2013

GUIDE TO THE UPPER CLASS CURRICULUM

AT THE OHIO STATE UNIVERSITY

MORITZ COLLEGE OF LAW

FOR J.D. STUDENTS

Revised: August 13, 2013
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Preface

The Academic Affairs Committee compiled the original version of this manual in 1994 and the faculty and Associate Dean for Academic Affairs update it annually.

After completing the first year mandatory curriculum at the College, there are only two remaining courses that students are required to take in order to satisfy graduation requirements. Beyond those two courses, students are free to choose any course of interest to them. The purpose of this Guide is to help students in the selection of their courses in the second and third year.

The Guide to the Upper-Class Curriculum is divided into sections. Section I materials identify general information governing the curriculum, including graduation requirements and the course registration process; enrollment in courses offered at Ohio State University but outside the College of Law; and procedures governing Dual Degree Programs. Section II materials identify possible areas of intellectual and practice interest in the law and offers advice on how a student with interest in an area might arrange his or her upper-level coursework. Section III describes the requirements for the College’s three J.D. certificate programs.

As a faculty, we have different opinions about whether it is important to choose a specialty or concentration. Some believe that specializing permits more advanced study, enhances interest in the second and third years of law school, and provides an advantage in the employment market. In contrast, others point out that having a broad education is the best strategy, since lawyers change specializations frequently, and further note that flexibility may add to greater job opportunities. Each student must make his or her own decision concerning these issues.

All faculty agree that each student should develop knowledge and skills in basic law subjects, regardless of their areas of interests. For example, most students should consider taking the second-year preference courses: Business Associations, Civil Procedure II, Evidence, and Federal Income Taxation. Furthermore, all students should select courses that will help them to develop effective writing and research skills—skills that are essential in every field of law. Faculty members do, however, have different views on whether preparation for the bar examination should be a factor in course selection. Some believe that students can learn subject-specific materials while they study for the bar.

If you have questions about what courses to take, please feel free to speak with (1) Assistant Dean Monte Smith or April Davis, Director of Student Services; (2) faculty designated to provide counseling on course selection; (3) faculty members who teach in specific areas of interest; or (4) any individual faculty members from whom you feel comfortable seeking advice.
SECTION I: GUIDELINES FOR COURSE SELECTION

A. GRADUATION REQUIREMENTS

1. Total Credit Hours Required

   Under Faculty Rule 5.04, a student must successfully complete 88 semester hours of credit in order to graduate. This averages out to approximately fourteen hours a semester in the four semesters of the second and third year. First-year students who have load lightened must average slightly more credit hours in their second and third years in order to complete the required first-year curriculum and the appropriate number of upper-level credit hours.

2. Regularly-Scheduled Law Classes Credit Hours Required

   In addition to the 88 law credits required to earn the J.D., students must complete at least 70 credits in regularly scheduled law classes (or at least 67 credits must be in regularly scheduled law school classes for dual-degree students).

   Regularly scheduled law school classes include:

   - Moritz College of Law courses and seminars;
   - Moritz College of Law clinics;
   - In-class credits completed at another law school, including transfer credits and credits completed by students visiting away at another school;
   - Credits from approved study in a foreign exchange program.

   Regularly scheduled law school classes do not include:

   - Independent study work;
   - Journal or moot court;
   - Non-law classes (even those taken by dual-degree students); and
   - Externships.
3. Residence Requirements

Under Faculty Rules 5.01 and 5.02, a student must have six semesters of full-time residence, or the equivalent, in order to graduate. Full-time residence is defined as ten semester hours or more of College of Law work in a semester, excluding a summer session. A summer session (regardless of the number of hours taken) or a regular academic year semester with less than 10 semester hours counts as a part-time semester of residence. Rule 5.02 provides in part as follows:

If a student takes fewer than ten semester hours of work in courses scheduled in the College of Law during any semester or summer session, each hour will count as one tenth of a full semester for purposes of determining whether the full semester requirements for graduation are met. However, no more than three sessions (semester or summer session) may be aggregated during a student's law school career for purposes of meeting the full semester requirements for graduation, and students seeking to aggregate semesters or sessions of fewer than 10 hours to more than one full semester must secure the approval of the Academic Affairs Committee.

Students who wish to accelerate and graduate in December of their third year must take summer courses both summers, together totaling at least ten semester hours, to fulfill the six semester requirement, because a single summer along, regardless of the number of hours taken, cannot constitute a full-time semester. In addition, if a student seeks to combine two summer sessions into a full-time semester, the student must be sure that the summer sessions together contain at least 65 days of classes. A number of summer programs, particularly programs involving study abroad, do not contain a sufficient number of class days to allow students to accelerate graduation. This includes the University of Oxford-Ohio State University Summer Law Program. A student attending the Oxford Program (or another summer abroad program) who desires to use the attendance at that program to accelerate graduation must also attend other classes of a sufficient number of class days to meet the “class day” requirements. This is also true of the one-hour mini-courses offered during the summer; students receive residency credit only for class days on which those classes actually meet.

