nations, Inuit and Métis children, youth and families, 2024 and SCOTUS in Haaland v. Brackeen, 2023 speak to the strong foundation treaties and constitutional recognition provide.

This course will explore some of the current issues in Indigenous peoples rights in democracies globally to animate class discussion and analysis of some of the common approaches to Indigenous rights globally and their strengths and limitations. We will discuss and problematise concepts such as recognition, self-determination, reconciliation and truth-telling. Topics will include:

Indigenous peoples rights and democratic governance.

Aboriginal Sovereignty and the state.

Treaties, agreements and other constructive arrangements.

The right to self-determination and its limitations.

The pursuit of reconciliation, truth and justice.

Are Truth-telling commissions & transitional justice useful for reconciliation?

Note: This seminar will be taught over six weeks, starting in the second-half of the term, dates TBD.

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## Institute to End Mass Incarceration Clinic

**Course #:** 8051      **Term:** 2025SP      **Faculty:** Crespo, Andrew      **Credits:** 4.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Criminal Law and Procedure; Legal Profession and Ethics; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Anti-Carceral Organizing and Lawyering (2 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in the required course. For a description of the seminar component of the course, please see the corresponding course description.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due by October 18, 2024. Please see below for more information.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may apply to the clinic by the deadline (application instruction details are below).

Placement Site: HLS.

Description: The Institute to End Mass Incarceration is a research and advocacy program that works toward the dramatic decarceration of the United States, the eradication of the root causes of mass incarceration, and the promotion of new approaches to dealing with harm and safety in our communities. The Institute's advocacy work is anchored to its clinical component, which aims to develop, teach, and practice a novel mode of movement oriented lawyering that helps to build the power of social movements working toward anti-carceral emancipatory futures. Working alongside and in support of community-led movements, the Institute helps to strategize and implement collective-action campaigns that catalyze the power of the people impacted by the penal system.

Clinic Work: Students can expect to participate directly in strategizing and executing movement-driven advocacy and litigation campaigns alongside people charged with crimes and communities harmed by mass incarceration, in conjunction with partnering lawyers, community-organizers, and local activists. Student practice will include brainstorming and designing campaign strategies; research and writing to produce strategy memoranda and litigation documents; and collaborating with partner organizers and attorneys to execute coordinated campaigns. Students enrolled in the course will serve as full and central members of the Institute's advocacy team. Depending on the number of projects undertaken over the course of the semester, students can expect to be divided into teams with other classmates. All students, however, will participate in each weekly seminar session and will contribute to and support the work of students on other teams-perhaps assuming primary responsibility for aspects of other projects as needs arise.

Workflow Overview: Clinic work follows a weekly cadence. Within a given week, students are expected to set aside and block out 16-20 hours for clinic work (corresponding to credit enrollment). This blocked time is meant to be inclusive of seminar meetings and readings, team meetings, solo research and writing time, and team collaborative work time. Students will be asked to share their schedule blocks with their team

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and supervisor at the start of the semester. Student work teams are structured and facilitated using a community organizing school of practice, which students are introduced to during an intensive weekend-long workshop at the start of the semester. (For more information on the workshop, see the accompanying seminar course description.) Students will use these skills to develop team norms, structures, and roles, facilitated by their clinic instructor who serves as the team's coach during the semester.

Once the semester is underway, the weekly cadence is driven by a standing team meeting, where the team maps out its campaign-related goals and deliverables over the course of the semester, identifying a series of weekly deliverables (typically some form of written work product) that are designed to propel the team forward each week toward key milestones during the semester. Examples of milestones include completing a chapter of a strategy playbook for an ongoing organizing campaign, preparing briefing materials for strategy sessions with organizers who are preparing to execute organizing tactics with legal implications, or potentially preparing litigation or other materials related to the execution of legal tactics being pursued by the organizing coalition. A team can expect to have multiple milestones over the course of the semester, with smaller weekly targets moving toward the successful completion of each milestone.

Application Process: Admission to this course is by permission. Interested students should submit an application to Maggie Bay ([mbay@law.harvard.edu](mailto:mbay@law.harvard.edu)) by no later than October 18, 2024. The application should include the following documents, combined into a single PDF:

a cover letter

a resume

a writing sample

a list of up to three references

a completed time spreadsheet (template [here](#))

Cover letters should describe, if applicable, any prior or upcoming relevant work experience, including work on behalf of indigent clients, with criminal legal system issues, with organizing or activism campaigns, and/or with substantive brief writing or written advocacy beyond the first-year curriculum. No such experience, however, is required for admission to the course, nor should students without such experience feel discouraged from submitting an application. Your cover letter should also include a discussion of your extracurricular and other obligations during the semester and your plan for balancing your various commitments with clinic work. Applicants may be asked to interview by phone or video conference.

Grading: Students will be graded based on a combination of their participation in seminar, their efforts to contribute to the team's projects and deliverables over the course of the semester, and the quality of their formal and informal work product.

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## International Arbitration: Commercial

**Course #:** 3315

**Term:** 2024FA

**Faculty:** Banifatemi, Yas

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Private Room; International Law; Private Law

**Delivery Mode:** Course

### Days and Times:

### Location

Mon 6:00 PM - 8:00 PM

Tue 6:00 PM - 8:00 PM

Wed 6:00 PM - 8:00 PM

Thu 6:00 PM - 8:00 PM

### Course Description:

Prerequisite: The course is open to 2Ls, 3Ls, and LL.Ms. No prior courses required, although broad familiarity with public international law and international commercial arbitration will be an advantage.

Exam Type: There is no exam administered by the Registrars Office. Students will instead complete an oral exam, in the form of a moot investment arbitration proceeding.

In 1965, the World Bank adopted the Washington Convention, establishing the International Centre for Settlement of Investment Disputes (ICSID), and allowing private parties to resort directly to international arbitration against States for harm done to their investments. Since then, as a result of the wide adoption of bilateral and multilateral investment protection treaties, there has been an outbreak of investor-State arbitrations that neither the drafters of the Convention nor the international community at large had anticipated.

This course will explore where investment treaty arbitration stands today, after over two decades of growth. In particular: Why have there been calls for reform and for the termination of investment protection treaties? To what extent has the interplay between investment arbitration and international law nourished each of these fields of law? How has the arbitral case law tackled the most complex questions of international law? These questions, and others, will be addressed through a deep immersion into the investment arbitration process, as well as through an examination of the concepts of jurisdiction and admissibility (notion of investment; nationality of investors, both physical and juridical persons; temporal application of treaties; abuse of process; etc.); the interaction between contractual and treaty breaches; treaty interpretation; and strategic options in investor-State arbitration.

Enrollment will be limited to 25, and class will proceed based on students having prepared the relatively substantial reading materials. Only students who are prepared to make a firm commitment should enroll.

Note: This course will meet on a condensed schedule, dates TBD.

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## International Business Law

**Course #:** 2560

**Term:** 2024FA

**Faculty:** Wu, Mark

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Corporate and Transactional Law; International Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: One-Day Take-Home

This course aims to provide students with a broad overview of the problems that confront businesses as they go global and how different forms of law work to address such problems. Through a series of examples, the class will explore the legal and policy implications that arise out of cross-border transactions. How do businesses navigate markets that operate very differently than their own home market? We explore how treaties, national laws, and informal norms shape and constrain business decisions. Among the topics to be explored are how businesses deal with issues such as corporate social responsibility, intellectual property protection, corruption, privacy, and enforcement of arbitration awards. This class will focus, in particular, on transactions with Asia, but will draw on examples from other regions as well.

Note: Students who took Law & the International Economy in their 1L year are not eligible to take this course.

This class will meet for 18, two-hour sessions over the term.

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## International Commercial Arbitration

**Course #:** 2122      **Term:** 2025WI      **Faculty:** Beckett, Mark; Tan, Daniel      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Bankruptcy; Bankruptcy; Bankruptcy; Bankruptcy and Commercial Law; International Law; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**      **Location**

Fri 9:00 AM - 12:15 PM

Mon 9:00 AM - 12:15 PM

Tue 9:00 AM - 12:15 PM

Wed 9:00 AM - 12:15 PM

Thu 9:00 AM - 12:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.  
Prerequisites: None  
Exam Type: Last Class Take-Home  
There will be a take-home final exam and class participation will be weighed.

This course provides an intensive introduction to the law, theory and practice of international commercial arbitration, which has become the default method of resolving international commercial disputes. As companies and investors become increasingly involved in international business transactions, the practice of arbitration is rapidly growing apace in law firms of every size. The practice is peripatetic and global with many international arbitration lawyers basing themselves in law firms in New York, Washington D.C., Paris, Hong Kong, Singapore, and other major commercial centers, and appearing in proceedings in their home cities and throughout the world.

The course will examine arbitration law and practice from a comparative, multi-jurisdictional perspective. At the same time, it will also address in depth the United States law of international commercial arbitration. Students can expect to review both commentaries, statutes and case law on the subject. The course is comprised of five main topics: (1) an introduction to the field of international commercial arbitration; (2) the agreement to arbitrate; (3) the selection and role of the arbitrators; (4) the arbitration process; and (5) the arbitral award. The role of national courts in the process will also be examined.

The course will also address new developments in international arbitration in relation to how technology is impacting the practice of arbitration and the use of arbitration to the digital economy in both mundane and more exotic applications.

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## International Counterterrorism Law and its Discontents

**Course #:** 2421      **Term:** 2025SP      **Faculty:** Modirzadeh, Naz      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Comparative Law; International Law; National Security Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:20 AM - 11:50 AM

Fri 10:20 AM - 11:50 AM

**Course Description:** Prerequisite: Public International Law  
Exam Type: One-Day Take Home

Do contemporary counterterrorism approaches fit within or frustrate existing international law? This course will explore the relationships between public international law (especially use of force, international humanitarian law/law of armed conflict, and international human rights law) and the growing set of legal obligations, policies, and resources aimed at suppressing and punishing acts of terrorism. We will unpack what assumptions and normative commitments underpin counterterrorism approaches and study how those constitutive elements may be deployed in ways that can constrain or expand possible futures for international law. We will examine how, particularly after September 11, 2001, global approaches to countering terrorism may weaken or strengthen - or disorient or redirect - existing international legal frameworks and multilateral institutions.

Readings will draw from a variety of primary sources (including terrorism-suppression treaties, United Nations Security Council resolutions, and select municipal legislative and enforcement frameworks) as well as limited secondary literature. The course will focus on real-world interpretive dilemmas, legal challenges to counterterrorism approaches, and related complex decision-making.

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## International Criminal Law

**Course #:** 2455      **Term:** 2025SP      **Faculty:** Kalpouzos, Ioannis      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Criminal Law and Procedure; Human Rights; International Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: Any Day Take-Home

International Criminal Law examines how the international legal system attempts to name and address the gravest crimes in international law. We will focus on: a) international criminal law as part of public international law, as well as a political project; b) genocide, crimes against humanity, war crimes, and the crime of aggression; c) perpetrators and victims of international crimes; d) domestic and international judicial enforcement, with special attention to the International Criminal Court. Through a discussion that is both doctrinal and critical, the course will seek to illuminate both the law and politics of international criminal justice and to inform its practice.

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## International Economic Law: Current Crises and Future Possibilities

**Course #:** 3308

**Term:** 2024FA

**Faculty:** Roberts, Anthea

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** International Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

Fri 1:30 PM - 3:30 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

There have always been critics of economic globalization, among them many developing countries and civil society groups in developed countries. In recent years, however, fundamental critiques of globalization and the international economic law order have moved into the political mainstream in many countries that used to be champions of international trade and investment. The Brexit vote in the United Kingdom and the election of Donald Trump to the US presidency in 2016 marked a turn away from what was assumed to be a steady trend towards further interdependence. Since then, the trade and investment relationship between China and many Western countries has steadily deteriorated, the climate crisis has become an ever more pressing concern, and the Covid-19 pandemic has put the resilience of supply chains into the spotlight. At the same time, the World Trade Organization's Appellate Body has been stymied and cross-border flows of investment and technology have been curtailed by rising investment screening and export controls. In light of these developments, this course challenges students to understand the forces that are pulling international economic law in different directions with respect to security, environmental and social challenges and to ask: what does this crisis mean for international trade and investment law (i.e., how compatible are these developments with the existing rules?); and where might the future regime be heading (how might the rules and institutions be evolving to accommodate these concerns)?

Note: This course will meet over four weeks, dates TBD.

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## International Environmental Law

**Course #:** 2123

**Term:** 2025WI

**Faculty:** Wiersema, Annecoos

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Environmental Law and Policy; International Law

**Delivery Mode:** Course

### Days and Times:

### Location

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: In Class

This course covers the international law governing the environment and natural resources. The course begins by covering the sources and institutional structure of international environmental law, as well as the fundamental principles governing international environmental law. The course continues by delving into the core treaty regimes in the field, including ozone protection, climate change, and biodiversity and species protection. The course will also address the relationship of international environmental law with other fields of international law.

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## International Human Rights Clinic

**Course #:** 8021      **Term:** 2024FA      **Faculty:** Farbstein, Susan      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Health Fee; Family; Health/Bioethics/Biotechnology; LGBTQ+; LGBTQ+; LGBTQ+ Advocacy Clinic; Race; Family Member; Children and Family Law; Civil Litigation; Comparative Law; Employment and Labor Law; Environmental Law and Policy; Gender and the Law; Health, Food, and Drug Law; Human Rights; International Law; Law and Religion; Leadership; Legal Profession and Ethics; LGBTQ+; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic FAQs, Clinic Q&A, and News Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Students in the fall clinic must enroll in an accompanying clinical seminar (2 classroom credits). Students are guaranteed a seat in one of these two required courses, but are not guaranteed their first choice. Students may enroll in only one of the two available courses.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 18, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The International Human Rights Clinic (IHRC) advances the protection and realization of human rights around the world while training the next generation of advocates. The Clinic serves as partner and legal advisor to a wide range of human rights and civil rights organizations in the United States and globally. Working on small project teams under the close supervision of expert clinicians, students take the lead on lawyering and advocating for human rights across a range of thematic and geographic areas, using a variety of skills that reflect the diverse modes of human rights practice. Students are involved in all aspects of their projects, from conceptualizing goals and formulating strategies, to researching and drafting reports, treaties, and legal briefs, to interviewing witnesses, to presenting findings before courts and international bodies. Students will be exposed to multiple strategies and innovative techniques for promoting and protecting human rights, and will also critically reflect on their work and the human rights movement more broadly.

IHRC's docket draws on clinicians' established expertise and networks in six broad areas, while remaining dynamic and responsive to emerging needs and the evolving field. Our primary areas of work are: (1) accountability and remedies; (2) armed conflict & civilian protection; (3) climate justice & the environment; (4) gender, race & non-discrimination; (5) protecting fundamental freedoms; and (6) social & economic justice.

Clinic students must take an accompanying clinical seminar (2 fall classroom credits). The seminars teach the skills and methods of human rights practitioners through case studies, workshopping of clinical projects, and simulations related to fact-finding and field investigations, media work, and/or negotiation and legislative work. Clinical seminar selection and enrollment occurs once a student has enrolled in the fall clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.

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## International Human Rights Clinic

**Course #:** 8021      **Term:** 2025SP      **Faculty:** Farbstein, Susan      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Health Fee; Family; Health/Bioethics/Biotechnology; LGBTQ+; LGBTQ+; LGBTQ+ Advocacy Clinic; Race; Family Member; Children and Family Law; Civil Litigation; Comparative Law; Employment and Labor Law; Environmental Law and Policy; Gender and the Law; Health, Food, and Drug Law; Human Rights; International Law; Law and Religion; Leadership; Legal Profession and Ethics; LGBTQ+; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic FAQs, and News Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Students in the fall clinic must enroll in an accompanying clinical seminar (2 classroom credits). Students are guaranteed a seat in one of these two required courses, but are not guaranteed their first choice. Students may enroll in only one of the two available courses.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 18, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The International Human Rights Clinic (IHRC) advances the protection and realization of human rights around the world while training the next generation of advocates. The Clinic serves as partner and legal advisor to a wide range of human rights and civil rights organizations in the United States and globally. Working on small project teams under the close supervision of expert clinicians, students take the lead on lawyering and advocating for human rights across a range of thematic and geographic areas, using a variety of skills that reflect the diverse modes of human rights practice. Students are involved in all aspects of their projects, from conceptualizing goals and formulating strategies, to researching and drafting reports, treaties, and legal briefs, to interviewing witnesses, to presenting findings before courts and international bodies. Students will be exposed to multiple strategies and innovative techniques for promoting and protecting human rights, and will also critically reflect on their work and the human rights movement more broadly.

IHRC's docket draws on clinicians' established expertise and networks in six broad areas, while remaining dynamic and responsive to emerging needs and the evolving field. Our primary areas of work are: (1) accountability and remedies; (2) armed conflict & civilian protection; (3) climate justice & the environment; (4) gender, race & non-discrimination; (5) protecting fundamental freedoms; and (6) social & economic justice.

Clinic students must take an accompanying clinical seminar (2 fall classroom credits). The seminars teach the skills and methods of human rights practitioners through case studies, workshopping of clinical projects, and simulations related to fact-finding and field investigations, media work, and/or negotiation and legislative work. Clinical seminar selection and enrollment occurs once a student has enrolled in the fall clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.

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## International Human Rights Clinic - 3L Advanced Training

**Course #:** 8040      **Term:** 2024FA      **Faculty:** Farbstein, Susan      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** LGBTQ+; LGBTQ+; LGBTQ+ Advocacy Clinic; Race; Civil Litigation; Comparative Law; Employment and Labor Law; Environmental Law and Policy; Gender and the Law; Human Rights; International Law; Law and Religion; Leadership; Legal Profession and Ethics; LGBTQ+; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Crafting Change & Elevating Impact: Advanced Skills & Ethics in Human Rights Practice (2 fall classroom credits). Once a student is accepted into this clinic, the Office of Clinical and Pro Bono Programs will enroll them in the required course.  
Additional Co-/Pre-Requisites: Prior semester of the International Human Rights Clinic.  
By Permission: Yes. Applications are due by April 15, 2024.  
Add/Drop Deadline: June 1, 2024.  
LLM Students: Due to the pre-requisite, LLM students are not eligible to apply.  
Placement Site: HLS.  
Through the International Human Rights Clinic - 3L Leadership Training with Advanced Seminar, students build new, more advanced skills necessary to become effective and thoughtful human rights advocates. Advanced students have the opportunity to focus on their leadership skills and explore additional approaches to human rights promotion. When appropriate, students travel to investigate abuses or pursue advocacy outside Cambridge, participate in sessions before intergovernmental bodies and arguments before courts, and help formulate policy to promote respect for human rights principles and the rule of law.  
Please contact the Clinic for more information about the application process.

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## International Labor Migration

**Course #:** 2330      **Term:** 2025WI      **Faculty:** Rosenbaum, Jennifer      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Employment and Labor Law; Human Rights; International Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

**Course Description:** Prerequisite: None

Exam Type: No Exam

This course will draw on case studies to examine international labor migration flows, governance issues under national and international legal regimes, and innovative approaches to defending migrant worker rights in sending and receiving countries. We will explore the interplay between the modern human rights and labor movements, analyze the advocacy strategies adopted to address workers' rights violations, and evaluate the tradeoffs and tensions inherent in the different approaches.

Through the course, students will learn about different forms of international labor migration and labor trafficking from the perspectives of countries of origin and destination and will analyze the international instruments that protect workers' basic rights and freedoms.

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## International Law and Global South Statecraft

**Course #:** 3297      **Term:** 2025SP      **Faculty:** Modirzadeh, Naz      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Human Rights; International Law; Jurisprudence and Legal Theory; Legal History; National Security Law

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: Public International Law

Exam Type: No Exam

This reading group will explore the role of the state and sovereignty in contemporary multilateral affairs, with a focus on struggles concerning the purported breakdown of the "rules-based international order," transformation of economic inequity, and resistance against foreign interference. We will read primary and secondary sources, think critically about legal and political claims, and explore potential futures for what a "pro-Global South approach" to international law and institutions of global governance might look like.

Note: This reading group will meet on the following dates: TBD.

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# Harvard Law School Course Catalog

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## International Law of the Sea

**Course #:** 2958      **Term:** 2025SP      **Faculty:** Kraska, James      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Environmental Law and Policy; International Law; National Security Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 4:15 PM - 7:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: No Exam

This course explores the international law of the sea, the body of public international law that governs the rights and duties of states in their use of the oceans and seas. This course presents the institutional structure, doctrines, and norms that govern activities in the oceans, seas, coastal areas, and ports, including: contending rights and jurisdiction; maritime zones; marine living resources and fisheries; offshore energy and deep seabed mining; submarine communications cables; international trade, shipping and navigation; maritime law enforcement and human rights; marine environmental protection, marine scientific research and marine technology; naval operations and conflict at sea; marine biodiversity, climate change, and sustainable development; maritime boundary delimitation; and international arbitration, litigation, and dispute resolution. Along the way, we encounter foundational concepts of international law, such as state sovereignty. The law of the sea is a prominent feature of international politics, evident in disputes ranging from the South China Sea to the Arctic Ocean and the Black Sea.

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## International Taxation

**Course #:** 3021      **Term:** 2025SP      **Faculty:** Paul, Deborah      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Tax; Tax; Tax; Administrative and Regulatory Law; Corporate and Transactional Law; International Law; Tax Law and Policy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: Taxation or permission to waive the prerequisite by the instructor.

Exam Type: One-Day Take Home

This course will cover the basic federal income tax concepts, policy and law relating to taxation of foreign persons with U.S. activities and U.S. persons with foreign activities. The course will discuss long-standing aspects of federal income tax law, as well as rules enacted in 2017 central to that year's federal income tax reform. We will discuss Moore v. United States, the Supreme Court case involving an element of the 2017 tax reform. In our global economy, federal income tax law relating to cross-border activity affects many business and investment decisions. The course would be of interest to future tax lawyers and transactional lawyers as well as those interested in statutory interpretation.

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# Harvard Law School Course Catalog

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## International Trade Law

**Course #:** 2132

**Term:** 2025SP

**Faculty:** Wu, Mark

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** International Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: One Day Take-Home

This course focuses on the law governing international trade as established by the World Trade Organization. It engages in an in-depth analysis of WTO rules and case law. The class will examine the strengths and weaknesses of the existing regime and discuss the difficulties in reforming the system. Besides focusing on the basic principles governing trade in goods and services, the course will also examine specialized areas such as technical standards, agriculture, food safety, subsidies, trade remedy measures, and intellectual property. In addition, the course will focus on the geopolitical tensions between major trading powers as well as on the new issues being addressed through regional trade agreements.

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# Harvard Law School Course Catalog

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## Introduction to Advocacy: Civil Legal Aid Ethics, Theory, and Practice

**Course #:** 2134      **Term:** 2024FS      **Faculty:** Caramello, Esme; Lawrence, Eloise      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Leadership; Legal Profession and Ethics; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights.

Required Clinic Component: Harvard Legal Aid Bureau 2L (4 fall clinical credits + 4 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: Evidence. Students must enroll in Evidence separately from clinic enrollment.

By Permission: Yes.

Add/Drop Deadline: Please contact HLAB for more information.

LLM Students: LLM students are not eligible to enroll.

Multi-Semester: This is a fall-spring course (2 fall classroom credits + 1 spring classroom credit).

This course introduces students to civil law practice and is required for all 2L members of the Harvard Legal Aid Bureau. Student practice experience at the Bureau is the primary material for all class meetings and discussions. The goals of the course are: (1) to provide a strong foundation for developing lawyering skills; (2) to enhance student understanding of what lawyers do, with particular attention to professional role, values, and ethics; and (3) to develop skills of peer and self-assessment so that students will have the ability to continue to learn in practice after law school. The majority of class meetings will focus on specific lawyering tasks such as client counseling and interviewing, investigation of claims, negotiation, and argument and case presentation, as well as the civil legal aid system and management of a multi-issue, multi-strategic legal aid organization. With respect to each skill studied, attention will be paid to the ethical, relational, strategic, and tactical issues involved. Additional class sessions, led by Bureau Clinical Instructors, will provide opportunities for analysis of the substantive and procedural law applicable to the students clinical practice; development of litigation skills through role-play exercises; and rounds of discussions of challenging issues in the students casework.

There will be no examination, but students are expected to attend all class sessions and complete periodic short written assignments and a final paper that addresses an ethical or professional issue related to their casework, the course readings, or other aspects of the legal profession.

Enrollment in this course is restricted to 2L Harvard Legal Aid Bureau members and will not be in clinical registration. The Office of Clinical and Pro Bono Programs will enroll all HLAB 2L members in this course.

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# Harvard Law School Course Catalog

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## Introduction to Islamic Law

**Course #:** 2538      **Term:** 2024FA      **Faculty:** Rabb, Intisar      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Comparative Law; Criminal Law and Procedure; Jurisprudence and Legal Theory; Law and Religion; Legal History

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 6:00 PM - 8:00 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam

This course will survey core concepts in Islamic law (sharia) in historical and comparative modern contexts. Popular perceptions of this legal system imagine it to be a static code from 7th-century Arabia. By contrast, we explore aspects of Islamic law and society, as a dynamic system, that uncover rich debates about cases historically alongside processes of "legislation" and interpretation analogous to our own. We also explore the substantive rulings and institutional structures that substantially diverge from our own. Those laws and structures evolved over time, with notable changes accompanying the breakup of the Islamic empire in the 10th and 12th centuries, colonial interventions in the 18th and 19th centuries, and independence movements in the 20th and 21st centuries. How and why did Muslim jurists, judges, and political leaders define or operate within the grammar of Islamic law? Did the law impose religious-moral values or reflect cultural and socially constructed ones? What explains the recent appeal of sharia in the last few decades and how might we understand Islamic law in our times? This course will equip students with tools to examine these questions in the course of conversations about key subjects of Islamic law and methods of interpretation. This term, we will also experiment with data science approaches to both. Students must complete one presentation and one short paper (10pp); they may opt for a long paper (15pp) and/or data science project with two short writing assignments for an additional credit.\* Students need not have prior knowledge of Islamic law.

\* The additional credit options allow students to conduct in-depth research on a single issue of Islamic law or legal theory using primary sources -cases, legislation, manuals of legal theory, etc. (in English or any other language with which students are familiar), together with new data science tools in connection with the SHARIAsource Lab. This Lab allows students to workshop papers, receive feedback on their works-in-progress, and the opportunity to publish short papers as posts on the Islamic Law Blog.

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# Harvard Law School Course Catalog

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## Introduction to Japanese Law

**Course #:** 2136      **Term:** 2025WI      **Faculty:** Ramseyer, J. Mark      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Comparative Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Fri 1:00 PM - 4:15 PM

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.  
Prerequisites: None  
Exam Type: In Class  
This course is designed to introduce the non-specialist law student to major features of the Japanese legal system. The course attempts to integrate the structures, processes, and personnel of the Japanese legal system with other features of Japanese society and history. Topics covered include (but are not limited to): Litigation and extra-judicial settlement, the legal services industry, economic regulation, criminal procedure, and constitutional litigation.

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## Islamic Law and Human Rights

**Course #:** 2517      **Term:** 2024FA      **Faculty:** Waheedi, Salma      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Comparative Law; Gender and the Law; Human Rights; Jurisprudence and Legal Theory; Law and Religion

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam  
This reading group offers students the opportunity to engage with current and emerging debates on Islamic law, social justice, and human rights. After a brief introduction to Islamic law and jurisprudence, we will examine legal and practical human rights question at the intersection of Islamic law and its interpretation and application within contemporary Muslim states and societies. Through a number of case studies, we also will engage in a critical examination of different modes and discourses of domestic, regional, and global human rights advocacy across diverse geographic settings and themes.  
Note: This reading group will meet on the following dates: TBD.

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# Harvard Law School Course Catalog

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## Islamic Law Lab

**Course #:** 2688

**Term:** 2024FA

**Faculty:** Rabb, Intisar

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Comparative Law; Jurisprudence and Legal Theory; Law and Religion; Legal History

**Delivery Mode:** Course

**Days and Times:**

**Location**

**Course Description:** Prerequisite: Enrollment is limited to 12 students and is by permission of the instructor. A prior course in Islamic Law is helpful, but not necessary. Students who have not taken a course on Islamic law or who are not concurrently enrolled in Professor Rabb's Introduction to Islamic Law course must attend the first two sessions of the Comparative Law Workshop, also taught this semester. Interested students should email Emma Reilly (ereilly@law.harvard.edu) with a current resume and a short statement of interest including one or two topics you might be interested in writing about (not to exceed one page). Applications deadline TBD. Students will be notified after this date of their status in this course.

Exam: No Exam

This course provides an opportunity for students interested in assessing the way Islamic law functions in contemporary and historical contexts to work on discrete research projects in a collaborative, interactive setting. Students will select one or more topics in legislation and interpretation in a Muslim-majority or Muslim-minority country to explore during the semester. Typical research areas may include (but are not limited to) issues of Islamic criminal law, family law, and comparative constitutional law. We will meet six times over the course of the semester, and will schedule tailored library-research sessions and a short tutorial for uploading materials onto an online blog. Students will be evaluate on the basis of four short papers (500-1000 words), to be published as individual posts with accompanying primary sources used on the online portal or blog for SHARIAsource.com—a portal for content and context on Islamic law. The sources and analysis for the site are modeled on an Islamic-law version of WestLaw and SCOTUSblog. Students will also have opportunities to track online debates, engage with leading scholars in the field, and identify new developments and sources for Islamic law related to their chosen research projects.

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# Harvard Law School Course Catalog

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## Judicial Opinions

**Course #:** 3303

**Term:** 2024FA

**Faculty:** Re, Richard

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Thu 6:00 PM - 8:00 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This reading group will explore the genre of the judicial opinion. What makes a judicial opinion good, successful, or historic? What goals do judicial authors have in mind, and who are their audiences? To what extent should judges focus on reason to the exclusion of rhetoric? And how, if at all, can judicial opinions be exclusionary or inclusive with respect to, for example, gender, race, and class? Topics to be discussed include prophetic dissents, uses of technical or colloquial language, and personal invective. We will also consider influences on judicial opinion-writing, such as considerations of precedent, the allure of judicial celebrity, and the role of law clerks. Finally, we will consider the effects of technological change, as judges take advantage of print publication, searchable databases, and artificial intelligence.

Note: This reading group will meet on the following dates: TBD.

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# Harvard Law School Course Catalog

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## Judicial Process in Trial Courts Clinic

**Course #:** 8022      **Term:** 2024FA      **Faculty:** Berenson, Barbara; Cratsley, John      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** State and Federal Courts; Race; Administrative and Regulatory Law; Civil Litigation; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Legal Profession and Ethics; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Judicial Process in Trial Courts (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: August 23, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT, but may enroll separately in the Class Component.&nbsp;  
Placement Site: Various internship placements with trial court judges.  
Students undertake clinical fieldwork study of judicial performance through clerkship-like clinical placements with individual justices of the District Court, Boston Municipal Court, Juvenile Court, Housing Court, Land Court and Superior Court Departments of the Massachusetts Trial Court, as well as with federal judges in the U.S. District Court and Immigration Court. Clinical students are expected to be available to do research and writing projects for their assigned judge, and are expected to observe and assist their judge for at least 2 clinical credits, or eight hours per week. Three short reflection papers and one final paper required.  
Students must have at least one full day available for their judicial placement. Students may earn up to five credits for additional fieldwork hours with their judge.  
For more information, please contact Judge John C. Cratsley (Retired); cratsley@socialaw.com or jcratsley@law.harvard.edu. or Barbara Berenson, bberenson@law.harvard.edu&nbsp;

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# Harvard Law School Course Catalog

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## Judicial Process in Trial Courts Clinic

**Course #:** 8022      **Term:** 2025SP      **Faculty:** Berenson, Barbara; Cratsley, John      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** State and Federal Courts; Race; Administrative and Regulatory Law; Civil Litigation; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Legal Profession and Ethics; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Judicial Process in Trial Courts (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: December 13, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT, but may enroll separately in the Class Component.&nbsp;  
Placement Site: Various internship placements with trial court judges.  
Students undertake clinical fieldwork study of judicial performance through clerkship-like clinical placements with individual justices of the District Court, Boston Municipal Court, Juvenile Court, Housing Court, Land Court and Superior Court Departments of the Massachusetts Trial Court, as well as with federal judges in the U.S. District Court and Immigration Court. Clinical students are expected to be available to do research and writing projects for their assigned judge, and are expected to observe and assist their judge for at least 2 clinical credits, or eight hours per week. Three short reflection papers and one final paper required.  
Students must have at least one full day available for their judicial placement. Students may earn up to five credits for additional fieldwork hours with their judge.  
For more information, please contact Judge John C. Cratsley (Retired); cratsley@socialaw.com or jcratsley@law.harvard.edu. or Barbara Berenson, bberenson@law.harvard.edu&nbsp;

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# Harvard Law School Course Catalog

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## Judicial Process in Trial Courts Clinical Seminar

**Course #:** 2139      **Term:** 2024FA      **Faculty:** Berenson, Barbara; Cratsley, John      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Race; Administrative and Regulatory Law; Civil Litigation; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Legal Profession and Ethics; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Judicial Process in Trial Courts Clinic (2-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT, but may enroll in this Seminar without participating in the Clinic.&nbsp;

This weekly seminar examines through participant observation the functioning of the judicial process in our trial courts with special attention to different judicial roles in different trial courts. The focus of the class is on the various roles (adjudicatory, administrative, sentencing, educational and symbolic) that judges play in these courts. Students have the unique opportunity to observe and discuss the work of their assigned judges in a clerkship-type setting. Students are also expected to assist their judges with legal research and writing. The contributions of various scholars to understanding the work of judges in these courts is reviewed as well as distinct proposals for reform. Because of the variety of judicial placements, attention is also paid to common&nbsp;issues such as judicial accountability, judicial ethics, ADR, juries, access to justice, and&nbsp;sentencing innovations like treatment courts and restorative justice.

A fifteen to twenty page paper describing some aspect of the judiciary's work in these courts or a 10-12 page Reflection following prompts provided by the faculty is required and serves as a basis for each student's grade. Three short reflective papers are also required during the semester.

Students undertake clinical fieldwork study of judicial performance through clerkship-like clinical placements with individual justices of the District Court, Boston Municipal Court, Juvenile Court, Housing Court, Land Court and Superior Court Departments of the Massachusetts Trial Court, as well as with&nbsp;federal judges and magistrate judges in the U.S. District Court and Immigration Court. Clinical students are expected to be available to do research and writing projects for their assigned judge, and are expected to observe and assist their judge for at least 2 clinical credits, or eight hours per week. Students may earn up to five credits for additional fieldwork hours spent with their judge.

Students must have at least one full day available for their judicial placement.

