



LOS ANGELES,
CALIFORNIA

SOUTHWESTERN

LAW SCHOOL

Courses

by Area of Law and Descriptions

In addition to a variety of advanced courses in all of the traditional subjects, Southwestern's course offerings allow students to focus on or sample such areas as business, criminal, entertainment, environmental, family, international and tax law. Although courses can intersect several areas of law, the list on these pages suggests groupings by subject matter, followed by an alphabetical listing of course descriptions.

Please note: The list reflects currently offered courses for the traditional programs as of October 2009. Course selection is subject to change. Some elective courses are not offered every year, and seminar topics vary from year to year. For an overview of SCALE® curriculum, please visit www.swlaw.edu/academics/jd/scale.

Courses by Area of Law

Course Descriptions start on page 6

Alternative Dispute Resolution

Administrative Law
Alternative Dispute Resolution
California Civil Procedure
Civil Pretrial Practice
Civil Procedure I and II¹
Employment Discrimination Law
Employment Law (Capstone)
Employment Law Survey
Externships
International Litigation and Arbitration
Interviewing, Counseling and Negotiating
Labor Law
Mediation³

Business Enterprise Organization and Practice

Accounting for Lawyers
Agency and Partnership
Antitrust Law
Bankruptcy
Business Associations¹
Business Concepts for Liberal Arts Majors³
Business Planning
Chapter 11 Reorganization Seminar
Comparative Electronic Commerce Law and Regulations²
Corporate Mergers and Acquisitions
Debtor-Creditor Relations
Drafting and Negotiating Technology Agreements
Drafting and Negotiating Video Game Law Agreements
Drafting Business Contracts
Drafting Information Technology Agreements²
Externships
Fashion Law³
Federal Corporate Taxation
Insurance Law
International Business Transactions²
International Business Transactions with Latin America²
International Trade Law
Internet and E-Commerce Law
Labor Law
Music Industry Contracts
Products Liability
Securities Regulation
Taxation of Business Entities
Unfair Competition and Consumer Protection
White Collar Crime and Other Aspects of Federal Criminal Law

Constitutional Law

California Defamation, Privacy and Publicity Seminar
Comparative Constitutional Law²
Constitutional Law I and II¹
Constitutional Law Seminar
Defamation, Privacy and Publicity
Education Law
Election Law
First Amendment Seminar
Immigration Law
Informal Systems of Order Seminar
Law and Religious Institutions Seminar
Law and Sexual Orientation Seminar

Legislation
Mass Media Law
Race and the Law Seminar
Special Education Law Seminar

Contracts and Commercial Law

Antitrust Law
Bankruptcy
Chapter 11 Reorganization Seminar
Commercial Payment Systems
Contracts I and II¹
Corporate Mergers and Acquisitions
Drafting and Negotiating Technology Agreements
Drafting and Negotiating Video Game Law Agreements
Drafting Business Contracts
Drafting Information Technology Agreements²
Externships
Insurance Law
Internet and E-Commerce Law
Music Industry Contracts
Sales
Secured Transactions
Securities Regulation
Trial Advocacy

Criminal Law and Practice

Advanced Criminal Procedure
Antitrust Law
Complex Criminal Litigation (Capstone)
Constitutional Criminal Procedure¹
Corruption and White Collar Crime
Criminal Law¹
Criminal Law in Action³
Criminal Law Theory Seminar
Criminal Law Theory Seminar: Recent Issues in Criminal Law
Criminal Law Theory Seminar: The Limits of Criminalization
Criminal Law Theory Seminar: White Collar Crime
Death Penalty Seminar
Defenses in the Law
Effective Communication and Criminal Practice³
Evidence¹
Externships
Forensic Evidence
Immigration Law
International and Comparative Criminal Law
International Criminal Law and Criminal Justice Policy²
International Cybercrimes²
Prosecution and Defense of Domestic Violence³
Race and Gender in Criminal Justice Policy Seminar
Scientific Evidence
Securities Regulation
Selected Problems in Evidence (Evidence Lab)³
Trial Advocacy
White Collar Crime and Other Aspects of Federal Criminal Law
Wrongful Convictions Seminar

¹ required courses ² offered in summer abroad programs ³ intersession courses

Please note: The list reflects currently offered courses for the traditional programs as of October 2009. Course selection is subject to change. Some elective courses are not offered every year, and seminar topics vary from year to year. For an overview of SCALE® curriculum, please visit www.swlaw.edu/academics/jd/scale.

Employment Law

Administrative Law
Alternative Dispute Resolution
Bankruptcy
Contracts I and II¹
Corporate Mergers and Acquisitions
Disability Law
Education Law
Employment Discrimination Law
Employment Law (Capstone)
Employment Law Survey
Entertainment Industry Labor and Employment Law
Externships
Immigration Law
Intellectual Property Law
International Sports Law²
Interviewing, Counseling and Negotiating
Labor Law
Motion Picture Production Law
Special Education Law Seminar
Sports Law
Television Production Law
Trial Advocacy
Women and the Law Seminar
Workers' Compensation Law and Practice

Entertainment and Media Law

Advanced Copyright Law Seminar
Advanced Entertainment Law Seminar
Advertising Law Practice
California Defamation, Privacy and Publicity Seminar
Comparative Electronic Commerce Law and Regulations²
Comparative Information Privacy Law and Regulations²
Copyright Law
Defamation, Privacy and Publicity
Drafting and Negotiating Technology Agreements
Drafting and Negotiating Video Game Law Agreements
Drafting Information Technology Agreements²
Entertainment Industry Labor and Employment Law
Entertainment Law
Entertainment Law (Capstone)
Entertainment Law Firm Practicums
Entertainment Law Seminar
Externships
Financing and Distributing Independent Films
First Amendment Seminar
Historic Preservation Law
Information Privacy Law
Intellectual Property Law
International and Comparative Copyright Law
International and Comparative Intellectual Property Law
International and Comparative Media Law²
International Art Law²
International Entertainment Law
International Internet Law²
International Sports Law²
Internet and E-Commerce Law
Mass Media Law
Media Coverage Law and Public Policy
Media Litigation³
Motion Picture Production Law
Museum and Art Law Seminar
Music Industry Contracts
The Music Publishing Industry

Patent Prosecution and Drafting
Patent Law
Representing Journalists
Sports Law
Telecommunications Law and Policy
Television Production Law
Trademark Law
Video Game Law

Family and Juvenile Law

Bankruptcy
Children and the Law
Children's Rights Clinic
Community Property
Disability Law
Education Law
Estate and Gift Taxation
Estate Planning and Drafting
Externships
Family Law
Family Law Procedure and Practice
Family Law Seminar
Federal Indian Law
Immigration Law
Immigration Law Clinic
Prosecution and Defense of Domestic Violence³
Reproductive Technologies and the Law³
Special Education Law Seminar
Street Law - Youth in Transition
Survey of Federal Income Tax
Wills and Trusts

Health Law

Administrative Law
Disability Law
Education Law
Employment Discrimination Law
Employment Law Survey
Externships
Health Care Regulation and Practice
Insurance Law
Reproductive Technologies and the Law³
Special Education Law Seminar
Wills and Trusts

Intellectual Property

Advanced Copyright Law Seminar
Advanced Entertainment Law Seminar
Advertising Law Practice
California Defamation, Privacy and Publicity Seminar
Comparative Cultural Property Law²
Copyright Law
Cultural Property Seminar
Defamation, Privacy and Publicity
Drafting and Negotiating Technology Agreements
Drafting and Negotiating Video Game Law Agreements
Drafting Information Technology Agreements²
Entertainment Industry Labor and Employment Law
Entertainment Law
Entertainment Law (Capstone)
Entertainment Law Firms Practicum
Entertainment Law Seminar
Externships
Fashion Law³

Historic Preservation Law
Intellectual Property Law
International and Comparative Copyright Law
International and Comparative Intellectual Property Law
International Art Law²
International Entertainment Law
International Internet Law
Motion Picture Production Law
Museum and Art Law Seminar
Music Industry Contracts
The Music Publishing Industry
Patent Prosecution and Drafting
Patent Law
Television Production Law
Trademark Law
Video Game Law

International and Comparative Law

Comparative Constitutional Law²
Comparative Cultural Property Law²
Comparative Electronic Commerce Law and Regulations²
Comparative Environmental Justice²
Comparative Information Privacy Law and Regulations²
Comparative Law
Comparative Sexual Orientation Law²
Comparative Urban Planning Law²
Corruption and Government²
Cultural Property Seminar
Drafting Information Technology Agreements²
European Union
Externships
Federal Indian Law
Globalization and Transformation of Roles of Lawyers and Law in Latin America²
Illiberal Groups in the Liberal State Seminar
Immigration Law
Immigration Law Clinic
International and Comparative Copyright Law
International and Comparative Intellectual Property Law
International and Comparative Media Law²
International Art Law²
International Business Transactions²
International Business Transactions with Latin America²
International Criminal Law and Criminal Justice Policy²
International Cybercrimes²
International Entertainment Law
International Environmental Law and Policy
International Income Taxation
International Internet Law²
International Law and Terrorism²
International Litigation and Arbitration
International Protection of Human Rights²
International Refugee Law²
International Sports Law²
International Trade Law²
Islamic Law
Journal Seminar
Latin American Laws and Institutions²
Law of International Development Seminar
Law of the European Union
Legal Spanish for International Practice³
National Security and Foreign Policy Seminar
Public International Law
Settlement of Transnational Disputes²
Trial of Jesus Seminar

Jurisprudence and Legal History

American Legal History
Anglo-American Legal History
Federal Indian Law
History of Contemporary Policy
History of American Law
Illiberal Groups in the Liberal State Seminar
Informal Systems of Order Seminar
Islamic Law
Jurisprudence
Jurisprudence Seminar
Jurisprudence Seminar: Law as Literature, Law in Literature
Jurisprudence Seminar: Truth, Lies, Secrecy and Revelations
Law and Literature
Law and Religious Institutions Seminar
Race and the Law Seminar
Trial of Jesus Seminar
Women and the Law Seminar

Litigation/Civil Practice/Dispute Resolution

Administrative Law
Advanced Legal Writing
Alternative Dispute Resolution
Appellate Process and Opinion Drafting³
California Civil Litigation (Capstone)
California Civil Procedure
California Writs and Appeals
Children's Rights Clinic
Civil Pretrial Practice
Civil Procedure I and II¹
Class Action Litigation
Entertainment Law (Capstone)
Evidence¹
Externships
Family Law Procedure and Practice
Federal Courts
Immigration Law Clinic
International Litigation and Arbitration
Interviewing, Counseling and Negotiating
Legal Malpractice
Mass Tort Litigation
Mass Tort Litigation (Capstone)
Media Litigation³
Mediation³
Remedies
Scientific Evidence
Trial Advocacy

Professional Skills/Lawyering Skills/Simulation Courses

Advanced Legal Writing
Alternative Dispute Resolution
Appellate Process and Opinion Drafting³
The Art of Persuasion³
Business Planning
California Civil Litigation (Capstone)
California Writs and Appeals
Children and the Law
Children's Rights Clinic
Civil Pretrial Practice
Complex Criminal Litigation (Capstone)
Criminal Law in Action³
Drafting and Negotiating Technology Agreements
Drafting and Negotiating Video Game Law Agreements
Drafting Business Contracts
Drafting Information Technology Agreements²

Effective Communication and Criminal Practice³
Employment Law (Capstone)
Entertainment Law (Capstone)
Estate Planning and Drafting
Externships
Family Law Procedure and Practice
Fashion Law³
Forensic Evidence
Immigration Law Clinic
Interviewing, Counseling and Negotiating
Legal Analysis, Writing and Skills (LAWS) I and II¹
Legal Malpractice
Legal Profession¹
Legal Spanish for International Practice³
Media Litigation³
Mediation³
Moot Court Honors Program
Music Industry Contracts
Patent Prosecution and Drafting
Practical Lawyering Skills
Prosecution and Defense of Domestic Violence³
Real Estate Transactions
Reproductive Technologies and the Law³
Scientific Evidence
Selected Problems in Evidence (Evidence Lab)³
Selected Topics in American Law
Street Law - Youth in Transition
TAHP Advanced Trial Advocacy
Television Production Law
Trial Advocacy
Trial Advocacy Honors Program (TAHP)
VITA Income Tax Course³
White Collar Crime and Other Aspects of Federal Criminal Law

Public Interest/Civil Rights/Civil Liberties

Animal Law
Children and the Law
Children's Rights Clinic
Comparative Information Privacy Law and Regulations²
Comparative Sexual Orientation Law
Constitutional Law I and II¹
Constitutional Law Seminar
Cultural Property Seminar
Debtor-Creditor Relations
Defamation, Privacy and Publicity
Disability Law
Employment Discrimination Law
Employment Law Survey
Environmental Law
Externships
Federal Indian Law
First Amendment Seminar
Immigration Law Clinic
Information Privacy Law
International Cybercrimes²
Interviewing, Counseling and Negotiating
Labor Law
Land Use Planning and Control
Law and Sexual Orientation Seminar
Prosecution and Defense of Domestic Violence³
Race and the Law Seminar
Representing Journalists

Street Law - Youth in Transition
Trial Advocacy
Trial Advocacy Seminar: What are the Parameters of Advocacy?
Women and the Law Seminar
Wrongful Convictions Seminar

Real Property/Environmental Law/Land Use

Bankruptcy
Climate Change Law
Community Property
Comparative Cultural Property Law²
Comparative Environmental Justice²
Comparative Urban Planning Law²
Cultural Property Seminar
Environmental Law
Estate and Gift Taxation
Estate Planning and Drafting
Externships
Federal Indian Law
Historic Preservation Law
Illiberal Groups in the Liberal State Seminar
Insurance Law
Intellectual Property Law
International and Comparative Intellectual Property Law
International Environmental Law and Policy
Land Use Planning and Control
Patent Prosecution and Drafting
Patent Law
Property¹
Real Estate Transactions
Water Law
Wills and Trusts

Taxation

Accounting for Lawyers
Business Planning
Estate and Gift Taxation
Estate Planning and Drafting
Externships
Federal Corporate Taxation
Federal Partnership Law and Taxation
International Income Taxation
Survey of Federal Income Taxation
Taxation of Business Entities
VITA Income Tax Course³
Wills and Trusts

Torts and Compensation Systems

Alternative Dispute Resolution
California Defamation, Privacy and Publicity Seminar
Defamation, Privacy and Publicity
Employment Law Survey
Externships
Foundations of Tort Law Seminar
Insurance Law
Mass Tort Litigation
Mass Tort Litigation (Capstone)
Products Liability
Remedies
Torts¹
Workers' Compensation Law and Practice

Course Descriptions

*Required Courses **Offered in Summer Abroad Programs ***Interession Courses

A

Accounting for Lawyers (2) 502:

Basic accounting concepts and principles relevant to the solution of legal problems of business enterprises, finance and taxation are studied in this course. Note: Students who have previously completed an accounting class in college are not eligible to enroll in this course.

Administrative Law (3) 310:

An inquiry into the ways legislation is implemented by state and federal administrative agencies, and the relationship of administrative and other government agencies, are covered in this course. The major focus is upon the powers and procedures of administrative agencies, including the law governing judicial review of administrative action. Aspects of constitutional law that affect the administrative process are explored.

Prerequisites: Constitutional Law I and II (Constitutional Law II may be taken concurrently).