Additional graduation requirements may be found in Faculty Rule 5.13, which provides that "the requirements for completion of the J.D. degree shall be completed within a maximum total of seven semesters of enrollment, whether that enrollment is part-time or full-time, and shall be completed within a maximum total of five calendar years from the date of first matriculation in the Moritz College of Law. This limitation on the maximum numbers of semesters does not apply to students enrolled in a dual-degree program."
4. **Course Requirements for Graduation**

Students must successfully complete all of the courses in the first-year curriculum. There are two upper-level courses requirements for graduation: (i) Professional Responsibility and (ii) either Appellate Advocacy I or Transactional Lawyering. In addition, each student must satisfy the Seminar requirement and the Second Writing requirement.

a. **Appellate Advocacy I or Transactional Lawyering Requirement**

Students must take either Appellate Advocacy I or Transactional Lawyering during the Fall Semester of the second year. Legal Analysis and Writing I and Legal Analysis and Writing II, normally taken by every student during his or her first year, are both prerequisites for Appellate Advocacy I and Transactional Lawyering. In unusual circumstances, this requirement may be fulfilled in the third-year, with permission of the Associate Dean for Academic Affairs.

b. **Legal Profession Requirement**

Faculty Rule 5.08 (and most bar admitting authorities) requires every student to complete a Legal Profession course. The Legal Profession requirement may be satisfied during either the second or the third year. Students may satisfy this requirement by taking the Professional Responsibility course or seminar. In addition, other ethics courses may also be deemed to satisfy the Legal Profession requirement. For example, the Tax Ethics course and the Ethics and ADR Seminar also satisfy the requirement. Students may also choose to fulfill this requirement through the Comparative Legal Professions course in the Oxford Summer Program, or the Ethics of Washington Lawyering course in the D.C. summer program. However, neither of those latter two courses will provide the session on substance abuse required for the Ohio bar examination.

Students satisfying the Legal Professions requirement in connection with the Oxford or D.C. summer programs will have an opportunity to separately attend the one hour substance abuse session back in Columbus.

c. **Seminar and Second Writing Requirements**

Faculty Rule 5.07 requires all students to take a seminar. Seminars have small enrollments and significant writing components. The seminar requirement may be satisfied during either the second or the third year. Any course with an 8896 number meets the seminar requirement, as well as the following courses:

- Capital Markets (Davidoff)
- Mediation Clinic (Cohen, Cole, or Deason)

Faculty Rule 5.07 also requires all students to fulfill the second writing requirement, which may be satisfied a number of ways. A student may satisfy this requirement by taking a second seminar. In other words, taking two seminars will satisfy both the seminar and the second writing/skills requirements. The second writing requirement may also be satisfied by
earning four or more credits on any of the five law journals or by membership on a moot court team that participates in a regional or national competition, if the student participated in writing a brief for the competition and the faculty advisor certifies that this meets the writing requirement.

It may also be satisfied by completing two or more hours of Independent Study in addition to the completion of an original paper of significant length, which must be approved by the faculty member and the Associate Dean for Academic Affairs.

Students may also satisfy the second writing/skills alternative by taking any of the clinics. In addition, the following courses satisfy the second writing requirement:

- 7006 Advanced Legal Writing
- 8603 Real Estate Development
- 8400 Interprofessional Education: Patient/Client Care
- 8403 Ethical Issues
- 7106 Legal Negotiation
- 8000 Trial Practice
- 8212 Pretrial Litigation
- 7509 Special Education & Advocacy
- 7127 Dispute System Design Workshop
- 8964 Lawyers as Leaders

The second writing/skills requirement may be satisfied during either the second or third year.

5. **Other Graduation Requirements**

The Faculty Rules contain other graduation requirements relating to class attendance, necessary grade-point average, limitations on the number of failures, and the like. See Faculty Rules 5.10, 5.11, and 9.08. There are also particular requirements that apply to students enrolled in dual-degree programs and to students who take courses outside the College of Law for J.D. credit. A student who falls into either of these categories should see Faculty Rules 3.06 and 9.47.

Some state bar authorities require completion of particular law school courses. Students can check these requirements in the reference guide in the Office of Career Services. Some bars require students to register during their first year or pay a late fee. If you have questions about graduation requirements, feel free to contact Monte Smith, Assistant Dean for Academic Affairs.
B. COURSE REGISTRATION PROCESS

The course registration process for prospective 2Ls and 3Ls (also referred to as rising 2Ls and 3Ls) is conducted in the following manner.

1. Procedure

In the Spring of each year, the College provides rising 2Ls and 3Ls with: (a) a copy of the academic calendar for the following year; (b) a list of all courses scheduled to be offered for the entire following academic year (including summer), including the names of the professors scheduled to teach the course and the class meeting days and times; and (c) access to detailed course descriptions for scheduled courses on the Moritz Registrar’s website. Typically, professors from several course areas (e.g. Clinical programs) offer an information orientation session to describe the projected course offerings and respond to student inquiries. Additionally, the office of Associate Dean for Academic Affairs, in conjunction with the Moritz Registrar, conduct orientation sessions in which they answer questions not only about the curriculum but also about the on-line course registration process. With this information, students then develop their own course schedule for the following year.