For more information, please contact Judge John C. Cratsley (Retired); [cratsley@socialaw.com](mailto:cratsley@socialaw.com) or [jcratsley@law.harvard.edu](mailto:jcratsley@law.harvard.edu) or Barbara Berenson, [bberenson@law.harvard.edu](mailto:bberenson@law.harvard.edu)&nbsp;

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# Harvard Law School Course Catalog

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## Judicial Process in Trial Courts Clinical Seminar

**Course #:** 2139      **Term:** 2025SP      **Faculty:** Berenson, Barbara; Cratsley, John      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Race; Administrative and Regulatory Law; Civil Litigation; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Legal Profession and Ethics; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Judicial Process in Trial Courts Clinic (2-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT, but may enroll in this Seminar without participating in the Clinic.&nbsp;

This weekly seminar examines through participant observation the functioning of the judicial process in our trial courts with special attention to different judicial roles in different trial courts. The focus of the class is on the various roles (adjudicatory, administrative, sentencing, educational and symbolic) that judges play in these courts. Students have the unique opportunity to observe and discuss the work of their assigned judges in a clerkship-type setting. Students are also expected to assist their judges with legal research and writing. The contributions of various scholars to understanding the work of judges in these courts is reviewed as well as distinct proposals for reform. Because of the variety of judicial placements, attention is also paid to common&nbsp;issues such as judicial accountability, judicial ethics, ADR, juries, access to justice, and&nbsp;sentencing innovations like treatment courts and restorative justice.

A fifteen to twenty page paper describing some aspect of the judiciary's work in these courts or a 10-12 page Reflection following prompts provided by the faculty is required and serves as a basis for each student's grade. Three short reflective papers are also required during the semester.

Students undertake clinical fieldwork study of judicial performance through clerkship-like clinical placements with individual justices of the District Court, Boston Municipal Court, Juvenile Court, Housing Court, Land Court and Superior Court Departments of the Massachusetts Trial Court, as well as with&nbsp;federal judges and magistrate judges in the U.S. District Court and Immigration Court. Clinical students are expected to be available to do research and writing projects for their assigned judge, and are expected to observe and assist their judge for at least 2 clinical credits, or eight hours per week. Students may earn up to five credits for additional fieldwork hours spent with their judge.

Students must have at least one full day available for their judicial placement.

For more information, please contact Judge John C. Cratsley (Retired); [cratsley@socialaw.com](mailto:cratsley@socialaw.com) or [jcratsley@law.harvard.edu](mailto:jcratsley@law.harvard.edu) or Barbara Berenson, [bberenson@law.harvard.edu](mailto:bberenson@law.harvard.edu)&nbsp;

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# Harvard Law School Course Catalog

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## Jurisprudence

**Course #:** 2140

**Term:** 2024FA

**Faculty:** Sachs, Stephen

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Jurisprudence and Legal Theory; Law and Philosophy

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

An introduction to jurisprudence and the philosophy of law.

Note: This reading group will meet on the following dates: TBD.

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## Jurisprudence

**Course #:** 2140

**Term:** 2025SP

**Faculty:** Brewer, Scott

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Jurisprudence and Legal Theory

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 1:30 PM - 3:00 PM

Fri 1:30 PM - 3:00 PM

**Course Description:**

Prerequisites: None

Exam Type: Any Day Take-home

Jurisprudence is the silent and controlling partner in every judges and every lawyers reasoning about law. A judge, a lawyer, a citizen, a law student cannot answer any legal question without a sufficiently clear sense of what law is— as distinct, say, from religion, or hard science or social science— and what it is that constitutes legal reasoning and argument (as opposed to, say, reasoning in empirical science or theology or mathematics or logic). What sources may a judge consult to resolve a legal dispute, and on what sources should a lawyer rely in making an argument on behalf of a client? Only such commonplace sources as case precedents, statutes, constitutional provisions, administrative regulations, executive orders? May she also consult the bible, or works by moral, political, and legal philosophers? Why or why not?

These and related questions are the subject matter of Jurisprudence and of this course. In our exploration of these themes, we will consider competing explanations of the concept of law (among legal positivists, legal realists, natural law theorists, critical legal studies theorists), the role of social and political contest in lawmaking and law application (including approaches to this issue that focus on race, class, and gender in their explanations of law and legal institutions), the nature, extent and limits of reason and rationality in legal argument, the role of virtue in judging and lawyering, and the values that do or should guide legal factfinding.

No special background is required. Work for the course consists of class participation and a take-home exam. Cross-registrants are welcome. Anyone seeking information about this course should feel free to contact Professor Scott Brewer at [sbrewer@law.harvard.edu](mailto:sbrewer@law.harvard.edu).

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# Harvard Law School Course Catalog

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## Jurisprudence: Mainstream Versus Critical

**Course #:** 2140

**Term:** 2025SP

**Faculty:** Sargentich, Lewis

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Jurisprudence and Legal Theory

**Delivery Mode:** Course

**Days and Times:**

**Location**

Tue 1:30 PM - 3:30 PM

**Course Description:**

Prerequisites: None

Exam Type: Last Class Take-Home

Our way of doing law, in pursuit of legality for society, yields both formalization of law (law as formal rules or doctrines) and idealization of law (law as principles and policies). The course examines rule-based law as portrayed by modern legal positivism (mainly H.L.A. Hart) and criticized by American legal realists. Then we will undertake a study of the moral aims within law. We will consider accounts of legal ideals offered by mainstream jurisprudence (mainly Fuller, Hart and Sacks, and Dworkin) and by contemporary critical jurisprudence.

Readings include some illustrative cases and commentary on particular legal doctrines and fields, though the focus is on more highly general writings about law. The course aims to develop a definite thesis about the way our law takes shape, and to provide a connected account of phenomena emphasized by critical legal studies such as conflicting ideals in law, legal legitimation, and transformative possibility.

Readings for the course are photocopied materials.

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# Harvard Law School Course Catalog

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## JuryX Workshop

**Course #:** 2411

**Term:** 2025WI

**Faculty:** Nesson, Charles

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Constitutional Law; Leadership; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

### Days and Times:

### Location

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

### Course Description:

Prerequisite: None

Exam Type: No Exam Assessment method: Participation and a concluding short paper (1000 words)

With Fern Nesson

This course offers an innovative and immersive experience in which students will explore the fundamental question of whether we are capable of governing ourselves. Using a variety of environments, both digital and in-person and both deliberative and in play (of poker) students will explore issues of identity, of relationship to peers, of group dynamics and of deliberative decision making.

By becoming jurors and "players in the game" students will practice setting rules, making decisions, and resolving conflicts. They will also meet the challenges and opportunities that inevitably arise when diverse individuals, including issues of identity, diversity, inclusivity and belonging.

By the end of the course, students will have gained a deeper understanding of the dynamics of self-governance, as well as the skills and tools needed to be effective participants in our democratic process.

There will be no exam in this course. Assessment is based on participation in the variety of activities integrating work and play.

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# Harvard Law School Course Catalog

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## Labor & Employment Lab

**Course #:** 2845      **Term:** 2025SP      **Faculty:** Sachs, Benjamin      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Employment and Labor Law; Law and Political Economy

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Wed 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

In this reading group, students will generate and publish writing on labor and employment law, labor politics, and contemporary labor market trends. Class meetings will be highly interactive and collaborative. Part of each class session will be dedicated to developing writing topics and part will be dedicated to discussing each others work. Students will be required to write two or three substantive posts of approximately 1200 words each with the aim of being published on the OnLabor blog ([www.onlabor.org](http://www.onlabor.org)). The course will provide students interested in labor and employment the opportunity to research and write on cutting edge issues and to publish their work for a live and extensive audience.

Note: This reading group will meet on the following dates: TBD.

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## Labor Law

**Course #:** 2142      **Term:** 2025SP      **Faculty:** Sachs, Benjamin      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** Employment and Labor Law; Law and Political Economy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None  
Exam Type: One-Day Take-Home

This course will focus on the statutory, judicial, and administrative law governing the collective organization of workers and the interaction between such collective organizations and employers. The course will introduce students to the basics of traditional labor law and will explore how labor law is evolving in response both to innovative forms of labor-management relations and to changes in the composition of the U.S. labor force. The class will consider the legal status of privately negotiated processes for organizing and recognizing unions, state and local approaches to labor law innovation, and new forms of workplace organization. We will also explore the intersection of labor and immigration law, union participation in the political process, and emerging forms of worker organizing that rely not on the National Labor Relations Act but on other statutory regimes.

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## Law and Economics

**Course #:** 2146      **Term:** 2024FA      **Faculty:** Kaplow, Louis; Shavell, Steven      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Law and Economics

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 4:00 PM - 5:30 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam  
This seminar will provide students with exposure to ongoing research in the economic analysis of law. At most of the meetings, invited speakers from Harvard and other universities will present works in progress. Students are required to submit, before sessions, brief written comments on the papers to be presented. Enrollment in either or both terms is permitted. Some background in economics or law and economics is helpful; however, knowledge of technical economics is unnecessary.

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## Law and Economics

**Course #:** 2146      **Term:** 2025SP      **Faculty:** Kaplow, Louis; Shavell, Steven      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Law and Economics

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 4:00 PM - 5:30 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam  
This seminar will provide students with exposure to ongoing research in the economic analysis of law. At most of the meetings, invited speakers from Harvard and other universities will present works in progress. Students are required to submit, before sessions, brief written comments on the papers to be presented. Enrollment in either or both terms is permitted. Some background in economics or law and economics is helpful; however, knowledge of technical economics is unnecessary.

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# Harvard Law School Course Catalog

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## Law and Finance of Venture Capital and Start-ups

**Course #:** 2147      **Term:** 2024FA      **Faculty:** Ferrell, Allen      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Corporate and Transactional Law; Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

**Course Description:** Prerequisites: None  
Exam Type: No Exam

This seminar will cover topics in the area of start-up company law. Topics include institutional and legal arrangements important to start-up companies, agency problems facing start-up firms and mechanisms to deal with these problems, contractual issues start-up companies face, and the structure and operation of venture capital funds.

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## Law and Inequality Workshop

**Course #:** 2479      **Term:** 2025SP      **Faculty:** White, Lucie      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Disability; Education; Disability Law; State and Federal Courts; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Education; Administrative and Regulatory Law; Courts, Jurisdiction, and Procedure; Disability Law; Education Law; Employment and Labor Law; Environmental Law and Policy; Gender and the Law; Human Rights; Jurisprudence and Legal Theory; Law and Political Economy; Poverty Law and Economic Justice

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 1:30 PM - 3:00 PM

Thu 1:30 PM - 3:00 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam

In this course we will explore concepts of inequality from a range of disciplinary perspectives. We will also consider meanings and effects of pernicious inequalities in several sociolegal contexts such as geography, race, and poverty/work/labor. Finally we will examine methodologies for "mapping" ways that various legal dynamics drive the genesis, elaboration, reinforcement and maintenance of hierarchies of privilege and disadvantage across individuals, groups, localities, regions and nations and more. As we identify key legal drivers in the production of specific adverse inequalities, we will also explore ways that changes in legal ordering might shift bargaining power, redistribute resources or otherwise ameliorate their negative effects. Students will work in clusters to research a domain of inequality and develop a legal inequality map of its drivers in order to analyze and engage with it.

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# Harvard Law School Course Catalog

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## Law and International Political Economy

**Course #:** 3316      **Term:** 2024FA      **Faculty:** Jolly, Sanjay      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** International Law; Law and Political Economy

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Thu 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

This reading group is about how law structures international relations and global (dis)order. It will proceed in three parts. First, we will explore how different intellectual traditions have theorized the relationship between law, international markets, and state sovereignty. Second, we will adopt a historical view, examining how law has produced and transformed successive international orders from the era of European colonialism to neoliberal globalization. Particular attention will be paid to the different ways legal regimes have shaped economic production and racialized class formations across national boundaries. Third, we will assess the legal construction of international relations across several contemporary issue areas such as cross-border trade, money and finance, technology, and infrastructure development.

Note: This reading group will meet on the following dates: TBD.

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## Law and Literature: The Application of Law to Life

**Course #:** 2321      **Term:** 2025SP      **Faculty:** Abella, Rosalie Silberman      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Jurisprudence and Legal Theory

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

One of the best sources for understanding people and human nature is found in literature. It's very difficult to think about how law functions without understanding the human context in which it is applied. This course will attempt to discern the human universals discoverable through literature as a way of better understanding the purpose and application of law in order to achieve justice.

Note: This seminar will meet over six weeks, dates TBD.

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## Law and Neuroscience

**Course #:** 2707      **Term:** 2025SP      **Faculty:** Gertner, Nancy      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Immigration/Refugee; Civil Rights; Immigration Law; Civil Rights; Immigration Law; Immigration; Civil Rights; Constitutional Law; Corporate and Transactional Law; Criminal Law and Procedure; Gender and the Law; Human Rights; Immigration Law; Jurisprudence and Legal Theory; Poverty Law and Economic Justice

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: Criminal Law  
Exam Type: No Exam

This seminar examines cutting edge and even controversial linkages between law and neuroscience. We seek to highlight neuroscientific basis for behavior patterns with legal implication including how neuroscience intersects with criminal law, its normative assumptions and criminal punishment, evidentiary rules, memory bias and enhancement, lie and deception detection, adolescent brains and juvenile law. We will look critically at efforts to use neuroimaging in court in connection with in the prediction of criminality and predispositions towards mental illness and addiction, as well as efforts to identify neurobiological influences on the brain. Is there such a thing as a criminally violent brain? Does it make sense to speak of the neurobiology of violence or the psychopathology of crime, and how are (or should) such concepts translated into criminal law. The seminar will necessarily lead us to consider the relationship between law and science, more generally, and neuroscience in particular. Speakers will provide insights into their work and research.

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# Harvard Law School Course Catalog

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## Law and Philosophy Workshop

**Course #:** 2470      **Term:** 2025SP      **Faculty:** Lewis, Christopher; Schouten, Gina      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Law and Philosophy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: Admission is by permission of the instructors, but students with and without prior training in philosophy are encouraged to apply. Applicants should submit a CV and a very brief statement of interest, noting relevant background or interests, to Maureen Worth (mworth@law.harvard.edu). The recommended deadline for consideration is July 29th, but applications may be considered on a rolling basis.

Exam Type: No Exam

This workshop will examine new ideas at the intersection of law and philosophy. The workshop will meet weekly and will focus on discussion of pre-circulated working papers presented by their authors. Open to HLS students as well as graduate students in philosophy, political theory, or related fields.

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## Law and Political Economy?

**Course #:** 2630      **Term:** 2024FA      **Faculty:** Kennedy, David      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Jurisprudence and Legal Theory; Law and Political Economy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None  
Exam Type: Last Class Take-Home

This two credit course will consider left liberal and more radical intellectual traditions for thinking about political economy and what law has to do with it. Along the way, we will contrast alternative ideas about how the great disparities in wealth, status and authority arise, are reproduced and might be reduced. Is “inequality” the right frame? Or something more like subordination, exploitation or expropriation? Is law primarily a reformer’s tool - or something more fundamental to the reproduction of hierarchies? What would it mean to rethink or remake the foundations for political and economic life, either nationally or globally?

Emeritus Professor Duncan Kennedy will participate in the discussions.

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## Law and Politics Workshop

**Course #:** 3022      **Term:** 2024FA      **Faculty:** Stephanopoulos, Nicholas      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Constitutional Law; Election Law and Democracy; Law and Economics; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam

This workshop is devoted to learning about, discussing, and critically evaluating new scholarly work on law and politics. A series of outside speakers, drawn from both law schools and political science departments, will present recent or forthcoming papers on election law and/or American politics. In the session before each outside speaker visits, we will read and talk about related work that helps us to assess the speakers contribution. Students will have the option of writing either a number of response papers or a single research paper.

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## Law in Global Affairs

**Course #:** 2101      **Term:** 2024FA      **Faculty:** Kennedy, David      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** International Law; Jurisprudence and Legal Theory; Legal History

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.  
Prerequisites: None  
Exam Type: Last Class Take-Home

This course explores laws role in global affairs. We will examine the history of ideas, legal doctrines, institutional and administrative structures intended to organize and legalize international political and economic life. The readings will provide a common background for exploring and comparing efforts both to remake the world and re-imagine law. As we analyze our inheritance from that tradition, we will assess recent efforts to rethink laws role in light of twenty first century political, economic and cultural challenges.

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# Harvard Law School Course Catalog

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## Law, Business, and the Public Good

**Course #:** 3261

**Term:** 2024FA

**Faculty:** Tallarita, Roberto

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Contracts; Contracts; Contracts; Private Room; Contracts; Corporate and Transactional Law; Jurisprudence and Legal Theory; Law and Economics; Private Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 3:45 PM - 5:45 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

Markets and corporations have a complicated relationship with the goals and values of liberal societies. This seminar will explore this relationship through a variety of lenses: economic, doctrinal, historical, and philosophical.

Topics will include: how to think about the problem of law, business, and the public good; the role of "fairness" in business transactions; efficiency and equity in business law; the social cost of business; the corporate purpose debate in the past and today; corporate political spending; ESG investing; and ESG lawyering.

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# Harvard Law School Course Catalog

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## Lawyering for Children & Youth Clinical Seminar

**Course #:** 2275      **Term:** 2024FA      **Faculty:** Hazen, Crisanne      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Disability; Education; Family; Disability Law; LGBTQ+; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Race; Harvard Law School Project on Disability; Family Member; Education; Children and Family Law; Disability Law; Education Law; LGBTQ+; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Required Clinic Component: Child Advocacy Clinic (4-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: Early drop of August 1, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
The Child Advocacy Clinic is an externship clinic where students are placed for fieldwork in a legal setting in the child advocacy arena.  The course is the companion seminar.  The Clinic and accompanying seminar are designed to educate students about a variety of substantive areas impacting the lives of children, and the different systems that are meant to serve them.  In addition, the course exposes students to a range of system change strategies to encourage critical thinking about the pros and cons of different approaches. The Clinic is relevant not only for students with a particular interest in childrens issues, but also for those more generally interested in system change.  
Enrollment Options: The Child Advocacy Clinic offers three different clinical fieldwork options: a fall-only clinic, a spring-only clinic, and a winter-spring clinic.  The clinical seminar is taken concurrently with the fieldwork.   All clinic students participate in both the classroom seminar and a clinical fieldwork component during the fall semester.  
During the seminar, students bring into the classroom their varied fieldwork experiences, presenting on both specific projects and cases in which they are engaged, and also their placement organizations larger vision for improving conditions for children involved in the child welfare, education, and juvenile legal systems. Students reflect on each others experiences, consider which strategies in the field are working and why, and evaluate the benefits and limitations of different approaches. Students will learn about and thoughtfully consider the unique legal issues affecting young people through reflections, readings, and class discussions.  
Once enrolled in the Clinic, the Clinic director will provide students with a list of fieldwork placement organizations and their potential projects. Students will give the Clinic director information about their background and interests and rank their placement preferences. The director will then match students with a placement based on their preferences, the organizations needs, and the goal to provide students with a broad spectrum of experiences. Please note that the matching process takes place during the fall; enrolled students will need to be available to communicate with the Clinic director and their host organization about various details.    
This course is part of the Youth Advocacy & Policy Lab (Y-Lab). Please see the Y-Lab website for information about other related courses.

# Harvard Law School Course Catalog

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## Lawyering for Children & Youth Clinical Seminar

**Course #:** 2021      **Term:** 2025SP      **Faculty:** Hazen, Crisanne      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Disability; Education; Family; Disability Law; LGBTQ+; Disability Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Race; Harvard Law School Project on Disability; Family Member; Education; Children and Family Law; Disability Law; Education Law; LGBTQ+; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Required Clinic Component: Child Advocacy Clinic (4-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.  
Additional Co-/Pre-Requisites: None.  
By Permission: No.  
Add/Drop Deadline: Early drop of December 1, 2024.  
LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.  
The Child Advocacy Clinic is an externship clinic where students are placed for fieldwork in a legal setting in the child advocacy arena. The course is the companion seminar. The Clinic and accompanying seminar are designed to educate students about a variety of substantive areas impacting the lives of children, and the different systems that are meant to serve them. In addition, the course exposes students to a range of system change strategies to encourage critical thinking about the pros and cons of different approaches. The Clinic is relevant not only for students with a particular interest in childrens issues, but also for those more generally interested in system change.  
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During the seminar, students bring into the classroom their varied fieldwork experiences, presenting on both specific projects and cases in which they are engaged, and also their placement organizations larger vision for improving conditions for children involved in the child welfare, education, and juvenile legal systems. Students reflect on each others experiences, consider which strategies in the field are working and why, and evaluate the benefits and limitations of different approaches. Students will learn about and thoughtfully consider the unique legal issues affecting young people through reflections, readings and class discussions.  
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This course is part of the Youth Advocacy & Policy Lab (Y-Lab). Please see the Y-Lab website for information about other related courses.

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# Harvard Law School Course Catalog

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## Leading from the Middle

**Course #:** 2161

**Term:** 2025SP

**Faculty:** DeFilippo, Mandy

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Finance, Accounting, and Strategy; Leadership; Legal Profession and Ethics

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 6:00 PM - 8:00 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

This offering explores how to be an effective leader and an agent for positive change during the first 10-15 years of one's professional career. The offering will feature a cross-disciplinary set of materials: traditional texts from literature, classics, philosophy and the social sciences; case studies and business texts; videos of speeches and talks. No specific background or knowledge is required. Key questions to be explored include:

What does "leadership" look like below executive officer or "C suite" level in a large organization? What defines leadership and opportunities to lead at this level?

How do people learn and practice leadership skills in an effective way in the first part of their careers?

Are there particular styles or methods of leadership that middle leaders can deploy effectively?

What are some of the challenges that middle leaders face? How can middle leaders think strategically about those challenges?

Can leaders "from the middle" be true agents for positive change within larger institutions or organizations? How do leaders "from the middle" identify opportunities to make changes or improvements - and, once identified, successfully implement those changes?

Students will be required to write two short papers, from a selection of topics provided by the professor.

The topics will be based on the readings, materials and topics discussed in class.

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# Harvard Law School Course Catalog

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## Legal Architecture of Globalization: Money, Debt, and Development

**Course #:** 2896

**Term:** 2025SP

**Faculty:** Desan, Christine

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Financial and Monetary Institutions; International Law; Legal History

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

Fri 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: In Class

An integrated political economy now covers much of the globe. This course focuses on the monetary structure of that phenomenon as a matter created and contested in law. Trade, extraction, exchange, debt, and economic development — for centuries, all have depended on money as their medium. By examining the changing legal design of money, we will study globalization as a material, ideological, and distributive event of enormous significance.

Early sovereigns prioritized domestic law, both public and private, in developing the rules that provide the basic matrix for exchange. Those rules created the mediums that carry value — including money, credit, and circulating capital. Nation-states today still claim sovereignty over those decisions; they are basic to self-determination and economic development. But the latitude for those decisions had changed. New monetary and financial relations now bind states, individuals, and other entities together and reconfigure the possibilities for their interaction.

We consider the way that political communities assert sovereignty in money and finance, the challenges that occur as different sovereign projects collide, interact, or compete with one another, and the character of the international orders that have resulted, including those of early Europe, the era of the Gold Standard, the Bretton Woods period, and the contemporary system. We will focus, in particular, on the advent and development of finance-based money, a form of liquidity based on sovereign debt and expanded by commercial banks and capital markets. We discuss how that finance-based form defines value, authority, and markets in the modern world, with attention to its influence shaping international law and international financial institutions, its role as the medium for much of modern globalization, and its implications for global and domestic inequality.

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# Harvard Law School Course Catalog

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## Legal History Seminar: Continental Legal History

**Course #:** 2166

**Term:** 2025SP

**Faculty:** Donahue, Charles

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Legal History

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 4:00 PM - 6:00 PM

**Course Description:**

Pre/Co-requisites: The ability to read simple Latin prose. Those who have not taken or are not concurrently registered in Continental Legal History will be asked to listen to the prerecorded lectures in that course. For JD1L students, permission of the instructor is required in order to enroll.

Exam type: No Exam

In the first quarter of the 12th century a small group of men in Bologna began to study Roman and canon law with an intensity not witnessed in the previous centuries. The combined product of these two studies, known as the *ius commune* ("the common law"), became an essential part of the training of any respectable European jurist, and the influence of the *ius commune* on subsequent developments, up to and including the codifications of the 19th century, is very large indeed. This seminar will introduce students to the techniques of reading and analyzing works in the *ius commune* of the medieval and early modern periods with the goal of enabling students to write a series of short papers on some part of the *ius commune* (which then may be combined into a longer paper to fulfill the JD writing requirement).

Offered concurrently in the Faculty of Arts and Sciences as History 2080. Students taking this seminar may sign up for an hour of independent written work with Professor Donahue.

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# Harvard Law School Course Catalog

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## Legal History Workshop: Technology and the Law

**Course #:** 2596

**Term:** 2025SP

**Faculty:** Lvovsky, Anna; Lepore, Jill

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure; Law and Philosophy; Legal History

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: Initial admission to the workshop is by permission only. To apply, please email Susan Smith (ssmith@law.harvard.edu) a brief statement explaining your interest and any relevant background.

Exam Type: No Exam

Technological change is constantly shifting the practice and theory of law. New technologies can expand the state's and private parties' capacity to inflict harm, straining the limits of constitutional rights and demanding new forms of regulation. They can blur the boundaries between public and private domains, forcing courts to revisit longstanding doctrines and legal principles. And they can transform the practice of law itself, from how lawyers present arguments and interview witnesses at trial to how judges come to know relevant facts.

This year's Legal History Workshop will offer a historical perspective on the interplay between law and technology in the United States. Assignments and discussions will feature a mix of major published works, introducing students to critical methodologies and historiographical debates, and workshop presentations by leading historians writing on legal adaptations to technology. A list of presenters will be posted closer to the new academic year.

Law students will have the choice of adding a writing credit to this two-credit workshop by completing a substantial paper. Those who write a substantial paper will receive three credits (two classroom, one writing); those who do not complete substantial papers will receive two classroom credits.

All FAS students who enroll in the workshop must complete a substantial paper and will receive four credits for the course.

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# Harvard Law School Course Catalog

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## Legal History: Continental Legal History

**Course #:** 2165      **Term:** 2025SP      **Faculty:** Donahue, Charles      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Private Room; Comparative Law; Constitutional Law; Courts, Jurisdiction, and Procedure; Law and Religion; Legal History; Private Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 4:30 PM - 6:00 PM

Wed 4:30 PM - 6:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: No Exam

A survey of the main outlines of Continental European legal history from the fall of the Roman Empire to the codifications of the 19th century. The course will focus on the main expressions of European legal culture over this long period of time: the "barbarian law codes" (6th-10th centuries), the revival of the academic study of Roman and canon law (11th-13th centuries), the customary law (13th-16th centuries), the schools of academic law (14th-17th centuries: the "commentators", the "humanists", the "natural law school", and the process of codification (France and Germany, 18th and 19th centuries). In each period an effort is made to relate the types of law produced to the social, political, and religious history of the period. No background in continental legal history will be presumed. All readings will be in English.

Multilithed materials.

Note: This course is jointly offered with the FAS as Medieval Studies 119. Please contact the faculty for more details.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Legal Innovation Through Design Thinking

**Course #:** 2689

**Term:** 2025SP

**Faculty:** Westfahl, Scott; Yi, Daniel

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Civil Rights; LGBTQ+; Civil Rights; LGBTQ+; LGBTQ+ Advocacy Clinic; Civil Rights; Gender and the Law; Leadership; Legal Profession and Ethics; LGBTQ+

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

Students participating in this Legal Innovation Through Design Thinking seminar will have the opportunity to:

work collaboratively in small teams;

learn and apply design thinking principles to address a meaningful challenge faced by a specific legal organization;

work directly with the legal organization sponsoring the team's challenge and propose a design-based solution to the organization's challenge at the end of the semester.

Project sponsors in the past have included the U.S. Department of Justice, a legal services organization helping immigrant children with legal issues; a nonprofit lawyer professional development organization; an HLS Clinic and the HLS Career Services Office. Challenges have ranged from such issues to improving access to justice; designing a better client interview experience; and re-imagining a client's knowledge sharing platform and systems to dramatically improve and help scale their impact in helping underprivileged clients.

The course will begin with an introduction to innovation and brainstorming in small teams, team dynamics, and preparing teams to innovate together successfully. The goal is to understand what makes for well-functioning teams and how such teams can more quickly and more effectively reach innovative breakthroughs. We will then delve more deeply into the art and practice of human centered design to help teams work with their project sponsors to develop their innovative proposals to address their sponsors challenges. The project sponsors will help students understand and frame the challenge to be addressed, and then will provide teams with feedback on prototypes and ideas as the design process of their innovative solution unfolds. Course instructors will coach teams and also help prepare them for their final presentations by building students' presentation and business idea/pitch skills. Teams will make their final presentations to, and receive feedback from, their peers, project sponsors and a panel of "judges" - outside experts with deep subject matter expertise and experience.

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# Harvard Law School Course Catalog

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## Legal Problems in Cybersecurity and Cyber Conflict

**Course #:** 2776

**Term:** 2025SP

**Faculty:** Edgar, Timothy

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Technology Law and Policy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 3:45 PM - 7:00 PM

**Course Description:** Prerequisites: None

Exam Type: Last Class Take-Home

Cybersecurity and cyber conflict pose unique legal problems for governments, companies and citizens, with profound implications for the future of the internet. Computer systems and networks remain vulnerable to cyberattacks, and sensitive commercial and government data continues to be leaked or stolen at increasing rates. This course will examine the legal problems confronting the international community, the United States government and the private sector as they address network and computer insecurity. Topics covered will include the international law of armed conflict, criminal law, regulation and its alternatives, along with the impact of malicious cyber activity and defensive measures on human rights, civil liberties and privacy.

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# Harvard Law School Course Catalog

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## Legal Profession

**Course #:** 2169

**Term:** 2025SP

**Faculty:** Okediji, Ruth

**Credits:** 3.00

**Type:** Legalprof

**Subject Areas:** Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:00 PM

Thu 1:30 PM - 3:00 PM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.  
Prerequisites: None  
Exam Type: In Class

This course will examine the rules and standards of professional responsibility and legal ethics with a focus on how the study and practice of law shape the professional identity formation of law students and lawyers. As the Preamble to the ABA Model Rules of Professional Conduct states, "Virtually all difficult ethical problems arise from conflict between a lawyers responsibilities to clients, to the legal system and to the lawyers own interest in remaining an ethical person while earning a satisfactory living." We will therefore explore how you can develop practical judgment and good decision-making skills to navigate these conflicts. We will use a problem-based approach that will enhance your ability to identify ethical issues and apply the professional responsibility standards to the variety of ethical situations lawyers face in daily law practice across different practice settings. Given that lawyers often divergent duties may impact their personal integrity, the course will consider how religious principles and moral virtues inform our understanding of how best to approach ethical challenges. We will also address how issues of professional responsibility affect lawyers well-being and how developing your personal philosophy of lawyering will help you contemplate the kind of lawyer you want to be and the ways you can improve the legal profession.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Legal Profession

**Course #:** 2169

**Term:** 2025SP

**Faculty:** Wacks, Jamie

**Credits:** 3.00

**Type:** Legalprof

**Subject Areas:** Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 8:30 AM - 10:00 AM

Fri 8:30 AM - 10:00 AM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: One-Day Take-Home

This course will explore the rules and the standards of professional responsibility and legal ethics through the lens of historical and modern examples of the challenges inherent in daily legal practice. We will draw on real world situations that confront lawyers as individuals and as members of larger organizations in a rapidly changing legal market in a variety of settings. We will examine the often competing pressures on lawyers and the standards of ethics that guide legal conduct, including reconciling the duties that lawyers have to their clients, to the courts, and to the bar as a whole. We will consider the ethics of invoking stereotypes and other strategies to advance a clients legal position, including in high profile trials and other narratives. In contemplating the kind of law you wish to practice and the kind of lawyer you want to be, we will explore issues of professional responsibility that arise as lawyers change jobs and areas of focus, in both the civil and the criminal settings, as plaintiff lawyers and defense lawyers, as criminal prosecutors, and as transactional lawyers. We also will consider lawyers professional responsibilities concerning access to justice, and the changing demographics of lawyers and clients. As we navigate each of these topics, we may discuss historical and literary perceptions of lawyers and their roles in society, and how these perceptions may inform your own career paths.

Note: This course is primarily available to JD 3Ls and LLM students. Seats will open to 2Ls if space provides.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Legal Profession

**Course #:** 2169

**Term:** 2024FA

**Faculty:** Wacks, Jamie

**Credits:** 3.00

**Type:** Legalprof

**Subject Areas:** Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Tue 10:45 AM - 12:15 PM

Wed 10:45 AM - 12:15 PM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: One-Day Take-Home

This course will explore the rules and the standards of professional responsibility and legal ethics through the lens of historical and modern examples of the challenges inherent in daily legal practice. We will draw on real world situations that confront lawyers as individuals and as members of larger organizations in a rapidly changing legal market in a variety of settings. We will examine the often competing pressures on lawyers and the standards of ethics that guide legal conduct, including reconciling the duties that lawyers have to their clients, to the courts, and to the bar as a whole. We will consider the ethics of invoking stereotypes and other strategies to advance a clients legal position, including in high profile trials and other narratives. In contemplating the kind of law you wish to practice and the kind of lawyer you want to be, we will explore issues of professional responsibility that arise as lawyers change jobs and areas of focus, in both the civil and the criminal settings, as plaintiff lawyers and defense lawyers, as criminal prosecutors, and as transactional lawyers. We also will consider lawyers professional responsibilities concerning access to justice, and the changing demographics of lawyers and clients. As we navigate each of these topics, we may discuss historical and literary perceptions of lawyers and their roles in society, and how these perceptions may inform your own career paths.

Note: This course is primarily available to JD 3Ls and LLM students. Seats will open to 2Ls if space provides.

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# Harvard Law School Course Catalog

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## Legal Profession

**Course #:** 2169

**Term:** 2025SP

**Faculty:** Gordon-Reed, Annette

**Credits:** 3.00

**Type:** Legalprof

**Subject Areas:** Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 3:45 PM - 5:15 PM

Wed 3:45 PM - 5:15 PM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisite: None

Exam Type: One Day Take-Home

In this course, we will study the history of the legal profession in the United States from the American Revolution to the present. We will explore readings and problems dealing with practical issues of professional responsibility faced by lawyers in the daily routine of private practice. We will deal with issues faced by the profession as a whole, including the ways of providing effective legal services to all members of the community, regulation of competition, and the imposition of professional discipline. We will also look at the organization and demographics of the profession, its units of practice, and what professional life is like in the twenty-first century. The course also invites students to address the questions: What kind of lawyer do I want to be, and to what kind of profession do I wish to belong?

Note: This course is primarily available to JD 3Ls and LLM students. Seats will open to all students if space provides.

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# Harvard Law School Course Catalog

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## Legal Profession

**Course #:** 2169

**Term:** 2024FA

**Faculty:** Wilkins, David

**Credits:** 4.00

**Type:** Legalprof

**Subject Areas:** Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: Any Day Take-Home

This course offers a look at the organization, economics, operation, and ideology of the legal profession. We will discuss history, current trends and recent developments in the organization and operation of law firms, legal services offices, government legal offices, and corporate legal departments. We will consider professional autonomy, commercialism, and regulation (by clients, by the courts, and by regulatory agencies). We will contrast US legal practice and regulation with other professions in the US (e.g., medicine, accounting, engineering), as well as with legal practice and regulation in other countries, and the prospect for changes driven by globalization and cross-border trade in legal services. We will consider the effects of increasing demographic diversity on the profession. We will discuss ethical problems most often encountered in legal practice, and the effects of the regulation of legal practice on the organizations and institutions that deliver legal services. We will focus on issues and problems faced by entrepreneurs considering whether to start-up a new legal services organization.