Advanced Copyright Law Seminar (2) 772:

This seminar focuses on selected issues of copyright law in greater detail than is possible in the copyright law course. The seminar deals with cutting-edge issues through the examination of recent copyright decisions. Students are assisted in writing articles on important issues facing the entertainment, computer, on-line services and other industries. *Prerequisite:* Copyright Law.

Advanced Criminal Procedure (3) 534:

Emphasis in this course is on the practical aspects of criminal procedure prior to and during trial in California state courts. Included are topics relating to the lawyer's responsibility in a criminal case; arrest, booking, and bail procedures; an examination of the accusatory pleadings; federal and state grand juries; preliminary hearings; motions to suppress; pre-trial discovery; types and consequences of pleas; and the panoply of motions which can be made prior to commencement of trial.

Prerequisite: Constitutional Criminal Procedure.

Advanced Entertainment Law Seminar (2) 772:

This seminar covers new developments in the entertainment industry, and analysis of cutting edge issues that arise from those developments. Although the specific topics covered in a given semester will vary, likely areas of interest include constitutional protection of entertainment projects, copyright protection, creative control, credit, defamation, enforcement of contracts, idea disclosure, impact of new technologies, marketing of entertainment product, privacy, right of

publicity, social regulation of entertainment products, talent representatives and trademark protection. Each student is required to write a paper of publishable quality on a topic chosen by the student in consultation with the professor, and to make a presentation on the topic in class..

Prerequisite: Copyright

Recommended: Entertainment Law (although not a prerequisite, it is highly recommended that students take the Entertainment Law course before enrolling in this seminar)

Advanced Legal Writing (2) 545:

This course explores the art of legal writing in a small class setting, enabling students to hone skills developed in their first year legal research and writing class, including legal analysis, organization, rhetorical strategies and writing style. Students will learn to conceive of their writing process from outlining to rewriting as a series of strategic decisions. While emphasis is placed on well-written legal documents, students will read short fiction, essays and journalism to enhance their critical analysis of writing and use of language. The course's goal is to further develop the legal writing skills necessary to function competently and confidently as a lawyer.

Prerequisite: Legal Analysis, Writing & Skills (LAWS) I and II

Advanced Torts Seminar:

See *Foundations of Tort Law Seminar*.

Advertising Law Practice (2) 668:

Advertising and marketing has become more pervasive and important in our society and now permeates every aspect of our lives in ways that go far beyond traditional forms of advertising. This includes such things as, "guerilla advertising," product placement in entertainment media, the increasing regulation of the Internet and ad-sponsored vehicles. This course prepares students to practice in an advertising agency, studio in-house marketing department or as an outside counsel for various marketers and advertisers. Contract analysis, business practices, intellectual property and government regulation are all components of advertising law. In addition to relevant concepts, such as commercial speech, fraud and unfair competition, this course also covers specialized issues of governmental and industry regulation, practical guidelines and remedies. The approach to these issues will be based on practical real life scenarios and how to solve issues encountered in the practice of advertising law in a way that best serves the need of the clients – ways that may not always follow a traditional legal approach. Just as there is creativity in advertising there needs to be creativity in solving advertising law problems. These problems will be addressed not only in the traditional classroom manner, but with drafting assignments that will hone the practical skills of the students

enrolled in the course while providing an opportunity for thinking in a creative manner.

Prerequisite: Mass Media Law.

Agency and Partnership (2) 305:

This course covers formation of the principal-agent relationship, authority of the agent to bind the principal in contract (express, implied, and apparent authority, ratification), the tort liability of principals and employers for the action of agents and employees (direct versus vicarious liability), fiduciary obligations of agents and employees, and termination of the agency relationship with resulting liability. In the area of partnership materials, emphasis is on the most recent version of the Uniform Partnership Act and the treatment of formation, authority, partnership and partner liability, fiduciary obligations, dissolution and termination of the partnership relationship.

Alternative Dispute Resolution (2) 633:

This course examines the various devices and procedures that have been developing for the resolution of legal disputes beyond and apart from the traditional judicial process. Basic topics include methods of negotiation, mediation, arbitration, plea bargaining, and pre-trial settlement, as well as legal documents concerning the status and interplay of those methods with the traditional and adjudicative devices. The students' development of performance and negotiation skills will be guided by simulations involving the ADR processes.

Prerequisites: Civil Procedure I and II.

American Legal History (2) 642A:

This course deals with the interaction between the legal system and social change in what is now the United States. No prior knowledge of U.S. History is necessary to complete it successfully. Chronologically, the course runs from the colonial period to the present. Main themes include relationships between law and economic development; changing conceptions of individual rights and state authority; and the development of the legal profession. Reading consists primarily of original documents, including not only appellate decisions but status, divorce decrees, labor injunctions, and the like. A primary goal of the course will be to (re-)acquaint students with some of the great documents in the development of our legal system, from *The Federalist Papers* to the Gettysburg Address to Roosevelt's Second Bill of Rights. Class format will be lecture-and-discussion; photographs and other visuals will supplement the lectures and printed materials.

Anglo-American Legal History (2) 642:

This course will explore a range of topics in Anglo-American legal and constitutional history and will consider the relationship between legal and non-legal developments. We will begin by considering the origins and development of the English common law and the English constitutionalism. We

will then turn our attention to the role of law in American society and consider, among other topics, the formation of the Constitution, slavery and race relations, regulation of the economy, marriage and the family, lawyers and legal education, Reconstruction, and American legal thought.

Animal Law (2) 417:

This course addresses the extent to which our legal system and cultural values affect the ways in which legislators, judges, politicians, administrators, advocates, scholars, and lay people treat and speak about animals other than humans. The evolution, interpretation, and enforcement of animal-related laws will be treated, as well as whether and how such laws should be changed, and if so, what the effects might be. Among the topics to be covered are the legal classification of animals as property; loss of companionship and emotional distress; veterinary malpractice; anti-cruelty laws; standing to sue on behalf of animals; and regulation of the commercial use of animals. Reference may be made to wildlife protection and endangered species, but these issues are properly the focus of other courses, such as National Resources or Environment Law.

Antitrust Law (3) 504:

This general overview of federal antitrust law concentrates on basic substantive areas of the Sherman and Clayton Acts such as: horizontal restraints of trade including price fixing, boycotts, bid rigging, allocations of customers and territories, and trade associations; vertical restraints including resale price maintenance, allocation of territories, exclusive distributorships, tying and termination dealers; monopolization and attempts to monopolize under Section 2 of the Sherman Act; and mergers (horizontal, vertical and conglomerate) under the Clayton Act, Section 7.

*****Appellate Process and Opinion Drafting (1) 850:**

This course provides further instruction in appellate procedure (standing to appeal, the timing of an appeal, and the extent of appellate review) to which students were exposed during LAWS II. Students will answer hypothetical fact patterns to test their understanding of these concepts. They will also analyze various appellate opinions to further their understanding of what constitutes "good legal writing." The class will be divided into appellate panels near the end of the course and review a record on appeal. Each student will be responsible for drafting an appellate opinion (majority, concurring or dissenting).
Prerequisites: Legal Analysis, Writing and Skills (LAWS) I and II.

*****The Art of Persuasion (1) 800:**

This highly interactive course provides students the opportunity to refine their oral advocacy skills. Through the use of simulated exercises, the course provides instruction on verbal and nonverbal communication techniques to present powerful, compelling oral arguments, and to strategically design

effective presentations to motivate and influence audiences of all kinds. Students will also develop techniques to implement communication strategies, including Psychodrama, Neuro-Linguistic Programming, and audience analysis.

B

Bankruptcy (3) 506:

This course is primarily concerned with Title 11, United States Code, including the comprehensive amendments under the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA). Some reference is made to previous bankruptcy laws for historical background purposes. An in-depth study is made of the statutory material relating to both voluntary and involuntary bankruptcy, both under Chapter 7 (liquidation) and 11 (reorganizations). The course also includes discussion of the important features of Chapter 13 bankruptcy.

Prerequisite: Secured Transactions (may be taken concurrently).

***Business Associations (4) 105:**

This course examines the law and practice of multiple owner business organizations. It begins with an examination of basic agency law, followed by a study of the fundamental structure and most important legal doctrines regulating general partnerships, limited partnerships, limited liability companies, small closely-held corporations, and large publicly-traded corporations. The course concludes with a brief survey of the most important aspects of federal securities regulation and a review of basic concepts of corporate finance.

*****Business Concepts for Liberal Art Majors (1) 805:**

This introductory course provides students with a basic understanding of business concepts and terminology. Topics covered in the course include: starting a business, the fundamentals of double entry booking, the creating and selling of debt and equity instruments, corporate governance, and mergers and acquisitions. The course is open to students who have not yet taken the Business Associations course.

Business Planning (2) 510:

Typical business problems are analyzed from the various perspectives of corporate, securities and tax law. The interplay of these areas is examined and applied to each problem as students prepare to advise the hypothetical client. The course emphasizes the importance of considering all areas of the law as they affect seemingly straight forward business problems such as incorporation, "going public" and acquiring other business entities.

Prerequisite: Survey of Federal Income Tax.

Recommended: Business Associations.

C

California Civil Litigation (Capstone) (3) 572CP:

This course focuses on civil litigation in California. Litigators must find and assess the legal implications of raw facts,

identify potentially governing principles of law, derive and implement case theories and strategies based on immersion in the facts and law, and navigate sometimes tangled, frequently overlapping and always changing procedural routes to resolve their clients' problems. On top of these tasks, litigators must keep their clients informed, involved and satisfied and must maintain their own integrity and ethics. Through the use of simulated civil cases, this course will have students look beyond IRAC and across disciplinary lines to learn to make strategic use of the law to serve clients. It will also require them to develop their powers of analysis and oral and written communication through a variety of skills exercises.

Prerequisites: Civil Procedure I and II.

Recommended: Work experience or externship in a civil litigation context is ideal, but is not required.

California Civil Procedure (2) 575AX:

This course focuses on pretrial, trial and appellate procedure in the state courts of California. Coverage includes areas in which California differs from the federal model, including pleading, certain aspects of discovery, selection of judge and jury, writs and appeals, and res judicata. Also emphasized are topics not ordinarily covered in Civil Procedure I and II, notably statutes of limitation and devices for achieving, finalizing and enforcing settlements.

California Defamation, Privacy and Publicity Seminar (2) 762A:

This seminar provides an overview of the law of defamation, privacy and related torts with particular emphasis on the law as it has developed in California. Tensions between the individual's interest in reputation and privacy and First Amendment freedoms of speech and press are examined, and the ways in which the courts—and particularly the California courts—have attempted to strike a balance between the two are evaluated. The course also focuses on the practical considerations of libel and privacy litigation and the emergence of new kinds of claims designed to avoid some of the limitations imposed on more traditional means of recovery. (Not open to students who have taken the Defamation, Privacy and Publicity course.)

California Writs and Appeals (3) 570:

This course focuses on the process, procedures, strategies, briefs and petitions frequently employed in a California civil appellate practice. Topics include: standards of review; appealability issues; persuasive writing and editing skills; and the elements of a writ petition, and opening brief and a petition for review in the California Supreme Court. Students will follow a case from the trial court through the court of appeal and Supreme Court, preparing persuasive briefs based on advanced legal writing and editing. Students will be evaluated based on two briefs and small written assignments, and must complete all written assignments to obtain credit for the course.

Chapter 11 Reorganization Seminar (2) 768:

This seminar explores selected problems encountered in a business reorganization under Chapter 11 of the Bankruptcy Reform Act of 1978. Areas of study include basic theory of business reorganization under the Bankruptcy Code, operation of a business by a debtor-in-possession, formulation of a Chapter 11 plan and disclosure statement, the plan solicitation process, and the issuance of securities through a Chapter 11 plan.

Prerequisites: Bankruptcy; Secured Transactions.

Children and the Law (2) 547:

This course is designed as an overview of issues relating to the legal treatment of children who have been abused and neglected. Unlike Family Law, whose more narrow focus is children as affected by marriage and divorce, this course is focused on the juvenile court system, generally, and specifically, the role of minor's counsel, paternity, adoption and family reunification. The course will also examine the philosophical underpinnings of the foster care system and will feature speakers ranging from the presiding judge of juvenile court to former foster youth. The course will spend some time discussing the other court systems that affect children including child custody related to family law and the delinquency system. At the conclusion of the course, each student will have both a practical and a philosophical understanding of the juvenile court system.

Children's Rights Clinic (5) 680CR :

The Children's Rights Clinic offers students an opportunity to participate in educational rights work, including direct representation of children and families in school discipline and special education matters, community outreach and education. Clinic students will have an opportunity to represent children in school discipline proceedings, represent children with disabilities in special education proceedings, or work with community groups to advocate for better and more equitable educational opportunities for children.

Students working on school discipline cases will interview and counsel clients, investigate and develop facts, interview witnesses, conduct legal research, create a case plan, negotiate with school personnel, and, if necessary, represent clients at school discipline hearings. These hearings provide the opportunity for clinic students to submit oral and written argument, examine witnesses, and present evidence before the school board. If appropriate, clinic students may have the opportunity to represent students on appeal before the county board of education.

Students working on special education cases will interview and counsel clients, investigate and develop facts, work with mental health professionals and experts, conduct legal research, create a case plan, and represent clients at individualized education program team meetings. If necessary,

students may represent clients at mediation or due process hearings.

The Children's Rights Clinic includes a mandatory training session to be held at the beginning of the term, a two-hour weekly classroom component that focuses on legal skills, issues in the law and case review, and a half hour weekly meeting with the clinic professor.

This is a graded course. There is no paper and no exam. Students will be graded based on a set of criteria given to them at the beginning of the semester. Students must have successfully completed their first year of law school, be in good academic standing, and have taken or are currently enrolled in Evidence. Enrollment is limited to 4 students per semester.

In order to participate in the clinic, students must submit an application and resume to Professor Waterstone, Director of the Children's Rights Clinic, and obtain her approval before registering. Applications are available from the Clinic in W408, the Registration and Academic Records Office in W102, or online at www.swlaw.edu/academics/clinic/childrensrightsclinic.

Prerequisites: Evidence (may be taken concurrently).

Civil Pretrial Practice (3) 572:

This course focuses on the various discovery techniques and motions which are commonly used in federal civil practice, and compares state procedures. General topics include: motions to dismiss and demurrers, general discovery concepts and privilege, interrogatories, requests for admissions, document production, protective orders, deposition theory, experts, pre-trial conferences, motions to compel discovery and sanctions, summary judgment motions, motions for failure to prosecute, and pre-trial practice in complex litigation.

Prerequisite: Evidence.

***Civil Procedure I - (2) 110A; II - (3) 110B:**

This course covers the process of bringing a civil action to trial, the trial itself and the appellate review of the trial. It deals with such fundamental concepts as pleadings, joinder of parties and claims, discovery, important pre-trial motions (such as dismissals, default judgments, and summary judgment), basic trial motions, and the law of former adjudication. Considerable time is also devoted to constitutional and statutory issues underlying personal jurisdiction and the subject matter jurisdiction of the federal courts.

Class Action Litigation (2) 577:

Complex Civil Litigation focuses on class action litigation, which is the most complex, most challenging, most dynamic – and most controversial – area of civil practice and procedure. The course covers the purpose of federal class actions; class certification; notice, communication, and discovery issues; litigation strategy; settlement; and other class action issues, both academic and practical.

Prerequisites: Civil Procedure I and II.