Course registration occurs through the University’s on-line course registration process only. A description of that procedure appears on the College Registrar’s website.

2. Course Enrollment Limits, Course Preferences, Waiting Lists, and Credits per Semester Maximum

Course enrollment limits. Each course offered has an enrollment limit. Enrollment limits are set based on the class characteristics.

Course preferences. Rising 3L students register for classes a week before rising 2Ls. This provides rising 3Ls with priority registration for all upper-level classes, except those designated as second year preference courses, which are Business Association, Civil Procedure II, Evidence, and Federal Income Taxation. Rising 3L students are not permitted to sign-up for Appellate Advocacy or Transactional Lawyering; if you are a rising 3L and have not met the Appellate Advocacy/Transactional Lawyering requirement, please see Assistant Dean Smith.

First choice preference. All rising 3L and rising 2L students have the opportunity to request pre-enrollment in one course for the academic year prior to the official start of registration; the form asks students to provide a first choice and a back-up selection. Students will be enrolled in their first choice selection (or the back-up), or they will be placed on the wait list to ultimately enroll.
Waiting lists. During the registration process, students are placed on a waiting list for those classes that are oversubscribed. If an opening in the class occurs, either during the registration process or, more typically, as the semester is about to begin, students are automatically enrolled in the course in the order in which their names appear on the list. Please note, however, that students who have registered for credit hours in excess of the maximum (assuming the wait list class is added) or registered for classes that conflict with the waitlisted course will **NOT** be automatically enrolled and the spot is given to the next person on the list. Students are therefore advised to monitor their waitlisted classes and their schedules via Buckeye Link.

Credit per semester maximum. No law student may enroll in more than a total of 17 credit hours for any semester (including journal, moot court, externships, etc.).

**C. COURSE INFORMATION AND ADVISING**

Course information for the academic year is posted on the Registrar’s section of the College website. You will find the most complete and updated course listings as well as detailed course descriptions (including a listing of any prerequisites or co-requisites) for each course offered on the Moritz website. The primary source for course descriptions should be the full length versions available only on the Registrar’s section of the Moritz website. Students are strongly encouraged to consult, review, and rely on the full course descriptions NOT the short versions included in this guide or those posted on the University’s SIS.

If you have questions about what courses to take, please feel free to speak with (1) Assistant Dean Monte Smith or April Davis, Director of Student Services; (2) faculty designated to provide counseling on course selection; (3) faculty members who teach in specific areas of interest; or (4) any individual faculty members from whom you feel comfortable seeking advice.

**D. SELECTING COURSES OUTSIDE THE COLLEGE OF LAW**

Faculty Rule 9.46 (B) allows law students to enroll in courses and seminars offered by other graduate level programs outside the college for up to a total of five semester credit hours toward graduation. In order to enroll, the student must present a petition to a law faculty member. This form is available on the Registrar’s page of the Moritz website under Publications and Forms. The law faculty member must then certify in writing that the course or seminar will be useful and relevant to the student’s professional interest and that there is no unacceptable overlap with offerings available in the Moritz College of Law. Courses and seminars so approved will count toward fulfillment of the college’s hour requirement for graduation if the approving faculty member reviews the student’s participation in the course or seminar at least once each semester.
to determine that it is achieving its educational objective, and if the student receives a passing grade. However, grades earned in such courses or seminars are not included in computing the student’s cumulative grade point average in the Moritz College of Law. Student interested should consult with the Registrar’s office or Assistant Dean Monte Smith.

Faculty Rule 9.46 (B) provides as follows:

(B) Law students shall be permitted to enroll in courses and seminars offered outside the College up to a total of five semester hours of credit, provided:

1. The student desiring to take such a course or seminar presents a petition to enroll to a law faculty member. Where practicable, the faculty member to whom the petition is presented shall be familiar with the area in question.

2. The petition shall contain adequate data concerning the course or seminar, including reading lists and other requirements of the course, to demonstrate why the course is useful and relevant to the student's professional interests and to establish that there is no unacceptable overlap with offerings available in the College of Law.

3. The law faculty member certifies in writing that the course or seminar will be useful and relevant to the student's professional interests and that there is no unacceptable overlap with offerings available in the College of Law.

4. The petition is approved by the Associate Dean for Academic Affairs.

5. Courses and seminars so approved shall count toward fulfillment of the College's hour requirement for graduation if (a) the faculty member who approved the course or seminar under Paragraph 3 above, reviews the student's participation in such course or seminar at least once each term and determines that in its actual operation it is achieving its educational objective and that the credit allowed is, in fact, commensurate with the time and effort expended by, and the educational benefits to, the participating students, and (b) if the student receives a passing grade in the course or seminar. However, grades earned in such courses or seminars shall not be included in computing the student's cumulative point-hour grade in the College of Law.