Note: This course is only available to JD 3Ls and LLM students.

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# Harvard Law School Course Catalog

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## Legal Profession Seminar

**Course #:** 2170      **Term:** 2025SP      **Faculty:** Wilkins, David; Fong, Bryon      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Gender and the Law; Leadership; Legal Profession and Ethics; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam  
Students are required to write short response papers (around 2-pages) for each session, actively participate in the discussion, and to write a 10-15 page final paper on a topic relating to one of the seminar's themes.  
This seminar examines the changing nature of the legal profession. We do so through direct engagement with cutting-edge, empirical research—presented by leading academics and practitioners—on issues critical to the legal profession. The seminar is structured around three themes—careers and diversity (e.g., the career paths of HLS graduates; the role of student debt), how globalization is reshaping the market for legal services around the world (e.g., global pro bono; the rise of “international” JD students), and innovation and the role of technology (e.g., litigation finance; online courts). Students can view previous weekly topics and guests on the HLS Syllabus archive page. Structured akin to a reading group, each session features an original piece of research presented by the author and a robust class discussion. The authors come from a broad range of disciplines (e.g., law, sociology, political science) and have diverse methodological commitments (e.g., surveys, experiments, interviews). The seminar has a particular focus on assessing the strengths and weaknesses of empirical research, but it is not important for students to have any particular background in empirical methodology. Rather, the goal is to help students become better consumers of the kind of explicit and implicit factual claims that are often made about lawyers and their careers. 1Ls, 2Ls, 3Ls, and LLMs are all welcome.  
Note: This seminar will not satisfy the Professional Responsibility requirement.

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# Harvard Law School Course Catalog

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## Legal Profession: Collaborative Law

**Course #:** 2169

**Term:** 2024FA

**Faculty:** Hoffman, David

**Credits:** 3.00

**Type:** Legalprof

**Subject Areas:** Legal Profession and Ethics; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 3:45 PM - 7:00 PM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: Last Class Take-Home In addition to the final exam, students will submit a one-page reading response for each class. Readings for the course will be photocopied materials.

The practice of law has been transformed in recent years by the emergence of Collaborative Law and the role of settlement counsel. In these new forms of practice, the lawyer focuses on problem-solving and achieving an interest-based solution that works for all parties. Collaborative Law practice has been approved as consistent with the ABAs Model Rules of Professional Conduct, in a 2007 opinion by the ABA Ethics Committee. This course examines how Collaborative Law meshes with the requirements of the ABAs Model Rules of Professional Conduct, and in particular the Rules requirement of "zealous" advocacy. The course will examine such questions as the following: (a) in a setting in which the parties and counsel have agreed to negotiate cooperatively and share all relevant information, how do lawyers balance that expectation with the Model Rules requirement that lawyers protect the confidentiality of communications with their clients; (b) in Collaborative Law cases, where lawyers and clients agree that the lawyers shall be involved only in negotiations and are disqualified from representing the client in court, how do lawyers assure themselves that the clients are giving fully informed consent to these arrangements as required by the Model Rules; and (c) how do lawyers who are seeking to work cooperatively with each other and to seek solutions that meet the needs of all parties reconcile those objectives with their duty under the Model Rules of unfettered loyalty to their clients. This course will examine ethical dilemmas of this kind with case studies, role plays, and small group discussion.

Note: This course is primarily available to JD 3Ls and LLM students. Seats will open to 2Ls if space provides.

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# Harvard Law School Course Catalog

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## Legal Profession: Government Ethics - Scandal and Reform

**Course #:** 2169      **Term:** 2025WI      **Faculty:** Rizzi, Robert; Borden, Charles      **Credits:** 3.00

**Type:** Legalprof      **Subject Areas:** Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 9:00 AM - 12:15 PM

Thu 9:00 AM - 12:15 PM

Fri 9:00 AM - 12:15 PM

Mon 9:00 AM - 12:15 PM

Tue 9:00 AM - 12:15 PM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.  
Prerequisite: None  
Exam Type: No Exam  
The course will focus on the rapidly-changing legal system that is designed to regulate government ethics. The course will allow students to explore the legal and associated challenges for lawyers who represent clients in ethics-related matters, as well as for lawyers in the government who are charged with applying these complex and onerous rules to federal employees.  
Over the past few years, numerous ethics-related scandals have led to a substantial overhaul of federal ethics law for all three branches of government, with the result that government employees are now subject to more stringent ethical restrictions than they have been in the past. At the same time, growing media scrutiny has made the reputational consequences to individuals and companies caught up in ethics scandals exceptionally severe, even in cases where no legal violation is ultimately established. Providing effective counsel to public sector and private sector clients thus increasingly requires an appreciation of both the legal and non-legal dimensions of ethics-related representations.  
The course will concentrate primarily on the ethics rules that apply to individuals appointed to or serving in Executive Branch positions, although comparisons with rules in the other Branches will be addressed. The course will follow the timeline for appointees from initial selection to Senate confirmation and will use case studies from recent administrations. The course will analyze the legal and practical questions that lawyers must address at each stage of government service, from initial appointment to departure from office. The course will also examine the ethics issues that arise for appointees upon their return to the private sector.  
The course will involve readings from a wide range of sources; examination of a number of case studies; analysis of statutes, regulations and case law; and discussion of various approaches to the regulation of ethical behavior by government officials. Students will be expected to become familiar with the principal rules and authorities and with the basic tools used to regulate ethical behavior of government officials and with the role of the lawyer - both in the government and in the private sector - in the representation of parties involved in the system of government ethics.  
Instead of an exam, a final paper, based upon essay topics selected by the instructors, will be required.

Note: This course is primarily available to JD 3Ls and LLM students. Seats will open to all students if space provides.

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# Harvard Law School Course Catalog

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## Legal Profession: Public Interest Lawyering

**Course #:** 2169

**Term:** 2025SP

**Faculty:** Wacks, Jamie

**Credits:** 3.00

**Type:** Legalprof

**Subject Areas:** Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 10:20 AM - 11:50 AM

Fri 10:20 AM - 11:50 AM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisite: None

Exam Type: One-Day Take-Home

This course will explore the application of the rules and the standards of professional responsibility and legal ethics to daily legal practice with a focus on public interest lawyers, broadly defined to include lawyers who practice as individuals and as members of public interest law organizations, government organizations, legal aid organizations, and other kinds of non-profit organizations. We will contrast those applications to the implementation of these rules and standards in private practice, including in pro bono cases handled by private attorneys. We will examine the competing pressures on lawyers and the standards of ethics that guide legal conduct, including reconciling the duties that lawyers have to their individual clients, to their organizational clients, to a cause, to the courts, and to the bar. We also will consider lawyers professional responsibilities concerning access to justice, lawyering with limited resources, and the changing demographics of lawyers and clients. We will explore issues of professional responsibility that arise as lawyers change jobs and areas of focus, in civil and criminal settings, government practice, public interest lawyering, legal aid work, and private practice. This course will also address lawyer well-being, self-care, and work-life balance in the face of these changes and challenges.

Note: This course is primarily available to JD 3Ls and LLM students. Seats will open to all students if space provides.

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# Harvard Law School Course Catalog

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## Legal Profession: Understanding the Plaintiff's Attorney

**Course #:** 2169

**Term:** 2024FA

**Faculty:** Rubenstein, William

**Credits:** 3.00

**Type:** Legalprof

**Subject Areas:** Civil Litigation; Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 10:15 AM - 11:45 AM

Fri 10:15 AM - 11:45 AM

**Course Description:** Students who enroll in this course may count the credits towards the JD professional responsibility requirement.

Prerequisites: None

Exam Type: One-Day Take-Home

This course will examine the rules of professional conduct and the values and responsibilities of the legal profession and its members through the lens of the plaintiff's attorney. A significant set of the norms governing the legal profession apply primarily to plaintiff's attorneys — rules about advertising, solicitation, investing money in another's lawsuit (champerty) and contingent fees, for example — while general rules about conflicts of interest and confidentiality have special application when a lawyer represents a plaintiff, or multiple plaintiffs, a class of plaintiffs in a class action, or even a group of cases in a multidistrict litigation (MDLs). These issues are of special interest to students considering a career as a plaintiff's lawyer (at a firm or public interest group). But they also are important for students more likely to work at defense-oriented firms, as comprehending the incentives of plaintiff's lawyers, and how the rules of professional conduct structure their behavior, are important components in providing adequate representation to a corporation or other defendant. The course will examine the rules governing a plaintiff's practice sequentially, from the hunt for clients through judgment or settlement, and then will encompass case studies of a variety of plaintiff's firms, including local tort firms, national and mass tort firms, class action firms, and litigation funders.

Note: This course is primarily available to JD 3Ls and LLM students. Seats will open to all students if space provides.

The use of laptops, iPhones, and similar devices will not be permitted during class.

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# Harvard Law School Course Catalog

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## Legal Responses to the Global Health Crisis

**Course #:** 3245      **Term:** 2025SP      **Faculty:** Fisher, William      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Intellectual Property

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: Patent Law or the permission of the instructor.

Exam Type: No Exam

In recent years, global public health has taken a turn for the worse. The COVID-19 pandemic is only one of the causes. In addition, the progress that we have been making in suppressing some other infectious diseases (such as tuberculosis and malaria) has stalled, and the global prevalence of some major noncommunicable conditions (such as Parkinson's disease, depression, and diabetes) has increased. Low and middle-income countries continue to bear heavier burdens from most of these diseases than upper-income countries. In combination, these developments may fairly be described as a crisis. This seminar examines a variety of ways in which intellectual-property law and other legal regimes could be deployed or modified in order to meet the threats and alleviate the disparities.

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## Legal Skepticism

**Course #:** 2153      **Term:** 2024FA      **Faculty:** Sargentich, Lewis      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Jurisprudence and Legal Theory

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None

Exam Type: No Exam. There will be no paper or exam, and class will be graded credit/fail.

Legal skepticism is disbelief in laws coherence and laws rational constraint. We will look at skeptical writings in legal theory, mainly from the American schools of legal realism and critical legal studies. The skeptical picture of law shows law to be riven by incoherence and conflict and controlled by political choice. Our question throughout: is this picture correct? And if it is correct, what should we do about it? How can law go forward?

Note: This reading group will meet on the following dates: TBD.

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# Harvard Law School Course Catalog

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## Legal Tools for Protecting Democracy and the Rule of Law in America

**Course #:** 2994      **Term:** 2024FA      **Faculty:** Schwartztol, Larry      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Election Law and Democracy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Democracy and the Rule of Law Clinic (3-5 fall clinical credits). The clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: August 23, 2024. LLM

Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

This seminar is required for all students enrolled in the Democracy and the Rule of Law Clinic. The course will begin by exploring the conceptual and theoretical debates relating to democratic decline in the U.S. and around the world. We will then focus on the set of integrated advocacy tools available to protect our democratic institutions. This will include the development and conduct of impact litigation strategies; policy advocacy and coordination; transparency promotion and government oversight; strategic communications; and other tools to prompt pro-democratic reform. The course will then cover the substantive legal and policy issues that students will encounter in their clinical work, such as issues relating to protecting free and fair elections, countering disinformation, and reinforcing legal guardrails designed to prevent abuses of executive authority. Finally, the course will consider longer-term legal and policy challenges to constitutional democracy in the United States, and potential solutions. Through regular presentations and discussions, students will also have the opportunity to generate creative advocacy ideas, develop their Clinic work, and receive feedback from their Clinic colleagues. Please see the Democracy and the Rule of Law Clinic course description for additional information.

# Harvard Law School Course Catalog

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## Legal Tools for Protecting Democracy and the Rule of Law in America

**Course #:** 2994      **Term:** 2025SP      **Faculty:** Schwartztol, Larry      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Election Law and Democracy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Democracy and the Rule of Law Clinic (3-5 spring clinical credits). The clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: December 13, 2024. LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

This seminar is required for all students enrolled in the Democracy and the Rule of Law Clinic. The course will begin by exploring the conceptual and theoretical debates relating to democratic decline in the U.S. and around the world. We will then focus on the set of integrated advocacy tools available to protect our democratic institutions. This will include the development and conduct of impact litigation strategies; policy advocacy and coordination; transparency promotion and government oversight; strategic communications; and other tools to prompt pro-democratic reform. The course will then cover the substantive legal and policy issues that students will encounter in their clinical work, such as issues relating to protecting free and fair elections, countering disinformation, and reinforcing legal guardrails designed to prevent abuses of executive authority. Finally, the course will consider longer-term legal and policy challenges to constitutional democracy in the United States, and potential solutions. Through regular presentations and discussions, students will also have the opportunity to generate creative advocacy ideas, develop their Clinic work, and receive feedback from their Clinic colleagues. Please see the Democracy and the Rule of Law Clinic course description for additional information.

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# Harvard Law School Course Catalog

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## LGBTQ+ Advocacy Clinic

**Course #:** 8054

**Term:** 2024FA

**Faculty:** Chen, Alexander

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Civil Rights/Liberties; Civil Rights; LGBTQ+; Civil Rights; LGBTQ+; LGBTQ+ Advocacy Clinic; Civil Rights; Constitutional Law; Gender and the Law; LGBTQ+

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

### Course Description:

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Gender Identity, Sexual Orientation, and the Law (2 fall classroom credits). Students who enroll in this clinic will be enrolled in the required clinical course component by the Office of Clinical and Pro Bono Programs.

Additonal Co-/Pre-Requisites: TBD.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: Clinic work is done at the WilmerHale Legal Services Center (Jamaica Plain).

The Harvard LGBTQ+ Advocacy Clinic (the "Clinic") offers students the opportunity to work directly on cutting-edge issues involving LGBTQ+ rights, with a particular emphasis on issues affecting underrepresented communities within the LGBTQ+ community. Clinic offerings include local and national projects covering the spectrum of LGBTQ+ issues. Students will have the opportunity to engage in a range of work encompassing various strategies for advancing LGBTQ+ rights, including impact litigation and amicus work, policy and legislative advocacy, and direct legal services for LGBTQ+ clients. The Clinics work currently includes:

Impact litigation on behalf of transgender and gender non-conforming/gender non-binary people relating to health care access, prisons and jails, shelter systems, and identity documents;

Legislative and regulatory advocacy on behalf of transgender, intersex, and poly communities; and

Policy advocacy and public education on behalf of LGBTQ+ incarcerated individuals and transgender youth.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## LGBTQ+ Advocacy Clinic

**Course #:** 8054

**Term:** 2025SP

**Faculty:** Chen, Alexander

**Credits:** 5.00

**Type:** Clinic

**Subject Areas:** Civil Rights/Liberties; Civil Rights; LGBTQ+; Civil Rights; LGBTQ+; LGBTQ+ Advocacy Clinic; Civil Rights; Constitutional Law; Gender and the Law; LGBTQ+

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Gender Identity, Sexual Orientation, and the Law (3 fall classroom credits).

Students who enroll in this clinic will be enrolled in the required clinical course component by the Office of Clinical and Pro Bono Programs. This course is only offered in the fall. Students who are enrolled in the clinic in the spring must take the course in the fall.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Early drop of September 6, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: Clinic work is done at the WilmerHale Legal Services Center (Jamaica Plain).

The Harvard LGBTQ+ Advocacy Clinic (the "Clinic") offers students the opportunity to work directly on cutting-edge issues involving LGBTQ+ rights, with a particular emphasis on issues affecting underrepresented communities within the LGBTQ+ community. Clinic offerings include local and national projects covering the spectrum of LGBTQ+ issues. Students will have the opportunity to engage in a range of work encompassing various strategies for advancing LGBTQ+ rights, including impact litigation and amicus work, policy and legislative advocacy, and direct legal services for LGBTQ+ clients. The Clinics work currently includes:

Impact litigation on behalf of transgender and gender non-conforming/gender non-binary people relating to health care access, prisons and jails, shelter systems, and identity documents;

Legislative and regulatory advocacy on behalf of transgender, intersex, and poly communities; and

Policy advocacy and public education on behalf of LGBTQ+ incarcerated individuals and transgender youth.

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## M&A Litigation

**Course #:** 3009

**Term:** 2024FA

**Faculty:** Fried, Jesse

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Corporate and Transactional Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 6:00 PM - 8:00 PM

**Course Description:** Prerequisites: Admission to this seminar is by permission of the instructor. Students should send a CV and brief statement of their background and interest in corporate governance (including undergraduate major, relevant pre-HLS work experience, and courses taken in law school) to Professor Fried (jfried@law.harvard.edu). Applications should be sent after May 1st, and decisions will be made on a rolling basis.

Exam Type: No Exam

This seminar focuses on current topics in the corporate governance of the widely-held U.S. firms, with a focus this semester on M&A litigation. Most of the sessions will feature leading attorneys and other distinguished practitioners discussing cases, transactions, and current policy issues in M&A and corporate governance more generally.

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## Making Rights Real: The Ghana Project

**Course #:** 2326      **Term:** 2025SP      **Faculty:** White, Lucie      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Health Fee; Civil Rights/Liberties; Health/Bioethics/Biotechnology; Civil Rights; State and Federal Courts; Civil Rights; Race; Administrative and Regulatory Law; Civil Rights; Comparative Law; Courts, Jurisdiction, and Procedure; Environmental Law and Policy; Health, Food, and Drug Law; Human Rights; International Law; Jurisprudence and Legal Theory; Law and Political Economy; Leadership; National Security Law; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights.

Required Clinic Component: Making Rights Real: The Ghana Project Clinic. This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Pre-/Co-Requisites: None.

By Permission: Yes. Applications for the clinic are due by October 15, 2024 (and will be accepted on a rolling basis up until this deadline).

Add/Drop Deadline: November 18, 2024.

LLM Students: LLM students may apply to the clinic through the LLM General Clinic Application.

Exam Type: No Exam.

This course is an academic workshop. It is concurrent with an on-going clinical project in which students work with Ghanaian partners on economic and social rights realization - Making Rights Real.. The course - both the theoretical and practical dimensions - is situated at the intersection of economic and social rights, development, and human rights advocacy.

The workshop is designed to offer the theoretical frame for a clinical theory/practice experience. Thus, the workshop will focus on Ghana in the context of its history, geography, religion and culture, socioeconomic profile, and development trajectory. It will also enable students to prepare for the interpersonal and cultural challenges of North/South lawyering partnerships. The workshop will include readings, group presentations, academic writing, and jointly produced background and follow-up documents anchored in the practical work.

Please see the clinic's course description for more information about the application process.

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## Making Rights Real: The Ghana Project Clinic

**Course #:** 8025

**Term:** 2025WS

**Faculty:** White, Lucie

**Credits:** 3.00

**Type:** Clinic

**Subject Areas:** Health Fee; Civil Rights/Liberties; Health/Bioethics/Biotechnology; Civil Rights; State and Federal Courts; Civil Rights; Race; Administrative and Regulatory Law; Civil Rights; Comparative Law; Courts, Jurisdiction, and Procedure; Environmental Law and Policy; Health, Food, and Drug Law; Human Rights; International Law; Jurisprudence and Legal Theory; Law and Political Economy; Leadership; National Security Law; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Making Rights Real: The Ghana Project (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course. Additional Pre-/Co-Requisites: None.

By Permission: Yes. Applications are due by October 15th (and will be accepted on a rolling basis up until this deadline).

Add/Drop Deadline: November 18, 2024.

LLM Students: LLM students may apply to the clinic through the LLM General Clinic Application.

Placement Site: Ghana and HLS.

Clinic students may receive additional pro-bono hours by traveling to Ghana during Spring Break to work with partners on our clinical project on a voluntary basis.

Students are required to enroll in 1-4 spring clinical credits, which will be conducted remotely.

Students also enroll in a 2 credit winter term clinical in which they will do on-site work in Ghana. Finally, students have the option to travel to Ghana during Spring Break to work on the project for pro-bono hours rather than clinical credit. Travel funding for both of the on-site options will be provided by the program.

The Making Rights Real clinic builds on a partnership between Professor White, Harvard law students, University of Ghana Law School faculty and students, and a Ghanaian civil society organization (CSO) engaged in leading-edge human rights work on educational equity in Ghana's underserved rural North.

Though there may be an opportunity for selected students to travel to Ghana over spring break, this January's activities will take place through intensive online lawyering activities, including virtual stakeholder meetings and community workshops, interviews with government officials, Ghana School of Law/HLS collaboration. The goal of this year's clinic will be to assist community members to document and critique experiences of educational inequity and take part in an on-going process legislative and policy reform. Our CSO partner uses multi-layered lawyering strategies, such as legal research and analysis; reviewing and drafting legislation and regulations; strategy mapping; human rights documentation; participatory action research; partner briefings; designing and facilitating grassroots education and empowerment workshops; conducting community meetings; and working with media. Thus, in addition to

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our specific assignments, the clinic provides students engagement with an organization widely recognized for its creative work.

Admission to the academic and clinical components is determined together, by permission of the instructor. To apply, students should submit a two-page double spaced statement of interest and a one-page CV to the clinical office ([clinical@law.harvard.edu](mailto:clinical@law.harvard.edu)) with a cc to Nicholas

Trefonides([ntrefonides@law.harvard.edu](mailto:ntrefonides@law.harvard.edu)). The deadline to apply for the clinic is October 15, 2024.

Accepted candidates will be enrolled in the clinic and clinical course by the Office of Clinical and Pro Bono Programs.

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## Mass Incarceration and Sentencing Law

**Course #:** 2918      **Term:** 2025SP      **Faculty:** Gertner, Nancy      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Immigration/Refugee; Civil Rights; Immigration Law; Civil Rights; Immigration Law; Immigration; Civil Rights; Constitutional Law; Criminal Law and Procedure; Gender and the Law; Human Rights; Immigration Law; Jurisprudence and Legal Theory; Poverty Law and Economic Justice

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

This course will first put 20th century sentencing law in sociological and historical context. It will examine the history, philosophy, and administration of the criminal sentencing process, the causes of growth in the US penal population, the historical roots of that growth from the mid 20th century to the present, and the impact of those policies on communities of color and the crime rate. We will then examine more closely the legal framework that enabled those policies, including the war on drugs, emphasis on retribution over rehabilitation, the changes in sentencing law and the structure of sentencing decisionmaking. Particular attention will be devoted to substantive sentencing standards (the insights of neuroscience, evidence based lessons from diversion programs) in addition to the procedures governing those decisions. The course will explore different kinds of sentencing regimes-state guideline systems, international models on which sentencing standards have evolved from common law decision making or judge-imposed guidelines (Australia, Israel, England), in addition to the federal sentencing guidelines. We will consider the interplay between principles of proportionality, severity, and parsimony on sentencing law.

This course will be divided into two parts: the first part of the term will involve the substantive law of sentencing, and the sociological and historical context in which it evolved as described in the original course description. But the second part of the term will be somewhat unusual. I will invite judges (federal and state), prosecutors, defense lawyers to join the class in addressing particular sentencing issues, with discussions centered around hypothetical cases. All the participants will sentence; they will review the cases, determine the sentences, and discuss them at the class sessions. The issues will be cases involving addiction and drug offenses, mental health, the neuroscience of childhood adversity, juvenile offenders, sex offenders, and issues of race and gender. The idea is not only to look at sentencing at the meta level, but also at the level of the concrete case, which may challenge the generalizations of the sentencing law.

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## Mass Media Law

**Course #:** 2038      **Term:** 2025SP      **Faculty:** McCraw, David      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Torts; Civil Rights; Torts; Torts; Administrative and Regulatory Law; Civil Litigation; Civil Rights; Constitutional Law; Torts

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: One-Day Take-Home

The class examines how the First Amendment, in combination with tort law, statutes, and common-law principles, shapes the rights and legal limitations for publishers of news and opinion, in both traditional and digital media. Topics include libel, protection of confidential sources, prior restraints on publication, invasion of privacy by publication, criminal liability for publishing classified information, legal limits on newsgathering, and access to information. It is taught by David McCraw, the lead newsroom lawyer for The New York Times.

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## Mediation

**Course #:** 2183      **Term:** 2025SP      **Faculty:** Hoffman, David; Lee, Audrey      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 3:45 PM - 7:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Prerequisite: None  
Exam Type: No Exam

The primary focus of this experiential learning course is on developing mediation skills &mdash; as a mediator and also as an advocate in the mediation process. The primary tool for learning will be weekly role play simulations, for which you will maintain a journal. You will also receive feedback on your performance in the role plays. In addition, we will use reading responses as a springboard for classroom discussion of topics relating to mediation, such as ethics issues, mediator credentialing, and critiques of mediation. Approximately 60% of class time will be devoted to preparing for, conducting, and debriefing mediation role plays using role play facts adapted from actual cases. The remaining 40% will be devoted to classroom discussion of the readings, which are organized thematically in the syllabus. There is no required text other than photocopied materials.

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## Mediation Clinic

**Course #:** 8026

**Term:** 2024FA

**Faculty:** Mondell, Catherine

**Credits:** 1.00

**Type:** Clinic

**Subject Areas:** Civil Litigation; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

### Course Description:

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Class Component: Mediation Clinical Seminar (1 classroom credit). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: Clinic students must complete the entirety of the mandatory basic mediation training program with the student-led Harvard Mediation Program (“HMP”) before or during the semester that they participate in the clinic. The HMP training is offered as a two weekend immersive experience and it is anticipated that the training dates for 2024 will be: September 21-22 and October 5-6. For more information regarding HMPs basic mediation training program, including confirmed training dates, please visit the Harvard Mediation Program website. Students must be able to participate in the full four days of training (or have previously completed HMP’s basic mediation training program) to be eligible to mediate.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS and Boston-area courts.

Clinic placements are coordinated with the Harvard Mediation Program (HMP) student practice organization, and entail the opportunity to observe and conduct mediations for cases in Boston-area court sessions, including small claims cases and harassment prevention orders. Clinic students will: (1) complete HMPs mandatory basic mediation training program; (2) participate in mediating or observing mediations at court sessions on an approximately weekly basis after training is completed; and (3) work on projects to support HMPs mediation services and mediation training. Timing of many of the mediation sessions are subject to the courts schedules - generally mornings on Tuesday, Thursday or Friday, or afternoons on Tuesday, Wednesday or Friday, and usually entail about three hours per session. For more information about this clinic, including training program dates and scheduling information, please visit the Harvard Mediation Program website.

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## Mediation Clinical Seminar

**Course #:** 3025

**Term:** 2024FA

**Faculty:** Mondell, Catherine

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Civil Litigation; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 6:00 PM - 8:00 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Harvard Mediation Clinic (1 clinical credit). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: Clinic students must complete the entirety of the mandatory basic mediation training program with the student-led Harvard Mediation Program (“HMP”) before or during the semester that they participate in the clinic. The HMP training is offered as a two weekend immersive experience and it is anticipated that the training dates for 2024 will be: September 21-22 and October 5-6. For more information regarding HMP’s basic mediation training program, including confirmed training dates, please visit the Harvard Mediation Program website. Students must be able to participate in the full four days of training (or have previously completed HMP’s basic mediation training program) to be eligible to mediate.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

This 1-credit seminar is the required classroom component for students doing work through the Mediation Clinic. Students will read and discuss works related to: the legal, procedural and practical context in which we mediate; frameworks for evaluating the quality and efficacy of our work as mediators; handling challenges to mediator neutrality, impartiality, and ethics; working with parties to prepare effective settlement agreements; and understanding the role of party-advocates in a mediation context. Some sessions will require students to present problems related to the clinical work in which they are currently engaged to the members of the class for discussion and brainstorming. Students will submit approximately four short written journal entries reflecting on their mediation experience/observations, a written mock mediation scenario, and a final 7-10 page paper in the form of an extended journal entry.

Note: Rather than a one-hour session each week, it is anticipated that this seminar will meet for 2 hour sessions, most of which are concentrated in the second half of the semester, after the required training has been completed.

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## Misdemeanor Justice

**Course #:** 2761      **Term:** 2024FA      **Faculty:** Natapoff, Alexandra      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; State and Federal Courts; Civil Rights; Civil Rights; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Law and Political Economy; Poverty Law and Economic Justice

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Fri 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam  
Misdemeanors comprise the vast bulk of the American criminal system, approximately 80 percent of criminal dockets, yet they are under-scrutinized and under-theorized. This class will explore all aspects of the misdemeanor phenomenon, including its economic, racial, and democratic implications, with an eye towards reconceptualizing the entire criminal process from the perspective of the petty offense. Readings will include legal theory and sociological research as well as litigation documents, government investigations, non-profit reports, and media coverage.  
Note: This reading group will meet on the following dates: TBD.

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## Modern Surveillance Law

**Course #:** 2685      **Term:** 2024FA      **Faculty:** Salgado, Richard      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Rights; Constitutional Law; Criminal Law and Procedure; International Law; National Security Law; Technology Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam Elements used in grading: 75% based on two papers (2,250-2,500 words each), which includes timely submission of topics and outlines, and 25% based on class participation.  
In this course we will examine the law and policy of government surveillance. We will focus on U.S. government signals collection for national security, intelligence gathering, espionage, criminal law enforcement and public safety purposes, and will address transnational implications. Technologies and practices we will cover include wiretapping, stored data collection and mining, location tracking, purchasing from data brokers, encryption and developing eavesdropping techniques. We will explore how government surveillance is permitted, prohibited or controlled by the U.S. Constitution, including the Fourth Amendment, and laws such as the Foreign Intelligence Surveillance Act, the USA Freedom Act, the Patriot Act, the Electronic Communications Privacy Act, the CLOUD Act, and CALEA. We will also look at the role of executive orders and laws outside the United States. No technical expertise is required. There is no textbook. All materials are posted to the course website.

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## Money and Empire

**Course #:** 3219      **Term:** 2024FA      **Faculty:** Desan, Christine      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Constitutional Law; Financial and Monetary Institutions; Law and Political Economy

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam

As they organize monetary systems, nations identify value and mobilize resources. Money - a legal institution -- becomes a mode of nation-building and dimension of internal governance. By the same token, states have extended their reach across borders through monetary means, either displacing indigenous systems or extracting payment through financial leverage. But money can also operate as a mode of resistance, subversion, or reparation. This reading group will explore accounts of empire effectuated through monetary leverage with an eye to monetary resistance as well. We will draw from scholarship from and about Haiti, parts of Africa, Latin America, early America, Europe, and/or the Middle East.

Note: This reading group will meet on the following dates: TBD.

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## Music and Digital Media

**Course #:** 2189      **Term:** 2025SP      **Faculty:** Bavitz, Christopher      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Contracts; Contracts; Contracts; Arts, Entertainment, and Sports Law; Contracts; Intellectual Property

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: A prior course or other background in copyright law would be useful but is not required.  
Exam Type: No Exam

This course explores a variety of legal issues relating to the creation, exploitation, and protection of music and other content. The course focuses on traditional legal regimes and business models and the ways in which new technologies (particularly the evolution of digital media and the Internet) have affected legal and business strategies involved in the making and distribution of content. The course's primary emphases are music and the ways in which legal principles manifest themselves in practice in the music industry. The course builds off a discussion of music rights to address issues surrounding content rights in other contexts, and it reviews the ways in which traditional concepts and practices in this area are challenged by and evolving in the digital world. The course balances discussions of big-picture doctrinal, policy, and theoretical considerations with a focus on day-to-day legal and business practices and specific skills (transactional, client counseling, and litigation) that are relevant to practitioners in this area.

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## National Security Law

**Course #:** 2190      **Term:** 2024FA      **Faculty:** Baker, James      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Constitutional Law; Leadership; National Security Law; Technology Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: Enrollment is by permission of instructor. Interested students should email a CV and statement of interest to Mr. Baker at [jbaker@law.harvard.edu](mailto:jbaker@law.harvard.edu). Please apply no later than August 1, 2024. Students will receive notification shortly thereafter. HKS students may apply during the normal HKS course selection period.

Exam Type: No Exam. Students will be required to write 5 short thought papers during the semester and participate in a scenario exercise.

This seminar will address various aspects of the law governing national security as well as leadership and decision making in the national security law context. Topics will include constitutional issues regarding national security, electronic surveillance conducted pursuant to the Foreign Intelligence Surveillance Act (FISA), investigative tools authorized under the USA PATRIOT Act, and related topics. National security law is often inaccessible, and can be particularly hard to follow when divorced from the context of historical tradition, governmental structures, and the operational reality in which it functions. The course will aim to present national security law in context, exposing students as much as possible to the real-world effects of applicable legal standards and rules.

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## Natural Law and Positive Law

**Course #:** 2192      **Term:** 2025SP      **Faculty:** Sargentich, Lewis      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Jurisprudence and Legal Theory

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

We will look briefly at the classical debate between exponents of natural law (Thomas Aquinas) and positive law (John Austin). Then we will focus on debates in contemporary jurisprudence between legal positivists (H.L.A. Hart, Joseph Raz) and their opponents (Lon Fuller, Ronald Dworkin, John Finnis). The question throughout is: what is law's relation to morality?

Note: This reading group will meet on the following dates: TBD.

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## Natural Resources Law

**Course #:** 2193

**Term:** 2025SP

**Faculty:** Mergen, Andrew

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Administrative and Regulatory Law; American Indian Law; Environmental Law and Policy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Tue 3:45 PM - 5:45 PM

**Course Description:**

Prerequisites: None

Exam Type: In Class

This course is a survey of federal natural resources law with a particular emphasis on how courts resolve disputes in this area. Emphasis will be placed on ongoing legal disputes, including natural resources cases in the Supreme Court and the courts of appeals. The course will start with a review of the historical, constitutional, and administrative law underpinnings of modern day natural resources law. The remainder of the course will focus on the major federal natural resources statutes with an initial examination of two of the most fundamental and transformational statutes of modern natural resources law: the National Environmental Policy Act and the Endangered Species Act. The course will then move on to the major statutes governing public lands such as the National Forest Management Act, Federal Land Management & Policy Act, National Park Service Organic Act and laws addressing development of mineral resources on Federal lands. The course will conclude by turning to laws governing coastal and living marine resources such as the Coastal Zone Management Act, Outer Continental Shelf Lands Act, and Magnuson-Stevens Fishery Conservation Act. The course will weave in discussion of present-day controversies such as National Monument designations, and oil, gas, and mineral leasing and regulation on Federal lands.

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## Negotiating Across Worldviews

**Course #:** 3263

**Term:** 2024FA

**Faculty:** Seul, Jeffrey

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**

**Location**

**Course Description:** Prerequisite: There are no prerequisites for this course. If have taken another negotiation course at Harvard, you will find that this course builds upon and extends what you learned.

Exam Type: No Exam

Leaders and change agents of all kinds often must engage effectively with people whose worldviews are very different than their own. Conflicts involving deeply held values and other fundamental differences in perspective present special challenges and may require adjustments to approaches to negotiation we use in other situations. Through interdisciplinary readings, presentations, negotiation simulations, dialogue experiences, exercises, discussion, and reflective practices, this practice-focused, workshop style course aims to help participants become more aware of how their own and others' worldviews influence conflicts involving identity-defining value differences and to help them become more effective negotiators.