Climate Change Law (2) 553:

Global climate change threatens the extinction of mankind and the cultures, communities, and populations of the Earth. This course looks at climate change along with the rising demand for and impact of fossil fuels and the rapid increase of world population. The topics of agricultural and food policy; brownfield development; consumption and conservation; economic development; education; emergency preparedness; energy; housing and construction; management of federal lands and agencies; oceans and seas; population; smart growth; species protection; technology; transportation; and water management will be explored. This course will also look at existing and normative international, federal, state, regional and local laws; urban, regional and national planning; and legal mechanisms to respond and mitigate climate change and the significance of the United States Constitution.

Prerequisites: Property and Constitutional Law I.

Recommended: Although Land Use Planning and Control or Environmental Law would provide a helpful background, they are not essential.

Commercial Payment Systems (2) 530:

Times have changed. Commercial payment systems were based on written pieces of paper. Often called "Negotiable Instruments" or "Commercial Paper," these were primarily checks, promissory notes, drafts and certificates of deposit. Now, the system includes plastic (credit and debit cards), wire transfers ATM's, electronic transfers, and computer transactions. Statutory law has expanded to include: Article 4A "Fund Transfers" of the Uniform Commercial Code, the Electronic Fund Transfer Act, wire transfers covered by the Federal Reserve (Fedwire), and wire transfers covered by the New York Clearing House Interbank Payments Systems (CHIPS). At least three new federal regulations have come into play: Regulations J, Regulation Z and Regulation CC. Commercial Payment Systems covers these areas.

Community Property (2) 320:

This course is devoted primarily to the study of the differences between community and separate property, what determines how property is classified as one or the other, and the impact of such classification. The course also deals with the disposition of community property on termination of the marriage relationship, either by divorce or death. Liability of spouses for debts is also explored.

Prerequisites: Property.

****Comparative Constitutional Law (2) 521AX:**

This course covers topics arising in the comparative study of constitutional systems. Fundamental questions about the nature of a constitution, the process of constitution-making, the role and nature of judicial review, constitutional allocations of governmental power, and political constraints

on constitutional rights and constitutional courts will be explored. In addition, the course will discuss various methods of interpreting and implementing constitutional provisions and principles. The course compares the approaches to these issues among several legal systems, with a particular focus on the United States and Canada.

****Comparative Cultural Property Law (2) 442AX:**

This course examines the issues surrounding cultural heritage from a national, international and comparative perspective. The problems surrounding transactions in artworks are examined together with special issues affecting stolen art and cultural property export controls. Issues surrounding cultural property and the Holocaust are discussed together with the protection of cultural property during armed conflict. The legal protection of indigenous cultural heritage of both a tangible and intangible nature are discussed and the law and policy surrounding cultural preservation and protection are examined. The course looks at international legal instruments and U.S., Canadian and foreign laws from a comparative perspective.

****Comparative Electronic Commerce Law and Regulations (3) 563IT:**

E-commerce is a business model that no business can afford to ignore - the issues arising from doing business online are pervasive in all areas of commercial law. Moreover, the Internet and associated communications technologies have spawned a series of new online services and business models that did not exist in the offline world. This course will tackle the legal challenges arising from doing business online.

Since e-commerce is based on the communication of information, intellectual property issues have played a crucial role in this emerging body of law. The perceived anonymity and intangibility of Internet communication has given rise to interesting legal issues concerning identification and security, as well as concerns about the validity and enforceability of contracts. As with each new way of doing business, consumer protection issues arise. E-commerce involves new players (such as online service providers and payment service providers) which gives rise to questions of allocation of risk and liability if things go wrong. Finally, probably the greatest challenge for business and regulators is the global nature of the Internet, which creates serious problems in identifying the applicable law and competent regulators for e-commerce activities.

This course will examine the emerging body of law covering these issues from a comparative law perspective, focusing mainly on European and U.S. law. The course will be taught by lectures (presentation) and seminars (student discussions focusing on a case-study or an actual case).

****Comparative Environmental Justice (2) 443AX:**

This course compares how legal systems in different countries are responding to environmental justice problems. Specifically, the course examines the environmental justice

movement and the claim that people of color and the poor are disproportionately affected by environmental risks and burdens. The problems and specific examples focus upon the application of environmental law, constitutional claims, and civil rights laws on environmental justice. Also examined are the particular problems encountered by indigenous groups. Issues of comparative environmental justice in the developed and developing worlds will be considered.

****Comparative Information Privacy Law and Regulations (3) 661IT:**

This course will focus on the impact of information and communications technologies (ICT) on personal privacy. It will examine a range of information privacy issues involved in the use of computers, the Internet and wireless services. Topics will include: the conception of privacy in an online world, as a value, a right and a commodified item of property; challenges to privacy from new technology; regimes of legal privacy protection around the world; transborder data flows; the creation and protection of an individual's "digital persona;" privacy and its interaction with e-commerce; the role of governments and the private sector in safeguarding personal information, and state and commercial surveillance at home and at work; "code" solutions to the privacy problems examined; privacy and its balance with security. The course will compare the development of information privacy law in a comparative perspective using sources primarily drawn from the United States and the European Union.

Comparative Law (3) 520:

This course offers a general introduction to the field of comparative law, focusing primarily on European and Latin American practice. The first part of the course considers the basic features of European and Latin American legal systems to provide students with the background to work with foreign counsel, explaining foreign law to future clients, supervising litigation abroad, and arguing foreign law before U.S. tribunals. The second part of the course examines a selection of comparative constitutional and civil liberties issues as a means for better understanding of the U.S. legal system in its underlying assumptions.

****Comparative Sexual Orientation Law (2) 444AX:**

This course examines issues in the field of sexual orientation law from a comparative law perspective. The course will explore ways in which different legal systems regulate sexuality, sexual identity, and expressions of identity. With a focus on approaches in Canada and the United States (while, at times, reflecting on experiences in other jurisdictions and on international norms), this course will address selected issues involving sexual orientation, such as non-traditional family (e.g., marriage, domestic partnership, gay and lesbian parenting); government and sexuality (e.g., criminalization of sodomy, hate-crime law, issues of health, education and immigration); and the different approaches to protecting

sexual minorities through constitutional and statutory law (e.g., public employment, exclusion from the military or security positions, and private sector discrimination). The course will also look at the resolution of competing claims for constitutional and statutory protection (e.g., sexual orientation claims in competition with religion claims) and at the particular complications for individuals and groups in a multiple-minority position.

****Comparative Urban Planning Law (2) 654:**

This course explores urban sprawl, "Smart Growth," "New Urbanism," urban revitalization, affordable housing, transportation planning, and a range of issues affecting urban design and environmental sustainability. Focusing on how a wide array of cities and nations have dealt with urban and regional planning concerns, the course compares legal mechanisms addressing or affecting urban planning. Special emphasis is placed on the experience in the U.S. and Europe, but will reflect that of Asia and Central and South America as well. This course uses a broad interdisciplinary, policy-driven approach to evaluating alternative legal mechanisms.

Complex Criminal Litigation (Capstone) (2) 537CP:

This course integrates substantive law covered in the basic criminal law and criminal procedure courses, with a focus on practical litigation aspects of those subjects. The course offers a comprehensive overview of criminal litigation through a variety of skills exercises. The course should prove useful for any student interested in a career in criminal law, or in complex litigation in general.

Prerequisites: Students must have successfully completed Criminal Law, Constitutional Criminal Procedure, and Trial Advocacy.

Recommended: Prior or simultaneous enrollment in a criminal law-related externship is strongly recommended but not required.

***Constitutional Criminal Procedure (3) 135:**

This course examines constitutional doctrines regarding the powers of police and prosecutors in the investigation and prosecution of crimes. Topics covered in the course include limitations on arrest, search and seizure based on the Fourth Amendment, rules governing confessions based on the Fifth and Sixth Amendments, the regulation of pre-trial identification procedures under the Fifth and Sixth Amendments, and the enforcement of these doctrines through the exclusionary rule.

***Constitutional Law I - (3) 115A; II - (3) 115B:**

This course provides a study of the institution of judicial review, the limitations on federal judicial power, and the constitutional roles of the legislative and executive branches. Due process and individual rights under the Constitution and the Bill of Rights are also reviewed.

Constitutional Law Seminar (2) 704:

This seminar is designed as a discussion of recent U.S. Supreme Court decisions involving federal constitutional issues and also explores possible future trends of the court.

Prerequisites: Constitutional Law I and II.

***Contracts I - (3) 120A; II - (2) 120B:**

This course involves the study of the formulative process of contracts; mutual assent, consideration, effect of the statute of frauds, and parole evidence rule; the remedial process applied to contracts, including measure of damages and other remedies; and the examination of problems of breach of contract, anticipatory breach, and exploration of defenses to contract actions, including conditions, impossibility of performance, frustration of purpose, and discharge. Emphasis is also placed on the Uniform Commercial Code.

Copyright Law (3) 538:

This course is an in-depth study of copyright law and its protection of the intangible property rights of authors. Among the topics covered by the course are subject matter, ownership, duration, moral rights of artists, licensing and infringement. Students will learn basic concepts as well as statutory rules and apply them to various issues that arise in the entertainment, art, communication and information industries.

Corporate Mergers and Acquisitions (3) 646:

This course presents a study of corporate mergers and acquisitions from a transactional perspective. The mechanics of alternative acquisitions techniques are described and compared from the point of view of the target corporation and the acquiring corporation. Defensive tactics of target corporations are examined with reference to the legal standards governing their use. The corporate law concerns of the acquiring corporation are considered in both the friendly and the hostile acquisition.

Prerequisite: Business Associations.

****Corruption and Government (2) 535AP:**

This course analyzes the legal, political and economic aspects of corruption in both economically developing countries such as Argentina and developed countries like the U.S. The course offers a conceptual framework for understanding corruption, draws comparisons between different legal and constitutional settings, and examines the strengths and weaknesses of the different legal mechanisms used to fight corruption and white collar crime. The course examines corruption both in government operations and the private sector.

Corruption and White Collar Crime (2)535AX:

This course analyzes the legal, political and economic aspects of corruption in both economically developing countries such as Argentina and developed countries like the U.S. The course offers a conceptual framework for understanding corruption,

draws comparisons between different legal and constitutional settings, examines the strengths and weaknesses of the different legal mechanisms used to fight corruption and white collar crime, and examines corruption both in government operations and the private sector.

***Criminal Law (3) 130:**

This course emphasizes both the common law of crimes and the major statutory and case law changes which reflect present legislative and appellate court attitudes. Offenses against the person, property and habitation are intensively covered, and the concepts of individual and group responsibility are explored. Special attention is also devoted to the corpus delicti, causation, limitations on criminal capacity, special and general defenses, and those mental states which are of importance in substantive criminal law.

*****Criminal Law in Action (1) 830:**

This skills course is designed for students interested in learning about a career in the criminal law field from a practical perspective. Students will be taught how to evaluate police reports, research and determine appropriate criminal charges, and apply constitutional limitations to the filing and prosecution of charges. Students will also be introduced to courtroom techniques by participating in a mock preliminary hearing.

Prerequisites: Criminal Law; Evidence.

Recommended: Criminal Procedure.

Criminal Law Theory Seminar (2) 724:

This seminar provides a systematic examination of theoretical issues that relate to how and why a society defines certain behaviors as criminal, and how and why our society has come to establish and enforce a system of criminal justice. Subjects such as the philosophical basis of crime; problems posed by the concepts of act and omission, intention and motive, causation, attempt, and harm; and the question of legal liability for criminal conduct including culpability, mental abnormality, and problems of excuse and justification for crime are considered.

Criminal Law Theory Seminar: Recent Issues in Criminal Law (2) 724A:

This seminar explores current legal issues of particular interest in Criminal Law. Using recent cases and newsworthy topics, the seminar will focus on the outer limits of criminal conduct and the appropriate role of governmental interference. Recent topics have included: assisted suicide, sex offender registration laws, death penalty, statutory rape, consent defense in rape, and novel defenses in the law.

Criminal Law Theory Seminar: The Limits of Criminalization (2) 724B:

This seminar provides an exploration of issues relating to how and why a society defines certain behaviors as criminal and how and why society has come to establish and enforce

a system of criminal justice. Criminalization issues will likely include sexual assault, consensual sexual activities, narcotics, prostitution, and assisted suicide. We will likely also discuss defenses such as provocation, the gay panic defense, insanity, infancy, intoxication, and cultural defenses.

Criminal Law Theory Seminar: White Collar Crime (2) 724:

This seminar examines the criminal laws and procedures employed by law enforcement to deal with illegal activities that principally involve deceit, concealment, breach of trust, and corruption. Because most white-collar criminal enforcement has been in federal courts, this seminar focuses primarily on federal crimes and federal procedure. The seminar examines the substantive crimes, mostly federal, used in prosecutions of white-collar crime as well as the criminal liability of corporations and their employees under these statutes. The seminar also considers some of the procedural aspects of prosecuting white-collar crime such as immunity grants and subpoena of documents.

Cultural Property Seminar (2) 742:

This course explores the identity, ownership, appropriation and repatriation of both tangible and intangible cultural property – those items which are of great significance to the cultural heritage and cultural survival of a people. The course considers the importance of the preservation of cultural property as a means of maintaining group identity, self-determination, and collective rights. It examines both international and domestic law governing these issues, and address such questions as: How should cultural property be defined? Can cultural property be protected under the existing intellectual property and cultural property regimes? How can we balance the protection of cultural property against the need or desire for its use in creative expression or scientific advancement? Although the course examines the cultural property of groups in general, it maintains a particular emphasis on the cultural property of indigenous peoples, including folklore, traditional knowledge, burial grounds, sacred sites and ancient ceremonies and traditions.

D

Death Penalty Seminar (2) 724:

This course examines some general jurisprudential and moral issues related to the American system of capital punishment. The course focuses primarily on the development of the law governing capital punishment in the U.S. since 1970. Some of the main themes include: legal challenges to the death penalty, the role of aggravating and mitigating evidence in the sentencing decision, jury selection in capital cases, the inadequate defense representation too often afforded indigent capital defendants, the effect of race on the administration of the death penalty and the scope of available appellate and post-conviction review in capital cases.

Debtor-Creditor Relations (2) 532:

This course deals with all aspects of debt collection and enforcement procedure, including federal and state regulation of debt collection practices, enforceability of judgments against real and personal property, post judgment execution, provisional remedies, debtor exemptions, assignments for the benefits of creditors, and receiverships.

Prerequisites: Civil Procedure I and II.

Defamation, Privacy and Publicity (2) 762:

This course provides an overview of the law of defamation and related privacy torts. Tensions between the individual's interest in reputation and society's interest in First Amendment freedoms will be examined, and the ways in which the courts have attempted to strike a balance between the two will be evaluated. The course will also cover the practical considerations of libel litigation with special emphasis on cases involving public figure plaintiffs and media defendants ranging from tabloid to television.

Defenses in the Law (3) 104:

This course is an interactive experience in a small class setting designed to teach critical thinking, writing, listening, and exam-taking skills. The course covers four criminal law concepts that are tested regularly on the California bar examination: entrapment; necessity; duress; and use of deadly force in defense. Emphasis will be placed on synthesizing learning and developing analytical skills. Open by invitation only to first-year students whose Fall exam scores indicate they might benefit from additional academic support. This course is offered to full-time day students during the Spring semester of the Traditional first-year program and to evening and PLEAS students in the Summer Session following the first year of study.