6. Approved petitions and statements required pursuant to Paragraph (5) above, shall be maintained in the College of Law files of the petitioning students. Copies of approved and disapproved petitions and statements required pursuant to Paragraph (5) above, shall be maintained by the Associate Dean for Academic Affairs.
E. DUAL DEGREE PROGRAMS

A number of Moritz students want to pursue both a Juris Doctor degree and a graduate degree program in another discipline simultaneously. Popular joint programs include the JD and the Master of Business Administration (MBA), Master of Arts in Public Administration (MPA), master-level programs in the College of Education, among others. In addition to the educational benefits of such studies, students pursuing the joint program are able to reduce the length of time it would take to earn each degree if pursued separately. Students with questions about dual degree programs should consult with Assistant Dean Monte Smith.

The opportunity for a student to pursue a joint-degree program is presented by Rule 3.07 of the College of Law Faculty Rules. That Rule reads in pertinent part as follows:

3.07 Dual Degree.

To provide opportunities for the earning of dual degrees:

A. Students enrolled concurrently in the College of Law and in a post-baccalaureate degree program shall be entitled to receive twelve semester hours credit toward their J.D. degrees, providing they are in good standing in the post-baccalaureate degree program and have satisfactorily completed twenty quarter hours of non-law credit toward their graduate degree, or have already received such degree, at the time of graduation from the College of Law.

B. To qualify for the credits afforded in 3.07(A) above, the following requirements must be met:

(1) The post-baccalaureate degree program must be approved by the Associate Dean for Academic Affairs of the College of Law. The Associate Dean for Academic Affairs, after consultation with a faculty member who has reviewed the proposed program, shall approve programs which are offered by a fully accredited college or university, are deemed relevant and useful to the training of law students for the professions, and appear to contain substantial intellectual content. Law students and applicants to the College of Law intending to enroll in degree programs not yet approved may initiate requests for approval prior to enrollments.

(2) A significant part of the requirements for the post-baccalaureate degree must be fulfilled while the dual degree candidate is enrolled in the College of Law. What constitutes a "significant part" may be determined in general or on a case-by-case basis by the Academic Affairs Committee.

(3) The participation of each student enrolled in a dual degree program under this rule shall be periodically reviewed by a faculty member designated by the Associate Dean for Academic Affairs to insure that in its actual operation the program is achieving its
educational objectives and that the credit allowed is in fact commensurate with the time and effort expended by, and the educational benefits to, the participating students.

C. Students enrolled in an approved dual-degree program under this rule may, if necessary or useful in fulfilling the requirements for both degrees, extend the period for matriculation from the College of Law to four academic years. However, enrollment in such programs shall not per se entitle any student to drop or defer any required first-year course. Students seeking to drop any required first-year course to enroll in courses under a dual degree program must obtain the permission of the Academic Affairs Committee.

PROCEDURES:

1. **STUDENTS ENROLLED IN THE COLLEGE OF LAW, BUT NOT IN THE GRADUATE SCHOOL**

   a. Ascertain the graduate program in which you wish to enroll.

   b. Consult with the Assistant Dean of Academic Affairs at the College of Law and arrange for a College of Law faculty member to advise you and supervise your program.

   c. Notify the Graduate School of your desire to enroll in the dual degree program and accomplish the paperwork to secure admission to the Graduate School and permission to enroll in courses in pursuit of a graduate degree.

   d. Complete the dual degree form available from the Assistant Dean for Academic Affairs or the Moritz Registrar and have it approved by your College of Law faculty advisor and by your advisor in the Graduate School.

   Note: Upon approval, you must initiate a transfer to Law 7, the University designation for the dual degree program. See Moritz Registrar’s Office to initiate transfer.

   e. Submit the dual degree form to the Assistant Dean of Academic Affairs at the College of Law for approval.

2. **STUDENTS ENROLLED IN A GRADUATE SCHOOL, BUT NOT IN THE COLLEGE OF LAW**

   a. Secure admission to the College of Law. See College Bulletin.

   b. Consult with the Assistant Dean of Academic Affairs at the College of Law and arrange for a College of Law faculty member to advise you and supervise your program.

   c. Complete the dual degree form available from the Assistant Dean for Academic Affairs or the Moritz Registrar and have it approved by your advisor in the Graduate School and by your dual degree faculty advisor in the College of Law.
d. Submit the dual degree form to the Assistant Dean of Academic Affairs at the College of Law for approval.

Note: Upon approval, you must initiate a transfer to Law 7, the University designation for the dual degree program. See Registrar’s Office to initiate transfer.

3. **STUDENTS NOT ENROLLED IN GRADUATE SCHOOL OR THE COLLEGE OF LAW**

   a. Secure admission to the College of Law. See College Bulletin.

   b. Ascertain the graduate program in which you wish to enroll.

   c. Consult with the Assistant Dean of Academic Affairs at the College of Law and arrange for a College of Law faculty member to advise you and supervise your program.

   d. Notify the Graduate School of your desire to enroll in the dual degree program and accomplish the paperwork to secure admission to the Graduate School and permission to enroll in courses in pursuit of a graduate degree.

   e. Complete the dual degree form available from the Assistant Dean for Academic Affairs or the Moritz Registrar and have it approved by your advisor in the Graduate School and by your dual degree faculty advisor in the College of Law.

   f. Submit the dual degree form to the Assistant Dean of Academic Affairs at the College of Law for approval.
SECTION II: COURSE AREAS

ADMINISTRATIVE LAW AND GOVERNMENT REGULATION

Administrative law reaches into almost every aspect of modern life. Legislatures and governmental regulatory bodies at the federal, state, and local levels shape policy and regulate activities. Students interested in practicing law in highly regulated areas, including health care, education, environmental advocacy, tax, immigration, telecommunications, and others, will benefit from course work in administrative law.