Worldview conflict can arise in what we think of as private (e.g., business transactions), local (e.g., land use disputes), societal (e.g., the abortion debate), or global (e.g., climate change policy) contexts. We will consider the potential and challenges of negotiation across diverse contexts, taking up topics such as the comparative advantages and disadvantages, and interplay among, litigation, civil resistance, and negotiation as tools for social change and a bounded theory of pluralistic relativism as a response to the reality of moral diversity.

This course is intensive and time consuming. Because any absences deprive your peers of the chance to participate and learn from collaborative experiences, attendance for all class sessions is mandatory.

The course is limited to 48 students. In addition to participating in in-class activities, students will be expected to keep a journal and submit portions of it throughout the term and will participate in a small group dialogue that requires a modest commitment of time outside class. This course has no final examination.

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## Negotiation Workshop

**Course #:** 2195      **Term:** 2025WS      **Faculty:** Heen, Sheila      **Credits:** 4.00  
**Type:** Multisection      **Subject Areas:** Corporate and Transactional Law; Leadership; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 9:00 AM - 5:00 PM

Thu 9:00 AM - 5:00 PM

Fri 9:00 AM - 5:00 PM

Mon 9:00 AM - 5:00 PM

Tue 9:00 AM - 5:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Prerequisite: None  
Exam Type: No Exam

\*Cross-Registrants: Please note that cross-registrants interested in taking the Workshop must participate in the online application process for the Workshop. The deadline to apply is noon on October 4. For more information please visit the course website: <http://hnmcp.law.harvard.edu/application-crossreg/>.

The credit breakdown for this seminar is as follows: four total credits with three credits awarded in the winter and one credit awarded in the spring.

Most lawyers, irrespective of their specialty, must negotiate. Litigators resolve far more disputes through negotiation than by trials. Business lawyers - whether putting together a start-up company, arranging venture financing, or preparing an initial public offering - are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators.

This Workshop, by combining theory and practice, aims to improve both the participants understanding of negotiation and their effectiveness as negotiators. Drawing on work from a variety of research perspectives, the readings and lectures will provide students with a framework for analyzing negotiations and tools and concepts useful in negotiating more effectively. Participants will spend much of their time in a series of negotiation exercises and simulations, where as negotiators and critical observers, they will become more aware of their own behavior as negotiators and learn to analyze what works, what does not work, and why.

The Workshop is intensive and time-consuming. Participants should have no other work commitments during the winter term. Specifically, participants should be available each day from 9:00am until 5:00pm (although class will often end earlier). There will be simulations and videotaping on some evenings and some weekends. Class attendance is essential and required at all sessions including the evening and weekend sessions. Students may not take the Workshop if they have other courses or any other significant obligation during the winter term that conflict with the required course sessions of the Workshop. There will be no Workshop classes during the spring term.

Class attendance is required at all sessions, and please particularly note participants cannot miss any of the first day. The Workshop will begin at 9:00 am sharp on Monday, January 6, 2025. No one will be

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admitted to or allowed to complete the course who is not present when the course begins. Participants should adjust their travel plans accordingly. Please also note that the Workshop will have class on Saturdays (specific dates TBD). The Workshop will meet for its final class on Friday, January 24, 2025.

The Workshop will be limited to 144 students who will be divided into six working groups of 24 each.

Plenary sessions of the full class will be devoted to demonstrations, discussion problems, lectures, video and film. Much of the time devoted to exercises and simulations will take place in the smaller working groups, each of which will be led by an experienced instructor and a teaching assistant.

In addition to participating in the daily activities, students will be expected to keep a journal and write a short paper. The journal is submitted weekly. This course has no final examination and the short paper will be due during the spring semester in light of the intensity of the Workshop during the winter term.

During the first week of the Workshop, JD and LLM students will be given an opportunity to elect to take the Workshop on a credit/fail basis. For cross-registrants, the availability of the credit/fail option is dependent on the policies of their home school.

Note - Early Drop Deadline: The Workshop has an early drop deadline: Friday, November 3rd. The course may not be dropped after this date without the written permission of the instructor and students who drop after this date will receive a WD on their transcript.

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## Negotiation Workshop

**Course #:** 2195

**Term:** 2025SP

**Faculty:** Heen, Sheila

**Credits:** 4.00

**Type:** Multisection

**Subject Areas:** Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 3:45 PM - 7:15 PM

Thu 3:45 PM - 7:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisite: None

Exam Type: No Exam

\*Cross-Registrants: Please note that cross-registrants interested in taking the Workshop must participate in the online application process for the Workshop. The deadline to apply is October 6. For more information please visit the course website: <http://hnmcp.law.harvard.edu/application-crossreg/>.

Lawyers—like all other professionals—must negotiate. Litigators resolve far more disputes through negotiation than by trial. Business lawyers, whether they are putting together a start-up company, arranging for venture financing, or preparing an initial public offering, are called upon to negotiate on behalf of their clients. Public interest lawyers, in-house counsel, government attorneys, criminal lawyers, tort lawyers, and commercial litigators all share the need to be effective negotiators. And all professionals negotiate within their own organizations for salaries, workload and roles, with constituents they represent, clients they serve, or co-founders they collaborate with.

Yet few professionals have studied the negotiation process or have any systematic understanding of why negotiations often fail, the dilemmas inherent in the process, or the skills necessary to be an effective negotiator.

By combining theory and practice, this Workshop aims to improve your analytical understanding of the negotiation process and your skill as a negotiator. The Workshop is designed to improve your ability to prepare for a negotiation, to engage others in joint problem-solving and decision-making, and to diagnose what is going wrong and what to do differently when negotiations break down. Above all, this Workshop will equip you to continue refining your skills as you gain more negotiation experience throughout the rest of your professional life.

The Workshop is intensive and time consuming. Because any absences deprive your peers of the chance to negotiate and learn, attendance for all class sessions is mandatory.

The Workshop integrates intellectual and experiential learning by combining short lectures with frequent exercises, extensive review, live and filmed examples, individual and small group reviews, and careful analysis of the negotiation process and the process of learning from experience.

The Workshop is limited to 144 students who are divided into six working groups of 24 students each. The teaching team consists of six faculty members; each Working Group is taught by one faculty member and one teaching assistant. All Working Groups follow a common syllabus that has been developed collaboratively by the senior teaching team.

In addition to participating in the daily activities, students will be expected to keep a weekly journal and to produce a number of short, written products throughout the term. This course has no final examination.

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During the first week of the Workshop, upperclass and LL.M. students will be given an opportunity to elect to take the Workshop on a credit/fail basis. We welcome cross-registrants, who enhance the richness of the experience for everyone. For cross-registrants, the availability of the credit/fail option is dependent on the policies of their home school.

Note - Early Drop Deadline: The Workshop has an early drop deadline: TBD. The course may not be dropped after this date without the written permission of the instructor and students who drop after this date will receive a WD on their transcript.

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## New Technologies and the Law of War

**Course #:** 2439      **Term:** 2024FA      **Faculty:** Kalpouzos, Ioannis      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Human Rights; International Law; Jurisprudence and Legal Theory; National Security Law; Technology Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam  
Changes in contemporary warfare are challenging the fundamental principles of its regulation and their application in practice. From the increasingly asymmetrical relationship in drone warfare against non-state armed groups, through cyberconflict involving both states and corporations, to the gradual move towards fully autonomous weapons, this seminar will offer an in-depth doctrinal analysis of how new weapons technologies are affecting the regulation of war. The course will place special focus on the law of targeting and will cover challenges across international humanitarian law (the law of armed conflict), international criminal law, and international human rights law.  
These will include the principles of distinction and proportionality associated with urban warfare, non-state armed groups, and civilians &ldquo;directly participating in hostilities&rdquo;; weapons technology and the obligation &ldquo;to take all feasible precautions to protect the civilian population&rdquo;; the challenges of proving violations of international humanitarian law and the law of war crimes, including the question of intent, the ex post facto divination of the mind of the commander, and the questions of evidence, including through the use of Open Source Intelligence. The technologies considered will include those involved in remote targeted killings and the individualization of war; the evolution of cyber-weapons; finally, the evolution of artificial intelligence towards fully autonomous weapons. The latter will allow the course to relate the practical and doctrinal analysis to the fundamental questions posed by the mechanization of judgement in the conduct of war.

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## Non-profit Organizations and Law

**Course #:** 2156      **Term:** 2024FA      **Faculty:** Minow, Martha; Prasad, Sridhar      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Tax; Trusts and Estates; Tax; Private Room; Tax; Administrative and Regulatory Law; Constitutional Law; Corporate and Transactional Law; Private Law; Tax Law and Policy; Trusts, Estates, and Fiduciary Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam  
Nonprofit organizations include large health care, educational, religious, arts, and political entities as well as small community services and advocacy efforts. Their vitality supports not only the people they directly serve but also the civil society that incubates new ideas, builds social capital, and strengthens democracy. Distinctive laws and traditions in the United States contribute to the dramatic growth of the nonprofit sector in size and influence. Also mounting is controversy over whether the benefits provided by nonprofit organizations justify their special statutory, regulatory, and tax treatment. This seminar will examine the historical and legal contexts for these debates and address: what justifies the rules governing nonprofit organizations? When should they be governed like private entities, when like public entities, and when like something different altogether? When and why are they exempted from taxation? To whom are they accountable? What cultural and legal changes should be promoted to address risks of self-dealing by nonprofit boards and staff; political debates over the benefits accorded to the sector, and related issues. Our focus on domestic nonprofits will include comparison with laws and practices of international nongovernment organizations.

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## Nuts and Bolts of Forming a Venture Capital Fund

**Course #:** 2487

**Term:** 2024FA

**Faculty:** Reed, Sarah; Painter, Robin

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Finance, Accounting, and Strategy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 6:00 PM - 8:00 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

This course introduces students to the relationship between limited partner (LP) investors and the general partner (GP) managers of a VC fund. Among topics covered are (1) types of LPs; (2) due diligence performed by LPs; (3) the contractual relationship between LPs and the GP, including compensation of the GP; and (4) the post-closing relationship between LPs and the GP. Reading materials will consist mostly of contractual documents and practitioner articles. Grading will be based on weekly memos on the assigned readings.

Note: This course will meet over six weeks, dates TBD.

Note: This is the same offering as the Fall 2019 course, Investing in VC Funds. If you completed the previous course, you will not be eligible to enroll in this.

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## Originalism and Its Discontents

**Course #:** 2766      **Term:** 2025SP      **Faculty:** Sachs, Stephen      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Constitutional Law; Jurisprudence and Legal Theory; Law and Philosophy; Legal History

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: (A) One prior course on American constitutional law, and (B) one prior course on constitutional law, federal courts, administrative law, jurisprudence, or legislation / statutory interpretation. This prerequisite may be satisfied by equivalent coursework or waived with permission of the instructor.

Exam Type: No Exam

Originalism is a major school of constitutional interpretation and an important field of study. Legal discussions and public debates regularly feature originalist arguments or criticisms of originalism. To engage these arguments, lawyers and citizens need to weigh the merits of a diverse set of originalist theories. This two-hour weekly seminar, focused on class discussion of the readings and response papers, is designed to acquaint you with originalist and nonoriginalist arguments; enable you to assess their strengths; and give you an opportunity to sharpen your own views.

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## Partnership Tax

**Course #:** 2298      **Term:** 2024FA      **Faculty:** Abrams, Howard      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Tax; Tax; Tax; Corporate and Transactional Law; Tax Law and Policy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 3:45 PM - 5:15 PM

Tue 3:45 PM - 5:15 PM

**Course Description:** Prerequisites: Taxation or permission of the instructor to waive the prerequisite.

Exam Type: In Class

This class covers the formation, operation, and liquidation of all entities taxable as partnerships including general partnership, limited partnerships, and LLCs. Allocation of tax items among the partners under sections 704(b) and 704(c) are emphasized along with allocations of partnership indebtedness and inside basis adjustments. This is an important course for students interested in a career in tax law, private equity, or real estate.

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## Patent Law

**Course #:** 2197

**Term:** 2024FA

**Faculty:** Tompros, Louis

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Intellectual Property; Technology Law and Policy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Fri 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

**Course Description:**

Prerequisite: None

Exam Type: Any Day Take-Home

This course will introduce, examine, explore, and evaluate patent law. At the outset, the course will consider how the United States patent system works, including the constitutional, statutory, and common law sources of the patent law, the roles of the Patent Office, district courts, and the Federal Circuit, and the role the patent system plays in the economy. The course will focus heavily on patent claims, including how claims operate and the law governing patent claim construction. It will address in detail the law of patentability, including the requirements of patentable subject matter, novelty, nonobviousness, written description and enablement, and definiteness. Then, the course will take a close look at the law of infringement, including the doctrine of equivalents, indirect infringement, legal and equitable defenses to infringement, and remedies — including injunctions, lost profits, reasonable royalties, and enhanced damages. Along the way, the focus will be both on how patent law operates today, as well as what the future of patent law could (or should) look like. In particular, the course will pay attention to developing policy issues, including standard essential patents, non-practicing entities, and patents on and by artificial intelligence.

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## Policing in America: The Good, the Bad and The Ugly

**Course #:** 2870

**Term:** 2025SP

**Faculty:** Umunna, Dehlia

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Criminal Law and Procedure; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 6:00 PM - 8:00 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

Law enforcement in the United States plays a critical, often life-altering role in its citizenry's life. More than 19,000 local, state and federal law enforcement employ nearly 450,000 officers. Police officers are involved in the prosecution of approximately twelve million criminal offenses each year and conduct over 11 million arrests. They are also responsible for the deaths of about 950 people per year since 2015.

This seminar examines the establishment, role, and function of police in a democratic society. It will provide a foundation in the history of police and community relationships, police work, police culture/behavior, police discretion and control, police legitimacy and public support, community policing, use of force, institutional bias, and racial justice. We will also analyze why law enforcement is such a polarizing societal issue.

Experiences in the class will include conversations with local police commissioners and police officers, touring local prisons or jails, meetings with citizens whose lives have been impacted by their interaction with police officers, and a wide variety of written texts, including essays and case studies.

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## Policy Advocacy Workshop

**Course #:** 2583      **Term:** 2025SP      **Faculty:** Broad Leib, Emily; Block, Sharon      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Administrative and Regulatory Law; Health, Food, and Drug Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Prerequisite: This seminar is open to LLM students by permission.  
Exam Type: No Exam  
The Policy Advocacy Workshop is a hands-on seminar that will explore the methods, tools, and skills used to conduct legislative and regulatory advocacy. Many law students are interested in using their legal education as a pathway to engage in policymaking. This course will provide students with a range of active opportunities to learn about, discuss, and practice written and oral policy advocacy via simulations and assignments.  
Students will learn about the process of issue spotting policy opportunities, developing policy advocacy campaigns, drafting legislation and regulations, and using written and oral advocacy to push for policy change. Students will learn how to effectuate policy reforms that could have real world application by drafting written materials and presenting oral advocacy to demonstrate an implementation strategy for a range of policy reform ideas.  
After a few weeks of introductory reading and discussion, there will be short written assignments or preparation for in-class simulations due each week. The students not participating in the assignment for the week will workshop and provide input on the writing and presentations of their classmates, and discuss strategies and skills for improvement.  
Each week will focus on a different type of skill or written document relevant to policy advocacy. These will include:

- Issue spotting and policy development
- Petitioning agencies and commenting on agency regulations
- Legislative research and drafting
- Writing policy briefs
- Communications and media strategy
- Grassroots advocacy
- Creating fact sheets and sign-on letters
- Testifying for policymakers

Classroom sessions will also include presentations from guest lecturers who have relevant policy experience, including advocacy organizations, think tanks, and policymakers. Rather than a final examination, grades will be determined on the basis of their written submissions, in-class role plays, class participation, and a final project.  
This course satisfies the clinical seminar requirement for both the Food Law & Policy Clinic and the Health Law & Policy Clinic. The drop deadline for students enrolled in this course in a clinical seat is December 13, 2024.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

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## Political Economy and Its Future

**Course #:** 2390      **Term:** 2025SP      **Faculty:** Unger, Roberto Mangabeira; Rodrik, Dani      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Law and Political Economy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:00 PM - 3:00 PM

**Course Description:** Prerequisites: None

Exam Type: Extended paper/take-home examination at end of course; take-home exam not administered by HLS.

The world's economic and political order reels under mounting challenges: the global financial crisis, the austerity debacle, a slowdown in economic growth and productivity, the aggravation of inequality and the inadequacy of conventional responses to it, the discrediting of the Washington Consensus, the globalization backlash, the re-emergence of nationalist politics in Europe and the United States, and a contest over the meaning, value, and requirements of democracy. We examine connections among these phenomena and explore alternative ways of thinking about contemporary market economies and their reconstruction. We organize the course around four related themes: the worldwide financial and economic crisis of the recent past and its management; the effort to promote socially inclusive economic growth in richer as well as in poorer countries; the nature, fate, and dissemination of the new knowledge-intensive style of production; and the past, present, and future of globalization.

Students should have some previous acquaintance with economics, but no advanced economic training is required. The course is open to undergraduate and graduate students outside as well as within economics. Readings will be drawn from the classic and contemporary literatures of economics, political science, philosophy, and social theory.

Note: This course is jointly-listed with FAS as GOV 1025 and HKS as DEV-233.

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## Political Economy of the Family

**Course #:** 3298

**Term:** 2024FA

**Faculty:** Halley, Janet

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Family; Family Member; Children and Family Law; Gender and the Law; Law and Political Economy; Poverty Law and Economic Justice

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This seminar will begin by studying an array of theoretical tools for understanding the economic life of the family under systems as different as feudalism, market liberalism, socialism, social democracy, etc. It will then focus on an array of classic texts in which the topic is central. These will include works of political theory (John Locke's Third Treatise of Human Government), literary works (Jane Austen's Pride and Prejudice), ethnographic studies (Inga Markovitz's study of family dispute management in the German Democratic Republic both before and after German reunification), and films (Parasite). These are all just examples: the actual texts and other media actually selected may be different. The readings will be longer than for most seminars; there will be no point in taking the class unless students do read them! So please consider that time commitment in signing up for this Seminar among your other plans for the semester. Students will write a series of short papers.

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## Presidential Power in an Era of Conflict

**Course #:** 2949

**Term:** 2025SP

**Faculty:** Eggleston, W. Neil

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** State and Federal Courts; Constitutional Law; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Exam Type: No Exam

This course will explore the modern exercise of Presidential power in foreign affairs, military and covert actions, domestic affairs, and executive actions. We will consider the Vesting Clause, the Necessary and Proper Clause, and the Take Care Clause; the Presidents war powers, treaties, and other diplomacy; the appointment and confirmation of Officers; the power to grant pardons and commutations; and ethical issues in Presidential administrations. The course will examine the extent of and constraints on Presidential power and the ways in which executive branch conflicts with the other two branches of government are addressed and resolved. While focusing on contemporary issues and recent disputes, the course will draw on historical precedent to give students a grounded and contextual understanding of Presidential power.

Note: This seminar is not available for cross-registration.

This offering substantially overlaps with Professor Prakash's reading group, Readings in Presidential Power. Students cannot enroll in both for credit.

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## Privacy Law

**Course #:** 3241

**Term:** 2024FA

**Faculty:** Nielsen, Aileen

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Contracts; Torts; Contracts; Torts; Contracts; Torts; Private Room; Constitutional Law; Contracts; Private Law; Technology Law and Policy; Torts

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:**

Prerequisite: None

Exam Type: In Class

Privacy is a key concern motivating legal challenges to private firms and public entities alike. Further, privacy is a key regulatory concern of important industrial sectors, most notably healthcare, finance, education, communications, and technology. Questions of privacy are therefore increasingly common, and essential to practitioners across a wide variety of legal practice areas. This course surveys the legal frameworks in the United States that define and govern privacy, including constitutional, statutory, and common law sources. Topics will include the goals of privacy law, the trade-offs between privacy and other social values and legal rights, a critical examination of domain-specific statutory privacy protections, and ongoing legislative reform. The course will also include discussions of international approaches to privacy law, with a particular emphasis on European data protection, policing, and surveillance laws. The course includes discussion of topics that go beyond the domain of information privacy law, including advertising law, consumer protection, intellectual property, and family law, where relevant to core privacy law topics.

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## Private Equity: Practice and Policy

**Course #:** 2266      **Term:** 2025SP      **Faculty:** Robertson, Johnathan      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Contracts; Contracts; Contracts; Contracts; Corporate and Transactional Law; Finance, Accounting, and Strategy; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Mon 6:00 PM - 8:00 PM

Tue 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

This Reading Group will provide students with an overview of private equity and explore various policy implications associated with the growth of private equity firms and transactions. The Reading Group will utilize a case study based on an actual private equity transaction in order to place students in the role of a private equity firm considering the acquisition of a portfolio company and later selling that same business. The case will be used over the course of the Reading Group to introduce the practice of private equity, examine common legal issues which arise in the course of private equity transactions, practice valuation techniques in a realistic scenario, explore a typical purchase agreement, and delve into the policy implications of the growth of private equity. We will be joined by guests with deep private equity expertise and experience.

Note: This reading group will meet over three weeks on the following dates: TBD.

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## Private Law Workshop

**Course #:** 2206      **Term:** 2025SP      **Faculty:** Smith, Henry; Goldberg, John      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Private Room; Jurisprudence and Legal Theory; Private Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: Admission is by permission of the instructors. Students who wish to be considered for the seminar should submit a CV to Henry Smith (hesmith@law.harvard.edu). Recommended deadline for consideration is July 29th, however, applications will be considered on a rolling basis.

Exam Type: No Exam

This workshop will explore the foundations of private law - property, contracts, torts, and restitution. Emphasis will be on theories that offer explanations, justifications, and criticisms of architectural features of these areas of law and of their connections to one another. Sessions will be devoted to paper presentations by outside speakers and to discussions of classic and contemporary works reflecting philosophical, historical, and economic approaches to private law topics.

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## Pro-Life Advocacy

**Course #:** 3291      **Term:** 2024FA      **Faculty:** Goldsmith, Jack      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; State and Federal Courts; Civil Rights; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: By permission of instructor. Interested students should send resume and statement of interest to Deema Qashat (dqashat@law.harvard.edu).  
Exam Type: No Exam

This reading group will focus on pro-life litigation and strategic advocacy (legal and political), with a specific focus on issues related to prohibitions on abortion after *Dobbs v. Jackson* (2022). We will consider historical, scientific, philosophical, and legal-doctrinal foundations related to pro-life advocacy; consider contested legal issues after *Dobbs* (such as fetal personhood, extraterritoriality, and the right to travel); and analyze the strategic decisions faced by those involved in litigation and pursuing legislative change in a post-*Dobbs* era. The reading group will feature guest speakers from pro-life organizations and advocacy groups.

Note: This reading group will meet on the following dates: TBD.

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## Progressive Alternatives: Institutional Reconstruction Now

**Course #:** 2391      **Term:** 2025SP      **Faculty:** Unger, Roberto Mangabeira      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Law and Political Economy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 1:00 PM - 3:00 PM

**Course Description:** Prerequisites: None

Exam: No Exam; two brief response papers during the semester and a longer response paper at the end, in lieu of examination.

An exploration of the past and future agenda of progressives, whether self-described as liberals or as leftists. What should they propose, now that they no longer believe in the usefulness of governmental direction of the economy or in the sufficiency of redistributive social programs? A basic concern is the relation of programmatic thought to understanding of change and constraint.

In recent historical period, progressives have sought to humanize the established order rather than to reimagine and remake it. Here the main focus is on institutional or structural change in the market system and in democratic politics. Among the themes to be discussed are the nature and future of the knowledge economy, the status of free labor vis-à-vis capital, the relation of finance to production, the making of a high-energy democracy that no longer needs crisis to make change possible, and the education required by such economic and political alternatives. A central theme throughout is the content and implications of the idea of freedom. The course will draw on many disciplines and consider examples from many settings. It will try to develop ways of thinking as well as proposals for change.

Note: This course is jointly offered with FAS as Government 1092 and HKS as DPI-348.

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## Psychedelic Law and Policy

**Course #:** 3284

**Term:** 2024FA

**Faculty:** Cohen, I. Glenn

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Criminal Law and Procedure; Health, Food, and Drug Law

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Tue 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This reading group analyzes local, state, federal, and international laws governing psychedelic substances such as psilocybin, mescaline, ibogaine, and dimethyltryptamine (DMT). Topics of discussion include the regulation of psychedelic production, possession, sales, and use in the contexts of research, healthcare, commerce, spirituality, and Indigenous traditions. Students will learn about current legal debates, relevant statutes such as the Controlled Substances Act and Religious Freedom Restoration Act, applicable international treaties and sections of the U.S. Constitution, the role of agencies such as the FDA and DEA, and ongoing local, state, and federal psychedelic policy reforms. The reading group may be of interest to students of many legal fields, including health law, business law, criminal law, FDA regulation, constitutional law, and intellectual property.

Note: This reading group will meet on the following dates: TBD.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

March 15, 2024 4:16 PM

## Public Health Law and Policy

**Course #:** 2497      **Term:** 2024FA      **Faculty:** Shachar, Carmel      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Health, Food, and Drug Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: This seminar is open to LLM students by permission.

Exam Type: No Exam

This seminar provides an overview of the historical law and policy decisions that have shaped the U.S. health care system and are informing current debates about health reform. Incorporating varying perspectives, the seminar discusses federal and state policy options to address current health and public health challenges.

This seminar begins with an analysis of health systems in other countries. Next, we discuss the key policy decisions that have shaped the current patchwork of public and private insurance coverage options in this country. After providing this international and historical context, we analyze in detail the key elements of the current U.S. health and public health care systems through the lens of its impact on vulnerable populations. We look at the components of the federal approach to reform, including the national health care reform law the Patient Protection and Affordable Care Act. We also consider several state initiatives that highlight how states are acting as laboratories of innovation to implement sweeping health and public health reforms. Finally, we discuss the current health law and policy climate in this country and explore both the opportunities and challenges for health policy solutions focused on increasing access to care and addressing public health concerns.

This seminar is open to students interested in health and public health law and policy; no background or prerequisites are required. The reading materials include various book chapters, cases, news reports, and scholarly articles that present diverse viewpoints on the topics presented. The course employs experiential learning techniques, such as role plays, simulations, and discussion posts to spark debate between different sides of often controversial issues. Over the course of a semester, students gain a wealth of hands-on experience in current and emerging health law and policy issues, produce a written policy paper, and develop a range of problem-solving, policy analysis, research and writing, oral communication, advocacy and leadership skills.

This course satisfies the clinical seminar requirement for the Health Law & Policy Clinic. The drop deadline for students enrolled in this course in a clinical seat is August 23, 2024.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

March 15, 2024 4:16 PM

## Public Health Law and Policy

**Course #:** 2497      **Term:** 2025SP      **Faculty:** Shachar, Carmel      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Health, Food, and Drug Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: This seminar is open to LLM students by permission.

Exam Type: No Exam

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This course satisfies the clinical seminar requirement for the Health Law & Policy Clinic. The drop deadline for students enrolled in this course in a clinical seat is December 13, 2024.

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You can also find more information on [How to Register for Clinics](#) and [How Clinical Credits Work](#).

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# Harvard Law School Course Catalog

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## Public International Law

**Course #:** 2212

**Term:** 2024FA

**Faculty:** Modirzadeh, Naz

**Credits:** 4.00

**Type:** Multisection

**Subject Areas:** Human Rights; International Law; Jurisprudence and Legal Theory

**Delivery Mode:** Course

**Days and Times:**

**Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisites: None

Exam Type: One-Day Take-Home

This is an introductory course to public international law. The first part of the course provides a classical foundation to the sources and subjects, as well as key tenets and core concepts, of international law. We will also discuss the role of public international organizations such as the United Nations in developing, interpreting, and shaping the international legal system. The second part of the course will focus on selected topics, including the use of force, international human rights law, international humanitarian law, and international refugee and migration law. These topics may change based on contemporary events and debates. We will also explore critical perspectives from within the field, as well as external challenges to the legitimacy of public international law.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Public International Law

**Course #:** 2212      **Term:** 2025SP      **Faculty:** Fofana, Idriss      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** State and Federal Courts; Comparative Law; Courts, Jurisdiction, and Procedure; Human Rights; International Law; Jurisprudence and Legal Theory; Legal History

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.  
Prerequisites: None  
Exam Type: Any Day Take-Home

This is an introductory course to international law, with a focus on public international law. The first part of the course examines the nature, sources, and methods of international law. Topics covered include the doctrine of sources, international responsibility, the resolution of international disputes, subjects of international law, international institutions, and the interaction between domestic and international law. The second part of the course offers a brief introduction to specialized fields of international law chosen based on student interest and current events. In the past, subjects covered have included the law of armed conflict, international human rights, international investment law, and international environmental law. As we review these aspects of international law, we will pay special attention to the role of legal theory in the development of contemporary international law and historical challenges to the international legal order.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Public Memory and Memorialization

**Course #:** 3312

**Term:** 2024FA

**Faculty:** Levinson, Sanford

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Constitutional Law

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Wed 6:00 PM - 8:00 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

How, if at all, should any given society engage in practices of commemorating the past that almost inevitably are designed as ways also of shaping the future, as by creating a certain sense of civic identity? In the United States, we have been addressing this now for at least a decade with regard to Confederate monuments and their displacement from the public square. But the examples go well beyond the United States and, therefore, the particular problems presented by the Confederacy and the so-called "Lost Cause" narrative embraced by defenders of the Southern secessionists. Thus, although we will certainly be looking at some of the debates surrounding Confederate statues and namings (as of buildings and army bases), we will look at other examples as well, both at home and abroad. Moreover, a new feature of this iteration of the reading course will be a look as well at international law. Consider, for example, that it is a war crime to attack central cultural monuments of countries with whom one is at war. But what if a particular polity decides on its own (whatever we think that might mean) to destroy sites that have, for example, been listed as World Heritage Sites, because they are thought to instantiate values that the regime believes are actually alien to the purposes of the polity as it now exists (or should exist in the future)? Perhaps this new regime consists of would-be "reformers" who have taken control and displaced an earlier regime that had attempted to inculcate the citizenry with its own view of a politically usable past (and desirable future).

Readings will include my own book *Written in Stone: Public Monuments in Changing Society* (2d ed. 2018) as well as a variety of other materials. Each student will be asked/required to write one response paper during the course of the semester, of about 600-750 words. Its purpose will be to set the agenda for our class discussion. Note: This reading group will meet on the following dates: TBD.

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# Harvard Law School Course Catalog

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## Quantitative Reasoning

**Course #:** 2009      **Term:** 2025SP      **Faculty:** Yang, Crystal      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; State and Federal Courts; Civil Rights; Civil Litigation; Civil Rights; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Law and Economics

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 8:30 AM - 10:00 AM

Tue 8:30 AM - 10:00 AM

**Course Description:** Prerequisite: None  
Exam Type: Any Day Take-Home

This course provides an introduction to quantitative concepts and methods that are increasingly important for lawyers. We will explore these concepts through application to contexts such as election fraud, employment discrimination, affirmative action, jury selection, the death penalty, and antitrust. The goal of the course is to provide students with the skills necessary to engage in quantitative reasoning and to become savvy consumers of quantitative evidence. This course does not require any background in mathematics, economics, or statistics.

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## Race and the Law

**Course #:** 2051      **Term:** 2025SP      **Faculty:** Jenkins, Alan      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Education; Immigration/Refugee; Civil Rights; Immigration Law; Civil Rights; Immigration Law; Immigration; Race; Education; American Indian Law; Civil Rights; Constitutional Law; Criminal Law and Procedure; Education Law; Election Law and Democracy; Employment and Labor Law; Human Rights; Immigration Law; International Law; Jurisprudence and Legal Theory; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:30 AM - 12:00 PM

Fri 10:30 AM - 12:00 PM

**Course Description:** Prerequisites: None  
Exam Type: One-Day Take-home

This course will explore the role of race and ethnicity in American legal jurisprudence and history. Areas of focus will include changing legal definitions of race, conceptions of lawful and unlawful discrimination, elements of proof, and available remedies. The class will also explore how extrajudicial dynamics such as social protest, backlash, and popular culture have interacted with constitutional interpretation and enforcement. Discussion will include practical legal applications, critical analysis of cases, and alternative solutions and approaches.

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# Harvard Law School Course Catalog

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## Race, Law and Capitalism

**Course #:** 3314      **Term:** 2024FA      **Faculty:** Baradaran, Mehrsa      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Immigration/Refugee; Civil Rights; Immigration Law; Civil Rights; Immigration Law; Immigration; Race; Civil Rights; Financial and Monetary Institutions; Human Rights; Immigration Law; Law and Political Economy; Legal History; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Thu 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

This course will explore interrelated issues of race, law, and capitalism in the global context. We will explore the origins of common and statutory law through a lens of empire and racial capitalism. The course will focus particularly on how law enabled exploitation and embedded norms of racial hierarchy as well as how various revolutionary movements used law and legal interpretation as a tool of resistance. The course will explore how laws related to markets (i.e. contracts laws, property laws, corporate laws, etc.) created a racial wealth gap in the US and a global trade gap abroad. We will also explore issues related to criminal justice, policing, and race-based political discourse. Students will explore the role of lawyers, courts, international bodies, the military, legislators, police, and other officials in enforcing a racialized economic and social order.

Note: This reading group will meet on the following dates: TBD.

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# Harvard Law School Course Catalog

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## Reforming the U.S. Constitution: Is it thinkable; is it desirable; is it possible?

**Course #:** 3048

**Term:** 2024FA

**Faculty:** Levinson, Sanford

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Constitutional Law; Election Law and Democracy

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Tue 6:00 PM - 8:00 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

The main impetus for the Constitution of 1787 was the perception, spelled out in the very first paragraph of Federalist 1, that the current system established under the Articles of Confederation was not serving the nation well; by Federalist 15, it would be described as an imbecil[ic] system demanding (and justifying) radical transformation. The Framers of the 1787 Constitution scarcely believed they had achieved perfection, however; that is one reason for the existence of Article V, allowing amendment to the Constitution.

The radical flaws of the 1787 Constitution both led to a near breakdown of government in the aftermath of the election of 1800 and then, of course, to civil war in 1861. Both led to constitutional amendments; the latter, so-called Reconstruction Amendments have sometimes been referred to as a second founding of the American republic. Yet the term reconstruction is itself ambiguous: Were it designed to restore a Union that had gone amiss by straying from the original plan, or, instead, to create a fundamentally different (and better) Union that was fatally compromised from the outset and thus needed transformation? One might even ask if the original Constitution was in fact a Covenant with Death and Agreement with Hell, worthy of being burnt, as did William Lloyd Garrison, or the anti-slavery Constitution described in some recent books and essays (or by Frederick Douglass after his break with Garrison.).

In any event, is it plausible to believe that the existing amendments to the Constitution have created a political system truly congruent with the pressing needs of the 21st century, some of them scarcely conceivable to anyone living in the mid-19th century? Events of the past several years, including but not limited to a world-wide pandemic, the rise of ever-more-militant protest movements within the United States (and elsewhere), the (double) impeachment of a president, and what is widely viewed as an insurrectionary attempt to overthrow the results of the 2020 election have certainly led many to suggest that we are at a potential inflection point for the American constitutional order.