Disability Law (2) 543:

This course examines the growing area of federal and state law prohibiting discrimination on the basis of disability with particular emphasis on the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, Fair Housing Act, Individuals with Disabilities Education Act, and California's disabilities civil rights statutes. The class will put the federal and state laws in the context of the history of the disability rights movement and the states' rights (federalism) movement. It will also introduce emerging issues in disability rights law, such as genetic discrimination, international disability rights law, assisted suicide legislation, and the internet.

Drafting Business Contracts (2) 609:

This practical skills course teaches the principles of contemporary commercial contract drafting and introduces the student to selected documents used in common business transactions. Examples of such transactions include, but are not limited to, the following: asset purchase, escrow, and web site development. Among the topics to be covered are the

business purposes of selected contract doctrines; translating business ideas into contract concepts; drafting the parts of a contract; drafting with clarity and without ambiguity; adding value to the deal; and review and comment on the contract.

Prerequisites: Contracts I and II.

****Drafting Information Technology Agreements (3) 673IT:**

This hands-on course will train students in how to analyze information technology transactions and draft contracts to memorialize those transactions. The course will take a detailed look at all of the important aspects of contract drafting. Common provisions used in IT agreements will be reviewed in detail, particularly those standard, “boilerplate” terms that many lawyers have a tendency to skip. Actual IT contracts in use today will be dissected and students will be given ample opportunities to draft clauses, sections of contracts, and eventually an entire agreement. Guest speakers will discuss applicable UK and EU laws and their impact on “standard” provisions in contracts drafted for the U.S. market.

Drafting and Negotiating Technology Agreements (3) 673:

This is a hands-on course designed to train students in how to analyze technology contracts, and how to draft and negotiate some of today’s most widely used forms of technology agreements.

The course will take a detailed look at every aspect of contract drafting – why some clauses work and why others don’t. Common provisions used in technology agreements will be reviewed in detail, particularly those standard, “boilerplate” terms that many lawyers have a tendency to skip. Actual contracts in use today will be dissected and students will be given ample opportunities to draft clauses, sections of contracts, and eventually entire agreements.

Student teams will be assigned to meet with “clients” and, based upon the needs expressed by those clients, to prepare term sheets, and from those term sheets draft complete agreements. Student teams, representing vendors and customers, will review the other team’s draft agreements and negotiate a final, mutually agreeable contract.

The grade in this course will be determined through graded drafting and negotiating exercises. There will be no final exam.

Drafting and Negotiating Video Game Law Agreements (2) 674:

This course will focus primarily on the agreements that counsel in this business will routinely review, draft and negotiate. The primary course materials will be copies of current video game-related agreements. This transactional approach is designed to give the student training in the day-to-day legal practice of a video game attorney. Within the discussion of each agreement, we will be discussing its place in the “big picture,” leverage of the respective parties, negotiable points (and why such points *should* be negotiated) and compromise language/positions.

Prerequisite: Copyright.

E

Education Law (2) 726E:

This course focuses on the impact of laws, regulations, and judicial opinions on educational institutions. Four major areas are explored: legal characteristics of the various structures of educational institutions, faculty rights, student rights, and state and federal regulation. Specific emphasis is placed on subjects of current interest.

*****Effective Communication in Criminal Practice (1) 831:**

This course covers basic interpersonal communication skills and related strategies essential to the practice of criminal law by prosecution and defense counsel. Topics covered will include: (1) dealing with opposing counsel regarding case disposition, including pre-trial issues and plea agreements; and (2) conducting interviews with and direct or cross examination of difficult witnesses traditionally encountered in criminal proceedings, such as the recanting witness in domestic violence cases; the reluctant or fearful witness to gang related crimes; and child witnesses.

Prerequisites: Criminal Law.

Recommended: Constitutional Criminal Procedure; Trial Advocacy.

Election Law (3) 595:

This course provides a basic understanding of the means by which the political process, elections, and politics are regulated in the U.S. Course topics include: (1) the “right” to vote; (2) the conducting of elections; (3) ballot structure; (4) election and electoral process challenges; (5) political parties; (6) access to the ballot; (7) redistricting; (8) the Voting Rights Act; (9) direct democracy, i.e., initiatives, referenda, and recalls; (10) campaign financing and speech; (11) lobbying and bribery; and, (12) voting systems. No background in politics, campaigns, political science, or constitutional law is required.

Employment Law (Capstone) (3) 629CP:

The course introduces the student – in the context of theory, simulated practice, and models of professionalism – to selected topics in the law of the contemporary workplace. Although much emphasis will be placed on traditional labor-management relations, the course offers a working knowledge of the essential language, issues, rules, and strategies found across a wide range of employment law practice, including wrongful termination, status discrimination, privacy, wages and hours, alternative dispute resolution, international labor standards, and federal preemption.

Prerequisites: Civil Procedure I and II and at least two of the following courses: Employment Discrimination; Employment Law Survey; Entertainment Industry Labor and Employment Law; Labor Law; and Sports Law or International Sports Law. Completion of at least three of these courses is strongly preferred.

Employment Discrimination Law (2) 728E:

Employment Discrimination Law studies the history, doctrine, and practice of law outlawing discrimination in the workplace based on race, color, national origin, sex, religion, age, disability, sexual orientation, and membership in other protected classifications. Although the course focuses on California's Fair Employment and Housing Act, together with Title VII of the Civil Rights Act of 1964, it also covers the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Civil Rights Act of 1991, and other federal and state anti-discrimination statutes.

Employment Law Survey (3) 629:

This course surveys the development of the modern law of workplace governance. The focus is on private sector employment. Topics covered include the at-will doctrine, the rise and decline of collective bargaining, minimum wages and benefits regulation, status discrimination, wrongful termination, workplace privacy, and worker-management participation programs.

Entertainment Industry Labor and Employment Law (2) 712:

This course surveys the law affecting the employment of actors, directors, musicians, and writers working in film, television, and sound recording. Attention is paid not only to initial compensation, residuals, credits, and other collectively-bargained terms and conditions, but also child labor, wage and hour, independent contractor, and other laws governing individual employment.

Entertainment Law (3) 540:

This course is an overview of those aspects of entertainment law, other than copyright, encompassed in the relationships between artist and personal manager, artist and agent, artist and record producer, and artist and motion picture producer. Other areas explored are: right of publicity and performer's rights; protection of ideas by property, quasi-contract, and express and implied contract theories; television packaging deals; and motion picture financing and distribution.

Prerequisite: Copyright Law or Intellectual Property.

Entertainment Law (Capstone) (3) 540CP:

This course is specifically tailored to meet the needs of experienced students in their last year of law school. The course uses lectures, simulation, workshops, and graded out-of-class negotiation and drafting assignments to immerse students in the major components of a realistic, multi-faceted entertainment law practice. These components, presented longitudinally, will require students to negotiate and structure a transaction, avoid or resolve production problems, and manage various clients' interests as a troubled deal heads toward litigation or arbitration. The "Capstone of the Capstone" will be a moot arbitration or argument for summary judgment on a challenging issue before a panel of

experienced entertainment practitioners, the oral presentation of which, at the instructors' discretion, will be open to the public.

Prerequisites: All students must have completed Copyright Law, and at least three advanced entertainment law courses taught by Southwestern faculty, including any externship or practicum.

Entertainment Law Firm Practicums (3) 680A:

Entertainment Law Firm Practicums give Southwestern students an opportunity to demonstrate their superior training and abilities in the area of entertainment law. In conjunction with Southwestern's existing externship program, select students from the entertainment and media law program receive credit for an Entertainment Law Firm Practicum.

Students will be selected by the Director of the Biederman Entertainment and Media Law Institute (or his designate) on the basis of their class standing, performance in entertainment and media law courses and skill level, and who have completed courses designated by the Institute as prerequisites for the Practicum. Students do not apply for the Practicum positions, but are contacted by the Director for a Practicum with a law firm that the Director deems suitable for the student.

Students are required to meet the same requirements as the traditional externship students: the same number of hours, work product requirement, and meeting attendance as the entertainment externship students and complete the same forms. The Externship Office administers the Practicums.

In addition, Practicum students are required to e-mail their journal entries and time sheets to the Director (or his designate) on a weekly basis, enabling the Director to ensure the effectiveness of the supervision at the law firms. The Director also remains in regular contact with the supervisors and students during the semester.

As a condition for receiving credit for the Practicum, students write an eight-to-ten page analytical paper on a substantive or procedural issue which arose in a dispute or transaction handled during the semester.

Entertainment Law Seminar (2) 772:

Selected in depth seminars are offered in areas that include Advanced Entertainment Law; Broadcast, Cable, and Satellite Industries; Convergence; and Newsgathering. See *Curriculum Planning Guide* in each year's *Registration Packet* for selected topics offered for the current term.

Environmental Law (3) 552:

This course examines the major federal environmental laws as implemented by the states in partnership with the federal government, including the regulation of hazardous waste and toxic substances, air pollution, waste pollution, and endangered species. There is a particular focus upon how the regulatory process responds to legal, scientific, technical and moral complexities within a multistakeholder context. Contemporary issues such as market mechanism, devolution

of authority to local levels and environmental justice are also discussed, along with an examination of environmental litigation and alternative dispute resolution.

Environmental Law Seminar (2) 770:

This seminar examines the environmental justice movement and the claim that people of color and the poor are disproportionately affected by environmental risks and burdens. The problems and specific examples focus upon the application of environmental law, constitutional claims, civil rights laws and the executive order on environmental justice. Litigation, alternative dispute resolution and emerging collaborative models are compared. Also examined are the particular problems encountered by community residents and activists when attempting to participate in regulatory processes, as well as sovereignty issues presented by Native American tribal governments.

Estate and Gift Taxation (3) 606:

This course is designed to familiarize students with the provisions of the Internal Revenue Code and Treasury Regulations governing testamentary and inter vivos transfers, including transfers by gift and in trust. The course examines the basic theory underlying the unified estate and gift tax system as well as related issues, including the generation-skipping transfer tax and the excess retirement accumulations tax. The course combines an analytical approach to the material with an emphasis on problem-solving to enhance the student's understanding of the actual operation of the rules in this area. *Prerequisite:* Survey of Federal Income Taxation.

Estate Planning and Drafting (2) 608:

This course focuses on the complex issues to be considered when planning an estate. The course will approach the subject, chronologically and logically, as would a practicing attorney. The approach will consider: meeting, interviewing, advising and counseling the clients; determining the appropriate areas of law to be applied to the specific client's situation; determining with the client, the planning and drafting decisions necessary to complete the task; and the actual drafting of documents with special attention given to what the documents actually should say. In order to reach the client's objectives, the student will study and learn how to use the various range of planning tools, such as wills, trusts, powers of attorney, and gifts. *Prerequisite:* Wills and Trusts. *Not offered every academic year.*

European Union (2) 676:

This course introduces the major EU institutions (Council, Commission, Parliament, Courts and consultive institutions), examines the legislative process, the operation of the court system and its relation to national courts, explores aspects

of EU economic integration law (free movement of goods, workers, services and capital) and notes responses to human rights issues.

***Evidence (4) 140:**

The primary focus of this course is on the Federal Rules of Evidence, with some comparison to the California Evidence Code. Primary emphasis is on the basic concepts of relevance, hearsay, cross-examination, and impeachment. Issues of witness competency, privileged communications, presumptions, burden of proof, and judicial notice are also discussed.

Evidence Seminar:

See *Wrongful Convictions Seminar*.

Externships (2-10 units depending on semester of participation and nature of placement) 680A:

Externships at Southwestern serve to enhance the more traditional casebook method of legal instruction by providing students with an opportunity to directly experience the attorney's role through a variety of on-site placements. Southwestern offers a diversified selection of over 100 part-time and full-time externships each semester and during the summer session. Students may be placed in judicial settings, public interest law firms, the entertainment industry, or federal, state and local government offices throughout Southern California. During the summer session, placements are often available through specialized programs in such places as Nevada, New York and Washington, D.C., or with federal court judges throughout the country.

All student externs meet regularly for a classroom component scheduled throughout the semester to discuss topics such as professional responsibility, case file maintenance, and skills. Externs are required to maintain weekly time sheets, weekly reflective journals and work product files during their externships for review by a faculty member. In addition, each full-time extern must submit an 8 to 10 page critical commentary at the end of the externship.

F

Family Law (2) 546:

This course is designed as a study of the law pertaining to the formation and dissolution of domestic relations including the law of marriage, annulment, separation and dissolution, alimony, and custody and support of children.

Family Law Procedure and Practice (3) 551:

This is a hands-on course designed to train students in family law litigation in a mock world setting. The course would cover the most common family law issues, beginning with the initial client interview and concluding with a mock family law trial. Throughout the semester, students will have the opportunity to practice the basic mechanics of a marital dissolution

including: 1) initial client interviews; 2) preparation of the Summons and Petition with related documents or Response; 3) preparation of Declarations of Disclosure; 4) preparation of an Order to Show Cause and oral argument of their motion; 5) joint settlement conferences and 6) trial. Students will be assigned to meet with “clients” so that each “case” is assigned two students, each representing one spouse. Students will interact with their “opposing counsel” throughout the course of the semester. The grade in this course will be determined through written motions, oral arguments and the final trial.
Prerequisites: Evidence; Family Law or Community Property.

Family Law Seminar (2) 708:

This seminar is primarily a writing course in the field of community property/family law. Students research, analyze and comment upon problems of current interest that can arise in a marital dissolution proceeding. The problems are discussed, authorities analyzed, and the judicial and legislative solutions are critiqued.

Prerequisites: Community Property; Family Law (both or either may be taken concurrently with the seminar).

*****Fashion Law (1) 810:**

This course introduces students to the many ways in which various areas of the law affect the global fashion industry. The course will examine the legal issues involving fashion, including the historical relationship between clothing and culture, and the theoretical underpinnings of dress as related to the law. The course will also explore issues of intellectual property, business and finance, international trade, government regulation, and consumer culture. Students will select a project to complete, such as drafting a designer’s employment contract, developing an intellectual property strategy for a new label, evaluating environmental safety and sustainability guidelines, or writing a constitutionally sound school dress code.

Federal Corporate Taxation (3) 610:

This is a basic course in corporate tax problems and includes a detailed consideration of reorganization problems in addition to problems of organizing corporations, corporate taxable income, the relationship between corporate earnings and individual taxes, stock redemptions, stock dividends and recapitalizations, tax-free division, reincorporation and redemptions by related corporations, purchase and sales of a corporate business, collapsible corporations, and net losses.
Prerequisite: Survey of Federal Income Taxation.

Federal Courts (3) 330:

This course examines litigation and jurisprudential issues associated with a federal system of government and a corresponding dual system for dispute resolution. The primary focus throughout the course is the tension between federal and state jurisdiction. Issues such as the relationship between

federal law and state and federal courts, and constitutional and prudential limitations on access to federal courts are examined.

Prerequisites: Civil Procedure I and II; Constitutional Law I and II (Constitutional Law II may be taken concurrently).

Federal Indian Law (3) 567:

Among other things, the success of Indian gaming and the controversy surrounding the adoption of Indian children have brought new attention to the unique status of Indians and Indian tribes in the American legal system. This course examines the tension between tribal sovereignty and the traditional legal and political notions underlying the American federal system. The course focuses on the historical legacy of federal Indian policy from removal to self-determination; the conflict between states’ rights and tribal sovereignty; and civil and criminal jurisdiction in Indian Country.