Students studying in the Administrative Law and Government Regulation area explore the legal principles that undergird federal and state policy, including delegation of power to agencies, the procedures followed by agencies, the rule making process, and judicial and other oversight of agencies. As a result, students learn to develop, advocate for, and implement policy solutions and interventions that shape lives. A thorough understanding of the legislative process is essential for any lawyer practicing administrative law.

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<th>Core Courses</th>
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<td>Insurance Law</td>
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<td>Election Law</td>
<td>Public Interest and Government</td>
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<td>Energy Law</td>
<td>Externship</td>
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<td>Environmental Law</td>
<td>Sem: Public Utilities</td>
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<td>Sem: Federal Death Penalty/Habeas</td>
<td>Securities Regulation</td>
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<td>Sem: Food and Drug Law*</td>
<td>State and Local Government Law</td>
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<td>Health Law</td>
<td>Tax Policy*</td>
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<td>American Legal History*</td>
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<td>Antitrust Law</td>
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<td>Disability Discrimination*</td>
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<td>Sem: Money and Politics*</td>
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<td>Nonprofit Organizations*</td>
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<td>Real Estate Development</td>
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<td>Regulatory Compliance</td>
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* Course usually offered in alternate years or on an occasional basis.
Brief Course Descriptions

American Legal History: The history of American law from its colonial antecedents until the twentieth century, emphasizing the relationship between law and the changing social, political, and economic conditions.

Administrative Law: A study of the administrative law process, concentrating upon the functions and procedures of federal administrative agencies and judicial review of agency actions. Administrative law provides a framework to understand the basic administrative process and its control by the three branches of government.

Antitrust Law: This course examines the statutory prohibitions upon cartel behavior and upon monopolization and attempts to monopolize, as well as the intersection of economics and the law with respect to how market power is identified and defined. The course also examines various business practices that allegedly either restrain trade or increase market power.

Banking Law: A course on the formation, regulation, and governance of banking and related financial institutions. The course will examine “cyber banking,” including issues related to electronic cash, Internet commerce, the privacy of customer information, and the future of the payment system.

Disability Discrimination: The course explores legal and policy issues related to the Americans with Disabilities Act, employing traditional statutory and case law analysis. Students will complete a substantial written project on a topic covered by ADA.

Election Law: This course covers four major areas: (1) legislative districting; (2) nominating candidates; (2) campaign practices, including campaign financing; and (4) the casting and counting of ballots. Taking these topics in this order permits us to follow the "life cycle" of a campaign, and we use real-world examples to illustrate issues.

Employment Law: This course focuses on federal and state regulation of the employment relationship, including constitutional, statutory, and common-law restrictions on employer activities. Subjects covered include negligent hiring and retention, invasion of privacy, wrongful discharge, and unemployment insurance, among other topics.

Energy Law: The course offers students a broad overview of the historical development of energy law and the regulation of energy markets and energy infrastructure development as well as more focused discussions of specific sources of energy and the implications of recent developments in energy law in response to increasing calls for cleaner and more diversified sources of energy as a result of concerns about climate change and over-reliance on foreign sources of energy.

Environmental Law: This course is a survey course of U.S. environmental law, covering topics including environmental assessment, clean air, clean water, waste management, and
endangered species. We will also consider questions of how best to regulate, issues of federalism, the role of citizens in environmental protection and law, the values, science, and policy that influence environmental law.

Federal Courts: This course examines the scope of and limitations upon the federal judicial power under Article III of the Constitution. It is organized around three themes: (1) Separation of Powers, (2) Federalism, and (3) Enforcement of Federal Rights. Specific topics covered include standing and justiciability, jurisdiction-stripping, among other topics.

Sem: Federal Death Penalty/Habeas: The seminar will address how federal courts address habeas claims as they arise in the context of capital cases. The course will be divided into three sections: (1) a review of pre-AEDPA jurisprudence, (2) procedural issues involved in addressing habeas claims post-AEDPA, and (3) substantive issues raised in many of the capital cases heard in federal courts.

Federal Income Taxation: The course provides an introduction to the basic principles of the federal income tax. The principal subject areas include: (1) characteristics of income; (2) allowable deductions and exemptions; (3) timing issues; (4) income splitting; (5) preferential tax provisions including capital gains; and (6) brief examination of other methods of taxation including consumption tax and flat tax proposals.

Sem: Food and Drug Law: The seminar will focus on current issues concerning federal and state regulation of foods and drugs, including FDA structure and organization; the regulation of human drugs, medical devices; and state regulation of drugs, devices and food quality. Students will lead a discussion of a food, drug, cosmetic or medical device topic/issue of their choice and a final paper will be required.