All of these crises and events raise a variety of important legal issues. Some of them can be viewed as internal to the existing constitutional order in the United States, i.e., turning on how one defines existing statutes or passages of the Constitution. What is a High Crime and Misdemeanor anyway? But there are also those who ask whether the system created by the 1787 Constitution, even as amended and reconstructed, does not have sufficiently imbecilic features to justify significant reform and transformation today. Would we, for example, be better off by having a process for a vote of no confidence in a president or even allowing, as in Wisconsin and California, the possibility of a recall election that could displace a president from office? Might it even be time to consider replacing presidentialism with a parliamentary form of government? (One of the assignments will be a 1980 essay by Lloyd Cutler, President Carter's counsel in the White House, titled To Form a Government, which adopts at least a quasi-parliamentary focus.)

I am not a neutral party with regard to such discussions. I published a book in 2006, *Our Undemocratic Constitution*, that focused on a number of structural features that could not plausibly be defended under any 21st century theory of democracy. In 2012, I published *Framed: America's 51 Constitutions and the Crisis of Governance*, in which the focus was less on the undemocratic features of the Constitution and

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more on the sheer fact that more and more of the American public was significantly dissatisfied with the actual operation of the national government, posing the possibility of a genuine legitimacy crisis. My wife and I published a book in 2017, with a 2nd edition rapidly following in 2019, *Fault Lines in the Constitution*, ostensibly directed at teenagers, that set out the threats that, if activated, like geologic fault lines and tectonic plates, could destroy our polity and not only a great city. I have advocated a new constitutional convention as one way of addressing these problems. (The book has been published also as a graphic novel. We are also working on a third edition of the book, taking into account some additional problems manifested since the second edition was written in 2018.)

Perhaps more significant than writing lone- or even co-authored books was my serving as chair in 2020-21 of a group brought together under the auspices of the journal *Democracy*, tasked with drafting a new constitution for the United States. At the same time, the National Constitution Center in Philadelphia has organized three groups, one liberal, one conservative, and the last libertarian, to offer proposed suggestions for constitutional reform, all of which will be topics for discussion.

So the reading course will be devoted to looking at some of the suggested constitutional reforms and to debate their attractiveness. As always, I hope that at least some of Harvard remarkable cohort of LL.Ms might be interested in the course as well, inasmuch as they would bring a desirable comparativist sensibility to our discussions. One overarching question is how important constitutional forms and structures are anyway, when compared, say, with underlying political cultures or the challenges posed, say, by economic inequality, globalization, or global warming.

Accompanying the question of the desirability of constitutional reform, though, is the quite separate question of whether it is in fact possible, especially if one operates under the constraints of Article V of the Constitution, which requires ratification of any proposed amendments by three-quarters of the 50 states, i.e., 38 states. Theoretically, the thirteen states able to veto any proposed changes could comprise less than 5% of the total American population of approximately 340,000,000 people. Thus the last of our six sessions will be devoted entirely to this very practical problem (and the comparative question, of course, is how easy or hard it is in some other countries or any given American state to effectuate significant constitutional change).

Reading courses, of course, have no exams or extensive writing requirements. I do, however, ask that all of you submit, over the course of our time together, a single response paper of approximately 600-750 words to the readings assigned for the particular week of your choice. A major purpose of these papers is to provide an agenda for our discussions. That is, you should focus on whatever you regard as the most interesting aspects of the particular reading, about which you would be particularly benefit from some collective conversation.

Note: This reading group will meet on the following dates: TBD.

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# Harvard Law School Course Catalog

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## Regional Human Rights Law: The Inter-American Perspective

**Course #:** 3194      **Term:** 2025SP      **Faculty:** Madrigal-Borloz, Victor      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** LGBTQ+; LGBTQ+; LGBTQ+ Advocacy Clinic; Race; Gender and the Law; Human Rights; LGBTQ+; Race and the Law

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: A prior or concurrent course or clinic in international human rights law is recommended but not required.  
Exam Type: No Exam

During the last 70 years, the Inter-American System for the protection of human rights (IASHR) is the venue for some of the most significant developments in international law. Placed at the heart of the oldest international organization in existence (the Organization of American States, successor to the Pan-American Union), this complex system of treaties, political and technical institutions and non-governmental relations has reacted to the human rights challenges resulting from colonialism, slavery and racism, political strife and abuse, armed conflict and structural discrimination and inequality. To face these and other challenges the IASHR is a forum in which standards of State responsibility to prevent, create accountability and provide reparation are discussed and identified through cases, research and political dialogue; and the outcomes of all these processes can be systematized under thematic categories to serve as inspiration for policy and programmatic action.

This reading group will explore the historical foundations, current functioning, and future expectations of the Inter-American machinery, and explore case studies of thematic development, including the human rights of women and girls, LGTBI persons and indigenous communities and peoples, and the inter-American jurisprudence and doctrine in relation to human rights violations such as torture, forceful disappearances and extrajudicial executions. The base for discussion will be provided by scholarly articles, selected Judgements and Reports and international instruments such as Treaties, Declarations and Resolutions. These will create an understanding of the basic functioning of the Inter-American System, with particular emphasis on the achievements of the Inter-American Human Rights Court and Commission, raise some of the critical readings of its limitations, and provide participants with a base for subsequent engagement with the Inter-American machinery.

Note: This reading group will meet on the following dates: TBD..

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# Harvard Law School Course Catalog

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## Regulation of Financial Institutions

**Course #:** 2219

**Term:** 2024FA

**Faculty:** Jackson, Howell

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Administrative and Regulatory Law; Corporate and Transactional Law; Finance, Accounting, and Strategy; Financial and Monetary Institutions; Law and Economics; Law and Political Economy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 2:50 PM

Thu 1:30 PM - 2:50 PM

Fri 1:30 PM - 2:50 PM

**Course Description:**

Prerequisite: None

Exam Type: Last Class Take-home

Students enrolled in the course will be expected to prepare one short research paper on a topic of current interest. There will also be a take-home examination question distributed after the last class and designed to give students an opportunity to reflect upon some of the broad themes we will explore over the course of the semester.

This course explores the regulation of financial institutions and financial markets in the United States. Over the course of the semester, we will examine the many different regulatory agencies and supervisory mechanisms that have evolved in the United States to govern the business of banks, securities firms, asset managers and insurance companies. The course will cover prudential regulation and consumer protection, as well as the oversight of systemic risks. While the primary focus of the course will be on financial regulation in the United States, readings and class discussion will frequently extend to comparative, cross-border, and multi-lateral aspects of financial regulation.

In the Fall of 2024, a particular focus of the course will be to consider the extent to which the Biden Administration and its appointees have changed regulatory policies from those of the previous administration. We will also focus on recent developments in digital assets, regulatory efforts to employ regulatory tools to promote social goals (such as climate change and financial inequality), as well as a number of administrative law issues that arise in financial regulation.

Readings will primarily be from Barr, Jackson & Tahyar, *Financial Regulation: Law and Policy* (Foundation Press 3rd ed. 2021) though some supplemental materials will be posted to the courses Canvas website, including several case studies posing issues of current policy concern.

If scheduling permits, the course will meet for twenty-four sessions of two hours each, with classes ending by Thanksgiving Break. The meeting dates will be posted on Canvas before the start of the semester.

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# Harvard Law School Course Catalog

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## Regulation of International Finance

**Course #:** 2124      **Term:** 2025SP      **Faculty:** Tarullo, Daniel      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Administrative and Regulatory Law; Financial and Monetary Institutions;  
International Law; Law and Economics

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD international/comparative requirement.

Prerequisite: None

Exam Type: One-Day Take-home

This course will examine international arrangements for the regulation of finance. Arrangements covered include the International Monetary Fund, the Financial Stability Board, the Basel Committee on Banking Supervision, the European Union, and the General Agreement on Trade in Services within the World Trade Organization. Specific substantive topics will be chosen to illustrate their activities. We will consider the substantial differences among these arrangements in institutional and governance structures, legal status, and relationship to domestic regulation. A recurring theme will be the tensions between the presumptive shared interests of governments in predictable rules or financial stability, on the one hand, versus divergent national commercial interests or regulatory preferences, on the other.

Note: This course is jointly listed with HKS as BGP-631.

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# Harvard Law School Course Catalog

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## Religious Freedom Clinic

**Course #:** 8055      **Term:** 2024FA      **Faculty:** McDaniel, Josh      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Employment and Labor Law; Law and Religion

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.  
Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component:&nbsp;Religious Freedom Clinic Seminar (2 fall classroom credits). The clinic and its classroom component are bundled; your enrollment in the clinic will automatically enroll you in the required seminar.  
Additional Co-/Pre-Requisites:&nbsp;None.  
By Permission: TBD.  
Add/Drop Deadline: August 23, 2024.  
LLM Students: TBD.  
Placement Site: HLS.  
About the Clinic: The Religious Freedom Clinic provides students a hands-on, supervised experience representing a diverse group of clients in legal matters raising First Amendment and religious liberty issues. In the clinic, students represent religious individuals and organizations of all faiths, with a focus on helping the imprisoned, victims of workplace discrimination, and those facing obstacles in ministering to migrants, the poor, and their communities. Under the supervision of the clinic’s director and staff, clinic students engage in client counseling, policy work, pre-trial and trial litigation, appellate advocacy, and amicus work in cases of national importance.

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## Religious Freedom Clinic

**Course #:** 8055      **Term:** 2025SP      **Faculty:** McDaniel, Josh      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Employment and Labor Law; Law and Religion

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component:&nbsp;Religious Freedom Clinic Seminar (2 spring classroom credits). The clinic and its classroom component are bundled; your enrollment in the clinic will automatically enroll you in the required seminar.

Additional Co-/Pre-Requisites:&nbsp;None.

By Permission: TBD.

Add/Drop Deadline: December 13, 2024.

LLM Students: TBD.

Placement Site: HLS.

About the Clinic: The Religious Freedom Clinic provides students a hands-on, supervised experience representing a diverse group of clients in legal matters raising First Amendment and religious liberty issues. In the clinic, students represent religious individuals and organizations of all faiths, with a focus on helping the imprisoned, victims of workplace discrimination, and those facing obstacles in ministering to migrants, the poor, and their communities. Under the supervision of the clinic's director and staff, clinic students engage in client counseling, policy work, pre-trial and trial litigation, appellate advocacy, and amicus work in cases of national importance.

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# Harvard Law School Course Catalog

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## Religious Freedom Clinical Seminar

**Course #:** 3064

**Term:** 2024FA

**Faculty:** McDaniel, Josh

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Employment and Labor Law; Law and Religion

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 1:30 PM - 3:30 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on [How to Register for Clinics](#) and [How Clinical Credits Work](#).

For more information about this clinic, please visit the [Clinic Website](#), [Clinic Q&A](#) and [OCP Blog Highlights](#).

Required Clinic Component: Religious Freedom Clinic (3-5 fall clinical credits).

Additional Co-/Pre-Requisites: None.

By Permission: TBD.

Add/Drop Deadline: August 23, 2024.

LLM Students: TBD.

About the Clinic: The Religious Freedom Clinic provides students a hands-on, supervised experience representing a diverse group of clients in legal matters raising First Amendment and religious liberty issues. In the clinic, students represent religious individuals and organizations of all faiths, with a focus on helping the imprisoned, victims of workplace discrimination, and those facing obstacles in ministering to migrants, the poor, and their communities. Under the supervision of the clinic's director and staff, clinic students engage in client counseling, policy work, pre-trial and trial litigation, appellate advocacy, and amicus work in cases of national importance.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

March 15, 2024 4:16 PM

## Religious Freedom Clinical Seminar

**Course #:** 3064      **Term:** 2025SP      **Faculty:** McDaniel, Josh      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Litigation; Civil Rights; Constitutional Law; Employment and Labor Law; Law and Religion

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Religious Freedom Clinic (3-5 spring clinical credits).

Additional Co-/Pre-Requisites: None.

By Permission: TBD.

Add/Drop Deadline: December 13, 2024.

LLM Students: TBD.

About the Clinic:&nbsp;The Religious Freedom Clinic provides students a hands-on, supervised experience representing a diverse group of clients in legal matters raising First Amendment and religious liberty issues. In the clinic, students represent religious individuals and organizations of all faiths, with a focus on helping the imprisoned, victims of workplace discrimination, and those facing obstacles in ministering to migrants, the poor, and their communities. Under the supervision of the clinic's director and staff, clinic students engage in client counseling, policy work, pre-trial and trial litigation, appellate advocacy, and amicus work in cases of national importance.

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## Remedies

**Course #:** 2221      **Term:** 2025SP      **Faculty:** Gersen, Jacob      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Civil Litigation

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 10:20 AM - 11:50 AM

Wed 10:20 AM - 11:50 AM

**Course Description:** Prerequisites: None  
Exam Type: In Class

This course will address what courts do for litigants seeking to vindicate their legal rights. Topics include damages, injunctive relief, declaratory judgments, restitution, and punitive civil remedies. These remedies are considered in both private law and public law settings. The course will particularly focus on the role of equity and equitable notions across the legal system.

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# Harvard Law School Course Catalog

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## Reproductive Rights after Dobbs

**Course #:** 2540

**Term:** 2024FA

**Faculty:** Spera, Clara

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Health Fee; Family; Health/Bioethics/Biotechnology; Family Member; Children and Family Law; Civil Litigation; Gender and the Law; Health, Food, and Drug Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

In this course, students will learn about reproductive rights and justice law, legal strategy, and other considerations lawyers face in a post-Dobbs era, with a specific focus on abortion. We will spend the first class sessions studying various topics in the field of reproductive rights law, starting with the basic doctrinal foundations. We will cover topics like procedure bans, religious refusals, cross-border care, private civil actions, and reproductive justice work and advocacy. We will then shift from reading and discussing caselaw and will focus on the strategic decisions faced by those seeking to limit Dobbs' consequences and, conversely, those seeking to defend and expand Dobbs' reach. The course will also cover legislative advocacy (including ballot initiatives) and how such advocacy can be used in parallel to litigation efforts. Students will read caselaw, briefs and other court pleadings, legal journal articles, research papers and studies, and administrative law documents such as proposed rules and public comments.

The class will feature several guest speakers from leading organizations in the space and across the aisle. Robust class participation is expected. Grading will be based on class participation, two papers (each between 2,000 and 3,000 words), and several short, written assignments submitted over the course of the semester.

Note: This offering substantially overlaps with the Spring 2023 course Reproductive Rights and Justice. If you completed the previous course, you will not be eligible to enroll in this offering.

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# Harvard Law School Course Catalog

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## Reproductive Rights and Justice

**Course #:** 2540

**Term:** 2025SP

**Faculty:** Ahmed, Aziza

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Health Fee; Health/Bioethics/Biotechnology; Constitutional Law; Gender and the Law; Health, Food, and Drug Law; Human Rights

**Delivery Mode:** Course

**Days and Times:**

**Location**

**Course Description:** Prerequisites: None

Exam Type: Last Class Take-Home

This course will examine how laws impede or increase access to sexual and reproductive health (SRH) care domestically and internationally. Special attention will be paid to understanding the role of social movements in legal and political debates about reproductive rights and the contestation around the use of scientific and medical evidence in law reform efforts. The course will draw on various legal and theoretical and analytic tools including those offered by scholars of health law, constitutional law, human rights, law and social movements, critical legal theory (including critical race theory), and feminist theory. Topics covered will include, but are not limited to, abortion, eugenics, sexual violence, trafficking, the prosecution of pregnant women, and assisted reproductive technology.

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# Harvard Law School Course Catalog

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## Research Seminar in Law, Economics, and Organizations

**Course #:** 2157

**Term:** 2024FA

**Faculty:** Kaplow, Louis; Bebchuk, Lucian; Spier, Kathryn

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Law and Economics

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 12:45 PM - 2:15 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This seminar is co-taught by Professors Bebchuk, Kaplow, Spier, and Prof. Oliver Hart, the Lewis P. and Linda L. Geysler University Professor in the Economics Department.

This seminar will involve the presentation by speakers of papers in the fields of law and economics, law and finance, and contract theory. The two-credit seminar will meet for one and a half hours for two-thirds of the weeks in each of the two terms. A student may take the seminar for only one term, for one credit (2 credit fall/spring terms, 1 credit fall term, or 1 credit spring term).

The seminar is given jointly with the FAS Economics Department, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

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# Harvard Law School Course Catalog

2024-2025 Academic Year

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## Research Seminar in Law, Economics, and Organizations

**Course #:** 2157

**Term:** 2024FS

**Faculty:** Kaplow, Louis; Bebchuk, Lucian; Spier,  
Kathryn

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Law and Economics

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 12:45 PM - 2:15 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This seminar is co-taught by Professors Bebchuk, Kaplow, Spier, and Prof. Oliver Hart, the Lewis P. and Linda L. Geyser University Professor in the Economics Department.

This seminar will involve the presentation by speakers of papers in the fields of law and economics, law and finance, and contract theory. The two-credit seminar will meet for one and a half hours for two-thirds of the weeks in each of the two terms. A student may take the seminar for only one term, for one credit (2 credit fall/spring terms, 1 credit fall term, or 1 credit spring term).

The seminar is given jointly with the FAS Economics Department, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

Credits: The credit breakdown for this seminar is as follows: two total credits with one credit awarded in the fall and one credit awarded in the spring.

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# Harvard Law School Course Catalog

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## Research Seminar in Law, Economics, and Organizations

**Course #:** 2157      **Term:** 2025SP      **Faculty:** Kaplow, Louis; Bebchuk, Lucian; Spier, Kathryn      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Corporate and Transactional Law; Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 12:45 PM - 2:15 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

This seminar is co-taught by Professors Bebchuk, Kaplow, Spier, and Prof. Oliver Hart, the Lewis P. and Linda L. Geyser University Professor in the Economics Department.

This seminar will involve the presentation by speakers of papers in the fields of law and economics, law and finance, and contract theory. The two-credit seminar will meet for one and a half hours for two-thirds of the weeks in each of the two terms. A student may take the seminar for only one term, for one credit (2 credit fall/spring terms, 1 credit fall term, or 1 credit spring term).

The seminar is given jointly with the FAS Economics Department, and should be taken only by students with substantial prior interest in and exposure to economic analysis. (If you have questions about this, please contact Professor Kaplow.) Students may satisfy the course requirement either by submitting, before sessions, short written comments on the paper to be presented or by writing a short seminar paper on an approved topic.

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## Restorative and Transformative Justice

**Course #:** 2654      **Term:** 2025SP      **Faculty:** Lanni, Adriaan      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Criminal Law and Procedure

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

This seminar will discuss the theory and practice of restorative and transformative justice. Some classes will involve discussions of readings; others will be experiential; and others will involve interacting with visiting restorative justice practitioners.&nbsp;

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## Rights of Nature

**Course #:** 3248      **Term:** 2024FA      **Faculty:** Lepore, Jill; Salzman, James      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Animal; Animal Law; Constitutional Law; Environmental Law and Policy; Legal History

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: None  
Exam Type: One-Day Take-Home

Can law save the planet? This course, offered jointly at HLS and FAS/GSAS, investigates a legal movement known as the Rights of Nature. Beginning from the premise that existing environmental law is inadequate to the problems of climate change, mass extinction, and habitat loss, this movement proposes strategies that include granting rights to nature through legal personhood and assigning property rights to wildlife. The course explores both the promise and problems with this mode of thought while also excavating the fields origins, which lie in many places, including, importantly, in Indigenous Law.

This course is capped at 40 students. It will admit 20 students from FAS/College and 20 from HLS. For FAS/College students, consent of the instructor is required

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## Roman Law

**Course #:** 2473      **Term:** 2024FA      **Faculty:** Kamali, Elizabeth Papp      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Legal History

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 10:15 AM - 11:45 AM

Tue 10:15 AM - 11:45 AM

**Course Description:** Prerequisites: None  
Exam Type: In Class

An introduction to Roman law, providing a foundational understanding of key doctrinal areas, including the law of obligations (contract, delict), persons (slavery, citizenship, family, marriage), and property and inheritance, and situating the law within the broader social, economic, and political context of Roman life, focusing primarily on the period of the Twelve Tables (451-450 BCE) to Justinian (527-565 CE) but also considering, albeit briefly, the legacy of Roman law in medieval and early modern Europe.

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## Second Chance Entrepreneurship - barriers and opportunities to achieve economic independence for the formerly incarcerated

**Course #:** 3318

**Term:** 2024FA

**Faculty:** Halford, Carmen

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Corporate and Transactional Law

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

Over 600,000 people leave state and federal prisons each year to re-enter society in the United States. Upon reentry, they face an uphill battle to secure a steady source of income through traditional employment, leading many to start their own businesses, sometimes as a last resort.

This reading group will explore entrepreneurship as a tool to reduce recidivism and as a means of resistance to mass incarceration's perpetuation of poverty. We will consider the challenges (legal, social, and financial) to returning citizens pursuing necessity entrepreneurship through different lenses: looking through the eyes of organizers fighting for economic opportunities for those re-entering society, considering the perspective of the policy makers balancing economic equity and systemic risk and academics taking a birds'-eye view, and reading first-hand accounts of system-involved individuals who have embarked on the path to self-employment.

Students will be encouraged to reflect on both the promise and limitations of entrepreneurship opportunities for returning citizens, how the legal framework and various investment and policy initiatives help or hinder their wealth creation, and what the attorney's role is and could be in the fight for economic justice in this vulnerable community.

Note: This reading group will meet on the following dates: TBD.

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## Securities Litigation

**Course #:** 2443      **Term:** 2025WI      **Faculty:** Ferrell, Allen      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Corporate and Transactional Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:00 PM - 4:15 PM

Tue 1:00 PM - 4:15 PM

Wed 1:00 PM - 4:15 PM

Thu 1:00 PM - 4:15 PM

Fri 1:00 PM - 4:15 PM

**Course Description:** Prerequisites: None  
Exam: In Class

The class will explore a variety of issues that arise in securities litigation. These issues will include accounting fraud, proxy fraud, underwriter liability, the interplay of SEC, criminal, class, and opt-out actions, the extraterritorial application of U.S. securities law, and insider trading. The class will also cover the recurring themes of securities litigation - state of mind, pleading, gatekeeper liability, duty, materiality, class certification, causation, damages, and settlement - as they arise in various settings.

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## Securities Regulation

**Course #:** 2224      **Term:** 2024FA      **Faculty:** Ferrell, Allen      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** Corporate and Transactional Law; Finance, Accounting, and Strategy; Financial and Monetary Institutions; Law and Economics

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

Fri 10:15 AM - 12:15 PM

**Course Description:** Prerequisites: Most students find it helpful to have completed or to take concurrently a course in Corporations before taking Securities Regulation.

Exam Type: In Class

This course offers an introduction to the two most important federal securities laws: the Securities Act of 1933 and the Securities Exchange Act of 1934. The course explores the elaborate disclosure obligations these statutes impose on the distribution and trading of investment securities. Topics to be covered include the preparation of disclosure documents, exemptions from disclosure requirements, the relationship between disclosure obligations and anti-fraud rules, the duties of participants in securities transactions, and the applicability of federal securities laws to transnational transactions. The course will also explore the public and private enforcement of securities laws in the United States.

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## Semester in Human Rights

**Course #:** 8042      **Term:** 2024FA      **Faculty:** Farbstein, Susan      **Credits:** 6.00

**Type:** Clinic      **Subject Areas:** LGBTQ+; LGBTQ+; LGBTQ+ Advocacy Clinic; Race; Civil Litigation; Comparative Law; Employment and Labor Law; Environmental Law and Policy; Gender and the Law; Human Rights; International Law; Law and Religion; Leadership; Legal Profession and Ethics; LGBTQ+; Negotiation and Alternative Dispute Resolution; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.  
Required Class Component: Crafting Change & Elevating Impact: Advanced Skills & Ethics in Human Rights Practice (2 fall classroom credits).  
Additional Co-/Pre-Requisites: 3Ls only; prior semester of the International Human Rights Clinic.  
By Permission: Yes. Applications are due by April 15, 2024.  
Add/Drop Deadline: June 1, 2024.  
LLM Students: Due to the pre-requisite, LLM students are not eligible to apply.  
Placement Site: HLS.  
This will be a full-time clinic option for up to 2 students in the International Human Rights Clinic (IHRC) for the of Fall 2024. Students will enroll in 10 credits total with the Clinic for the semester (see breakdown below), with requirements as follows:

By application (Deadline: April 15, 2024).  
Limited to 3Ls who have previously spent at least one semester in the IHRC.  
Students will take the fall course, Crafting Change & Elevating Impact: Advanced Skills & Ethics in Human Rights Practice (1 fall classroom credit).  
Students will work full-time in the Clinic on one or more projects (6 clinical credits).  
Students will take independent writing credits under the supervision of an IHRC clinician, with a focus on a topic of relevance to either the clinical work or the seminar (2 writing credits).  
Full-time clinic students will also be given additional responsibilities, serving as student team leaders who assist in making strategic decisions and in supporting the work of other students on projects.

In addition to the credits enrolled through the Semester in Human Rights, students may also enroll in one additional seminar or course (of 2 or 3 credits) related to their area of focus. In their applications (see below for details), students should identify any such seminar or course and explain how it is relevant to their focus for the semester.

**Additional Logistics:**  
Students who are accepted into the Semester in Human Rights will also register for 2 writing credits. To register for writing credits, students should fill out the JD Option 1 Written Work form and submit to Maggie Bay in Office of Clinical and Pro Bono Programs (mbay@law.harvard.edu).  
Applications for the Semester in Human Rights, with a current CV and a statement of interest, should be submitted to Clinical Director Susan Farbstein (sfarbstein@law.harvard.edu). Please address the following questions in your statement of interest:

How will the full-time semester build on your prior experience in and commitment to human rights, whether in a clinic, summer placement, pre-law school employment, etc.? How and why are you prepared

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for this option?

What are your post-graduate career plans, and how will the full-time semester better prepare you for your intended career path?

What project(s) do you propose to work on, and why is the full-time option necessary for the project(s)? If you do not have a particular project in mind, what issues or skills do you propose to focus on and why?

What will be the added value of enrolling full time?

How will the different components (advanced class, clinical projects, independent writing) complement each other and form a coherent and intensive term?

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## Shakespeare and Law

**Course #:** 3285

**Term:** 2025SP

**Faculty:** Stephenson, Matthew

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** State and Federal Courts; Courts, Jurisdiction, and Procedure; Criminal Law and Procedure; Jurisprudence and Legal Theory

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Thu 6:00 PM - 8:00 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam

This seminar will explore themes related to law and justice in Shakespeare's plays. Some of the themes we may discuss include the tensions between justice and mercy and between legal and moral responsibility, processes for assessing evidence (and their flaws), and constitutional questions regarding the foundations of legitimate sovereign authority. We will also consider more broadly the relationship between law, literature, and drama, and the how engagement with themes of law and justice in fiction may inform how we approach the real world of legal practice. The plays we will cover include The Merchant of Venice, Measure for Measure, Henry V, Henry VI Part 2, Richard II, Othello, The Winter's Tale, Much Ado About Nothing, and King Lear. No prior experience or expertise is required.

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## Spanish for Lawyers

**Course #:** 2281

**Term:** 2025SP

**Faculty:** Frausto, Asseret

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Not Applicable

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

**Course Description:** Prerequisites: By Permission. Students must have advanced proficiency in Spanish. Interested students should send the following to Abby Smith (asmith@law.harvard.edu):

Name

Year (2L, 3L, LL.M.)

If applicable, name of the clinic or SPO you will be working with in the spring, and/or any clinic or SPO you have previously worked with or are interested in working with during law school, and/or any summer employment that is connected with the skills taught in this course.

At least one paragraph, in Spanish, describing your general interests and your focus in law school

Bullet points (also in Spanish) that list past or current experiences you've had speaking Spanish or working with Spanish-speaking client

All applications should be submitted by January 27, 2025 and will be accepted and reviewed on a rolling basis.

Exam Type: No Exam

Spanish for Public Interest Lawyers offers students the opportunity to learn Spanish language skills in a public interest legal context, emphasizing language most commonly used in civil and criminal legal services practice. The class will strengthen existing Spanish speaking and comprehension abilities and teach Spanish legal vocabulary to students involved in public interest legal practice. The class will introduce students to general legal Spanish vocabulary (e.g. immigration, human rights, legal aid, etc.). Students will work to develop stronger attorney-client relations by improving communication with Spanish-speaking clients. The course is open to 2Ls, 3Ls, and LL.Ms.

Note: This reading group will meet on the following dates: TBD.

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## Special Education Advocacy for Students Impacted by Trauma

**Course #:** 2993      **Term:** 2024FA      **Faculty:** Guinn, Jodi      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Disability; Education; Family; State Courts; Disability Law; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Family Member; Education; Administrative and Regulatory Law; Children and Family Law; Disability Law; Education Law; Poverty Law and Economic Justice; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Required Clinic Component: Education Law Clinic: Individual Representation (4-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Early drop of August 5, 2024.

Students must attend a mandatory orientation session on Friday, September 6, 2024 from 1:00-4:00pm. In this seminar associated with the Education Law Clinic: Individual Representation students learn the theory and skills of case advocacy and its role in larger systemic change remedies. Students will learn to provide effective direct representation to low-income clients in the special education system. The course is organized around a series of hands-on simulations, designed to help students develop the following skills: interviewing and counseling clients; reading and interpreting educational evaluations; preparing and interviewing expert witnesses; identifying substantive and procedural violations; formulating legal arguments and theories of the case; engaging in oral advocacy at the school level and/or in administrative appeals; and interacting and negotiating with opposing counsel. In a typical semester, a hearing officer from the Massachusetts Bureau of Special Education Appeals visits the course and presides over a simulated pre-hearing conference. In addition to building these concrete skills, the course will introduce students to a theoretical orientation that encourages them to see the individual child in a holistic way and to use their developing legal skills to construct compelling narratives and obtain individual remedies that embrace all parts of the child. Students will also learn how to identify systemic problems, assess the education systems response to at-risk children, and reflect on the challenges and rewards of interdisciplinary advocacy at the intersection of the fields of law, education, neurobiology, psychology, and public policy. Students will learn about the impact that traumatic experiences can have on childrens learning, behavior and relationships in school and about the ongoing multi-strategic advocacy campaign for safe and supportive school environments that is being conducted by the Trauma and Learning Policy Initiative (TLPI). There is no final examination for this course; students will prepare a "rounds" memo and presentation in which they lead a discussion with their colleagues based on their clinic case. &nbsp; Note: Seminar meetings will take place at 23 Everett Street, Room 202

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## Special Education Advocacy for Students Impacted by Trauma

**Course #:** 2993      **Term:** 2025SP      **Faculty:** Guinn, Jodi      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Disability; Education; Family; State Courts; Disability Law; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Family Member; Education; Administrative and Regulatory Law; Children and Family Law; Disability Law; Education Law; Poverty Law and Economic Justice; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Required Clinic Component: Education Law Clinic: Individual Representation (4-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Early drop of November 15, 2024.

Students must attend a mandatory orientation session on Friday, January 31, 2025 from 1:00-4:00pm. In this seminar associated with the Education Law Clinic: Individual Representation students learn the theory and skills of case advocacy and its role in larger systemic change remedies. Students will learn to provide effective direct representation to low-income clients in the special education system. The course is organized around a series of hands-on simulations, designed to help students develop the following skills: interviewing and counseling clients; reading and interpreting educational evaluations; preparing and interviewing expert witnesses; identifying substantive and procedural violations; formulating legal arguments and theories of the case; engaging in oral advocacy at the school level and/or in administrative appeals; and interacting and negotiating with opposing counsel. In a typical semester, a hearing officer from the Massachusetts Bureau of Special Education Appeals visits the course and presides over a simulated pre-hearing conference. In addition to building these concrete skills, the course will introduce students to a theoretical orientation that encourages them to see the individual child in a holistic way and to use their developing legal skills to construct compelling narratives and obtain individual remedies that embrace all parts of the child. Students will also learn how to identify systemic problems, assess the education systems response to at-risk children, and reflect on the challenges and rewards of interdisciplinary advocacy at the intersection of the fields of law, education, neurobiology, psychology, and public policy. Students will learn about the impact that traumatic experiences can have on childrens learning, behavior and relationships in school and about the ongoing multi-strategic advocacy campaign for safe and supportive school environments that is being conducted by the Trauma and Learning Policy Initiative (TLPI). There is no final examination for this course; students will prepare a "rounds" memo and presentation in which they lead a discussion with their colleagues based on their clinic case.&nbsp;

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## Sports and Society

**Course #:** 3310

**Term:** 2025SP

**Faculty:** Yen, Alfred

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Arts, Entertainment, and Sports Law

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Wed 6:00 PM - 8:00 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This reading discussion class will consider readings about 6 different areas of sports and law that raise broader social questions.

Note: This reading group will meet on the following dates: TBD.

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## Sports and the Law: Examining the Legal History and Evolution of America's Three "Major League" Sports: MLB, NFL and NBA

**Course #:** 2229      **Term:** 2024FA      **Faculty:** Carfagna, Peter      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Antitrust/Competition; Antitrust; Contracts; State and Federal Courts; Antitrust; Contracts; Contracts; Administrative and Regulatory Law; Antitrust; Arts, Entertainment, and Sports Law; Constitutional Law; Contracts; Corporate and Transactional Law; Courts, Jurisdiction, and Procedure; Employment and Labor Law; Intellectual Property; Jurisprudence and Legal Theory

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None

Exam Type: Last Class Take-home

This introductory Sports Law course will offer an overview of the three major sports that dominate the American sports scene today: Major League Baseball, the National Football League, and the National Basketball Association. The course will devote approximately equal time to each of these three major sports and compare/contrast the similarities and differences among them, from a historical legal perspective.

Specifically, the course will evaluate the legal evolution of America's three major leagues and examine how the Supreme Court's, other courts', and arbitrators' landmark decisions have affected the path of each league's progress. Guest Speakers with unique Sports Law expertise will be invited to help guide class discussions on selected topics throughout the course.

Class participation and successful completion of weekly assignments will count for a significant portion of the student's final grade. In Week Three, a graded Reflection Paper on a relevant Sports Law topic will be assigned in preparation for the Final Exam. Other weeks, less formal Pass/Fail writing assignments will be assigned on topics with the then-greatest relevance to the course. The Final Exam will be available on the last day of the course and due on the last day of the Fall Semester.

Enrollment is available to second year, third year and LLM students. For JD students who take this course, independent writing projects can be pursued on any topic in the course for an additional one, or possibly two, credits.

Enrollment is available to second year, third year and LLM students. For JD students who take this course, independent writing projects can be pursued on any topic in the course for an additional one, or possibly two, credits.

Students who are interested in the winter or spring Sports Law Clinic are strongly encouraged to enroll in both of Professor Carfagna's fall courses: "Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA" and "Sports Law: Advanced Contract Drafting."

The Sports Law: Advanced Contract Drafting 2-credit seminar will provide students the opportunity to negotiate and draft agreements that a lawyer advising a sports team would encounter. Students in the seminar will learn about the various components of complex deal documents and have the opportunity to then draft these documents, as well as explore and experiment with negotiating strategies.

Overall, the goal of the seminar is to have students master skills related to negotiating, drafting, and analyzing the various "moving parts" of complicated agreements regarding stadium leasing; naming rights; sponsorship; media rights; food and beverage; provision of medical; hospital and financial services; state-operated entities; and purchase and sale of sports teams.