Federal Partnership Law and Taxation (2) 612:

This course covers the treatment under federal law tax of partners and partnerships. Among the topics covered are initial and subsequent investment, carrying on of the business, withdrawal and redemption, sale of partnership interest, merger, consolidation, and dissolution and wind-up. Also examined are: the costs and benefits of doing business as a partnership versus doing business as a C corporation or S corporation; taxation of capital gains and losses versus ordinary income, the use of partnerships in tax shelters and tax controversy. Where appropriate, international implications - such as the increasing use of hybrid partnership/corporate forms, which permit the venture to use one classification domestically and another abroad - are considered.

Prerequisite: Survey of Federal Income Tax.

Financing and Distributing Independent Films (2) 665:

The financing, creation and distribution of independent films has become an increasingly popular sub-specialty of entertainment law practice. Various aspects of independent film production make it much different than the production of a film by a motion picture studio. Often times the writer/director of a project must find various forms of financing to aid in the production of the work. This aspect of the project is much more involved than is the case with a studio-financed project. The agreements with talent also differ from the studio project. Talent is expected to assist with the financing of the project by accepting more contingent fees. The distribution of independent films differs greatly from studio product as well. The reliance on film festivals as a means of obtaining financing and distribution deals has increased dramatically over the years. This course will cover these areas and topics, among others.

Prerequisite: Copyright.

First Amendment Seminar (2) 704:

The First Amendment contains what are perhaps the most important rights: prohibition of an established state religion, assurance of individual freedom of religion, freedom of speech and of the press, freedom of association, and the right to petition the government for redress of grievances. This seminar reviews the origins of the First Amendment (via selected writings of Jefferson, Madison and Mason) and its development. In addition, the proper degree of separation of church and state, the current state of individual speech and speech via the media (through a review of cases involving claims of defamation, invasion of privacy, misappropriation of publicity rights, and “veggie libel” laws), and government (via campaign finance laws and related litigation) are reviewed. *Recommended:* Constitutional Law I and II.

Forensic Evidence (2) 536:

This course deals with those legal principles governing the admissibility of various types of scientific evidence proffered during the course of a criminal trial. The reliability, limitations and public policy considerations relating to each type of scientific evidence are explored. *Prerequisite:* Evidence.

Foundations of Tort Law Seminar (2) 762:

This seminar explores the moral, political and economic foundations of tort law. Students will analyze the law from various perspectives, including corrective justice, economic efficiency and critical legal studies. Applying these perspectives, students examine such traditional tort concepts as causation, fault, strict liability, punitive damages and assumption of risk. The seminar also considers recent trends in tort law which alter or eliminate many of these concepts. These trends include collectivizing litigation in mass tort cases, establishing compensation and insurance systems for tort-related accidents, initiating tort reform measures in medical malpractice and products liability cases, recognizing private and public lawsuits against the makers of legal products like cigarettes and high-fat foods, permitting enterprise or market share liability theories which require little or no proof of causation, and compensating individuals for mere exposure to risk.

G****Globalization and the Transformation of Roles of Lawyers and Law in Latin America (2) 529 AX:**

The course will explore the processes and implications of globalization as it transforms the role of law and lawyers in many parts of the world - focusing on Latin America. One of the themes will be the extent to which countries are converging to similar approaches and norms in particular areas of and approaches to law - or whether different legal cultures will make such convergence unlikely. It will look at the history of law and the legal profession in Latin American countries and

see how global processes have affected and are affecting that history. With respect to Argentina, the course will also invite participants (including local practitioners and persons active in promoting change, such as the World Bank and philanthropic foundations) to discuss the development of corporate law firms, public interest law, alternative dispute resolution, criminal justice reform, and intellectual property laws - all of which can be linked to globalization. Those who take the course will gain an understanding of globalization and also the particularities of local legal cultures that relatively few lawyers understand.

H**Health Care Regulation and Practice (3) 626:**

This course covers the components of the health care system and current issues in health care law. Patient rights encompassing questions of medical record confidentiality, informed consent to treatment, and safeguards for research subjects are explored. Health care regulatory mechanisms such as licensing of health professionals and facilities; reimbursement by Medicare, Medicaid and private insurance; and Certificate of Need proceedings are also discussed. In addition, other areas of law such as antitrust, tax exempt status, and labor law problems are considered in the context of the health care system.

Historic Preservation Law (2) 643:

This course provides a broad overview of historic preservation law in the U.S., its development and theory, the diversity of issues that arise, and its practical application in legal practice. The course encompasses a variety of issues affecting everyday life in all cities, such as the use and development of real property, environmental protection, and taxes. Historic preservation laws are most commonly recognized for their use in protecting and regulating historic buildings, structures and sites as well as archaeological sites, human burials, and shipwrecks. The course examines the value of historic preservation and historic preservation’s role in increasing property values and revitalizing neighborhoods. The business and financial aspects, including tax law, are explored. The course is intended to provide an overview of the federal, state, and local laws most commonly encountered in the practice of historic preservation law. Recent cases and current developments in historic preservation litigation are discussed, as are international historic preservation laws, conventions, and cases that provide a global context.

History of American Law (3) 642AX:

This course concerns the interaction between the legal system and social change in the United States. Reading consists of a collection of legal documents from the past, including appellate decisions from state and federal courts but also such things as statutes, contracts, divorce proceedings, inaugural addresses, private letters, and the like. One of the earliest

documents is a memorandum of a prosecution for bestiality in Plymouth Colony (1642); the last is the speech on race that President Obama gave during the campaign. The only text will be Gonick, *The Cartoon History of the United States*, so no prior familiarity with U.S. History will be necessary. Class time will be given to lecture, discussion of the materials, and a collection of portraits, photographs, maps, etc., on PowerPoint. Main themes include the relationships between law and the economy, changing conceptions of individual rights, the development of the legal profession, and the crucial role that race relations have played in the development of our law from the beginning to the present. The course touches on many different areas of law and is an excellent way of tying together and making sense out of all of the other courses that one might take in law school.

History of Contemporary Policy (2) 641:

This course presents history as it is encountered in the legal and policy domain. The specific aims of this course are to: (1) explore the background of a set of enduring policy debates - the history of a particular issue and the value of historical analysis in evaluating legal and policy options; (2) introduce basic historical sources and analytic methods for "using" history in the formation of public policy; and (3) articulate a set of broad historical principles regarding the behavior of individuals and institutions that can provide useful guidance against which to measure specific laws and policy initiatives. *Prerequisites:* None, but students should have a basic familiarity with U.S. history.

Illiberal Groups in the Liberal State Seminar (2) 766F:

Democracies within which ethnic, indigenous, religious or national minorities exist attempt to impose on them the values of the dominant society. Illiberal groups respond to this pressure with claims for equality, fair representation in the political process, and, perhaps most importantly, autonomy. This seminar will discuss the challenges of accommodating the rights and needs of illiberal groups within the liberal state. It will focus, in particular, on the pressing philosophical and legal questions. Of particular import will be an examination of U.S. Supreme Court jurisprudence (e.g., *Boy Scouts of America v. Dale*; *Santa Clara Pueblo v. Martinez*; *Wisconsin v. Yoder*; etc.) in which the claims of illiberal groups have been examined by American courts. In lieu of an exam, students will write a paper (which satisfies the upper division writing requirement) on a topic approved by the professor.

Immigration Law (2) 522:

Extensive analyses of the administrative decisions, judicial decisions, statutes, regulations, and informal practices of the Immigration and Naturalization Service, U.S. Consulate, and Manpower Administration are presented in this course.

Immigration Law Clinic (5) 680IM:

The Immigration Law Clinic is a five unit semester course and is graded. There are no course prerequisites and no final examination. Interested students must submit an Immigration Law Clinic application and resume to Professor Andrea Ramos. Enrollment in the Clinic is limited to four students.

Law students, working under the supervision of Professor Ramos, will represent children and adults in immigration matters. The Clinic will provide free legal representation to clients in Special Immigrant Juvenile Status (SIJS) (clients under the age of 21), Violence Against Women Act (VAWA) and U visa cases. This will involve cases where clients have been abused, neglected or abandoned or have been victims of a crime. Students will represent clients before the United States Citizenship & Immigration Services (USCIS) and possibly before the Immigration Court and Juvenile Court. Students will be primarily responsible for their cases, including interviewing potential clients, developing case strategy, preparing immigration applications and presenting cases before the USCIS.

The Clinic will also include a community outreach component where students will give presentations on immigration related topics such as immigrant student access to higher education and know-your-rights informational sessions. Following the presentation, students will hold a community clinic where attendees can ask questions about their particular immigration situation. If the person is eligible for SIJS, VAWA or the U visa, the Immigration Clinic will offer free legal representation.

The Clinic will meet one day per week for a two hour class. The classroom component will focus on substantive and procedural law, professional responsibility and development of advocacy skills. Students will work approximately twenty hours per week on Clinic activities and must be flexible with the hour requirement in order to be responsive to client and case demands.

Informal Systems of Order Seminar (2) 784:

This seminar explores the concept of informal, spontaneous systems of social order that function as alternatives to the more formal political and legal systems of order. It draws upon materials from the various social sciences, the study of chaos and complexity, legal history, the physical and biological sciences, anthropology, economics, small group dynamics, and management theory. Examples studied from these fields illustrate systems and practices that integrate autonomous, voluntary behavior into cooperative and peaceful social conduct.

Information Privacy Law (2) 661AX:

This course focuses on the impact of new information technologies and services on personal privacy. It examines a range of information privacy issues, particularly those involved in the use of the Internet and online services. Topics include

the right of access to information, the free flow and use of information, the creation and protection of an individual's "digital persona," and the role of governments and the private sector in safeguarding personal information.

Insurance Law (3) 512:

This is a survey course which examines the legal rules and principles associated with the formation, interpretation and enforcement of insurance contracts. The course covers basic law applicable to all insurance contracts as well as more specific legal doctrine applicable to special lines of insurance, such as property; liability; and life, health and disability. The course also covers the rights, duties and obligations of both insurers and policyholders under both the law of contract and the law of tort.

Intellectual Property Law (3) 542:

This course provides an overview of the intellectual property field including patents, trademarks, copyrights, unfair competition, trade secrets, employer-employee relationships, the transfers of intellectual property rights, and the general application of antitrust and misuse doctrines to such rights. The course compares and contrasts the state law doctrines with the federal law as each applies to the various areas within the intellectual property field. *Note:* Not open to students who have taken Copyright Law, Patent Law and/or Trademark Law.

International and Comparative Copyright Law (2) 539:

This course covers copyright protection (for all types of works, including literature, art, movies, music, and software) across national boundaries - that is, when a work's country-of-origin is one country, but the work is used in other countries. The course will study: the role of international copyright treaties (like the Berne Convention and TRIPs); the circumstances that must exist for works from one country to be protected in other countries; which country's law applies to cross-border claims for protection; and international copyright litigation and licensing. It also will compare the way in which selected countries (including Canada, Australia, the UK, France and Germany) deal with issues such as: the types of works that are protected by copyright; what rights are granted to copyright owners; who owns the copyrights to works created by employees and collaborators; how copyrights are transferred and licensed; and what constitutes "infringement."

Prerequisites: Copyright Law, Intellectual Property Law, International and Comparative Intellectual Property Law, Entertainment Law, International Entertainment Law, or the consent of the instructor.

International and Comparative Criminal Law (2) 429:

This course will address substantive and procedural issues. The topics under the substantive criminal law segment will include torture; genocide; terrorism; crimes against humanity; and war crimes, specifically focusing on the Nuremberg and Japanese

tribunals established after World War II. The immunities enjoyed by diplomatic officers head of state and others; the International Criminal Court; and extradition and death penalty will also be discussed. The other segment will address the differences between the criminal procedure in the U.S. and the civil law countries, the evolution from an inquisitorial to an adversarial system in the latter countries, and the reforms that are currently taking place in the Latin American countries.

International and Comparative Intellectual Property Law (2) 452:

This course examines the harmonizing tendencies of international and national intellectual property law and contrasts them with the important distinctions that still exist due to local influences. The course introduces the basic concepts and analytical tools of trademark, copyright, trade secret, patent law, and related areas, such as the law of ideas and the right of publicity. U.S., Argentine and European regimes are compared, particularly noting the extent to which international accords, such as the TRIPS agreement of the Uruguay Round on intellectual property, have mandated harmonization of norms and encouraged effective enforcement.

****International and Comparative Media Law (3) 650:**

Global considerations increasingly affect and govern the news and entertainment media. This course surveys legal issues that lawyers are likely to confront in any broad-based media law practice, including: cross-border approaches to content regulation, including the European Convention on Human Rights; regulatory systems applicable to the international media business such as Television Without Frontiers and Database Protection Directives of the European Community; the emerging conflict surrounding assertions of jurisdiction over international media interests; protection of sources and other confidential information; considerations that may apply in attempting to enforce foreign judgments against the media; and the effect of different approaches to copyright protection.

****International Art Law (2) 658:**

Artworks reflect the culture of their creators, but artworks themselves know no boundaries. Perhaps for that reason, the most interesting and newsworthy issues in art law today are international law issues. This course addresses international legal issues related to art as a creative endeavor, art as an article of commerce, and art as a significant cultural artifact. Issues to be examined include: the moral rights of artists; international copyright (and other) protections for artists and their work; legal aspects of international art loans and consignments; and export and import control laws designed to prevent the cross-border shipment of culturally significant artworks. The recovery of stolen artworks is also discussed, especially those plundered during wartime, including statutes that prevent the seizure of artworks from non-profit museums, in order to encourage international art loans, even if the artworks were stolen or illegally exported.

****International Business Transactions (3) 514:**

This course deals with practical and substantive aspects of doing business abroad, and with the domestic international law of import-export, especially U.S. trade remedies and GATT. Topics include: international contracting; the International Convention on the Sale of Goods; documentary sale of goods; choice of law and forum problems; forms of direct and indirect foreign investment; transfer of technology problems; business immigration issues; transnational litigation, arbitration and other forms of dispute settlement; and the ethical aspects of choosing and employing foreign lawyers. Problems of trade, from the European Union to developing countries, are surveyed. Selected issues of anti-competition law, international taxation, and U.S. regulation of foreign investment are also considered.

****International Business Transactions with Latin America (3) 710:**

This course introduces students to the issues involved in doing business in Latin America, with a special focus on Argentina. Topics include sources of law in Latin America, business structures and practices, the international sale of goods and services, free trade associations, foreign investment regulations, labor contracts, joint ventures, franchise agreements, and dispute resolution.

****International Criminal Law and Criminal Justice Policy (2) 430:**

This course reviews the basic principles of international criminal law reform and crime prevention, as they relate to standards imposed by the United Nations Crime Prevention Program, and analyzes the ideology and methodology behind domestic and international public policy issues. Topics include the code of conduct for law enforcement officials, capital punishment, domestic violence, rights of victims, ethics and use of information, public attitudes and perceptions, media influence on policy development and outcome, and the future of public policy development in the U.S. and Canada.

****International Cybercrimes (3) 659IT:**

This class will introduce students to the substantive and legal issues raised by international cybercrime, as well as the related topics of digital investigation, cyberterrorism and cyberwarfare. The course will cover three categories of cybercrime. The first category includes traditional crimes committed by new means. The second category consists of entirely new crimes, usually involving attacks on computer systems. This category encompasses unauthorized intrusions into computer systems (hacking), the creation and dissemination of malware (viruses, worms) and the launching of Distributed Denial of Service attacks (using networks of compromised computers to overwhelm a website or a network and effectively take it offline). The third category is really a residual category; here, the computer plays such a minor role in the commission of a crime that its true function is as a source of evidence. Computer forensics play an important part in many criminal investigations because computers are so pervasive.