Health Law: This course will focuses on selected issues in healthcare and clinical research; professional relationships in healthcare, the obligation to provide care, medical malpractice, healthcare privacy, end-of-life and other ethical issues, the business structure and regulation of the health care industry, healthcare fraud, abuse and antitrust, and the regulation of clinical research.

Immigration Law: The course will examine the law and policy concerning persons who want to come to the United States on a temporary or permanent basis and persons who are in the United States and want to stay. Also to be examined are the laws concerning obtaining and retaining lawful status, including citizenship.

Insurance Law: Insurance law is of great importance to all lawyers, whether they litigate or perform office practice. This course covers many insurance issues, including liability, coverage, exclusions, duties of good faith, and duty to defend. These issues will be discussed in the context of liability, property and personal insurance.
Labor Law: This course will explore federal regulation of labor-management relations in private sector, focusing upon employee organizational and representational rights; selection of bargaining representative; collective bargaining process; contract administration and enforcement; and the union’s duty of fair representation.

Legislation Clinic: This clinic helps law students to appreciate the importance of legislative lawyering as they develop their own skills in this arena. By observing and participating with others working in areas such as policy analysis, information-sharing in a partisan context, and negotiation among multiple parties, law students better understand why these skills matter.

Sem: Money and Politics: This seminar addresses the role and regulation of money in politics, including the subjects of bribery, campaign finance, and lobbying.

Nonprofit Organizations: This course will examine the major aspects of governance and tax law issues affecting the nonprofit sector. The emphasis will be on the lawyer’s role in forming, securing recognition of tax exemption for, and counseling nonprofit entities, such as charitable organizations, foundations, museums, hospitals, universities, and advocacy groups.

Public Interest and Government Externship: Conduct substantive legal work at government and non-profit placements, attend a class designed for externs, and fulfill specific academic requirements.

Sem: Public Utilities: This course explores issues concerning the regulation and deregulation of utilities including: retail and wholesale competition, electricity and gas trading, consolidations and alliances, effects on public service obligations, and municipal power and cooperatives.

Real Estate Development: The course will take a practical, “hands on” approach to the multi-faceted area of real estate development law. Case studies based on actual, “real world” projects will serve as the backdrop for our examination of the myriad of legal disciplines that a real estate development lawyer needs to master in order to be successful.

Regulatory Compliance: This course will analyze the legal, ethical and policy foundations of regulatory compliance: the effort to translate statutory requirements into compliant corporate and individual behavior.

Securities Regulation: The course covers the regulation of distributions of securities by issuers and their affiliates under the Federal Securities Act of 1933 and the regulation of the securities trading markets by the Securities & Exchange Act of 1934.

State and Local Government Law: This course addresses major issues facing state and local governments and prepares students to practice law and influence policy at the state and local level.
Tax Policy: This course draws upon philosophy, economic theory, and political science to explore fundamental questions about the distribution of wealth in society. Using these constructs, the class will compare existing and proposed systems of taxation from both the United States and abroad, and it will highlight the tension inherent in the underlying goals and the effects of these systems.

*Please note the summary descriptions above are for advisory purposes only, for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.*

**Faculty Resource List:**

- Cinnamon Carlarne
- Edward B. Foley
- Stephanie Hoffer
- Peter Shane
- Christopher Walker

**Alternative Dispute Resolution**

Increasingly, courts are moving beyond traditional trials and appeals to help clients find satisfactory resolutions to their agreements. Negotiation, mediation, arbitration, and other processes are helping parties reach a satisfying outcome. Courses in alternative dispute resolution (ADR) benefit students interested in litigation, transactional, and government practice as well as those interested in management and leadership.
<table>
<thead>
<tr>
<th>Core Courses</th>
<th>Related</th>
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<tbody>
<tr>
<td>Alternative Dispute Resolution in the Workplace*</td>
<td>Disability Discrimination*</td>
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<tr>
<td>Comparative Dispute Resolution*</td>
<td>Employment Discrimination Law</td>
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<tr>
<td>Dispute Resolution in Employment*</td>
<td>Employment Law</td>
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<tr>
<td>Dispute Resolution Processes</td>
<td>Federal Courts</td>
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<tr>
<td>Dispute System Design Workshop</td>
<td>Labor Law</td>
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<tr>
<td>Sem: Ethics and Alternative Dispute Resolution*</td>
<td>Law and Social Science</td>
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<tr>
<td>International Business Arbitration*</td>
<td>Lawyers as Leaders</td>
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<td>Sem: Middle East Conflict*</td>
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<td>Remedies*</td>
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<td>Special Education Advocacy</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

Alternative Dispute Resolution in the Workplace: This course will focus on the use of alternative methods of dispute resolution in the context of the workplace, including arbitration and mediation. Issues involving both labor arbitration and arbitration of individual employee disputes will be addressed, as will issues relevant to the mediation of employment disputes.