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Please see the clinic's description or review the Sports Law Clinic Guide for more information. More information about the clinic can also be found in the Sports Law Clinic Q&A on the OCP website.

Note: This course will meet for the first six weeks of the term.

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## Sports and the Law: Representing the Professional Athlete

**Course #:** 2230

**Term:** 2025WI

**Faculty:** Carfagna, Peter

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Antitrust/Competition; Antitrust; Contracts; State and Federal Courts; Antitrust; Contracts; Contracts; Administrative and Regulatory Law; Antitrust; Arts, Entertainment, and Sports Law; Civil Litigation; Constitutional Law; Contracts; Courts, Jurisdiction, and Procedure; Employment and Labor Law; Intellectual Property; Jurisprudence and Legal Theory; Leadership; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 1:00 PM - 3:45 PM

Tue 1:00 PM - 3:45 PM

Wed 1:00 PM - 3:45 PM

Thu 1:00 PM - 3:45 PM

Fri 1:00 PM - 3:45 PM

**Course Description:** Prerequisite: None

Exam Type: Last Class Take-Home

Class participation and successful completion of weekly assignments will count for a significant portion of the students final grade.

This course will begin with an overview of the sports marketing industry and then proceed to discuss some of the more important legal doctrines relating to that industry, involving intellectual property law, labor law and contract law. In that context, the course will explore the skills necessary to conduct a series of "hypothetical" sports-related contract negotiations. The students will then participate in group-based contract-drafting exercises with an emphasis on client representation. Contracts to be drafted include a "product endorsement agreement," and a "name, image and likeness" lithograph poster agreement. Simulated depositions and "oral arguments" will also be conducted. Next, in the context of a mock litigation, students will assume a "contract breach" of the agreements they have drafted. In turn, they will draft document requests, deposition questions and legal briefs in support of the contractual positions taken during the contract drafting exercises.

Note: This course will meet for the first two weeks of the term.

This course fulfills the pre-requisite for the Sports Law Clinic. Please see the clinics description or review the Sports Law Clinic Guide for more information.

More information about the clinic can also be found in the Sports Law Clinic Q&A on the OCP website.

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## Sports Law Clinic

**Course #:** 8028      **Term:** 2025SP      **Faculty:** Carfagna, Peter      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Antitrust/Competition; Antitrust; State and Federal Courts; Antitrust; Administrative and Regulatory Law; Antitrust; Arts, Entertainment, and Sports Law; Civil Litigation; Corporate and Transactional Law; Courts, Jurisdiction, and Procedure; Employment and Labor Law; Intellectual Property; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Enrollment in this clinic will not fulfill the HLS JD pro bono requirement. Required Class Component: This clinic requires that students have taken at least one of the courses listed below. Clinic priority will be given to students who take the Advanced Drafting course, due to the fact that most clinic placements require the hands-on negotiating and drafting skills covered in the context of studying a wide variety of Sports Venue Marketing/Sponsorship Agreements. Highest priority will be given to students who take the Advanced Drafting course and the Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA course, which is annually updated to cover the current cutting-edge issues in Sports and the law.

Additional Co-/Pre-Requisites: The following courses do not have any seats reserved for clinical students: Sports Law: Advanced Contract Drafting (Fall 2023); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (Fall); Sports and the Law: Representing the Professional Athlete (Winter).

By Permission: Yes. The deadline to apply is October 11, 2024. Please see below for additional instructions. Add/Drop Deadline: December 13, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Placement Site: Various externship placements.

Sports Law clinical placements are in a variety of settings, including legal departments of major leagues or sports franchises, and with law firms and lawyers doing sports law in representing individual players, teams, or leagues. Students clinical work in the field can may include contract and transactional work, arbitration, litigation, research, and writing.

Peter Carfagna, instructor of sports law courses at HLS, oversees clinical placements and students clinical work. Admission in the clinic is by application. Applications are due by October 11, 2024. To apply, please review the Sports Law Clinic Guide before submitting a statement of interest (including which semester you are applying for) and a resume to [clinical@law.harvard.edu](mailto:clinical@law.harvard.edu) and to Professor Carfagna ([pcarfagna@law.harvard.edu](mailto:pcarfagna@law.harvard.edu)). Please note that your application materials may be sent to placement organizations during the selection process. Please note that international students in F1 visa status may only participate in this clinic once. F1 students are not eligible to return to their placement as an advanced student, or to go to a new placement through the clinic. More information about the clinic can also be found in the Sports Law Clinic Q&A on the OCP website. This is an externship clinic. Students must have at least one full business day available in their schedule to work on-site at their placement organization. Any remaining clinical hours should be worked in blocks of at least 5 hours. Most placement organizations are open Monday-Friday from 9am-5pm.



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## Sports Law Clinic

**Course #:** 8028

**Term:** 2025WI

**Faculty:** Carfagna, Peter

**Credits:** 2.00

**Type:** Clinic

**Subject Areas:** Antitrust/Competition; Antitrust; State and Federal Courts; Antitrust; Administrative and Regulatory Law; Antitrust; Arts, Entertainment, and Sports Law; Civil Litigation; Corporate and Transactional Law; Courts, Jurisdiction, and Procedure; Employment and Labor Law; Intellectual Property; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Clinic

**Days and Times:**

**Location**

### Course Description:

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will not fulfill the HLS JD pro bono requirement. Required Class Component: This clinic requires that students have taken at least one of the courses listed below. Clinic priority will be given to students who take the Advanced Drafting course, due to the fact that most clinic placements require the hands-on negotiating and drafting skills covered in the context of studying a wide variety of Sports Venue Marketing/Sponsorship Agreements. Highest priority will be given to students who take the Advanced Drafting course and the Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA course, which is annually updated to cover the current cutting-edge issues in Sports and the law.

Additional Co-/Pre-Requisites: The following courses do not have any seats reserved for clinical students: Sports Law: Advanced Contract Drafting (Fall); Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA (Fall); Sports and the Law: Representing the Professional Athlete (Winter).

By Permission: Yes. The deadline to apply is October 11, 2024. Please see below for additional instructions. Add/Drop Deadline: November 18, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Placement Site: Various externship placements.

Sports Law clinical placements are in a variety of settings, including legal departments of major leagues or sports franchises, and with law firms and lawyers doing sports law in representing individual players, teams, or leagues. Students clinical work in the field can may include contract and transactional work, arbitration, litigation, research, and writing.

Peter Carfagna, instructor of sports law courses at HLS, oversees clinical placements and students clinical work. Admission in the clinic is by application. Applications are due by 5pm on TBD. To apply, please review the Sports Law Clinic Guide before submitting a statement of interest (including which semester you are applying for) and a resume to [clinical@law.harvard.edu](mailto:clinical@law.harvard.edu) and to Professor Carfagna ([pcarfagna@law.harvard.edu](mailto:pcarfagna@law.harvard.edu)). Please note that your application materials may be sent to placement organizations during the selection process. Please note that international students in F1 visa status may only participate in this clinic once. F1 students are not eligible to return to their placement as an advanced student, or to go to a new placement through the clinic. More information about the clinic can also be found in the Sports Law Clinic Q&A on the OCP website.

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## Sports Law: Advanced Contract Drafting

**Course #:** 2349

**Term:** 2024FA

**Faculty:** Carfagna, Peter

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Antitrust/Competition; Antitrust; Contracts; State and Federal Courts; Antitrust; Contracts; Contracts; Administrative and Regulatory Law; Antitrust; Civil Litigation; Contracts; Corporate and Transactional Law; Courts, Jurisdiction, and Procedure; Employment and Labor Law; Finance, Accounting, and Strategy; Intellectual Property; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

NOTE: Sports Law: Advanced Contract Drafting will satisfy the Negotiation and Leadership requirement when taken in conjunction with Sports and the Law: Representing the Professional Athlete OR Sports Law Clinic.

Prerequisites: None

Exam Type: Last Class Take-home

This course will provide students the opportunity to negotiate and draft agreements that a lawyer advising a sports team would encounter. Students in the course will learn about the various components of complex deal documents and have the opportunity to then draft these documents, as well as explore and experiment with negotiating strategies.

Overall, the goal of the course is to have students master skills related to negotiating, drafting, and analyzing the various "moving parts" of complicated agreements regarding stadium leasing; naming rights; sponsorship; media rights; food and beverage; provision of medical; hospital and financial services; state-operated entities; and purchase and sale of sports teams.

Additional Written Work Option: Students may earn up to two (2) additional Independent Writing credits by completing an Independent Writing Project under Professor Caragana's supervision. The scope of Independent Writing Projects will generally relate to the negotiation and drafting of an Asset Purchase Agreement and will be described in greater detail in the Course Syllabus.

This course fulfills the pre-requisite for the Sports Law Clinic. Please see the Sports Law Clinic Guide and view the Sports Law Clinic Q&A for more information.

Students taking this course and who are interested in sports law clinical placements during winter or spring are also encouraged to enroll in the fall "Sports and the Law: Examining the Legal History and Evolution of Americas Three "Major League" Sports: MLB, NFL and NBA."

Note: The last class meeting will be held on Friday, November 22 from 3:45-5:45pm.

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# Harvard Law School Course Catalog

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## Stakeholder Capitalism

**Course #:** 3117      **Term:** 2024FA      **Faculty:** Bebchuk, Lucian      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Corporate and Transactional Law; Finance, Accounting, and Strategy; Law and Economics

**Delivery Mode:** Course

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: There are no prerequisites for the course. However, it is recommended that students either (a) have taken or are taking concurrently the Corporations course at HLS, (b) have taken some course that considers corporations or business associations at another law school in the US or abroad, or (c) have had prior experience that exposed them to corporate law, corporate governance, or corporate social responsibility issues. Students who have questions regarding whether the course would be suitable for them should feel free to contact the instructors.

Exam Type: No Exam

There have been growing concerns about the effects that corporations have on their stakeholders - non-shareholder constituencies such as employees, business partners, customers, communities, and the environment. The growth of these concerns has been accompanied by increasing support for stakeholder capitalism - that is, a system in which both corporate leaders and institutional investors would seek to protect the interests of stakeholders and not only those of shareholders. Influenced by such views, many companies have been devoting attention to the adoption of stakeholderist practices, and many institutional investors have been considering how to incorporate ESG considerations into their investment and stewardship decisions.

This course aims at giving students a sense of the issues involved in current debates and practices regarding stakeholder capitalism. The course will meet for 6 two-hour sessions, which will be concentrated during the first two months of the fall semester. Some of the sessions will feature outside speakers offering their perspectives on the subject.

There will be no examination. Instead, students will be asked to submit, before sessions, a brief memo on the assigned readings; grades will be based on these memos (primarily) and on participation in class discussion.

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## Startup Entrepreneurship and Innovations in Legal Technology

**Course #:** 3134

**Term:** 2025SP

**Faculty:** Onwudiwe, Memme; Ting, Jerry

**Credits:** 1.00

**Type:** Elective

**Subject Areas:** Contracts; Contracts; Contracts; Contracts; Leadership; Technology Law and Policy

**Delivery Mode:** Reading Group

**Days and Times:**

**Location**

Wed 3:45 PM - 5:45 PM

Mon 3:45 PM - 5:45 PM

Tue 3:45 PM - 5:45 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

This reading group will explore the journey of entrepreneurship via a combination of both case studies and supplemental readings. Leaders from venture capital, law, and legal operations departments from global organizations will visit the class to provide students with unique insight into how they use technology to drive digital transformation. Students will also have ample engagement opportunities with leaders in legal operations, legal technology and venture capital to build their own networks. The goal is to provide students who are curious about entrepreneurship a firm foundation of the steps it takes to go from ideation to launch to scaling a legal tech company, and ultimately decide if they may have a career ahead in entrepreneurship themselves.

Note: This reading group will meet over two weeks from April 7-April 16, 2025..

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## State Constitutional Law

**Course #:** 2507

**Term:** 2025WI

**Faculty:** Sutton, Jeffrey

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** State Courts; Constitutional Law; State and Local Government

**Delivery Mode:** Course

### Days and Times:

### Location

Mon 10:00 AM - 12:30 PM

Tue 10:00 AM - 12:30 PM

Wed 10:00 AM - 12:30 PM

Thu 10:00 AM - 12:30 PM

Fri 10:00 AM - 12:30 PM

### Course Description:

Prerequisite: None

Exam Type: No Exam Each student will be responsible for one in-class presentation and two 6-8 page papers.

This survey course explores the nature and significance of state constitutional law, a topic that has long lived in the shadow of federal constitutional law but that has become increasingly relevant in recent years. The course covers rights and structure, and in both settings it compares the federal model to the various state models. Of particular emphasis is the role of the state courts in protecting liberty and property rights under their own constitutions, and most notably whether they should construe these guarantees to offer protections that the federal courts have not provided in construing the federal constitution. Examples include litigation involving school funding, marriage, property takings, criminal procedure, the free exercise of religion, among others. We also will consider the amendment procedures of the state constitutions, the election of state court judges, the non-unitary executive under most state constitutions and other structural issues.

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## State Energy Law

**Course #:** 2974

**Term:** 2025SP

**Faculty:** Peskoe, Ari

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** State Courts; Administrative and Regulatory Law; Environmental Law and Policy;  
State and Local Government

**Delivery Mode:** Course

**Days and Times:**

**Location**

Tue 1:30 PM - 3:30 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam The course requires two short papers (750 words) and one research paper about a topic of the students choosing.

States play a leading role in forging our nations energy policy. U.S. State regulatory authority over the energy industry is pervasive, from resource extraction to end-use consumption. This course offers an overview of core U.S. state functions, the legal questions they present, and the current policy debates and legal battles over the future of our energy sector. Topics will include: regulating electric utilities, siting infrastructure, facilitating competition, developing renewable energy, producing oil and gas, powering transportation, and legislating/regulating within constitutional constraints.

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# Harvard Law School Course Catalog

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## Strategic Litigation and Immigration Advocacy

**Course #:** 3018      **Term:** 2025SP      **Faculty:** Ardalan, Sabrineh; Torrey, Philip      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Immigration/Refugee; Civil Rights; Immigration Law; State and Federal Courts; Civil Rights; Immigration Law; Immigration; Civil Litigation; Civil Rights; Courts, Jurisdiction, and Procedure; Immigration Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 10:15 AM - 12:15 PM

**Course Description:** Prerequisite: None

Exam Type: No Exam

There is perhaps no other area of law that has been more profoundly altered in the last few years than immigration. The field has seen dramatic shifts in enforcement priorities, executive action, state and local responses, and courts willingness to weigh-in on issues that they had previously refused to opine on. The goal of this course is to teach students how to develop and reflect on creative litigation and policy advocacy strategies in a range of different contexts.

The course will leverage the experience and expertise of Harvard Immigration and Refugee Clinical Program (“HIRCP”) attorneys along with their community partners to explore the multitude of ways immigration policies can be challenged and reshaped. Case studies will include new rules restricting asylum protection, state and local “sanctuary” policies, detention and the criminalization of immigrants, community organizing and empowerment, and media as an advocacy tool. The course will explore challenges to precedent through appellate litigation, strategic litigation in district court and administrative tribunals, policy-making at the state and local levels, and different approaches to influencing policy makers and the public. Many of these strategies build upon HIRCP’s long-standing commitment to changing the law from the bottom up.

In addition to class discussion, simulations, and other interactive classroom modules, the course will feature guest lectures from community partners and advocates with whom HIRCP has worked on various litigation and policy advocacy projects.

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## Strategic Litigation in Education Clinical Seminar

**Course #:** 3223

**Term:** 2024FA

**Faculty:** Gregory, Michael

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Education; Family; State Courts; Civil Rights; State and Federal Courts; Civil Rights; Family Member; Education; Children and Family Law; Civil Litigation; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure; Education Law; Poverty Law and Economic Justice; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 6:00 PM - 8:00 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Required Clinic Component: Education Law Clinic: Strategic Litigation (3-5 fall/clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None. By Permission: Yes. Please contact Prof. Gregory for more information. Add/Drop Deadline: August 23, 2024.

This Seminar will be a co-requisite for the Education Law Clinic: Strategic Litigation clinic. The seminar will support students in the development of clinical litigation strategies for pursuing systemic change in public education. Students will engage in study and discussion about several substantive issues in education reform that are relevant to the development of their advocacy in the clinic, including local control, civic preparation, school and district governance structures, participatory budgeting, public engagement strategies, approaches to student government organizations, and many others. Students will also read and analyze state supreme court doctrine on constitutional education clauses in identified states. Students will present small weekly assignments related to their clinical work to receive feedback and input from classmates and guest instructors. There is no final exam for this course and participation and attendance will be considered as part of the grade. Students will prepare and submit a final rounds assignment at the end of the semester in consultation with the instructor.

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## Strategic Litigation in Education Clinical Seminar

**Course #:** 3223

**Term:** 2025SP

**Faculty:** Gregory, Michael

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Education; Family; State Courts; Civil Rights; State and Federal Courts; Civil Rights; Family Member; Education; Children and Family Law; Civil Litigation; Civil Rights; Constitutional Law; Courts, Jurisdiction, and Procedure; Education Law; Poverty Law and Economic Justice; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 6:00 PM - 8:00 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Required Clinic Component: Education Law Clinic: Strategic Litigation (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None. By Permission: Yes. Please contact Prof. Gregory for more information. Add/Drop Deadline: December 13, 2024.

This Seminar will be a co-requisite for the Education Law Clinic: Strategic Litigation clinic. The seminar will support students in the development of clinical litigation strategies for pursuing systemic change in public education. Students will engage in study and discussion about several substantive issues in education reform that are relevant to the development of their advocacy in the clinic, including local control, civic preparation, school and district governance structures, participatory budgeting, public engagement strategies, approaches to student government organizations, and many others. Students will also read and analyze state supreme court doctrine on constitutional education clauses in identified states. Students will present small weekly assignments related to their clinical work to receive feedback and input from classmates and guest instructors. There is no final exam for this course and participation and attendance will be considered as part of the grade. Students will prepare and submit a final rounds assignment at the end of the semester in consultation with the instructor.

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## Supreme Court Decision Making

**Course #:** 2505

**Term:** 2025SP

**Faculty:** Singer, Joseph

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Administrative and Regulatory Law; Comparative Law; Constitutional Law; Jurisprudence and Legal Theory

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 3:45 PM - 5:45 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

Prerequisites: None

Exam Type: No Exam

How do supreme courts decide hard cases? How do they justify the results they reach by persuasive opinions? How do judges on multimember courts attempt to persuade other judges and to reach agreement when cases are hard? How can you write an opinion that not only justifies the result with acceptable reasons but attempts to persuade judges on the other side and to speak to the losing party to explain why they lost? This seminar will enable you to act as a supreme court justice, sit in conference, discuss cases, and write opinions (majority, concurring, and dissenting). Some of the cases will be current cases before the U.S. Supreme Court. Others may have you sitting as a state supreme court deciding an issue of statutory interpretation or common law. We will discuss each case and one student will be assigned to write a proposed majority opinion for that case. After circulating that opinion, other students can write concurring and dissenting opinions and we will discuss the case a second time, using those written opinions as the basis for discussion. The goal is to practice persuasion, oral and written justification, and the art of collective judicial decision making.

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# Harvard Law School Course Catalog

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## Supreme Court Litigation

**Course #:** 2233      **Term:** 2025WI      **Faculty:** Russell, Kevin; Gupta, Deepak      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Constitutional Law; Courts, Jurisdiction, and Procedure; Legal Profession and Ethics

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights.

Required Clinic Component: Supreme Court Litigation Clinic (2 winter clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due October 2, 2024.

Add/Drop Deadline: November 18, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students on F-1 visas are not eligible for CPT.

Placement Site: Washington D.C.

This winter-term clinic is taken concurrently with the Supreme Court Litigation clinical course. Students are immersed in the practice of law before the United States Supreme Court. Both the class and clinic will take place in Washington, D.C.

The clinic and course consist of three major components:

- (1) Intensive work on cases before the Court. Students will be assigned to small teams, each working closely with an instructor to write and file a petition for a writ of certiorari, brief in opposition to certiorari, merits brief, amicus brief and/or to prepare for oral argument in a pending case.
- (2) Seminars. The instructors will facilitate classroom discussions about Supreme Court practice - including strategy, procedure, brief writing, and oral advocacy.
- (3) Events. Students will attend arguments at the Supreme Court, view a moot court, and meet with leading members of the Supreme Court bar, former Supreme Court clerks, and members of the Supreme Court press corps.

The work is extremely rewarding, giving students an opportunity to work side by side with experienced Supreme Court practitioners litigating before the Court from the firms Goldstein & Russell and Gupta Wessler. The work is also quite intensive, precluding students from undertaking any significant non-class-related activities during the winter term. While we do our best to make the schedule manageable, the clinic requires us to complete a large amount of work in a short amount of time, and so students should be prepared to work long hours, including potentially on weekends.

Students will be provided transportation to and from Washington, D.C., as well as housing (students should plan to share rooms, subject to change based on guidance from Harvard or public health officials).

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Housing will not be provided for students spouses or significant others. Students generally will be responsible for providing themselves meals and transportation within the city.

Enrollment is through an application process. Interested students must submit a resume, a writing sample, and one or more references. The writing sample may consist of one or two writing products, totaling fifteen to twenty pages (the sample(s) should accurately indicate the students current writing ability, and so should not be significantly edited by anyone other than the author). The reference(s) should include the references name and contact information. Application materials should be sent to Maggie Bay (mbay@law.harvard.edu) by October 2, 2024. Enrollment is limited to 10 students.

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# Harvard Law School Course Catalog

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## Supreme Court Litigation Clinic

**Course #:** 8030      **Term:** 2025WI      **Faculty:** Russell, Kevin; Gupta, Deepak      **Credits:** 2.00

**Type:** Clinic      **Subject Areas:** State and Federal Courts; Constitutional Law; Courts, Jurisdiction, and Procedure; Legal Profession and Ethics

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Supreme Court Litigation (1 winter clinical credit). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: Yes. Applications are due October 2, 2024.

Add/Drop Deadline: November 18, 2024.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students on F-1 visas are not eligible for CPT.

Placement Site: Washington D.C.

This winter-term clinic is taken concurrently with the Supreme Court Litigation clinical course. Students are immersed in the practice of law before the United States Supreme Court. Both the class and clinic will take place in Washington, D.C.

The clinic and course consist of three major components:

(1) Intensive work on cases before the Court. Students will be assigned to small teams, each working closely with an instructor to write and file a petition for a writ of certiorari, brief in opposition to certiorari, merits brief, amicus brief and/or to prepare for oral argument in a pending case.

(2) Seminars. The instructors will facilitate classroom discussions about Supreme Court practice - including strategy, procedure, brief writing, and oral advocacy.

(3) Events. Students will attend arguments at the Supreme Court, view a moot court, and meet with leading members of the Supreme Court bar, former Supreme Court clerks, and members of the Supreme Court press corps.

The work is extremely rewarding, giving students an opportunity to work side by side with experienced Supreme Court practitioners litigating before the Court from the firms Goldstein & Russell and Gupta Wessler. The work is also quite intensive, precluding students from undertaking any significant non-class-related activities during the winter term. While we do our best to make the schedule manageable, the clinic requires us to complete a large amount of work in a short amount of time, and so students should be prepared to work long hours, including potentially on weekends.

Students will be provided transportation to and from Washington, D.C., as well as housing (students should plan to share rooms, subject to change based on guidance from Harvard or public health officials).

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Housing will not be provided for students spouses or significant others. Students generally will be responsible for providing themselves meals and transportation within the city.

Enrollment is through an application process. Interested students must submit a resume, a writing sample, and one or more references. The writing sample may consist of one or two writing products, totaling fifteen to twenty pages (the sample(s) should accurately indicate the students current writing ability, and so should not be significantly edited by anyone other than the author). The reference(s) should include the references name and contact information. Application materials should be sent to Maggie Bay (mbay@law.harvard.edu) by October 2, 2024. Enrollment is limited to 10 students.

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## Systemic Advocacy for Safe and Supportive Schools

**Course #:** 2774      **Term:** 2024FA      **Faculty:** Gregory, Michael      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Education; Family; State Courts; Race; Family Member; Education; Administrative and Regulatory Law; Children and Family Law; Education Law; Poverty Law and Economic Justice; Race and the Law; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights.

Required Clinic Component: Education Law Clinic: Legislative and Administrative Lawyering (3-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Early drop of August 2, 2024. LLM Students: LLM students may enroll in this clinic through Helios.

In this seminar students will learn the theory and practice the skills that will enable them to be effective legislative and administrative lawyers for antiracist, healing-centered, trauma-sensitive schools. Students will learn how to identify and understand systemic problems in education, assess the education systems response to marginalized students, and reflect on the challenges and rewards of interdisciplinary advocacy at the intersection of the fields of law, education, neurobiology, psychology, and public policy. A key feature of the course and clinic will be working directly with secondary school students in Massachusetts who are advocating to improve their own schools. In addition to several general substantive areas related to legislative and administrative lawyering (e.g., the constitutional roles and powers of the General Court, the executive branch and administrative agencies in Massachusetts; House and Senate procedure; the state budget process; and the art of lobbying), the seminar will also include readings and discussion about youth voice, the ethics of working with young people, and organizing strategies related to advocacy for racial and economic justice. The readings and activities in this seminar are designed to support and encourage reflection on the lawyering skills that students will develop and practice in their clinical work, which may include collaborating with impacted stakeholders to: identify and research a problem, propose solutions and approaches, develop and draft a desired legislative remedy, map power relationships between stakeholders in the education establishment, assess the political and legal landscape surrounding the desired remedy, build a vibrant and effective coalition, engage in oral presentations and negotiations, and analyze ethical issues that arise in legislative and administrative advocacy. The seminar will also introduce students to distinguished guest speakers from practice. The goal is for students to learn the unique role lawyers can play as part of a movement to create effective remedies for marginalized students.

There is no final examination for this course; students will prepare a presentation in which they lead a discussion with their colleagues based on an interesting issue or problem they encountered in their clinic advocacy during the semester. Class participation is part of the grade for this course.

Please note this course has a unique schedule. There will be two meetings of the course in each of the first two weeks of the semester in order to front load content so students are prepared to engage in advocacy. To compensate, there will be two weeks in the middle of the semester where there is no class meeting.

Please also note that students are required to schedule a substantial portion of their clinic office hours for the associated clinic (Education Law Clinic: Legislative and Administrative Lawyering) on Tuesdays, Wednesdays and Thursdays because these are the days the Massachusetts legislature is typically in session. Beginning in the third week of the semester, students will be required to attend a one hour weekly team meeting each Tuesday morning from 9:00-10:00 am.

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## Systemic Advocacy for Safe and Supportive Schools

**Course #:** 2774      **Term:** 2025SP      **Faculty:** Gregory, Michael      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Education; Family; State Courts; Race; Family Member; Education; Administrative and Regulatory Law; Children and Family Law; Education Law; Poverty Law and Economic Justice; Race and the Law; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website and OCP Blog Highlights.

Required Clinic Component: Education Law Clinic: Legislative and Administrative Lawyering (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: Early drop of November 15, 2024. LLM Students: LLM students may enroll in this clinic through Helios.

In this seminar students will learn the theory and practice the skills that will enable them to be effective legislative and administrative lawyers for antiracist, healing-centered, trauma-sensitive schools. Students will learn how to identify and understand systemic problems in education, assess the education systems response to marginalized students, and reflect on the challenges and rewards of interdisciplinary advocacy at the intersection of the fields of law, education, neurobiology, psychology, and public policy. A key feature of the course and clinic will be working directly with secondary school students in Massachusetts who are advocating to improve their own schools. In addition to several general substantive areas related to legislative and administrative lawyering (e.g., the constitutional roles and powers of the General Court, the executive branch and administrative agencies in Massachusetts; House and Senate procedure; the state budget process; and the art of lobbying), the seminar will also include readings and discussion about youth voice, the ethics of working with young people, and organizing strategies related to advocacy for racial and economic justice. The readings and activities in this seminar are designed to support and encourage reflection on the lawyering skills that students will develop and practice in their clinical work, which may include collaborating with impacted stakeholders to: identify and research a problem, propose solutions and approaches, develop and draft a desired legislative remedy, map power relationships between stakeholders in the education establishment, assess the political and legal landscape surrounding the desired remedy, build a vibrant and effective coalition, engage in oral presentations and negotiations, and analyze ethical issues that arise in legislative and administrative advocacy. The seminar will also introduce students to distinguished guest speakers from practice. The goal is for students to learn the unique role lawyers can play as part of a movement to create effective remedies for marginalized students.

There is no final examination for this course; students will prepare a presentation in which they lead a discussion with their colleagues based on an interesting issue or problem they encountered in their clinic advocacy during the semester. Class participation is part of the grade for this course.

Please note this course has a unique schedule. There will be two meetings of the course in each of the first two weeks of the semester in order to front load content so students are prepared to engage in advocacy. To compensate, there will be two weeks in the middle of the semester where there is no class meeting.

Please also note that students are required to schedule a substantial portion of their clinic office hours for the associated clinic (Education Law Clinic: Legislative and Administrative Lawyering) on Tuesdays, Wednesdays and Thursdays because these are the days the Massachusetts legislature is typically in session. Beginning in the third week of the semester, students will be required to attend a one hour weekly team meeting each Tuesday morning from 9:00-10:00 am.

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## Systemic Justice Advanced Lawyering

**Course #:** 3305      **Term:** 2025SP      **Faculty:** Hanson, Jon      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Animal; Civil Rights/Liberties; Disability; Immigration/Refugee; State Courts; Civil Rights; Disability Law; Immigration Law; LGBTQ+; Civil Rights; Disability Law; Immigration Law; LGBTQ+; Harvard Law School Project on Disability; Disability Clinic; LGBTQ+ Advocacy Clinic; Immigration; Race; Harvard Law School Project on Disability; Administrative and Regulatory Law; Animal Law; Civil Litigation; Civil Rights; Disability Law; Immigration Law; LGBTQ+; Poverty Law and Economic Justice; Race and the Law; State and Local Government

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 4:15 PM - 5:45 PM

Tue 4:15 PM - 5:45 PM

**Course Description:** Prerequisite: By Permission. Students interested in applying to be admitted to the fall semester course (or both semesters) should submit a short (300 word maximum) statement of interest to Professor Hanson. The statement should summarize the students motivation for taking the course(s) and any relevant experience the student has. Students interested in learning more about the course(s) should email Professor Hanson (hanson@law.harvard.edu) and Carol Igoe (cigoe@law.harvard.edu) (please include "Systemic Justice Lawyering" in the subject line). Interested students will also be invited to an information session (details tba) about the two courses to learn more.

Exam Type: No Exam

This course is the second of two related (3-credit) courses designed to help law students identify, prepare for, and enter careers devoted to advancing systemic justice.

Promoting "systemic justice" involves reshaping narratives, systems, structures, and institutions to alter both incentives and outcomes in ways that meaningfully and sustainably change background power dynamics and disrupt and undermine systemic injustices. "Systemic injustices" include harms and inequalities, such as mass incarceration and anti-Black racism, extreme wealth inequalities and poverty, climate change, environmental destruction, the unequal impact of COVID-19, corporate capture, corporate misdeeds, and the variety of problems associated with inadequate, unequal, and ill-distributed resources for housing, food, health care, transportation, and so on.

The two courses will present students with a robust range of theoretical and practical lessons, from a wide range of guest speakers, including different types of practicing attorneys, organizers, journalists, legislators, scholars, and more. Students are encouraged to consider both courses. Doing so will allow students to benefit from the ability to engage deeply with each other, the materials, and team projects over the course of the academic year. In the process, the course will help foster a justice-oriented community and network within and beyond the law school.

The first course - taught during the fall semester - will present students with the legal theoretical framework for understanding systemic injustices, their causes, and strategies for addressing them. That will be followed by a series of "case stories" presented in partnership with attorneys and other practitioners working to promote justice. The case stories will demonstrate the various dimensions of advancing systemic justice-from storytelling and organizing to agonistic engagement and impact litigation. (Students will also have opportunities to receive mentorship and career advising from those and

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other attorneys.)

This spring course, the Advanced Systemic Justice Lawyering course, will allow students to work on a small-group project targeting a particular social problem. These projects will require the application of the theory of change and particular skills taught during the first semester and will again involve working with lawyers with pertinent expertise and others doing adjacent work. Students will also participate in a series of skills workshops to help them sharpen their practical lawyering skills and prepare them for careers promoting systemic justice.

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## Systemic Justice Lawyering

**Course #:** 2747

**Term:** 2024FA

**Faculty:** Hanson, Jon

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Administrative and Regulatory Law; Civil Litigation; Civil Rights; Employment and Labor Law; Environmental Law and Policy; Poverty Law and Economic Justice; Race and the Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 3:45 PM - 5:15 PM

Tue 3:45 PM - 5:15 PM

**Course Description:** Prerequisites: By Permission. Students interested in applying to be admitted to the fall semester course (or both semesters) should submit a short (300 word maximum) statement of interest to Professor Hanson. The statement should summarize the student's motivation for taking the course(s) and any relevant experience the student has. Students interested in learning more about the course(s) should email Professor Hanson (hanson@law.harvard.edu) and Carol Igoe (cigoe@law.harvard.edu) (please include "Systemic Justice Lawyering" in the subject line). Interested students will also be invited to an information session (details tba) about the two courses to learn more.&nbsp;

Exam Type:No Exam

This course is the first of two related (3-credit) courses designed to help law students identify, prepare for, and enter careers devoted to advancing systemic justice.

Promoting "systemic justice" involves reshaping narratives, systems, structures, and institutions to alter both incentives and outcomes in ways that meaningfully and sustainably change background power dynamics and disrupt and undermine systemic injustices. "Systemic injustices" include harms and inequalities, such as mass incarceration and anti-Black racism, extreme wealth inequalities and poverty, climate change, environmental destruction, the unequal impact of COVID-19, corporate capture, corporate misdeeds, and the variety of problems associated with inadequate, unequal, and ill-distributed resources for housing, food, health care, transportation, and so on.

The two courses will present students with a robust range of theoretical and practical lessons, from a wide range of guest speakers, including different types of practicing attorneys, organizers, journalists, legislators, scholars, and more. Students are encouraged to consider both courses. Doing so will allow students to benefit from the ability to engage deeply with each other, the materials, and team projects over the course of the academic year. In the process, the course will help foster a justice-oriented community&nbsp;and network within and beyond the law school.

The first course - taught during the fall semester - will present students with the legal theoretical framework for understanding systemic injustices, their causes, and strategies for addressing them. That will be followed by a series of "case stories" presented in partnership with attorneys and other practitioners working to promote justice. The case stories will demonstrate the various dimensions of advancing systemic justice-from storytelling and organizing to agonistic engagement and impact litigation. (Students will also have opportunities to receive mentorship and career advising from those and other attorneys.)

The Advanced Systemic Justice Lawyering course, offered in the spring semester, will allow students to work on a small-group project&nbsp;targeting a particular social problem. These projects will require the

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application of the theory of change and particular skills taught during the first semester and will again involve&nbsp;working with lawyers with pertinent expertise and others doing adjacent work. Students will also participate in a series of skills workshops to help them sharpen their practical lawyering skills and prepare them for careers promoting systemic justice.