The course will analyze the laws that pertain to each of these categories of cybercrime; it will also examine the constraints the 4th Amendment and U.S. statutes place on the investigation and prosecution of cybercrime. The focus will then shift to the international dimension, which is becoming a defining characteristic of cybercrime. We will study the Council of Europe's Convention on Cybercrime, a treaty already signed by approximately 50 countries. The Convention is intended to bring countries together so that they will standardize their laws defining cybercrime and create mechanisms facilitating cooperation among law enforcement agencies in various jurisdictions. The goal is to develop systems that can effectively address international cybercrime.

Finally, the class will examine cyberterrorism and cyberwarfare. Conventional terrorists are using cyberspace in various ways; it is likely that new types of terrorism will evolve to exploit computer technology in novel ways and for different ends. Cyberwarfare is already a priority for many countries; according to one estimate, 120 nations have, or are developing, cyberwarfare capacity. As students will learn, one of the challenges countries face is ascertaining whether a particular cyberattack is a crime, terrorism or warfare.

International Entertainment Law (2) 541:

Key topics from the basic Entertainment Law course dealing with American domestic industries – defamation, rights of privacy and publicity, special state statutes governing contractual relationships, the extent of rights acquired by contract – are surveyed in the context of international law and conventions, U.S. treaties, and the law of specific foreign countries. International aspects of the Internet and questions of jurisdiction and applicable law in transnational disputes will also be considered.

****International Environmental Law and Policy (2) 740E:**

This course discusses emerging environmental and natural resource law issues from an international perspective. The course offers an opportunity to examine diverse legal principles, ranging from interpretations of international treaties to implementation of recent laws and international agreements, affecting efforts to manage, preserve, restore, and protect the environment. Students are exposed to concepts of constitutional law, the formation of public policy, dispute resolution, and international law and custom. Among the topics considered are the application of international and environmental law to the protection of the air and atmosphere, biodiversity, territorial and wildlife resources, and marine and fresh waters.

International Income Taxation (3) 616:

An introduction to the federal taxation of both "out-bound" and "in-bound" multinational transactions, the course focuses on the Internal Revenue Code's effort to reconcile often conflicting policies aimed at balancing and facilitating the needs of both U.S. nationals doing business overseas and

foreign nationals doing business in the U.S. In the “out-bound,” the Code seeks to ensure that U.S. companies are not put at a competitive disadvantage with local organizations in carrying on a business overseas without making it more attractive tax-wise to carry on a business abroad than in the U.S.

The statutory scheme for dealing with the problem of multiple taxation is addressed, along with the controlling Code, IRS court, and treaty procedures allowing the controlling deferral of tax on foreign income of U.S. companies, which is customarily not subjected to U.S. tax until “repatriated.”

Included is intervention by such international organizations as the WTO, the OCED and NAFTA, as well as coverage of the “anti-abuse regulations,” “anti-bribery” and “anti-boycott” controls. Special attention is given to the potential impact of electronic commerce and “check-the-box regulations” (allowing choice of taxation in corporate or non-corporate form), and especially to the increasing use of “hybrid” organizations (classified as taxable in one form domestically and in another in the foreign country of operation and aimed at by-passing statutory limitations cast in the corporate model).

Prerequisite: Survey of Federal Income Tax.

Recommended: Business Associations.

****International Internet Law (2) 659:**

Once you go online you are instantly global. Users can send and receive messages from anyone on the Internet anywhere in the world. And, a web site is accessible worldwide. This course surveys the main legal issues facing lawyers who represent Internet companies including: intellectual property protection and exploitation, licensing, electronic contracting, marketing and advertising, jurisdiction and liability, privacy, security, and cyber crimes. Materials are drawn from the United States, the EU and British Commonwealth countries, and WIPO. Students need only a general familiarity with computers and the Internet; a technical background is not required.

****International Law and Terrorism (2) 428AX:**

9-11 has led some to question whether existing international law is adequate to address the threat of terrorism. For example, do the traditional rules on the law of war apply to the new war on terrorism? To what extent is the use of force justified in responding to terrorism? Do existing human rights norms make sufficient allowance for the need to gather information from suspected terrorists? This course will examine the role of international law in addressing terrorism, and the extent to which the threat of terrorism requires us to fundamentally rethink the categories and doctrines of international law. Topics will include: (1) what is terrorism?; (2) state vs. individual responsibility for terrorism; (3) the criminal law approaches to terrorism; (4) is there a “war” on terrorism?; and (5) what treatment should suspected terrorists be accorded?.

International Litigation and Arbitration (2) 776:

The course focuses on the practical and procedural aspects of litigating and arbitrating transnational business and trade disputes. In addition, other forms of international dispute resolution, such as mediation and electronic commerce dispute resolution, are examined. Special attention is given to issues regarding personal jurisdiction, service of process and gathering evidence abroad, conflicts of laws, arbitration procedures, clause drafting, mediation, participant codes of conduct, and award and judgment enforcement.

****International Protection of Human Rights (2) 526:**

This course analyzes the development of international mechanisms for the protection of human rights since World War II. The use of international human rights law in U.S. courts, recent case law of international human rights tribunals, and comparisons between human rights case law developed by international tribunals and U.S. civil liberties law are examined.

****International Refugee Law (2) 427AX:**

This course provides an introduction to the international legal regime for the protection of involuntary migrants. Its focus is the comparative judicial interpretation of the UN Convention refugee definition, accepted by 145 states (including both Canada and the United States) as the basis for a legally binding entitlement to remain within their borders. The course will also provide an overview of the nature of the rights owed to refugees under international law, and give consideration to the institutional structures through which protection is to be accomplished.

****International Sports Law (2) 656:**

Among the topics to be studied in this course are: issues arising out of the international operation of professional leagues, including the NHL, NBA, Major League Baseball, and European soccer leagues; aspects of international individual professional competitions in such sports as tennis and golf; international amateur competition, especially the Olympics; the licensing of international broadcasting rights to sporting events; effective sports governance; dispute resolution by national courts, the role of the (international) Court of Arbitration for Sport; and international merchandising and labor issues.

****International Trade Law (2) 514:**

This course examines the major treaties affecting what states can do to protect their own economies from foreign competition. The principles of the General Agreement on Tariffs and Trade (GATT) are discussed as well as the provisions for the Canada-U.S. Free Trade Agreement (FTA) and the North American Free Trade Agreement (NAFTA). Examples of trade conflicts between Canada and the U.S. (softwood lumber, steel) are discussed to show the application

of these agreements to actual trade disputes. The laws affecting investment disputes between states will be examined and the relationship of trade law rules to environmental concerns are also addressed. Completion of a course in international law is preferred, but not required.

Internet and E-Commerce Law (2) 563:

The Internet and e-commerce industries are among the fastest growing segments of the global economy. Southern California is a major center of information technology (IT) vendors and e-commerce enterprises. The Internet and IT industries are generating a complex and rapidly developing body of laws that show no sign of abating. Lawyers with an expertise in this area are in great demand.

This course covers the basic principles of law applicable to computer, Internet and e-commerce companies, including the protection of software, web site and databases, electronic contracting, consumer protection and privacy. The course also discusses the protection of domain names through trademark and anti-cybersquatting laws.

The course analyzes the developing body of federal laws applicable to the Internet, including the Child Online Privacy Protection Act, the Communications Decency Act, the E-Sign Act and the Digital Millennium Copyright Act.

This is an introductory course. A technical background is not required; a basic knowledge of computers and the Internet is recommended.

Interviewing, Counseling and Negotiating (3) 680C:

This course covers the skills of legal interviewing, counseling, negotiating, and preliminary fact investigation and analysis through a series of simulated exercises based on realistic problems. The course also emphasizes ethical issues commonly encountered in the performance of these lawyering tasks. The goal of the course is the development of performance and analytical skills necessary to function competently and ethically as a lawyer.

Prerequisite: Evidence.

Islamic Law (2) 565:

This course provides an introduction to the Islamic legal tradition. The course begins with an overview of the historical origins of the law and the development of the classical theory of the sources and jurisprudential foundations of the law. The course then surveys several of the more important doctrinal subjects treated in Islamic law, followed by an assessment of the role of Islamic law in the modern era.

J

Jewish Law:

See *Trial of Jesus Seminar*.

Journal Seminar (2) 683A:

This seminar provides new staff members on the *Southwestern Journal of Law and Trade in the Americas* with substantive information on important legal subject areas in the Americas; instruction on the essential ingredients of running a successful, high-quality law journal; and guidance through the initial stages of writing a law journal note, editing manuscripts and researching international, comparative and foreign law topics. *Prerequisite:* Students must be invited onto the Journal staff following a Summer Write-On Competition. Enrollment in the seminar is mandatory for Journal members.

Jurisprudence (2) 568:

Jurisprudence deals with the nature of law and legal reasoning. This course introduces the principal theories of law, the sources of legal rules and the characteristics of legal systems and non-legal systems of social ordering. Primary emphasis will be on a survey of theories of higher law (e.g. "natural law") and legal positivism viewed through the eyes of various thinkers.

Jurisprudence Seminar (2) 766:

This seminar explores the nature of law with other literature reflecting legal themes. Emphasis is placed on the ways in which lawyers and judges traditionally conceive of and express themselves in professional language, and how these modes of thought and speech may be modified and shaped by an individual lawyer's own experiences. Students explore the contexts in which legal and ethical judgments are made, and what it means to speak and write within the language of legal principles and rules. Students are asked to contribute to this body of literature through discussion and their own writing about diverse and competing lines of legal and literary thought, upon which substantive and strategic choices are made in the legal profession.

Jurisprudence Seminar: Law as Literature, Law in Literature (2) 766A:

This seminar examines legal writing, especially court opinions and law review articles for their literary value. Further, it takes up works of literature which pursue legal themes. Emphasis is placed on the value of well-written legal documents as an essential part of a lawyer's professional craft, as well as the use of persuasive forms of literary technique in the practice of law. Rhetorical analysis is emphasized.

Jurisprudence Seminar: Truth, Lies, Secrecy and Revelations (2) 766B:

This seminar focuses on important changes in lawyer-client privilege and confidentiality, a cornerstone of the individual professional relationship, and of practical consequence to the larger society.

This seminar also explores the currently controversial developments in the law governing the psychotherapist-patient privilege and confidentiality (e.g., "The Sopranos")

and also the law governing the penitent-priest privilege and confidentiality (e.g., as in revelations of murder confessions and the sexual scandals recently facing the Roman Catholic Church). All three topic areas are explored from legal, political, and social dimensions.

Through an examination and critical analysis of selective cases and hypotheticals clearly illustrating the limits and consequences of an attorney's employing the new variety of permissive disclosures, both under the ABA Model Rules, and CA B&P §6068(e)(2).

Presentations will be made encompassing the explorations into these three law-governing areas. Guest speakers ranging from lawyers to therapists and the clergy will fully develop the practical dimensions facing practitioners in the present and long-term future.

L

Labor Law (3) 594:

This course examines both private and public sector employment. The focus is on wrongful termination, including the at-will doctrine and its exceptions as well as the doctrine of constructive discharge; job security through collective bargaining agreements, with extensive coverage of the National Labor Relations Act; civil service systems and due process safeguards, including security for public employees; and employee rights and benefits under state and federal law, such as overtime and Family and Medical Leave Act requirements, vacation pay and bonuses, and employee privacy rights.

Not offered every academic year.

See Employment Law Survey.

Land Use Planning and Control (3) 554:

This course focuses upon an analysis of the legal and administrative aspects of the regulation of land use and development. The problems and techniques of urban planning, housing legislation, zoning, subdivision controls, public acquisition of land, tax controls, and urban redevelopment are discussed.

****Latin American Laws and Institutions (2) 756:**

This seminar provides an overview of Latin American legal systems. The seminar focuses primarily on constitutional law issues and current developments, such as Latin American economic integration, reform of the public sector, and the emergence of the Inter-American system for the protection of human rights.

Prerequisites: Constitutional Law I and II.

Law and Literature (2) 644:

This course examines the various points of thematic and methodological intersection between law and literature through a focus on important works of world literature dealing with legal issues. The course reveals a fresh perspective on

legal vocabulary and techniques of legal reasoning and argumentation. Students are provided with an opportunity to approach the analysis of law and the legal system from a broader cultural and cross-disciplinary framework.

Law and Religious Institutions Seminar (2) 704F:

Law and Religious Institutions seminar concerns the unique legal problems of religious institutions. The seminar begins with a brief overview of key Establishment Clause and Free Exercise clause concepts. Major subjects discussed will be: church organization and intramural disputes (e.g. legal entity, church property disputes); church/parishioner disputes (e.g. clergy malpractice, discipline and confidential communications); church and community (e.g. employment law, education law, land use, historical preservation); and church and fundraising (e.g. financial oversight, tax issues).

Law and Sexual Orientation Seminar (2) 744:

The law has always attempted to control human sexuality. This seminar will therefore examine the challenges posed in law and society by sexuality in general and sexual orientation in particular. It will also explore some of the intersections, or even hierarchies, between sexuality (which is defined to include gender as well as sexual orientation), race and class. Of particular import will be an examination of domestic and foreign case law, including some of the U.S. Supreme Court's gay/lesbian jurisprudence, and other decisional law (i.e., statutes, treaties, etc., where necessary or implicated), in which different decision-making bodies have analyzed and resolved claims of sexuality. The doctrinal material, i.e., the cases and statutes, will provide a starting point for discussion. But discussion will focus primarily on the pressing philosophical, theoretical and legal questions presented by the different challenges, intersections and hierarchies under consideration. In lieu of an exam, students will write a paper (which satisfies the writing requirement) on a topic approved by the professor.

Law of International Development Seminar (2) 519S:

This course deals with the rights and obligations of states and other actors (e.g., international organizations, NGOs) in their efforts to participate in or otherwise assist in the development process of primarily transitional and failed states, and emerging Third-World economies. The subject touches upon a large range of topics such as law reform (rule of law), sustainable development (International Environmental Law), role of NGOs and non-profits, human rights, investment and competition law, intellectual property and technology transfer, international contracting, international trade, anti-corruption.

Law of the European Union (2) 676M:

This course introduces the major EU institutions (Council, Commission, Parliament, Courts, and consultive institutions), examines the legislative process, the operation of the court system and its relation to national courts, explores aspects

of EU economic integration law (in particular the law of the Internal Market concerning the free movement of goods, workers, services and capital, as well as the various competition rules) and notes responses to human rights issues.

***Legal Analysis, Writing and Skills (LAWS) I (3) 145A:**

This fall semester course is designed to prepare students for the real-world demands placed upon attorneys by: (1) sensitizing students early on to ethical and professionalism issues; (2) promoting broad-based skills training, including analytical, research and writing skills; and (3) providing concentrated instruction in the basics of legal methods, legal reasoning, and legal process. The course teaches students how to conduct legal research, analyze statutes and court cases, and draft objective formal memoranda assessing the merits of a hypothetical case based on the research they have conducted. Class sessions focus on, for example, identification and articulation of legal issues, rule synthesis, use of precedent to make predictions about case outcomes, organization of a written analysis, paragraph unity and coherence, precise and concise writing style, consistency of tone, and awareness of audience. Students also receive focused instruction on professionalism and the legal profession, drawing on several empirical studies of lawyers' careers.