Comparative Dispute Resolution: This course examines methods of dispute resolution used domestically in other countries and compares them to those employed in the United States. We will explore how differences in culture, religion, history, and legal institutions affect the way people resolve conflicts. We will also consider how such factors are influencing the development of dispute resolution systems as alternatives to domestic court systems.

Disability Discrimination: The course explores legal and policy issues related to the Americans with Disabilities Act, employing traditional statutory and case law analysis. Students will complete a substantial written project on a topic covered by ADA.

Dispute Resolution in Employment: This course offers skills and strategies for effective negotiation and mediation of employment disputes in non-union work environments. Prior to negotiating and mediating settlements through interactive exercises involving employment discrimination, wrongful discharge and other workplace disputes, Statutory or common law background knowledge will be discussed which may be needed to resolve the conflicts short of litigation.
Dispute Resolution Processes: This course surveys the basic processes and variations with an emphasis on the lawyer as an advocate for clients. Skill building is practiced through simulation exercises. The course is especially appropriate for a student who wants to take only a single dispute resolution course.

Dispute System Design Workshop: This is a course to prepare you to design new forums for particular disputes and also to design, or modify, disputing systems for series of disputes. It will be like a legal clinic in the sense that you will have a client with a particular problem to solve. It will differ from most legal clinics in the sense that you will not represent the client or perform legal work for the client but instead will serve as a forum or systems designer.

Employment Discrimination Law: This course addresses developments in civil rights law in the context of the workplace. We will look at the growing body of law designed to protect against discrimination based on race, gender, national origin, religion, age, disability and sexual orientation. The main focus of the course will be on Title VII of the Civil Rights Act of 1964, as amended.

Employment Law: This course focuses on federal and state regulation of the employment relationship, including constitutional, statutory, and common-law restrictions on employer activities. Subjects covered include negligent hiring and retention, invasion of privacy, wrongful discharge, and unemployment insurance, among other topics.

Sem: Ethics and Alternative Dispute Resolution: This course offers both a survey in professional responsibility and in-depth application of the law-governing lawyers to alternative dispute resolution (ADR). Grading is based on a pass/fail exam over the basic provisions of the Model Rules of Professional Conduct and a substantial research paper involving a legal ethical issue as applied to the ADR context.

Federal Courts: This course examines the scope of and limitations upon the federal judicial power under Article III of the Constitution. It is organized around three themes: (1) Separation of Powers, (2) Federalism, and (3) Enforcement of Federal Rights. Specific topics covered include standing and justiciability, jurisdiction-stripping, among other topics.

International Business Arbitration: The course examines the international arbitration process and the legal framework of private contract, national law, and international treaties in which it operates. The course is relevant to lawyers with either a transactional or a litigation practice in an increasingly globalized world.

International Dispute Resolution: This course introduces students to the classic procedures for resolving international disputes. We will look at negotiation, mediation, fact-finding, conciliation, arbitration and judicial settlement, as well as transitional justice institutions and restorative justice approaches. Our emphasis will be on how these mechanisms operate in contemporary disputes and on how law governs their use.
Issues in Arbitration: This course explores the law, theory and practice of arbitration. Students will engage in arbitration simulations as both a representative and as an arbitrator. Evaluation will be based on in-class work, class participation, arbitrator opinions and exam.

Labor Law: This course will explore federal regulation of labor-management relations in private sector, focusing upon employee organizational and representational rights; selection of bargaining representative; collective bargaining process; contract administration and enforcement; and the union’s duty of fair representation.

Law and Social Science: This course introduces students to the use of social science evidence by legal practitioners and courts at all levels. Such evidence is used, for example, in cases involving issues of trademark infringement, obscenity, discrimination, identification of criminal offenders, potential jury prejudice, eyewitness reliability, sexual assault, self-defense, dangerousness, and the fashioning of remedies.

Lawyers as Leaders: Through the cases and exercises, students will gain experience analyzing issues, exercising judgment, and making difficult decisions – the hallmarks of skillful leadership. The objective of the course is to help students think more broadly about leadership, increase their appreciation for the variety of leadership roles people with legal training may achieve throughout their careers, and prepare for positions of leadership themselves.

Legal Negotiation: This highly interactive course is designed to familiarize students with theories, skills and ethics involved in legal negotiation. Through simulations and role-play exercises, students will gain first-hand experience in applying negotiation techniques. This course will aim to provide students with tools to prepare for, conduct, and analyze negotiations.

Litigation and ADR Legal Research: This course provides students with an introduction to litigation- and ADR-related materials and advanced training on the finding and utilization of these materials. Topics covered will include form books, court rules and jury instructions, arbitrator and mediator research, trial technique research, interdisciplinary resources, and other topics useful in litigation and ADR settings.

Mediation Clinic: This course provides opportunities to develop skills as a mediator, along with basic study of mediation law and policy issues. The course combines the features of a regular law school class, a clinic, and a seminar (satisfying the seminar requirement). For the clinical component, students will receive skills training through role plays and a videotape exercise, and then serve as a mediator for the Franklin County Small Claims Court and other forums. Students who have taken the Multi-Party Mediation Clinic may not take this course.