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## Tax Law, Finance, and Strategic Planning

**Course #:** 2806      **Term:** 2025SP      **Faculty:** Brennan, Thomas      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Tax; Tax; Tax; Finance, Accounting, and Strategy; Law and Economics; Tax Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: Taxation

Exam Type: No Exam

This course develops tools for understanding and evaluating the effect tax laws have on strategic planning in both business and personal contexts. The perspective taken is generally that of financial economics, with cash flows resulting from transactions being viewed as items which are subject to valuation using asset pricing techniques. This approach allows for a precise understanding of where the value in a transaction comes from and how careful tax planning can help maximize this value. Consideration is also given to policy responses to strategic planning.

No advanced coursework in finance is assumed, but a variety of concepts are introduced in the course, and students are expected to learn how to use them effectively in the context of arriving at optimal tax strategies. Techniques covered include present value analysis, the use of payoff diagrams, option pricing using simple models and the Black-Scholes formula, and, as time permits, application of tax strategies to data sets based on historical and simulated financial data.

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## Tax Litigation Clinic

**Course #:** 8045      **Term:** 2025SP      **Faculty:** Patten, Audrey      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Tax; Tax; Tax; Poverty Law and Economic Justice; Tax Law and Policy

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Tax Litigation Clinical Seminar (2 spring classroom credits). This clinic and course are bundled - your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Tax Litigation Clinic represents low income taxpayers who have a dispute with the Internal Revenue Service or the Massachusetts Department of Revenue. This includes representing taxpayers in administrative processes within those agencies as well as litigating in the United States Tax Court, and various United States District and Circuit courts. The Clinic receives clients through various referral programs, including from domestic violence organizations, wrongful conviction projects, veterans' groups, and various other service providers. In addition to representing clients from Massachusetts, the Clinic takes clients from around the country to litigate issues of broad impact to the low income taxpayer community. It also comments on regulations and other types of rule-making that will impact this community.

Much of the clinic practice centers on using administrative processes at the IRS to resolve taxpayer issues. Students represent cases in a variety of administrative postures, such as audit reconsiderations and innocent spouse cases to relieve a client of liability and collections matters to protect low income clients from wage garnishment or asset seizure. Students thus gain significant experience in dealing with an executive agency. No matter which segment of the administrative agency we encounter, the Clinic provides a voice for the client in a process that can otherwise prove baffling. All students in this clinic gain significant direct client experience. Each student usually starts with 4-5 clients representing a variety the Clinic cases. The student has primary responsibility for the case and works directly with the client. The supervisors in the Clinic assist and guide the students as they work with their clients.

Because Congress uses the Internal Revenue Code to deliver benefits through provisions such as the earned income tax credit and the advanced child tax credit, low income clients often have a serious financial interest in their tax disputes. The benefit payments sometimes equal half of a taxpayer's annual income. Represented clients have a much higher statistical chance of prevailing and thus avoiding deep poverty. The Clinic represents clients so that they can retain these benefits in circumstances in which they might give up rather than contest their liability with the IRS. Additionally, the Clinic represents clients mired in debt. Each semester, the Clinic assists taxpayer in settling their tax debts with the IRS for a fraction of the amount owed and in some cases writing off hundreds of thousands of dollars. These outcomes can be life changing for some clients.

The Clinic also gives students the opportunity to work on matters of broader impact in the low income taxpayer community. The Clinic regularly argues cases in the United States Circuit Courts. The Clinic also files amicus briefs in various Circuit Courts and, occasionally, in the Supreme Court.

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The seminar component of the Clinic seeks to complement the experience of working directly with the clients. Students discuss case simulations, problems, and IRS forms in the seminar in order to prepare and reinforce the skills needed for client representation. The seminar also serves as a place for the students in the class to discuss their cases with fellow classmates and work together to figure out the best way to approach difficult case problems.

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## Tax Litigation Clinic

**Course #:** 8045      **Term:** 2024FA      **Faculty:** Patten, Audrey      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Tax; Tax; Tax; Poverty Law and Economic Justice; Tax Law and Policy

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Tax Litigation Clinical Seminar (2 fall classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Tax Litigation Clinic represents low income taxpayers who have a dispute with the Internal Revenue Service or the Massachusetts Department of Revenue. This includes representing taxpayers in administrative processes within those agencies as well as litigating in the United States Tax Court, and various United States District and Circuit courts. The Clinic receives clients through various referral programs, including from domestic violence organizations, wrongful conviction projects, veterans' groups, and various other service providers. In addition to representing clients from Massachusetts, the Clinic takes clients from around the country to litigate issues of broad impact to the low income taxpayer community. It also comments on regulations and other types of rule-making that will impact this community.

Much of the clinic practice centers on using administrative processes at the IRS to resolve taxpayer issues. Students represent cases in a variety of administrative postures, such as audit reconsiderations and innocent spouse cases to relieve a client of liability and collections matters to protect low income clients from wage garnishment or asset seizure. Students thus gain significant experience in dealing with an executive agency. No matter which segment of the administrative agency we encounter, the Clinic provides a voice for the client in a process that can otherwise prove baffling. All students in this clinic gain significant direct client experience. Each student usually starts with 4-5 clients representing a variety the Clinic cases. The student has primary responsibility for the case and works directly with the client. The supervisors in the Clinic assist and guide the students as they work with their clients. Because Congress uses the Internal Revenue Code to deliver benefits through provisions such as the earned income tax credit and the advanced child tax credit, low income clients often have a serious financial interest in their tax disputes. The benefit payments sometimes equal half of a taxpayer's annual income. Represented clients have a much higher statistical chance of prevailing and thus avoiding deep poverty. The Clinic represents clients so that they can retain these benefits in circumstances in which they might give up rather than contest their liability with the IRS. Additionally, the Clinic represents clients mired in debt. Each semester, the Clinic assists taxpayer in settling their tax debts with the IRS for a fraction of the amount owed and in some cases writing off hundreds of thousands of dollars. These outcomes can be life changing for some clients.

The Clinic also gives students the opportunity to work on matters of broader impact in the low income taxpayer community. The Clinic regularly argues cases in the United States Circuit Courts. The Clinic also files amicus briefs in various Circuit Courts and, occasionally, in the Supreme Court.

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The seminar component of the Clinic seeks to complement the experience of working directly with the clients. Students discuss case simulations, problems, and IRS forms in the seminar in order to prepare and reinforce the skills needed for client representation. The seminar also serves as a place for the students in the class to discuss their cases with fellow classmates and work together to figure out the best way to approach difficult case problems.

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## Tax Litigation Clinical Seminar

**Course #:** 2822      **Term:** 2025SP      **Faculty:** Patten, Audrey      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Tax; Tax; Tax; Poverty Law and Economic Justice; Tax Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement. To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights. Required Clinic Component: Tax Litigation Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None. By Permission: No. Add/Drop Deadline: December 13, 2024. LLM Students: LLM students may enroll in this clinic through Helios. Through the Tax Litigation Clinical Seminar, students learn the substantive law, procedural context, advocacy skills, and ethical rules necessary for the effective representation of low-income taxpayers before the IRS and in federal court. The seminar will cover an array of topics, including tax practice and procedure at the agency level and in federal court, administrative law, client interviewing, fact investigation, offers in compromise, negotiation, refund litigation, audit reconsideration, innocent spouse defenses, Earned Income Tax Credit (EITC), and evidentiary hearings. The seminar will also consider, through the lens of students' clinical experiences, systemic questions about tax policy, anti-poverty policy, and access to justice for low-income taxpayers. Because the Clinic teaches lawyering skills applicable across numerous practice areas, students are encouraged to enroll whether or not they have an existing interest in tax practice or simply seek an immersive litigation experience through which they can learn valuable skills and provide pro bono representation to those in need.

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## Tax Litigation Clinical Seminar

**Course #:** 2822      **Term:** 2024FA      **Faculty:** Patten, Audrey      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Tax; Tax; Tax; Poverty Law and Economic Justice; Tax Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Tax Litigation Clinic (3-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Through the Tax Litigation Clinical Seminar, students learn the substantive law, procedural context, advocacy skills, and ethical rules necessary for the effective representation of low-income taxpayers before the IRS and in federal court. The seminar will cover an array of topics, including tax practice and procedure at the agency level and in federal court, administrative law, client interviewing, fact investigation, offers in compromise, negotiation, refund litigation, audit reconsideration, innocent spouse defenses, Earned Income Tax Credit (EITC), and evidentiary hearings. The seminar will also consider, through the lens of students' clinical experiences, systemic questions about tax policy, anti-poverty policy, and access to justice for low-income taxpayers. Because the Clinic teaches lawyering skills applicable across numerous practice areas, students are encouraged to enroll whether or not they have an existing interest in tax practice or simply seek an immersive litigation experience through which they can learn valuable skills and provide pro bono representation to those in need.

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## Taxation

**Course #:** 2234      **Term:** 2024FA      **Faculty:** Abrams, Howard      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Tax; Tax; Tax; Corporate and Transactional Law; Tax Law and Policy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

Tue 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None  
Exam Type: In Class  
This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers. A principal goal of this course is to teach students to analyze and apply a complex federal statute.  
Unless waived by the instructor, Taxation generally is a pre-requisite for J.D. students in the advanced tax courses.

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## Taxation

**Course #:** 2234      **Term:** 2025SP      **Faculty:** Kaplow, Louis      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Tax; Tax; Tax; Corporate and Transactional Law; Law and Economics; Tax Law and Policy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 8:00 AM - 10:00 AM

Tue 8:00 AM - 10:00 AM

**Course Description:** Prerequisites: None  
Exam Type: In Class  
This course is an introductory study of federal income taxation covering inclusion and exclusion of items in computing gross income; deductions from gross income; tax accounting; capital gains and losses; and the treatment of the family and trusts. Consideration will be given to the interaction of legislative, executive, and judicial agencies in the making, administering, and interpreting of the tax law; to the goals of the tax law and possibilities for future development of it; to the private lawyers professional role with respect to administration of the tax law; and to the impact of the tax law on private property transfers and other transactions.

Note: For upper-level JD students, this course will be included in the Multi-Section round of registration.

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## Taxation

**Course #:** 2234      **Term:** 2024FA      **Faculty:** Desai, Mihir      **Credits:** 4.00

**Type:** Multisection      **Subject Areas:** Tax; Tax; Tax; Administrative and Regulatory Law; Tax Law and Policy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None

Exam Type: In Class

This course focuses on the U.S. federal income tax and the policy considerations that inform the design of the tax, which has become an important governmental tool for influencing many aspects of modern American life. The course accordingly examines not only the concept of taxable income, but also how the federal government uses the tax to influence the behavior of taxpayers across the income spectrum. A principal goal of this course is also to teach students to analyze and apply a complex federal statute.

Unless waived by the instructor, Taxation is generally a pre-requisite for J.D. students in the advanced tax courses.

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## Taxation of Business Corporations

**Course #:** 2274      **Term:** 2025SP      **Faculty:** Brennan, Thomas      **Credits:** 4.00

**Type:** Elective      **Subject Areas:** Tax; Tax; Tax; Corporate and Transactional Law; Tax Law and Policy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 10:20 AM - 11:40 AM

Wed 10:20 AM - 11:40 AM

Mon 10:20 AM - 11:40 AM

**Course Description:** Prerequisite: Taxation

Exam Type: One-Day Take-Home

This course covers the major tax law and policy issues involved in the organization, operation, and restructuring of U.S. corporations, including the tax treatment of corporate shareholders. The course provides the tax background necessary for understanding and participating in the creation of many types of business transactions of both publicly and closely held enterprises, including acquisitions, liquidations, mergers, and divisions. In the U.S., the structure of these major corporate transactions is very heavily influenced by the applicable tax provisions.

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## The Classical Legal Tradition and its Modern Applications

**Course #:** 3146      **Term:** 2025SP      **Faculty:** Vermeule, Adrian      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Administrative and Regulatory Law; Constitutional Law; Jurisprudence and Legal Theory

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

The reading group will introduce students to the classical legal tradition, as practiced in Europe, Britain and the United States, and examine its differences from modern approaches such as originalism and progressivism. We will read a mix of primary sources (such as the Digest of Justinian and selections from Thomas Aquinas' Treatise on Law); secondary historical sources; and recent legal theory bearing on current debates. No previous knowledge is expected.

Note: This reading group will meet on the following dates: TBD.

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## The Comparative Law Workshop

**Course #:** 2129      **Term:** 2024FA      **Faculty:** Alford, William; Fofana, Idriss      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Comparative Law; Human Rights; International Law; Jurisprudence and Legal Theory; Law and Political Economy; Legal History

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: There are no prerequisites and the instructors welcome students with an interest in comparative legal study but no prior engagement with legal systems outside the United States. They also welcome students with an interest in legal academia.

Exam Type: No Exam Students will do 4 short response papers critiquing work-in-progress to be presented by leading comparative law scholars, as well as scholars earlier in their career.

This workshop will engage key questions in comparative law, using as focal points the study of African and Chinese and other Asian legal systems (including Islamic law), and legal history. Students will read examples of influential scholarship in each field both for their importance and as a vehicle for thinking about methodological issues in comparative work in general. Students will also have the opportunity to engage several leading scholars in each field, as well as scholars earlier in their career, who will present works-in-progress. Students considering taking the Workshop should attend the first class even if not formally enrolled.

Please consult Professors Alford or Fofana with any questions you may have.

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## The Conduct of Life in Western and Eastern Philosophy

**Course #:** 2392      **Term:** 2025SP      **Faculty:** Unger, Roberto Mangabeira; Puett, Michael      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Law and Philosophy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 1:00 PM - 3:00 PM

**Course Description:** Prerequisites: None

Exam Type: Extended take-home examination; take-home exam not administered by HLS

A study of approaches in the philosophical traditions of the West and the East to the conduct of life. Philosophical ethics has often been understood as meta-ethics: the development of a method of moral inquiry or justification. Here we focus instead on what philosophy has to tell us about the first-order question: How should we live our lives?

This year a major concern will be the study and contrast of two such orientations to existence. One is the philosophical tradition focused on ideas of self-reliance, self-construction, and nonconformity (exemplified by Emerson and Nietzsche). The other is a way of thinking (notably represented by Confucius) that puts its hope in a dynamic of mutual responsibility, shaped by role and ritual and informed by imaginative empathy.

No prerequisites other than a willingness to consider a wide range of problems and materials.

Note: This course is jointly-listed with HDS and FAS.

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# Harvard Law School Course Catalog

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## The Economics of Information with Legal Applications

**Course #:** 3309      **Term:** 2025SP      **Faculty:** Nielsen, Aileen      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Contracts; Torts; Contracts; Torts; Contracts; Torts; Administrative and Regulatory Law; Contracts; Intellectual Property; Law and Economics; Negotiation and Alternative Dispute Resolution; Technology Law and Policy; Torts

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Thu 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

We will read and discuss seminal works in information economics, seeking to understand key insights and the current state of knowledge and research in this subfield. We will also discuss applications to law and policy, with a particular emphasis on digital tech policy, including AI fairness, social media, and data privacy. No exam or writing requirements.

Note: This reading group will meet on the following dates: TBD.

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## The Effects of Mass Incarceration: Experiences of Prison and Parole

**Course #:** 2624      **Term:** 2025SP      **Faculty:** Umunna, Dehlia      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Rights; Criminal Law and Procedure; Race and the Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

More than 10 million Americans are under "correctional supervision" in the United States, which incarcerates people at a rate drastically out of proportion with its population compared with the rest of the world. The yearly US cost of incarceration is over \$80 billion per year. There are major debates on incarceration issues swirling in the general public and in the legal community ranging from the morality and efficacy of solitary confinement to the effects of prison overcrowding to the proper administration of parole to the appropriateness of life sentences without parole for a variety of populations and crimes. The effects of incarceration fall disproportionately on communities of color and perpetuate the cycle of poverty.

Through a combination of practical experiences and written texts, students will examine the experience and effects of incarceration and parole locally, nationally, and internationally. Experiences in the seminar will include touring local prisons or jails, meetings with lifetime parolees and formerly incarcerated individuals, and a wide variety of written texts, including essays, case studies, and research. Students numbered 1-5 on the waitlist who plan to enroll if the opportunity arises should attend the first class as long as other course scheduling permits.

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# Harvard Law School Course Catalog

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## The Ethics of Prosecution

**Course #:** 3294      **Term:** 2025SP      **Faculty:** Mulhauser, Dana      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Civil Rights; Criminal Law and Procedure; Legal Profession and Ethics

**Delivery Mode:** Course

**Days and Times:**      **Location**

Thu 6:00 PM - 8:00 PM

**Course Description:** Prerequisite: None  
Exam Type: Any-Day Take-Home

The last decade has seen the largest reexamination of the prosecutorial function in a century. Progressive prosecutors have reconsidered how we charge crimes, grant bail, determine sentences, and review convictions. Some of those efforts have led to meaningful change-and some have flamed out spectacularly.

These reforms raise questions about the ethics of prosecution, in both its traditional and reform incarnations. May prosecutors refrain from charging entire categories of crimes? What should be the standard for reviewing prior convictions or reducing sentences? How can a prosecutorial office fairly examine the conduct of police officers? What is the appropriate role for incarceration and other forms of punishment?

This course will examine these questions and related ones, looking at how prosecution should function, and what happens when actors in the system try to change it.

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## The Federal Reserve: Legal and Policy Issues

**Course #:** 2092      **Term:** 2024FA      **Faculty:** Tarullo, Daniel      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Administrative and Regulatory Law; Constitutional Law; Financial and Monetary Institutions; Law and Political Economy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam: No Exam

The Federal Reserve is a highly atypical, if not unique, institution within the United States Government. It has an almost conspiratorial origin, an unusual public-private structure, and arguably greater legal and customary autonomy than any other agency created by Congress. Students will read and discuss selected books and articles on the structure and functions of the Federal Reserve as the nations central bank.&nbsp;Some (non-quantitative) economic reading also be assigned as background for understanding the legal and political issues.&nbsp;A theme running through the course will be the impact of the financial crisis of 2007-2009 in reawakening political controversy over these matters after the three quarters of a century that had elapsed since the New Deal overhaul of the Fed&rsquo;s governance.

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## The Jurisprudence of Excellence

**Course #:** 3087

**Term:** 2025SP

**Faculty:** Brewer, Scott

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Jurisprudence and Legal Theory

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Prerequisites: No special background is required. Cross-registrants are welcome. Anyone seeking information about this course should feel free to contact Professor Scott Brewer at [sbrewer@law.harvard.edu](mailto:sbrewer@law.harvard.edu).

Exam Type: No Exam Work for the course consists of class participation and a paper whose topic, to be agreed in consultation with the professor, is fairly related to course topics and discussions.

The inquiry of this course lies at the intersection of the concepts of excellence and contest. Who deserves what, on the basis of what kinds of competitive measures (including for example formal competitions in sports, in litigation, in elections, in academic tests), is one of the most important and contentious issues in contemporary law, politics, and culture. Ancient philosophers from many cultures have offered sustained inquiries into concepts of human excellence and the kinds of contests that ought to be used to measure it. Since that time, ideas about competition, merit, and appropriate reward have been vitally important to political, moral, aesthetic, and legal philosophy.

In this course we carefully consider theories of excellence, merit, and just reward, and the legal regulation of contests in various competitive settings. Such settings include competitions for admission to colleges and professional schools, competitions for rankings (grades) within such schools, competitions for promotion in jobs, competitions in elections and litigation, and competitions among professional and amateur athletes. Readings will be of two basic types. (i) Works in legal theory and philosophy. (ii) Legal materials (administrative regulations, cases, statutes, constitutional provisions, including laws of equal protection and anti-discrimination) that regulate the kinds of competitions described above.

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## The Law of Climate Adaptation

**Course #:** 3238      **Term:** 2025SP      **Faculty:** Crawford, Susan      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State Courts; Environmental Law and Policy; State and Local Government

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam

Extreme effects of climate change are piling up on the US coasts in the form of rising groundwater, saltwater intrusion, ever-heavier rainstorms, powerful hurricanes, and rapidly accelerating sea level rise. Although the climate is morphing quickly, US legal structures are slow to change. We will study legal doctrines that affect ex ante adaptation efforts in the context of US coastlines, where about 40 percent of the US population lives and about half the nations GDP is generated. Our inquiry will include discussion about the many angles of takings doctrine that will likely be triggered by local government attempts to protect or abandon territory, common-law nuisance issues implicated by property-owner self-help, the strength of any necessity defense mounted by local governments, and the many issues raised by strategic relocation. 10-15 page paper required plus discussion posts.

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## The Law of Presidential Elections

**Course #:** 3213      **Term:** 2025SP      **Faculty:** Schwartztol, Larry      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Constitutional Law; Election Law and Democracy

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: None  
Exam Type: Any-Day Take-Home

Presidential elections are a uniquely consequential aspect of American democracy, yet they are governed by a distinct legal framework that can be ambiguous or under-developed with respect to critical questions. This course examines the origins and substance of the laws governing presidential elections, focusing on the historical circumstances (and crises) that forged much of our current legal framework, as well as the disputes that that legal framework has generated in recent elections. It will also examine ongoing policy debates, including recent changes to the Electoral Count Act and other policy recommendations growing out of the work of the Select Committee to Investigate the January 6 Attack on the U.S. Capitol, as well as longstanding debates about the Electoral College and potential alternatives. Where does the law of presidential elections provide a clear structure, and what questions does it leave unanswered? What substantive values - and what conceptions of the presidency - does it advance? How might we design a more desirable or more durable legal and political framework? These are the questions driving this course.

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## The New Supreme Court: changing views on the fundamental structure of government

**Course #:** 3109      **Term:** 2024FA      **Faculty:** Eggleston, W. Neil      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Constitutional Law; Courts, Jurisdiction, and Procedure; Election Law and Democracy

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam

This course will examine changing judicial views on fundamental questions concerning the structure of government. The new composition of the Supreme Court coupled with the expressed interest of certain of the justices in re-thinking these concepts has led and will lead to the Supreme Court and the Courts of Appeals to re-consider these issues. These disputes will play out in cases addressing the interplay between the branches; between the federal government and the states; and standing and other doctrines that consider the ability of the judicial branch to confront these issues. Students will read very recent cases on these subjects. To the extent that there are cases on the Supreme Court docket that have not been decided, the students may also read the merits briefs and listen to portions of the oral arguments.

Note: This reading group will meet on the following dates: TBD.

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## The Past and Future of the Music Business

**Course #:** 3288      **Term:** 2024FA      **Faculty:** Ferrell, Allen      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Contracts; Contracts; Contracts; Contracts; Corporate and Transactional Law; Technology Law and Policy

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

**Course Description:** Prerequisite: None  
Exam Type: No Exam

This seminar will explore the changing economics of the music industry, various legal issues (including copyright) and the potential impact of AI. There will be guest speakers for some of the sessions.

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# Harvard Law School Course Catalog

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## The Promises and Challenges of Disarmament

**Course #:** 2509

**Term:** 2024FA

**Faculty:** Docherty, Bonnie

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Human Rights; International Law; National Security Law

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Tue 1:30 PM - 3:30 PM

**Course Description:**

Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center.

You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and News Highlights.

Required Clinic Component: International Human Rights Clinic (3-5 fall clinical credits). Students enrolled in the fall clinic must enroll in either this clinical seminar or Human Rights Lawyering in Action. Students are not guaranteed their first choice of clinical seminars. Clinical seminar selection and enrollment occurs once a student has enrolled in the fall clinic and is orchestrated by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 18, 2023.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

Over the past 150 years, certain weapons have caused so much human suffering that the international community has taken steps to regulate or ban them. The most important method of disarmament has been treaty law although political commitments, judicial opinions, and national measures have played a role as well. This seminar will introduce students to different approaches to disarmament and various means to achieve them.

&nbsp;

The seminar will begin by identifying the kinds of problems posed by a range of weapons and the need for weapons-specific treaties. It will then analyze three main approaches to disarmament: traditional disarmament, which is driven by national security interests; arms control, which restricts proliferation and stockpiles; and humanitarian disarmament, which focuses on civilian concerns. The seminar will consider how to achieve disarmament by discussing different treaty-making processes, the intricacies of crafting and interpreting a convention, and the steps needed to fulfill an adopted treaty's promise. The seminar will examine a variety of arms issues and conclude by addressing new disarmament challenges, asking what types of weapons should be dealt with in the future and how.

&nbsp;

In addition to being exposed to the substance and strategies of disarmament, students will build advocacy skills through simulations.

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# Harvard Law School Course Catalog

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## The Role of the Article III Judge

**Course #:** 2016

**Term:** 2025WI

**Faculty:** Griffith, Thomas

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** State and Federal Courts; Constitutional Law; Courts, Jurisdiction, and Procedure; Jurisprudence and Legal Theory; Legal History

**Delivery Mode:** Course

**Days and Times:**

**Location**

**Course Description:** Prerequisites: 1L Constitutional Law, Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment, or Constitutional Law: First Amendment

Exam Type: No Exam

The contemporary debate over the proper role of a federal judge under the Constitution turns, in large measure, on what it is we think an Article III judge is doing when she is called upon to resolve a "case or controversy." Is she looking for the fair result? If so, by whose lights? Is she a political actor, or is she instead looking for a rule of decision that has been previously established by law (a "mere translator" of the law, in Justice Frankfurter's words). If so, by natural law or positive law? These are some of the questions we will consider in discussing what role a federal judge plays when she exercises "the judicial Power of the United States" conferred by Article III of the Constitution.

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# Harvard Law School Course Catalog

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## The Role of the Judiciary in a Democracy

**Course #:** 3141

**Term:** 2024FA

**Faculty:** Abella, Rosalie Silberman

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** State and Federal Courts; Constitutional Law; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

**Course Description:**

Prerequisite: None

Exam Type: No Exam

In modern constitutional democracies, supreme court judges assume a role that entangles them in many of the most contentious political and legal issues of the day. What exactly is the nature of that role? What purposes does it serve and what constrains it? How can judges most effectively play their role as guardians of the constitutional order? This course will address these themes, which arise in constitutional democracies across the globe.

In addressing these questions, students will engage with legal theory and will draw on subjects that supreme courts are inevitably called upon to consider, such as freedom of association, expression and religion, as well as labor relations, privacy, and equality. Finally, they will address topical issues such as the intersections between gender, sexuality, race, the family, technology and the law.

Note: This seminar will meet over six weeks, dates TBD.

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# Harvard Law School Course Catalog

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## The Role of the State Attorney General

**Course #:** 2237      **Term:** 2024FA      **Faculty:** Tierney, James; Brann, Peter      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State Courts; State and Local Government

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, and OCP Blog Highlights.

Required Clinic Component: Government Lawyer: Attorney General Clinic (fall, winter or spring semester). Students who enroll in any of these three clinic offerings will be enrolled in this required clinical course by the Office of Clinical and Pro Bono Programs.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 18, 2023 for Fall students; September 1, 2023 for Winter and Spring students.

LLM Students: International students on F-1 student visas are required to have Curricular Practical Training (CPT) authorization; LL.M. students are not eligible for CPT.

Exam Type: Any Day Take-Home

Class participation is taken into consideration in assigning the final grade.

The role of state attorneys general has dramatically expanded as these elected officials and their staff have become increasingly important actors in American jurisprudence. They continue to make their mark in consumer protection, antitrust, civil rights, education, immigration, labor law, political corruption and environmental protection even as they tender daily legal advice that impacts the workings of state government. Working alone or in combination with or opposed to the federal government, their colleagues in other states or with businesses, unions and interest groups, the attorneys general are now major players in American jurisprudence.

This two credit course examines the core duties of attorneys general and reviews and critiques their authority and performance. The class will examine the means utilized by attorneys general in carrying out their responsibilities including their ethical responsibilities. It will also discuss the implications for federalism and separation of powers by exploring state relations with state and federal agencies that have parallel jurisdiction. Finally, the course will discuss the impact that interest groups and the media have on the office of attorney general. Attorneys general and their staff regularly visit the class.

Students admitted into the fall or spring clinic must complete a security clearance for Massachusetts in advance of starting clinical work. Fall and spring clinical students are also required to attend three to four additional non-credit evening seminars that are facilitated by the Assistant Attorney General intern coordinator. For additional information, please see the clinic descriptions.

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## The Second Amendment

**Course #:** 2289      **Term:** 2025SP      **Faculty:** Lepore, Jill      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Race; Constitutional Law; Legal History; Race and the Law

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Tue 6:00 PM - 8:00 PM

**Course Description:** Prerequisites None  
Exam Type: No Exam  
Reading and discussion of the origins of the Second Amendment and its course through the courts as well as in party politics and in American culture more broadly. Course material will consist of both primary documents, dating back to the seventeenth century, and of legal and historical scholarship, including not only on the Second Amendment itself but on the history of guns, gun ownership, gun rights, and mass shootings.  
Note: This reading group will meet on the following dates: TBD.

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## The Security Council

**Course #:** 3081      **Term:** 2025SP      **Faculty:** Modirzadeh, Naz      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Human Rights; International Law; National Security Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: Public International Law

Exam Type: No Exam

The United Nations Security Council is at the heart of the post-WWII international order — but whether it should remain so is a live question in multilateral affairs. The Council is often referred to as the world's executive, but it also increasingly exercises a kind of legislative power. Its discretion is extensive, if not unlimited. Its power is ostensibly justified, as states have conferred to it the primary responsibility for the maintenance of international peace and security. Has the Council lived up to this weighty challenge?

The seminar will engage intensive current debates about possible reform of the Council, foundational questions concerning its current and potential role, its representativeness, its impact, and its relevance. We will explore these questions by examining several contemporary legal and policy issues concerning the Security Council. These include issues related to interpretation of Security Council resolutions, disobedience of the Council's decisions, the role of Elected Members, and proposals for institutional reform, as well as various thematic and country-specific matters pertaining to, among others, war and peace, climate change, and terrorism (potentially encompassing issues developing in real-time during the semester).

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## The United States Supreme Court

**Course #:** 3202      **Term:** 2024FA      **Faculty:** Sunstein, Cass; Breyer, Stephen      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** State and Federal Courts; Constitutional Law; Courts, Jurisdiction, and Procedure

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: 1L Constitutional Law or  
Constitutional Law: Separation of Powers, Federalism, and Fourteenth Amendment

Exam Type: No Exam

This seminar will explore some of the workings of the United States Supreme Court, with reference to some of the larger constitutional questions, such as free speech, racial discrimination, privacy, affirmative action, administrative power, and abortion. There will be some attention to issues of regulation, with reference to behavioral economics, insofar as those issues relate to administrative law.

Cross-registration and audit requests are not available for this seminar.

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## The Warren Court

**Course #:** 2005      **Term:** 2025SP      **Faculty:** Klarman, Michael      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Constitutional Law; Legal History

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: None  
Exam Type: No Exam There is no exam or long-paper requirement. Students are expected to attend class, do the readings, and participate in class discussion. In addition, you will be asked to write 2 short papers over the course of the semester responding to the readings. These should be in the range of 4-6 double-spaced pages. Final grades will be based half on these short papers and half on class participation. This seminar will examine most of the leading constitutional rulings of the Warren Court. The readings will be considerable-you should expect somewhere between 6 and 8 hours of reading per week-as I am trying to give you a wide range of angles from which to approach each of the subject matter areas we will be discussing. Readings will include: cert. memos from law clerks, briefs, conference notes, memos between the justices, excerpted opinions, newspaper reaction, letters to the justices, and law review commentary. We will also be using Lucas Powes The Warren Court and American Politics to provide background and an overview. Please do not sign up for the course unless you are prepared to commit to doing this much reading.

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# Harvard Law School Course Catalog

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## Theories About Law

**Course #:** 2319      **Term:** 2025SP      **Faculty:** Sargentich, Lewis      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Jurisprudence and Legal Theory

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None  
Exam Type: No Exam There will be two short papers in lieu of an examination. One will be assigned midway through the course and the other at the end.  
This course begins with a survey of positions in American legal thought, from the time of the Legal Realists to the contemporary period. Then the course looks at law from the standpoint of a number of larger theories, considering law in relation to social theory, literary understanding, moral psychology, and the critique of liberalism. The last two sessions ask how law might go forward on premises of critical jurisprudence.  
Readings are selected as exemplary texts, displaying core theoretical positions. After the initial survey, each session restricts its focus to a close look at basic ideas of one or two major theorists.

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## Trademark and Unfair Competition

**Course #:** 2462      **Term:** 2025SP      **Faculty:** Tushnet, Rebecca      **Credits:** 3.00

**Type:** Elective      **Subject Areas:** Arts, Entertainment, and Sports Law; Intellectual Property

**Delivery Mode:** Course

**Days and Times:**      **Location**

Mon 8:30 AM - 10:00 AM

Tue 8:30 AM - 10:00 AM

**Course Description:** Prerequisite: None  
Exam Type: Any Day Take-Home  
This course will introduce students to the federal Lanham Act and related common law doctrines designed to protect against consumer confusion and appropriation of commercial goodwill. In addition to the technical requirements for trademark eligibility, registration, and infringement, we will consider the constitutional and economic underpinnings of trademark protection and evaluate current trends toward the "propertization" of trademark law, First Amendment defenses, and the role of the right of publicity.

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## Transactional Law Clinical Workshop

**Course #:** 2247      **Term:** 2024FA      **Faculty:** Roycroft, Noel      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Real Estate/Property; Contracts; Property; Contracts; Property; Contracts; Property; Private Room; Arts, Entertainment, and Sports Law; Contracts; Corporate and Transactional Law; Intellectual Property; Poverty Law and Economic Justice; Private Law; Property

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Transactional Law Clinics (4-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

This course is the classroom component of the clinical practice for students enrolled in the Transactional Law Clinics (TLC), and will provide students with instruction on the substantive law, ethical considerations, and lawyering skills necessary for representing clients in TLC. Students will be exposed to the various challenges faced by clients engaged in transactional activities and to the laws, policies and institutions impacting their ability to succeed. In addition, the course will engage students in critical reflection about the ethical, strategic and policy dimensions of their clinical work; as well as invite reflection about their own professional development. Students will develop skills and substantive training in contract drafting and review; client counseling and interviewing; transactional issue identification; legal entity analysis; ethical lawyering and awareness; teamwork; negotiation; intellectual property, and community lawyering. Classroom discussion is a key component of the course and will include case updates and insights from students, and participation in rounds sessions (students present a case for class discussion, critique and analysis).

A clinical practice component is required of all students. Clinical placements are with the Transactional Law Clinics ([www.harvardtcl.org](http://www.harvardtcl.org)).

Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website (<https://hls.harvard.edu/clinics>) for clinical registration dates, early add/drop deadlines, and other information about the clinical program.