***Legal Analysis, Writing, and Skills II: Appellate Advocacy (3) 145AA:**

This spring semester course is designed to help students develop lawyering skills that students will need in their legal careers. The course continues to refine students' skills in the legal research, analysis and writing style techniques introduced in the fall semester LAWS I course. In addition, it adds instruction on persuasive legal writing. The course also includes assignments and lessons on professionalism, oral advocacy and client counseling. The Appellate Advocacy track of LAWS II instructs students on advocacy in the courts of appeal. Students will handle an appeal in a hypothetical legal case. They will meet with their clients, conduct legal research, draft an appellate court brief, and present oral argument before a panel of justices.

***Legal Analysis, Writing, and Skills II: Negotiation (3) 145NG:**

This spring semester course is designed to help students develop lawyering skills that students will need in their legal careers. The course continues to refine students' skills in the legal research, analysis and writing style techniques introduced in the fall semester LAWS I course. In addition, it adds instruction on persuasive legal writing. The course also includes assignments and lessons on professionalism, oral advocacy and client counseling. The Negotiation track of LAWS II teaches the core skills of legal research, writing, advocacy and client counseling in the context of negotiation exercises. Students will meet with their clients, conduct legal research and draft a trial court motion. Students in the negotiation track will participate in contractual negotiations.

***Legal Analysis, Writing, and Skills II: Trial Practice (3) 145TP:**

This spring semester course is designed to help students develop lawyering skills that students will need in their legal careers. The course continues to refine students' skills in the legal research, analysis and writing style techniques introduced in the fall semester LAWS I course. In addition, it adds instruction on persuasive legal writing. The course also includes assignments and lessons on professionalism, oral advocacy and client counseling. The Trial Practice track of LAWS II is tailored to the work of a trial attorney. Students will handle a variety of tasks in the pre-trial and trial stages of litigation in a hypothetical legal case. They will meet with their clients, conduct legal research, draft a trial court motion, examine witnesses and argue before a jury.

Legal Malpractice (2) 663PR:

This course examines the growth and development of the rapidly evolving area of legal malpractice. Course emphasis is on the doctrinal and conceptual bases for legal malpractice, as well as the interplay between the law of legal malpractice and issues raised by rules of professional conduct. The basis for the legal malpractice claim is explored, as are other theories for which a lawyer can be liable to clients and others. Such other areas include breach of fiduciary duty, fraud, and consumer protection statutes. A central purpose of the course is to stimulate students' analytical skills by exposing them to different substantive areas of law within the context of a legal malpractice setting. A major emphasis of the course will also be on the prevention of malpractice. In that context, the course will examine common mistakes made by practicing attorneys that give rise to malpractice claims. The course will also cover a representative errors and omissions insurance policy, and address what is and is not covered by insurance.

***Legal Profession (2) 155:**

This course examines the lawyer's individual and professional obligations to clients, to other lawyers, to the courts, and to the larger society. Special attention is given to the lawyer's role as a professional and the concomitant obligations and conflicts that the professional role creates. The course also canvasses the means by which the professional role is defined, including professional codes of conduct, professional traditions and history, ethical philosophy, and social and cultural expectations of lawyers and the legal system.

*****Legal Spanish for International Practice (1) 815:**

Legal Spanish will introduce students to Spanish legal terms and teach students the basic legal concepts behind those terms. This course has a practical focus, using different contracts and legal instruments that are commonly used in Spanish-speaking legal systems, with a particular focus on Argentinean practice. The course is taught in Spanish. Although students are assumed not to possess any legal vocabulary in Spanish, basic fluency in Spanish is required.

Legislation (2 or 3) 598:

This course examines judicial interpretation of statutes. To better understand the various approaches to statutory interpretation, the course examines how legislative bodies function and the rules which govern them. The course will also examine the initiative process, by which voters in California and elsewhere can directly change constitutional or statutory provisions.

M**Mass Media Law (2) 600:**

This course deals with the law of mass communications with references to radio, television, advertising, public relations, and publicity. The focus is placed on the Federal Communications Commission and includes licensing and rule making. Impact of the regulatory and statutory laws affecting the media, such as equal time and the "family hour," will also be discussed.

Mass Tort Litigation (2) 581 / Capstone Course (3) 581CP:

This course examines the issues arising in mass tort litigation such as tobacco, asbestos, and silicone breast implants. Initially, the course explores the tension between aggregate procedure and litigant autonomy, as well as ethical dilemmas arising in mass tort practice. The course then assesses attempts to adjudicate mass torts through the class action rule, consolidation, multidistrict litigation procedure, and preclusion doctrine. The course also examines the effect of mass tort litigation on tort law doctrines such as the problems of indeterminate plaintiffs, indeterminate defendants, joint liability, causation and use of scientific evidence, and aggregate damages. In addition, the course addresses choice-of-law problems implicated in mass tort litigation. The course concludes with a brief consideration of alternatives to the litigation of mass torts.

Prerequisites: Torts; Civil Procedure I and II.

Media Coverage Law and Public Policy (1) 651M:

This course will explore the interplay between news coverage and legal and legislative policy. By examining recent case studies and empirical data, students can observe how news events have driven litigation, legislation or regulation and, conversely, how legislative proposals and litigation are "heard" or "used" in the public arena. The course will explore how reporters and editors evaluate and understand the world of law and in turn, how lawyers and lawmakers can drive media attention.

*****Media Litigation (2) 845:**

This two-unit intersession course examines the issues that arise when defending a media client against claims of defamation and invasion of privacy. While the course will, to a degree, address theoretical legal issues, the course is skills focused. The course will examine the various phases of litigation

through adapted real world cases. Topics covered will include: case strategy, discovery, summary judgment motions, and trial strategy. In addition to various in-class exercises, student will present an oral argument on a summary judgment motion. *Prerequisites:* Students must have taken at least one of the following courses: Mass Media Law; Representing Journalists; Defamation, Privacy, and Publicity; California Defamation Seminar; or Entertainment Law.

*****Mediation (1) 855:**

This course examines the theory and practice of mediation as a form of alternative dispute resolution. Among the topics to be treated are differences between adjudication and mediation; management of client expectations; goal-setting; dealing with adversaries; the role of the mediator; and completing the settlement. Heavy emphasis will be placed on student participation in simulated exercises, including role-playing as clients and advocates.

Recommended: Alternative Dispute Resolution; Civil Procedure I and II.

Moot Court Honors Program (2-3) 682MC:

Participation in the Moot Court Honors Program is by invitation only. Students who have been selected to participate in Moot Court must register for the program via Student Action Report (SAR) in the Registration Office in W102. For more information, please visit www.swlaw.edu/academics/cocurricular/mootcourt.

Motion Picture Production Law (2) 666:

This course is intended to train the student to be a production attorney for a motion picture studio or production company. The entire process of motion picture production, from acquisition of rights to talent agreements, production concerns and distribution issues, will be covered.

Prerequisite: Copyright Law.

Museum and Art Law Seminar (2) 772:

This seminar deals with selected legal issues regarding museums and other cultural organizations, with an emphasis on institutions with art holdings. Issues such as repatriation of cultural objects; deaccessioning of museum objects; intellectual property; artists' rights; fiduciary responsibilities of trustees, officers and employees; government funding of the arts; and tax exempt status of museums are considered.

Music Industry Contracts (2) 672:

This course concentrates on the wide variety of contractual arrangements protecting the interests of the parties working in the music industry. Among the contracts to be studied are management, merchandising, producer, publishing, recording, and touring agreements. Where appropriate, collective bargaining agreements affecting the terms and conditions of artists' employment will be analyzed. Students will have the

opportunity to participate in mock negotiations and hear from guest speakers with hands-on experience in the industry.

Prerequisites: Copyright Law (may be taken concurrently).

The Music Publishing Industry (2) 667:

This course supplies a basic component of several other entertainment industries (films, television, commercials, live performances). This course will examine, among other topics: songwriting and ownership of copyright, rights of joint authors, songwriter/publisher agreements, mechanical royalties, print rights, ASCAP/BMI/SESAC licenses.

Prerequisite: Copyright Law.

N

National Security and Foreign Policy Seminar (2) 704E:

Lawyers have always been intimately involved with the formulation, prosecution and defense of public and individual interests related to the national security. September 11th traumatically induced a realization that our way of life and the freedoms we enjoy are vulnerable to terrorism and other forces that threaten national security. Moreover, the projection of U.S. power and authority beyond its borders to establish a more secure legal order potentially exposes our citizens to other risks. This seminar explores a large range of topics to better understand the role of law and lawyers in establishing national security, shaping foreign policy, and combating terrorism. Among the topics to be examined are: Presidential power over war and national security, role of law in the development and implementation of U.S. foreign policy, terrorism and efforts by law enforcement to combat it, the regimes that address the development and use of weapons of mass destruction, civil remedies available to victims of terrorism; homeland security and domestic intelligence, and national security laws affecting civil liberties.

P

Patent Prosecution and Drafting (2) 772:

This course provides an introduction to patent application drafting techniques for students interested in pursuing patent law as a career. Students are afforded the opportunity to prepare an entire patent application. Although an overview of statutory requirements is included in this course, prior exposure to patent law is considered helpful. (Formerly known as Patent Application Drafting)

Prerequisites: Patent Law.

Patent Law (3) 586:

This course provides an in-depth study of the substantive patent law of the U.S. Although the Patent Office procedure to obtain a patent is not covered in this course, the conditions for a valid patent are reviewed, such as inventorship, the date of the invention, the novelty requirement, statutory bars other than novelty, and the requirements of utility and non-

obviousness are explored. The types of patentable subject matter, what constitutes infringement of a patent, and the litigation procedures, remedies, defenses, and judgments as they relate to patent infringement matters are reviewed. Various property and contract interests in patents and inventions such as assignments, licensing, recording, and shop rights are studied, as are antitrust, misuse, and fraud insofar as they may limit patent owners' rights.

Political Trials Seminar (2) 736:

This seminar is designed to explore, from both a jurisprudential and practical point of view, some significant political trials in American history and their relationship to the American legal system. The range of choices available to lawyers in cases involving interviewing and counseling clients, case planning, working with defense committees, voir dire, and other trial skills are considered from both a theoretical and practical perspective. Each student will write an in-depth paper, and present it, on an American trial. Political trials in the international context will be used as counterpoint.

Practical Lawyering Skills (2) 371:

Practical Lawyering Skills is a two-unit, second-year course designed to enhance students' critical thinking and writing skills. Admission to the course is by invitation only. The course will be especially helpful for students who have not had an opportunity to clerk or to participate in an externship while in law school. Students will analyze case and library files like those found on the California Bar Exam's performance tests. While the legal topics will not be the focus of the course, students will likely encounter issues not usually covered in law school, but often encountered in law practice. Class sessions will focus on techniques for efficiently reading and analyzing case and library files, organizing the material, and drafting documents for a specific audience, all under strict time constraints.

Products Liability (3) 582:

This is an advanced course in torts and contract principles pertaining to the liability of all those who are part of the integral marketing enterprise for goods and services. There is also coverage of legislative and administrative controls with respect to goods and services which are placed into the stream of commerce.

Prerequisite: Civil Procedure I and II.

***Property (4) 160:**

This course provides an introduction to the basic concepts of property law with emphasis on real property law. Course coverage includes: adverse possession, landlord-tenant, possessory estates, future interests, concurrent ownership, sale of real property, recording statutes, conveyancing, zoning and other land use controls. Takings may also be included.

*****Prosecution and Defense of Domestic Violence (1) 840:**

This skills course introduces students to the practice of family law by focusing on issues of domestic violence. After providing an overview of the law of domestic violence, the course will provide students the opportunity to draft requests for emergency (ex parte) restraining orders and related exclusion orders. Students will also learn how to prepare, and oppose, requests for child custody, child support, and attorney fees. Students will have the opportunity to participate in contested hearings.

Prerequisites: Evidence; Family Law.

Public International Law (3) 524:

An introduction to international law, this course deals with bases of jurisdiction in the international community, resolution of conflicts between legal systems, the nature and sources of international law, standards for international trade and investment, international and regional courts and organizations, and control of the use of force in international disputes.

R**Race and Gender in Criminal Justice Policy Seminar (2) 778B:**

This seminar focuses on a number of different issues concerning race and gender in criminal justice policy. The course addresses criminal procedure; evidentiary and sentencing policy; and trial practice issues. Topics may include drug courier profiles; driving while black or brown; cultural defenses; battered women and rape trauma syndromes; jury selection; and racial disparity or gender issues found in the criminal justice system.

Prerequisites: Evidence; Constitutional Criminal Procedure (may be taken concurrently).

Race and the Law Seminar (2) 569S :

This seminar examines law through the prism of race and its assumptions of power and powerlessness. Topics of discussion include the role that race plays in our legal and social understanding of freedom and slavery, citizenship and alienation, individual and group identity, and crime and punishment.

Real Estate Transactions (3) 588:

This course is designed to examine the legal and economic aspects of land sales transactions. A study is made of the typical documentation used in such transactions; the roles of the real estate broker and the lawyer; the rights, liabilities and remedies of the buyer and seller arising out of their contract; sources and alternative forms of financing; basic tax considerations; forms of ownership; title protection devices; and development alternatives.

Prerequisites: Property.

Remedies (2 or 3) 165:

An analysis of the form, measure and extent of relief available to protect property, personal and business interests, this course covers the nature and dynamics of judicial remedies by focusing on injunctions, damages and restitution. The procedural and substantive aspects of injunctions and remedies available when rights have been violated are also studied.

Representing Journalists (2) 670:

This is an advanced course in the common law and constitutional protection accorded to journalists and news organizations involved in newsgathering. Specific topics include journalist's privilege, access to state and federal government records, access to judicial proceedings, cameras in the court room, and the tension between free speech and fair trial rights. Special emphasis will be on the practical issues confronting counsels to news organizations, such as state shield laws, the Freedom of Information Act, privacy liability, contractual liability, and potential fraud litigation. The course will also look at how media consolidation has affected the rights and liabilities of journalists.

Prerequisite: Mass Media Law.

Reproductive Technologies and the Law (1) 820:

As artificial insemination, in-vitro fertilization, and contracts for gestational services have become widespread, the thorny issues surrounding reproductive technologies and the law have grown. This course introduces students to the field of reproductive technologies and the many legal, medical, and ethical issues surrounding those technologies. Topics covered in this course include: methods of conception and procreational liberty; selling, donating, and insuring reproduction; parentage and parental rights; divorce; and embryonic stem cell research. Students will be required to make an in-class case presentation, and will be evaluated on their advocacy skills as well as class participation.

Prerequisites: Constitutional Law I and II.

Recommended: Family Law; Community Property.

S**Sales (2) 350:**

This is a basic course dealing with contracts for the sale of goods under Article 2 of the Uniform Commercial Code. Its goals include the development of skills in statutory analysis and an in-depth understanding of the process of contract formation and performance.

Scientific Evidence (2) 536A:

The course begins with the U.S. Supreme Court decision in *Daubert v. Merrell Dow Pharmaceuticals Inc.* (113 S. Ct. 2786, 1993). This decision threw out the Frye Rule that had governed the admission of scientific evidence in federal courts since 1923. While the Daubert rule now applies in all federal

courts, states are free to either stay with the Frye Rule, adopt the new Daubert Standard or adopt some combination of the two. Students will consider the implications of these evidentiary changes in a number of areas of legal controversy. Topics will be drawn from the following subjects: tort litigation involving Bendectin, DNA testing in criminal cases, traditional forensic evidence involving handwriting identification, finger print analysis, surveys as scientific evidence in consumer confusion cases, and psychological syndrome evidence cases - post traumatic stress disorder, battered woman syndrome, and rape trauma syndrome. Other topics may be drawn from constitutional law cases including death penalty issues, jury size cases, school segregation by race and gender (including the controversy over single-sex education, and the ending of school busing mandates by the federal courts). The goal of this course is to increase the proficiency of lawyers to use scientific evidence on behalf of clients and be able to defend against such evidence when presented by the opposing counsel.
Prerequisites: Evidence (may be taken concurrently).

Secured Transactions (3) 355:

This course focuses on the use of security interests in personal property in basic commercial transactions. The inter-relationship of secured transactions and the federal Bankruptcy Code with the effect of automatic stays and the avoidance powers of the trustee in bankruptcy are among the issues considered.

Securities Regulation (3) 516:

The U.S. capital markets, the legal complexities involved in raising capital, and the concurrent responsibilities assumed when a company "goes public" are focused upon in this course. The role and responsibilities of corporate counsel, underwriters counsel, SEC counsel, "directors," "controlling persons," and "insiders" are explored. The course material includes federal and state legislation, administrative action, and case law. The Securities Acts of 1933 and 1934, and the rules and regulations promulgated thereunder by the SEC are examined.

Prerequisite: Business Associations.

*****Selected Problems in Evidence (Evidence Lab) (2) 835:**

This two-unit, hands-on intersession course provides students a unique opportunity to learn evidence through practical in-court simulations. The course will expose students to complex evidence issues raised by the Federal Rules of Evidence and, where appropriate, the California Evidence Code. During the simulations, students will act as opposing lawyers, witnesses and judges, and argue for the admission or exclusion of particular pieces of evidence.

Prerequisites: Evidence

Selected Topics in American Law (2) 370:

Selected Topics in American Law is a graded course that is offered to third-year day and fourth-year part-time students.

Admission is by invitation only, and enrollment is limited to 20 students. The course builds on the analytical, writing, and organizational skills taught throughout the law school's curriculum, with the goal of enhancing a student's ability to prepare for, and pass, the California Bar Examination. The course covers selected substantive topics that frequently appear on the California bar exam, with special emphasis on the Multi-State Bar Examination subjects (contracts; criminal law and procedure; constitutional law; evidence; real property; and torts). In addition, students will learn methods to answer essay, multiple choice, and performance questions. Students will complete in-class and/or out-of-class assignments involving practice essay, multiple choice, and performance test questions, and receive feedback on selected written answers. In the course of the semester, students will: write and hand in to the professor answers to six essay questions (and write one "re-write" for each of the aforementioned six essays), answer 150 multiple choice questions, and answer one performance test. The course also will introduce students to the format and components of the California Bar Exam. This course is not intended to replace commercial bar preparation courses.
Prerequisites: Students enrolled in the course must use some version of Microsoft Word.

****Settlement of Transnational Disputes (2) 455AX:**

This course will survey the means, methods, and strategies by which transnational business disputes are resolved. It will explore related issues - such as the business and legal cultures and the practical and ethical concerns - affecting litigation, arbitration, and mediation through national and international fora, including the internet. The focus will be on commercial, trade, intellectual property, quasi-public (e.g., private investor vs. national government), and public law disputes. The course will rely in part on guest speakers with expertise in these areas.

Special Education Law Seminar (2) 726:

This seminar focuses on the law that relates to the education of children with disabilities. It covers the concept of appropriate education, the right to an education in the least restrictive environment, the entitlement to related services, due process rights, and additional central ideas in special education law. Students will research those topics and others relating to legal entitlements to public school services for children with disabling conditions.

Sports Law (2) 544:

This course provides an analysis of the sports industries and the laws which regulate or fail to regulate their functions and behavior. It includes coverage of the legal and business background of professional sports, basic agreements in controlling sports, developments of a sports legal structure representing the professional athlete, contracts, the players' unions, and management perspectives.

Prerequisites: Civil Procedure I and II.

Street Law - Youth in Transition (2) 680SL:

Students enrolled in this clinical externship teach law-related critical life skills to youth in the Los Angeles dependency, delinquency and special education systems. Students participate in mandatory weekly class meetings at Southwestern to prepare them to go out into the community to teach a 10-week class to a select group of teens. Enrollment is limited to 8 students per semester. For specific details, please visit the Clinic Office (W408) or www.swlaw.edu/academics/clinic/streetlaw.

Survey of Federal Income Taxation (3) 340:

This course provides a general introduction to federal income tax law that emphasizes the taxation of individuals. Topics covered include: the historical and constitutional foundations of individual income tax; the general scheme of the Internal Revenue Code; techniques of statutory interpretation; the basic concepts of gross income, exclusions, credits, deductions and restrictions on deductions, timing principles, capital gains and losses, sales and exchanges of depreciable property, nonrecognition and other deferment provisions; an overview of the alternative minimum tax; the method and timing of assignments of income; and the tax practitioner's primary sources of law in the face of the limited utility of secondary sources.

T**TAHP Advanced Trial Advocacy (2) 584A:**

Participation in the Trial Advocacy Honors Program (TAHP) is by invitation only. Students who have been selected to participate in TAHP must register for the program via Student Action Report (SAR) in the Registration Office in W102. For more information, please visit www.swlaw.edu/academics/cocurricular/tahp.

Taxation of Business Entities (3) 619:

This course will cover the taxation of general partnerships, limited partnerships, limited liability companies, Subchapter S corporations and Subchapter C (i.e., ordinary) corporations. The course is intended for students who intend to practice business law. It will provide students with the tax knowledge they will need in order to counsel clients on: the type of entity to form when starting a new business or expanding and existing one; the daily operations of business entities; and the termination of business entities by liquidation or sale. This course is an extension of the Survey of Federal Tax course in which students will have studied personal taxation (i.e., taxation of income from employment), investments and the operation of sole proprietorships, but not the taxation of business entities. This course also may be thought of as the tax companion to the Business Associations course.
Prerequisites: Survey of Federal Income Tax; Business Associations (may be taken currently).

Telecommunications Law and Policy (3) 601:

This course introduces the traditional regulatory regimes used in these industries when they were perceived as separate (and largely static entities). In broadcasting the focus is on spectrum allocation, the public trust concept and licensing on the basis of comparative evaluations of applicants. The telephone segment explores exclusive franchises and rate of return regulation. In cable, local franchise and state regulation combine with federal restraints on growth (intended to protect broadcasters from cable).

The course also addresses the significant regulatory and reform initiatives that began to affect these industries in the 1970's and 1980's. During this period, the significance and potential for direct and intermodal competition began to be recognized at policy making levels and to some extent to be encouraged. In broadcasting, materials will note the movement toward bidding for spectrum; in cable it will cover the 1984 and 1992 Acts; in telephone it will involve both the events leading up to and following the AT&T divestiture and the 1996 Telecommunications Act.

Finally, the course will explore the regulatory and deregulatory dilemmas encountered today. There remain three still largely separated regulatory systems, one for broadcast, one for telephone (extensively revised by the 1996 Act), and one for cable. These systems, however, encounter industries that are densely imploding, most dramatically in the area of interactive broadband, but in other areas, as well.

Television Production Law (2) 664:

This course examines key legal and business aspects of television production. The course is organized according to the chronology of events that lead to the airing of a network television series. During each class, students are introduced to a particular issue, its relevance to the television production process, the legal issues involved, and the problems that must be addressed. Students are divided into teams of law firms, studio departments or network personnel. Each week, the teams are assigned a problem that must be addressed by negotiating with another team playing a corresponding role.
Prerequisites: Copyright; Entertainment Law.

***Torts (4) 170:**

This course examines civil wrongs not arising from a breach of contract. It explores several theories for holding such wrongdoers liable – including intentional torts, negligence and strict liability – and the defenses that may be asserted in response. For each theory and defense, it analyzes the law's substantive bases, evidentiary requirements, historical antecedents and policy implications. It covers topics as diverse and important as duty, standard of care, causation, harm, intent, privilege, deterrence, punishment, compensation and loss spreading. Sensitive to social context, it considers the current interrelationship among tort law and various social systems – like the criminal justice, legislative, regulatory and

private insurance systems – and assesses the law’s future in light of these and other alternatives.

Trademark Law (2) 640:

The principles of common and statutory law, both state and federal, which protect the identification of the source and sponsorship of goods and services, and the law of unfair competition are analyzed in this course. Administrative and adversary proceedings respecting trademark registration and infringement are also explored.

Trial Advocacy (3) 584:

Trial Advocacy introduces the fundamental trial techniques employed in the preparation of witnesses, jury selection, direct examination, cross-examination, expert witnesses, introduction of exhibits, use of demonstrative aids, and delivery of opening statements and closing arguments. Simulations are utilized throughout the course.

Prerequisite: Evidence.

Trial Advocacy Honors Program (TAHP) (3) 584:

TAHP Trial Advocacy and TAHP Advanced Trial Advocacy are required courses for all students participating in the Trial Advocacy Honors Program (TAHP). TAHP Trial Advocacy (Section 584IT) is offered in the Spring to new members selected from a Fall interview process. TAHP Advanced Trial Advocacy (584AIT) is offered in the Fall for SCALE II, third-year day, and fourth-year evening and PLEAS continuing TAHP members.

Participation in the Trial Advocacy Honors Program is by invitation only. Students who have been selected to participate in TAHP must register for the program via Student Action Report (SAR) in the Registration Office in W102. For more information, please visit www.swlaw.edu/academics/cocurricular/tahp.

Trial Advocacy Seminar: What are the Parameters of Advocacy? (2) 766E:

The course is designed to build upon the basic trial advocacy course and provide insights into the litigation process utilizing concepts of philosophy, ethics, morals, civility and professionalism. The following issues, among others, will be addressed: What is the purpose of the judicial system? Is “justice” a part of the judicial system and if so where and how does it fit in? Are so-called hardball tactics effective and professional? Viewing the process through the eyes of the parties, the lawyers, the court and the jurors.

Trial of Jesus Seminar (2) 766D:

This seminar will examine the trial of Jesus by deconstructing and analyzing the Gospel of Matthew in light of Jewish religious and criminal law and procedure, as well as known historical events. The course also will explore the impact of the trial on the Jewish people and world history. The course assumes no prior knowledge of Judaism, Jewish law, or Christianity.

U

Unfair Competition and Consumer Protection (3) 518:

This course explores federal and state laws that protect the right of a business to enter markets and compete fairly. These laws and related laws also protect consumers against deceptive practices. With an eye to integrating recent developments, such as the Napster case, involving advertising and sales through the Internet, the course examines common law and statutory business torts; trademark, trade name and copyright laws; and Federal Trade Commission and state law regulation of false or deceptive advertising.

V

Video Game Agreements:

See *Drafting and Negotiating Video Game Law Agreements*.

Video Game Law (2) 671:

The video game business is the fastest-growing segment of the entertainment industry, and - from a legal point of view - one of the most complicated. This course will cover the full range of legal questions that must be answered by lawyers whose clients are in this business, including issues involving intellectual property, employment, content regulation and marketing. Among other things, the course will study: employment and work-for-hire agreements between game developers and talent (creative and technical), including talent guild collective bargaining agreements; content licensing agreements between developers and movie production companies; distribution agreements between developers and game publishing companies; technology licensing agreements for game engines and game console compatibility; First Amendment censorship and FTC marketing issues, including potential tort and criminal liability triggered by violent or sexy game content; piracy; and issues raised by the creation and sale of “virtual property” by game players. Although, today, most video games are published and sold to entertain those who play them, a growing number of games are being developed to train and educate players, so this course may be of interest to students who are interested business and technology law, as well as those interested in entertainment law.

*****VITA Income Tax Course (1) 825:**

The Internal Revenue Service sponsors a highly-regarded Volunteer Income Tax Assistance Program (VITA) in which trained volunteers prepare income tax returns for low-income and elderly residents. To be eligible to participate in the VITA Program, volunteers must become IRS-certified; and to do that they must pass a test that is administered by the IRS itself. This course will prepare students to take and pass the test to become certified at the Intermediate and Advanced levels. Class will meet three hours per day, Monday through Friday of the January Intersession. Students then will have the balance of the month of January to take and pass the Intermediate or

Advanced test. The test is open-book, administered online, and may be retaken until it is passed.

The course will be graded credit/no credit. To receive credit, students must take and pass the intermediate or advanced test. Passing only the basic test will permit the student to volunteer in the VITA program, but it will not be sufficient to receive credit for the course.

Recommended: Survey of Federal Income Tax.

W

Water Law (3) 558:

Competition for water is the hallmark of development of the western United States. This course will introduce students to the two main strands of U.S. water rights law - riparianism and prior appropriation - and will analyze changes in traditional doctrine as the allocation of water becomes highly regulated and highly dependent on public subsidy and public construction. Because California is the leading American jurisdiction in water law, the course will emphasize California law and institutions. Other topics include Indian reserved rights, groundwater management, and water marketing and delivery.

White Collar Crime and Other Aspects of Federal Criminal Law (3) 535:

This course explores the substantive and procedural problems connected with the federal prosecution and defense of white collar crime. It also examines selected federal statutes including the Racketeer-Influenced and Corrupt Organizations Act (RICO). The range of topics includes mail and wire fraud, securities fraud, money laundering, corporate criminal liability, and Grand Jury investigations.

Wills and Trusts (4) 360:

This course combines the study of the transmission of property at death, including the rules of interstate succession, with inter vivos gifts, the creation of inter vivos and testamentary trusts, and the rights and duties of trustees who hold and manage property for another or for charitable purposes. It includes the study of resulting and constructive trusts as well as the Uniform and California probate codes.

Women and the Law Seminar (2) 766:

This seminar explores concrete legal problems of particular and current concern to women. Among the areas potentially covered by the seminar paper and weekly readings are women in the legal profession; women in the workplace; women athletes and women as students; work/family conflicts; domestic violence, rape, and other violence against women; sexual discrimination and harassment; divorce and child custody; abortion and other regulation of biological reproduction; rights of minors as a matter of gender, prostitution and pornography, prosecution of women who commit crimes, especially women who kill domestic partners or who abuse or neglect their children; prosecution of women who abuse drugs or alcohol while pregnant; treatment of

women in the military, treatment of women in international law; and treatment of women as women, versus women as lesbians or women as part of a particular racial, cultural, or religious grouping. At least some of the weekly readings are drawn from commentary by feminist legal scholars.

Workers' Compensation Law and Practice (2) 604:

This course is an introduction to the constitutional and historical background of workers' compensation law, relevant statutory and case law, and substantive and procedural issues in workers' compensation, including compensability, benefit structure, and tort law relationships. The course serves as an introduction to practice before the Workers' Compensation Appeals Board and appellate review.

Not offered every academic year.

Wrongful Convictions Seminar (2) 778A:

Recent developments in DNA testing have confirmed the long-standing fear that individuals can be convicted of crimes they did not commit. There are currently nearly 200 DNA exonerations in the United States, which typically involved serious violent felonies, some of which were capital crimes. A number of exonerations have also occurred in cases not involving scientific evidence. Wrongful conviction of the innocent not only destroys the lives of those convicted and their families; it allows the actual perpetrator of the crime to go unpunished and to be free to potentially convictions, ways to lessen their defense counsel, accomplice testimony, false confessions, eyewitness testimony, as well as systematic issues. Students are graded on the basis of a researched seminar paper of 30-40 pages. In addition, each student will be responsible for helping to facilitate all or part of a class session concerning the general topic of the student's paper, including selection of the relevant reading material.

Recommended: Evidence and Constitutional Criminal Procedure (may be taken concurrently).