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# Harvard Law School Course Catalog

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## Transactional Law Clinical Workshop

**Course #:** 2247      **Term:** 2025SP      **Faculty:** Roycroft, Noel      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Real Estate/Property; Contracts; Property; Contracts; Property; Contracts; Property; Private Room; Arts, Entertainment, and Sports Law; Contracts; Corporate and Transactional Law; Intellectual Property; Poverty Law and Economic Justice; Private Law; Property

**Delivery Mode:** Course

**Days and Times:**      **Location**

Tue 3:45 PM - 5:45 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Required Clinic Component: Transactional Law Clinics (4-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

This course is the classroom component of the clinical practice for students enrolled in the Transactional Law Clinics (TLC), and will provide students with instruction on the substantive law, ethical considerations, and lawyering skills necessary for representing clients in TLC. Students will be exposed to the various challenges faced by clients engaged in transactional activities and to the laws, policies and institutions impacting their ability to succeed. In addition, the course will engage students in critical reflection about the ethical, strategic and policy dimensions of their clinical work; as well as invite reflection about their own professional development. Students will develop skills and substantive training in contract drafting and review; client counseling and interviewing; transactional issue identification; legal entity analysis; ethical lawyering and awareness; teamwork; negotiation; intellectual property, and community lawyering. Classroom discussion is a key component of the course and will include case updates and insights from students, and participation in rounds sessions (students present a case for class discussion, critique and analysis).

A clinical practice component is required of all students. Clinical placements are with the Transactional Law Clinics ([www.harvardtcl.org](http://www.harvardtcl.org)).

Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website (<https://hls.harvard.edu/clinics>) for clinical registration dates, early add/drop deadlines, and other information about the clinical program.

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## Transactional Law Clinics

**Course #:** 8031      **Term:** 2024FA      **Faculty:** Roycroft, Noel      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Real Estate/Property; Contracts; Property; Contracts; Property; Contracts; Property; Private Room; Arts, Entertainment, and Sports Law; Contracts; Corporate and Transactional Law; Intellectual Property; Poverty Law and Economic Justice; Private Law; Property

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Transactional Law Clinical Workshop (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Transactional Law Clinics (TLC) provide students the opportunity to work directly with clients on cases spanning the transactional spectrum. Students enrolled in TLC will engage in actual legal practice with real clients involved in transactional matters. Students practice under the supervision and mentoring of an experienced attorney in one or more of the three TLC practice areas: 1) Business and Nonprofit; 2) Entertainment; or 3) the Community Enterprise Project (CEP). TLC clients include entrepreneurs, small businesses, social enterprises, non-profit organizations, community groups, and individuals and companies in the entertainment industry and creative fields. Students will have direct hands-on responsibility for handling their cases and will gain experience in various aspects of transactional practice. TLC students typically experience professional growth in areas such as strategic judgment, transactional thinking ability, communication skills, client interviewing, counseling, and management, document drafting and review, ethical awareness, and practice-oriented research and writing.

After enrolling in TLC, students will be asked to preference which of the Clinic's three practice areas they would like to work in: Business and Nonprofit, Entertainment, or CEP. Depending on client needs, students that preference the Business and Nonprofit concentration typically have cases in business (C Corp, S Corp, LLC, etc.) and non-profit formations; applications for tax exemption; corporate governance advising; securities offerings/capital raises/commercial financing; contract drafting, review and negotiation (including technology contracts, such as SaaS, terms of use, end user agreements, etc.); commercial leasing; and intellectual property matters (such as trademark, copyright registration, and software licensing). Students that preference the Entertainment concentration will have cases addressing intellectual property matters (such as trademark, copyright registration, and music licensing); drafting and reviewing agreements for creatives (such as band agreements and record deals); and cases similar to the above but specifically for clients in the creative fields. Finally, students that preference CEP, which focuses on facilitating community economic development, typically engage in direct client representation (with cases similar to those in the Business and Nonprofit concentration) and in community economic development (through popular education workshops and partnerships with community organizations aimed at identifying and addressing organizational and community legal needs).

Depending on instructor availability, student preference, and client needs, there may be the opportunity



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for students to work across multiple concentrations.

You can read firsthand accounts regarding student experiences in TLC by visiting:

<https://clinics.law.harvard.edu/tlc/an-experience-that-stands-out-from-the-rest/>,

<https://clinics.law.harvard.edu/tlc/helping-minority-owned-businesses/>, and

<https://clinics.law.harvard.edu/tlc/hands-on-experiential-work-starts-on-day-1-in-the-transactional-law-clinics/>.

Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website (<https://hls.harvard.edu/clinics>) for clinical registration dates, early add/drop deadlines, and other information about the clinical.

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## Transactional Law Clinics

**Course #:** 8031      **Term:** 2025SP      **Faculty:** Roycroft, Noel      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Real Estate/Property; Contracts; Property; Contracts; Property; Contracts; Property; Private Room; Arts, Entertainment, and Sports Law; Contracts; Corporate and Transactional Law; Intellectual Property; Poverty Law and Economic Justice; Private Law; Property

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website, Clinic Q&A and OCP Blog Highlights.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Transactional Law Clinical Workshop (2 spring classroom credits). This clinic and course are bundled; your enrollment in this clinic will automatically enroll you in the required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

Placement Site: HLS.

The Transactional Law Clinics (TLC) provide students the opportunity to work directly with clients on cases spanning the transactional spectrum. Students enrolled in TLC will engage in actual legal practice with real clients involved in transactional matters. Students practice under the supervision and mentoring of an experienced attorney in one or more of the three TLC practice areas: 1) Business and Nonprofit; 2) Entertainment; or 3) the Community Enterprise Project (CEP). TLC clients include entrepreneurs, small businesses, social enterprises, non-profit organizations, community groups, and individuals and companies in the entertainment industry and creative fields. Students will have direct hands-on responsibility for handling their cases and will gain experience in various aspects of transactional practice. TLC students typically experience professional growth in areas such as strategic judgment, transactional thinking ability, communication skills, client interviewing, counseling, and management, document drafting and review, ethical awareness, and practice-oriented research and writing.

After enrolling in TLC, students will be asked to preference which of the Clinic's three practice areas they would like to work in: Business and Nonprofit, Entertainment, or CEP. Depending on client needs, students that preference the Business and Nonprofit concentration typically have cases in business (C Corp, S Corp, LLC, etc.) and non-profit formations; applications for tax exemption; corporate governance advising; securities offerings/capital raises/commercial financing; contract drafting, review and negotiation (including technology contracts, such as SaaS, terms of use, end user agreements, etc.); commercial leasing; and intellectual property matters (such as trademark, copyright registration, and software licensing). Students that preference the Entertainment concentration will have cases addressing intellectual property matters (such as trademark, copyright registration, and music licensing); drafting and reviewing agreements for creatives (such as band agreements and record deals); and cases similar to the above but specifically for clients in the creative fields. Finally, students that preference CEP, which focuses on facilitating community economic development, typically engage in direct client representation (with cases similar to those in the Business and Nonprofit concentration) and in community economic development (through popular education workshops and partnerships with community organizations aimed at identifying and addressing organizational and community legal needs).

Depending on instructor availability, student preference, and client needs, there may be the opportunity

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for students to work across multiple concentrations.

You can read firsthand accounts regarding student experiences in TLC by visiting:

<https://clinics.law.harvard.edu/tlc/an-experience-that-stands-out-from-the-rest/>,

<https://clinics.law.harvard.edu/tlc/helping-minority-owned-businesses/>, and

<https://clinics.law.harvard.edu/tlc/hands-on-experiential-work-starts-on-day-1-in-the-transactional-law-clinics/>.

Enrollment is through clinical registration. Please refer to the Office of Clinical and Pro Bono Programs website (<https://hls.harvard.edu/clinics>) for clinical registration dates, early add/drop deadlines, and other information about the clinical.

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## Transitional Justice: Dispute Systems Design and Durable Peace

**Course #:** 3072

**Term:** 2024FA

**Faculty:** Dicker, Lisa

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Human Rights; Negotiation and Alternative Dispute Resolution

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Wed 6:00 PM - 8:00 PM

**Course Description:**

Prerequisites: None

Exam Type: No Exam Paper in lieu of exam

After periods of widespread conflict or repression, the regular justice system of a country is unlikely to be able to deliver an adequate response that provides sufficient redress for victims and heals the society. Transitional justice refers to the judicial and non-judicial processes and mechanisms countries may use to seek to address mass or systemic war crimes and violations of human rights, including prosecutions, truth-seeking processes, reparations programs, and guarantees of non-recurrence, primarily institutional reforms. Practitioners and scholars largely agree that transitional justice is critical to achieving a durable peace and preventing future harms, however, there is no formula for transitional justice and the needs of each context are unique.

This seminar will examine transitional justice through a lens of dispute system design, engaging questions such as:

What is the legal foundation for transitional justice?

Where does transitional justice come from as a field? What legal parameters and rights exist?

When should a transitional justice system be established?

When is a context ripe for transitional justice? How can tensions between justice and peace be addressed?

Who should design and implement the transitional justice processes?

Who should be the design decision-makers? Who should be consulted? Who should have ownership of the transitional justice system?

How should a transitional justice system be designed?

Which judicial and non-judicial processes and mechanisms should be used and how should each be designed? How do these processes and mechanisms intersect and interact with each other? What values should be promoted and what remedies should be provided?

When is transitional justice complete and how should the transitional justice system be evaluated?

How do implementers know when transitional justice has been concluded? What metrics can be used to evaluate the successes and shortcomings of a system?

All of the above are live and heavily debated questions in the field of transitional justice and will be

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examined in the seminar through a combination of readings, country-specific case studies, lectures, discussions, and a simulation on designing transitional justice. The seminar will also connect with one or more guest speakers who engaged in the design and implementation of transitional justice in their countries.

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## Trial Advocacy Workshop

**Course #:** 2249      **Term:** 2024FA      **Faculty:** Umunna, Dehlia      **Credits:** 3.00

**Type:** Multisection      **Subject Areas:** Civil Rights/Liberties; Civil Rights; Civil Rights; Race; Civil Litigation; Civil Rights; Constitutional Law; Criminal Law and Procedure; Race and the Law

**Delivery Mode:** Course

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.  
Prerequisites: For JD students there are no formal prerequisites, although familiarity with the rules of evidence is assumed throughout the course. For LLM students, permission of the instructor is required.  
Exam Type: No Exam  
Early drop deadline: Friday, August 23, 2024  
Please note: There will be a mandatory orientation for all students enrolled in the Fall 2024 Trial Advocacy Workshop. Date is TBA.

Please note: The mock cases in TAW derive from actual courtroom cases. Some of the issues in the cases may include, without limitation, allegations of adultery, alcoholism, assault, assault on a police officer, homicide, racial profiling/bias, and police assault of a civilian. If any of the foregoing issues present a problem in taking the course, feel free to reach out to Prof. Sullivan to discuss.

The Fall Trial Advocacy Workshop (TAW) is an intensive course in trial analysis, skills, and techniques taught complete in three weeks. More detailed descriptions of the organization and content of the Workshop program appear below. The Workshop is a required component of ITA: Prosecution Perspectives, and Criminal Justice Institute: Defense Theory and Practice. The course is graded Credit/Fail. Any questions pertaining to the Workshop should be directed to Professor Dehlia Umunna: [dumunna@law.harvard.edu](mailto:dumunna@law.harvard.edu) and to the TAW Coordinator: [taw@law.harvard.edu](mailto:taw@law.harvard.edu).

Course days and hours: Monday through Friday, 2:00 p.m. to 9:00 p.m. Students are allowed four hours (maximum) of class conflicts per week (HLS courses only). If you have concerns regarding the conflicts policy and your schedule, please contact Professor Ronald Sullivan; [rsullivan@law.harvard.edu](mailto:rsullivan@law.harvard.edu) and to the TAW Coordinator: [taw@law.harvard.edu](mailto:taw@law.harvard.edu).

The Fall Trial Advocacy Workshop will take place beginning Tuesday, September 3, 2024, to Friday, September 20, 2024 (there is no class on Monday, September 2, 2024, due to the Labor Day holiday). The course focuses on the task of the trial lawyer to create in the consciousness of the fact-finders the precise fact picture, which reflects the lawyer's version of the case. The Workshop includes simulated exercises on all aspects of in-court trial practice including opening statements, development of witness testimony on direct and cross examination, use of illustrative aids and exhibits in evidence, impeachment, and summations. An important feature of the Workshop is the on-the-spot evaluation and critique by experienced trial lawyers and judges who teach as volunteers during the Workshop. Student performances are also video-recorded and individually critiqued. The Fall Trial Advocacy Workshop requires intensive study, preparation, and activity. The program is structured as follows:

1. During the three-week workshop, students will meet in classroom sessions (large groups and small groups) for simulated trial advocacy exercises from 2:00 p.m. to 6:00 p.m. daily. Each student will be expected to perform each of the assigned exercises each day. These sessions will involve short role-playing assignments for students in various aspects of trial advocacy, evaluations of performances, and occasional demonstrations by members of the teaching team.
2. Students will have opportunities, individually or in groups, for detailed review or critique of

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video-recordings of their own and each other's performances. One or more members of the teaching team will be available at scheduled hours to participate in this review.

3. Following each day's classroom exercises, students will have the opportunity to meet with the teaching faculty, which consists of experienced judges and lawyers, and will meet with select guest speakers from 7:00 p.m. to 9:00 p.m. each evening.

4. Students will participate in two full trials as members of a team of students trying the case. Trial time will include two to four hours of pretrial conferences and five to eight hours of trial performance and critique for each trial. Students will also be expected to serve as witnesses in two additional trials.

Texts: Murray, *Basic Trial Advocacy* (required), plus multilithed materials and case files.

Registration for the Fall Trial Advocacy Workshop will occur during Multi-Section Course Registration. LLM students may enroll with the permission of the instructor.

This course has an early drop deadline in August 23, 2024

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1. During the three-week workshop, students will meet in classroom sessions (large groups and small groups) for simulated trial advocacy exercises from 2:00 p.m. to 6:00 p.m. daily. Each student will be expected to perform each of the assigned exercises each day. These sessions will involve short role-playing assignments for students in various aspects of trial advocacy, evaluations of performances, and occasional demonstrations by members of the teaching team.
2. Students will have opportunities, individually or in groups, for detailed review or critique of video-recordings of their own and each other's performances. One or more members of the teaching team will be available at scheduled hours to participate in this review.
3. Following each day's classroom exercises, the students are invited to supper with the faculty, which consists of experienced judges and lawyers, and are required to attend an evening lecture-demonstration from 7:00 p.m. to 9:00 p.m. each evening.
4. A similar schedule is followed for the first two days of the second week of the workshop. Wednesday of the second week is a trial preparation day. Simulated non-jury trials take place on the last two days of the week. Each student participates in one non-jury trial as a lawyer and in one as a witness.
5. The first two days of the third week of the workshop follow the same classroom schedule as the first week. On Thursday and Friday of the third week of the workshop, participants conduct simulated jury trials in state and federal courthouses.

Text: Murray, Basic Trial Advocacy, plus multilithed materials and case files.

This course has an early drop deadline of Friday, August 30, 2024

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## Trusts and Estates

**Course #:** 2250

**Term:** 2025SP

**Faculty:** Sitkoff, Robert

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Family; Real Estate/Property; Tax; Trusts and Estates; LGBTQ+; Property; LGBTQ+; Property; LGBTQ+ Advocacy Clinic; Property; Tax; Family Member; Private Room; Tax; Children and Family Law; Corporate and Transactional Law; Finance, Accounting, and Strategy; Financial and Monetary Institutions; Gender and the Law; Law and Economics; Legal History; Legal Profession and Ethics; LGBTQ+; Private Law; Property; Tax Law and Policy; Trusts, Estates, and Fiduciary Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 10:15 AM - 12:15 PM

Tue 10:15 AM - 12:15 PM

**Course Description:**

Prerequisite: None

Exam Type: In Class

This course examines freedom of disposition in American succession law by way of: (a) intestate succession; (b) wills (including execution, revocation, interpretation, and contests); (c) will substitutes (i.e., nonprobate transfers) and planning for incapacity; and (d) trusts (including creation, fiduciary administration, modification, termination, spendthrift and other asset protection trusts, and charitable trusts).

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## U.S. and Comparative Perspectives on Constitutions and Constitutionalism, Selected Topics

**Course #:** 3161      **Term:** 2024FS      **Faculty:** Jackson, Vicki      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Constitutional Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisite: U.S. Constitutional Law (required); survey course on comparative constitutional law (recommended)

Exam Type: No Exam

This seminar will take up selected topics of important and interest in U.S. constitutional law and comparative constitutionalism. It will not be a survey course, but will focus on six major topics, which will likely include: 1. Constitutions, judicial review, and independent courts (likely including challenges to judicial independence in various countries, debate over restructuring the U.S. Supreme Court, and "political" vs. "legal" constitutionalism); 2. Constitutional aspects of the administrative state (likely including executive control and the rule of law, the civil service, and administrative competence and impartiality); 3. Constitutional change (likely including revolution, new constitutions, amendments, and interpretation); 4. Delegation of coercive state powers (focusing on concerns about accountability, effectiveness, and rights in privatization of, e.g., prisons, probation supervision, public welfare service provisions); 5. Disadvantaged racial/ethnic minorities (likely including disempowered indigenous peoples, forced migration, voluntary migrants made unwelcome, and hate speech -- looking at German, U.S, and Canadian approaches); and 6. Knowledge institutions in Constitutional Democracy (likely including universities, public education, the press, and some government offices).

This seminar will meet over both Fall and Spring Semester to better accommodate students who may choose to write substantial papers. LLM students may write a paper in connection with this course that will meet the LLM writing requirement.

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## Use of Force

**Course #:** 2853

**Term:** 2025SP

**Faculty:** Blum, Gabriella

**Credits:** 4.00

**Type:** Elective

**Subject Areas:** Human Rights; International Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Wed 1:30 PM - 3:30 PM

Thu 1:30 PM - 3:30 PM

**Course Description:** Prerequisites: None. There are no prerequisites for the course, but if you have not taken any classes in public international law, there will be some additional background readings on basic concepts in international law (e.g., treaties, customary law, state responsibility), which you must complete before the beginning of the course.

Note: If you have already taken International Humanitarian Law/Laws of War you may not take this course.

Exam Type: One-Day Take-Home

The world is experiencing a wave of armed conflicts, from the ongoing conflicts in Iraq and Afghanistan, worsening situations in Yemen, Syria, Ukraine and Nigeria, to the global "war on terror." Allegations and counter-allegations of violations of international law abound. This course is devoted to the international regulation of the use of force between, within, and across states. We will study both the jus ad bellum (the law that governs the initiation of hostilities) and the jus in bello (the law that governs the conduct of hostilities). We will inquire into the historical, ethical, and strategic assumptions behind these legal doctrines, whether rooted in classical Just War Theory or challenged by geopolitical developments and technological innovation. Finally, we will attempt to imagine possible alternatives to contemporary regulation, considering their political feasibility and probable effects.

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## Venture Law and Finance

**Course #:** 2252

**Term:** 2024FA

**Faculty:** Fried, Jesse

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Corporate and Transactional Law

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 1:30 PM - 3:00 PM

Tue 1:30 PM - 3:00 PM

**Course Description:**

Prerequisite: This course is open to students who have taken Corporations, or by permission of the instructor to waive the prerequisite. Students should be willing to think mathematically and solve algebraic problems

Exam Type: In Class

This course introduces students to U.S. venture capital (VC) contracting, focusing on the cash flow and control rights of investors. It also examines the legal framework in which such contracting takes place.

Reading materials include VC financing documents, relevant California and Delaware caselaw, and academic and practitioner articles.

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## Veterans Law and Disability Benefits Clinic

**Course #:** 8039      **Term:** 2025SP      **Faculty:** Nagin, Daniel; Montalto, Dana      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Disability; Trusts and Estates; Disability Law; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Administrative and Regulatory Law; Civil Litigation; Disability Law; Poverty Law and Economic Justice; Trusts, Estates, and Fiduciary Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website Clinic Q&A and OCP Blog Highlights. You can also learn more about each Project within this clinic by watching the Veterans Justice Project Q&A, Estate Planning Project Q&A or the Safety Net Project Q&A.

Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Veterans Law and Disability Benefits Clinical Seminar (2 spring classroom credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios. Please Note: LLM students may take this clinic for 2 clinical credits.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Veterans Law and Disability Benefits Clinic advocates for the rights of veterans, their families, and other low-income individuals with disabilities and ensures that they have the independence, health care, income support, and other benefits that they need and deserve. The Clinic focuses on serving individuals who are marginalized and underrepresented, including individuals with mental health conditions, Military Sexual Trauma survivors, veterans of color, LGBTQ+ veterans, and formerly incarcerated individuals.

Students in the Clinic engage in hands-on lawyering and work with their own clients. Through clinical practice, students learn skills such as client and witness interviewing; client counseling; working with medical experts; gathering evidence; drafting pleadings, motions, briefs, and legal instruments; presenting at evidentiary hearings or oral argument; engaging in negotiation; developing strategic litigation strategies; and solving ethical dilemmas.

In representing individual clients, students have opportunities to engage in systemic reform initiatives, such as through strategic litigation and policy advocacy, to improve the lives of veterans with Students select within which of the Clinic's three projects they would like to work: (1) the Veterans Justice Project, representing veterans and survivors in federal and state administrative and court appeals to challenge wrongful denials of veterans benefits, to petition for military discharge upgrades, and to pursue systemic reforms in the health and benefit systems that serve vulnerable veterans; (2) the Estate Planning Project, representing veterans and their families in estate and financial planning matters such as wills, powers of attorney, trusts, advanced health directives, and VA fiduciary cases; or (3) the Safety Net Project, representing clients in administrative and court appeals to challenge wrongful denials of Social Security disability benefits and other safety-net programs, and representing clients in criminal record sealing and expungement processes. Students are also welcome to work across two different projects if that is of interest, in which case the workload in each project will be adjusted accordingly. Clinic instructors will reach out to registered students well before the start of the semester in order to inquire about their project preference(s) and answer any questions students may have about the work of

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individual projects.

This Clinic is part of the WilmerHale Legal Services Center of Harvard Law School (LSC), a community legal aid office in Jamaica Plain. LSC's diverse clinics provide clinical instruction to second- and third-year law students and serve as a laboratory for the innovative delivery of legal services. For more information on LSC, this Clinic, our docket, and student learning opportunities, please visit our website.

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## Veterans Law and Disability Benefits Clinic

**Course #:** 8039      **Term:** 2024FA      **Faculty:** Nagin, Daniel; Montalto, Dana      **Credits:** 5.00

**Type:** Clinic      **Subject Areas:** Disability; Trusts and Estates; Disability Law; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Administrative and Regulatory Law; Civil Litigation; Disability Law; Poverty Law and Economic Justice; Trusts, Estates, and Fiduciary Law

**Delivery Mode:** Clinic

**Days and Times:**      **Location**

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website Clinic Q&A and OCP Blog Highlights. You can also learn more about each Project within this clinic by watching the Veterans Justice Project Q&A, Estate Planning Project Q&A or the Safety Net Project Q&A. Enrollment in this clinic will fulfill the HLS JD pro bono requirement.

Required Class Component: Veterans Law and Disability Benefits Clinical Seminar (2 fall classroom credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios. Please Note: LLM students may take this clinic for 2 clinical credits.

Placement Site: WilmerHale Legal Services Center (Jamaica Plain).

The Veterans Law and Disability Benefits Clinic advocates for the rights of veterans, their families, and other low-income individuals with disabilities and ensures that they have the independence, health care, income support, and other benefits that they need and deserve. The Clinic focuses on serving individuals who are marginalized and underrepresented, including individuals with mental health conditions, Military Sexual Trauma survivors, veterans of color, LGBTQ+ veterans, and formerly incarcerated individuals. Students in the Clinic engage in hands-on lawyering and work with their own clients. Through clinical practice, students learn skills such as client and witness interviewing; client counseling; working with medical experts; gathering evidence; drafting pleadings, motions, briefs, and legal instruments; presenting at evidentiary hearings or oral argument; engaging in negotiation; developing strategic litigation strategies; and solving ethical dilemmas.

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individual projects.

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## Veterans Law and Disability Benefits Clinical Seminar

**Course #:** 2520      **Term:** 2024FA      **Faculty:** Nagin, Daniel; Montalto, Dana      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Disability; Trusts and Estates; Disability Law; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Administrative and Regulatory Law; Civil Litigation; Disability Law; Poverty Law and Economic Justice; Trusts, Estates, and Fiduciary Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work. For more information about this clinic, please visit the Clinic Website Clinic Q&A and OCP Blog Highlights. You can also learn more about each Project within this clinic by watching the Veterans Justice Project Q&A, Estate Planning Project Q&A or the Safety Net Project Q&A.

Required Clinic Component: Veterans Law and Disability Benefits Clinic (3-5 fall clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course. Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: August 23, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

This Clinical Seminar is a companion course for students enrolled in the Veterans Law and Disability Benefits Clinic of the WilmerHale Legal Services Center.

The seminar complements the Clinic's work of advocating for the rights of veterans and other low-income individuals with disabilities and ensuring that they have the independence, health care, income support, and other benefits that they need and deserve. The seminar trains students in essential lawyering skills, including interviewing, building client relationships, fact development, oral argument, and legal ethics, as well as introduces the complex array of legal issues that affect veterans, which involve elements of administrative law, constitutional law, probate law, mental health law, disability law, and civil rights. The seminar also provides a space for students to think strategically about their clients' cases and to consider larger policy frameworks that affect veterans and persons with disabilities.

In the companion clinical course, students provide direct representation to low-income veterans and persons with disabilities, selecting between two projects within the Clinic: (1) the Veterans Justice Project, representing veterans in federal and state administrative and court appeals to challenge wrongful denials of veterans benefits and in military discharge upgrade petitions; (2) the Estate Planning Project, representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) the Safety Net Project, representing veterans and non-veterans with disabilities in administrative and court appeals to challenge wrongful denials of Social Security disability benefits and other safety-net programs.

The Clinic focuses on serving individuals who are marginalized and underrepresented, including individuals with mental health conditions, Military Sexual Trauma survivors, veterans of color, LGBTQ+ veterans, and formerly incarcerated individuals. For more information about the Clinics docket and student learning opportunities, please visit: <https://www.legalservicescenter.org/students-clinics/veterans-legal-clinic>

To learn more about individual student experiences, case outcomes, and the WilmerHale Legal Service Centers work in general, please visit: <https://www.legalservicescenter.org/news-and-events/lsc-newsletter/>

There is no final examination or final paper for this course. Concurrent enrollment in the Veterans Law and Disability Benefits Clinic is required. Please refer to the Office of Clinical and Pro Bono Programs website for clinical registration dates, early add/drop deadlines, and other relevant information.

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## Veterans Law and Disability Benefits Clinical Seminar

**Course #:** 2520      **Term:** 2025SP      **Faculty:** Nagin, Daniel; Montalto, Dana      **Credits:** 2.00

**Type:** Elective      **Subject Areas:** Disability; Trusts and Estates; Disability Law; Disability Law; Harvard Law School Project on Disability; Disability Clinic; Harvard Law School Project on Disability; Administrative and Regulatory Law; Civil Litigation; Disability Law; Poverty Law and Economic Justice; Trusts, Estates, and Fiduciary Law

**Delivery Mode:** Seminar

**Days and Times:**      **Location**

Tue 1:30 PM - 3:30 PM

**Course Description:** Students who enroll in this offering may count the credits towards the JD experiential learning requirement.

To learn more about the Clinical Curriculum and Registration, please visit our Clinical Registration Center. You can also find more information on How to Register for Clinics and How Clinical Credits Work.

For more information about this clinic, please visit the Clinic Website Clinic Q&A and OCP Blog Highlights. You can also learn more about each Project within this clinic by watching the Veterans Justice Project Q&A, Estate Planning Project Q&A or the Safety Net Project Q&A.

Required Clinic Component: Veterans Law and Disability Benefits Clinic (3-5 spring clinical credits). This clinic and course are bundled; your enrollment in the clinic will automatically enroll you in this required course.

Additional Co-/Pre-Requisites: None.

By Permission: No.

Add/Drop Deadline: December 13, 2024.

LLM Students: LLM students may enroll in this clinic through Helios.

This Clinical Seminar is a companion course for students enrolled in the Veterans Law and Disability Benefits Clinic of the WilmerHale Legal Services Center.

The seminar complements the Clinic's work of advocating for the rights of veterans and other low-income individuals with disabilities and ensuring that they have the independence, health care, income support, and other benefits that they need and deserve. The seminar trains students in essential lawyering skills, including interviewing, building client relationships, fact development, oral argument, and legal ethics, as well as introduces the complex array of legal issues that affect veterans, which involve elements of administrative law, constitutional law, probate law, mental health law, disability law, and civil rights. The seminar also provides a space for students to think strategically about their clients' cases and to consider larger policy frameworks that affect veterans and persons with disabilities.

In the companion clinical course, students provide direct representation to low-income veterans and persons with disabilities, selecting between two projects within the Clinic: (1) the Veterans Justice Project, representing veterans in federal and state administrative and court appeals to challenge wrongful denials of veterans benefits and in military discharge upgrade petitions; (2) the Estate Planning Project, representing veterans and their families in estate and financial planning matters such as wills, trusts, advanced directives, guardianships, and conservatorships; or (3) the Safety Net Project, representing veterans and non-veterans with disabilities in administrative and court appeals to challenge wrongful denials of Social Security disability benefits and other safety-net programs.

The Clinic focuses on serving individuals who are marginalized and underrepresented, including individuals with mental health conditions, Military Sexual Trauma survivors, veterans of color, LGBTQ+ veterans, and formerly incarcerated individuals. For more information about the Clinics docket and student learning opportunities, please visit: <https://www.legalservicescenter.org/students-clinics/veterans-legal-clinic>

To learn more about individual student experiences, case outcomes, and the WilmerHale Legal Service Centers work in general, please visit: <https://www.legalservicescenter.org/news-and-events/lsc-newsletter/>

There is no final examination or final paper for this course. Concurrent enrollment in the Veterans Law and Disability Benefits Clinic is required. Please refer to the Office of Clinical and Pro Bono Programs website

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for clinical registration dates, early add/drop deadlines, and other relevant information.

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## Water Law

**Course #:** 2292

**Term:** 2024FA

**Faculty:** Salzman, James

**Credits:** 3.00

**Type:** Elective

**Subject Areas:** Administrative and Regulatory Law; Environmental Law and Policy

**Delivery Mode:** Course

**Days and Times:**

**Location**

Mon 8:30 AM - 10:00 AM

Tue 8:30 AM - 10:00 AM

**Course Description:** Prerequisites: None

Exam Type: In Class

Course coverage includes: origin, development, and current status of prior appropriation and riparian water law systems; ground water controls; U.S. water pollution control law; the public trust doctrine; federal/state relations in water use regulation and delivery; and interstate allocations. Indian and other federally reserved water rights are also covered.

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## White Collar Criminal Law and Procedure

**Course #:** 2254

**Term:** 2025SP

**Faculty:** Apps, Antonia

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Criminal Law and Procedure

**Delivery Mode:** Course

**Days and Times:**

**Location**

**Course Description:** Prerequisite: None

Exam Type Last Class Take-Home

The past several years have seen a number of significant developments in white collar criminal prosecutions. The Department of Justice recently announced a renewed focus on white collar criminal enforcement, allocating additional resources to investigating and prosecuting corporate crime and holding individuals engaged in corporate misconduct accountable. White collar criminal prosecutions present difficult ethical issues for prosecutors and defense attorneys, and there have been significant developments numerous areas of white collar covered by this course, including insider trading, public corruption, and the Foreign Corrupt Practices Act, to name a few. And investigations that were once limited to the United States now frequently involve regulators and prosecutors across the globe.

This course will examine those developments and will focus on (1) case studies in corporate criminal law enforcement, including how federal law, emerging prosecutorial practices, and corporate cooperation guide and shape the resolution of white collar investigations; (2) evolving government expectations about the role of corporations and corporate counsel; (3) ethical and legal dilemmas in conducting a corporate investigation; (4) the government's use of corporate resolutions to enhance compliance measures at companies; (5) the black-letter law of corporate criminal liability, including the challenges posed by this standard for companies in light of the collateral consequences of indictment; (6) recent developments in insider trading, the FCPA, public corruption, and cybercrime, among other areas; and (7) the impact on US prosecutions of foreign regulators investigating cross-border conduct. The course will also address various law enforcement investigative techniques commonly used by prosecutors and issues pertaining to sentencing in white collar cases.

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## Workshop on Law and Political Economy

**Course #:** 3133

**Term:** 2025SP

**Faculty:** Benkler, Yochai

**Credits:** 2.00

**Type:** Elective

**Subject Areas:** Law and Political Economy

**Delivery Mode:** Seminar

**Days and Times:**

**Location**

Mon 3:45 PM - 5:45 PM

**Course Description:** Prerequisite: By Permission. Please submit a note explaining why you are interested in participating in the LPE workshop, no longer than 250 words.  
Exam Type: No Exam  
This workshop is devoted to reading and discussing new scholarly work on law and political economy. Outside speakers and members of the Harvard faculty will present forthcoming papers or recent work, both theoretical and programmatic, on the role of law in structuring social relations, power, and justice in market society.  
Students will be required to submit short comments on papers presented over the course of the semester, to be submitted in advance of the presentations. Students who choose to do so may add a third credit for writing a substantial paper on a topic approved by the faculty teaching the workshop that semester.

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## Youth, Privacy, and Digital Citizenship

**Course #:** 3065      **Term:** 2024FA      **Faculty:** Plunkett, Leah      **Credits:** 1.00

**Type:** Elective      **Subject Areas:** Education; Family; Family Member; Education; Children and Family Law; Education Law; Technology Law and Policy

**Delivery Mode:** Reading Group

**Days and Times:**      **Location**

Wed 3:45 PM - 5:45 PM

**Course Description:** Prerequisites: None

Exam Type: No Exam

In spring 2020-spring 2021, the United States ran a nationwide, real-time, high-stakes experiment to see what happened when you put digital educational and related technologies into the home environments of almost every young person in the country. Even before this emergency immersion into remote learning for primary and secondary schools, kids and teens were at the vanguard of the twenty-first century transformation toward living networked lives within networked institutions. Childrens and adolescents openness to and facility with new and emerging digital technologies creates a sense of community that transcends physical and other traditional institutional boundaries, as well as a sense of self that is highly individualized. For instance, a child in a remote rural American town could play Minecraft with like-minded peers the world over and become Internet famous for their YouTube videos of local cows dressed up as Minecraft denizens. They could also become inspired by social justice activism on Twitter and be the first person in town to put up a &ldquo;Black Lives Matter&rdquo; banner. The potential for new connections and new forms of self-expression both online and off are essentially endless&mdash;as are the accompanying questions about whether and how state and federal laws, regulations, and other institutional policies, norms, and values interact with youth data privacy and other components of youth digital citizenship. For instance, what happens to our hypothetical child if they are arrested for hanging their banner on government property without a permit, and local law enforcement wants to search their social media accounts? This reading group will look at youth digital privacy and digital citizenship more broadly in the context of three primary institutions: (1) learning ecosystems, with a focus on the recent mode of pandemic operation in K-12 public and private schools; (2) the justice system (including school disciplinary proceedings, interactions with law enforcement, and court proceedings); and (3) family units (including nuclear, extended, foster, group home, institutional, and homeless configurations). The group will identify, analyze, and challenge the laws, regulations, policies, practices, and norms that enable or constrain the development of youth data privacy and digital citizenship through diverse readings and dynamic discussion of these cutting-edge topics.

Note: This reading group will meet on the following dates: TBD.

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