Sem: Middle East Conflict: Seminar participants will be asked to write a single research paper on a topic relating to the Israeli-Palestinian territorial conflict, and to make an oral presentation on that topic at a meeting of the seminar. Topics may be oriented to modes of resolving the conflict, to particular manifestations of the conflict, or to the history of development of the conflict.
Multi-Party Mediation Clinic: This course examines the legal, ethical, and policy issues that arise when using the mediation process to resolve multi-party controversies. Students work with the professor and staff attorney as neutral interveners in the development of party engagement protocols, problem definition, and mediated negotiations for multi-party disputes. Students who have taken the Mediation Clinic may not take this course.

Negotiation and Mediation: This course offers skills and strategies for effective negotiation and mediation advocacy emphasizing the importance of building working relationships and achieving better outcomes in individual and group negotiation and mediation. Two broad objectives have been built into the course design: to practice basic negotiation skills through interactive exercises and to familiarize the student with various strategies for dispute resolution other than resolving differences through litigation.

Remedies: This course explores how remedies can bring different areas of law together, from the traditional private law subjects to intellectual property, constitutional law, and civil rights. We will discuss such remedies as compensatory damages (including expectation, reliance, pain and suffering, emotional distress, presumed damages for defamation, incidental damages, consequential damages, among other topics.

Special Education Advocacy: This course primarily covers the law of special education as provided in the Individuals with Disabilities Education Act ("IDEA"). A primary emphasis of the class will be to teach students about the process under which students are identified as disabled and provided with Individualized Education Plans ("IEPs").

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Erin Archerd
Amy J. Cohen
Sarah R. Cole
Ellen Deason
Christopher Fairman
Katrina Lee
Nancy Rogers
Joseph Stulberg
Some of the most well-known legal battles in American history have involved questions of civil rights – school desegregation, voting rights, gender discrimination in hiring, and more. But, this broad field is constantly evolving and today includes discrimination against racial minorities, immigrants, women, LGBT individuals, the disabled, and others. The field of civil rights law involves both statutory and constitutional laws that protect individual and political rights, and the Moritz curriculum reflects a deep commitment to studying civil rights, inequality, and the role of law.

<table>
<thead>
<tr>
<th>Core Courses</th>
<th>Related</th>
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<tbody>
<tr>
<td><strong>Sem: Civil Rights</strong></td>
<td>Gender and the Law*</td>
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<tr>
<td>Critical Race Narratives*</td>
<td>Immigration Law</td>
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<tr>
<td>Sem: Critical Race Theory</td>
<td>Law and Religion</td>
</tr>
<tr>
<td>Disability Discrimination*</td>
<td>Sem: Race and Crime</td>
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<tr>
<td>Education Law*</td>
<td>Sem: Sexual Harassment</td>
</tr>
<tr>
<td>Employment Discrimination Law</td>
<td>Sexual Orientation and the Law*</td>
</tr>
<tr>
<td><strong>Sem: Fourteenth Amendment</strong></td>
<td>Sem: Workplace Bias*</td>
</tr>
</tbody>
</table>

* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

**Civil Procedure II:** Using the federal courts as a model, this course critically examines how the Federal Rules of Civil Procedure attempt to secure the just, speedy, and inexpensive determination of civil actions, as well as movements for their reform. Topics include: pleading, joinder of claims and parties, class actions, discovery and discovery, among other topics.

**Sem: Civil Rights:** This course will survey the history of civil rights laws and issues with a strong focus on race and ethnicity. It will also look at other categories such as gender and age. The development of civil rights law will be explored by studying a number of legal doctrines such as housing, public accommodation, education, employment, voting, and the criminal justice system.

**Constitutional Litigation:** Constitutional Litigation is a course in advanced and applied constitutional law. It focuses on one of the central ways in which constitutional claims are litigated: in lawsuits against public officials and local governments.

**Critical Race Narratives:** This team-taught course will focus on the relationship between narrative and law by using critical race theory to examine how race in America is a narrative of
property and power. By reading a number of essayists and several novelists, we will explore such questions as: Who owns the narrative of slavery? Who can tell whose story? How has the law served as a totalizing presence in the lives of people of color? All of our legal theorists assume that "wherever there is law, there is narrative."

Sem: Critical Race Theory: This course begins with a review of the United States’, including the history of racial and religious intolerance, the Civil Rights Movement; and current socio-economic status of African Americans. Additionally, students will review foundational literature by writers in the CRT Movement.

Disability Discrimination: The course explores legal and policy issues related to the Americans with Disabilities Act, employing traditional statutory and case law analysis. Students will complete a substantial written project on a topic covered by ADA.

Education Law: This course will focus primarily on K-12 education wherein students examine myriad topics: school safety issues and related efforts to protect student privacy and freedom of expression, including combating threatening behavior, peer harassment, and peer mistreatment; the rights of educators, including teacher certification, tenure, dismissal, retirement, academic freedom.

Employment Law: This course focuses on federal and state regulation of the employment relationship, including constitutional, statutory, and common-law restrictions on employer activities. Subjects covered include negligent hiring and retention, invasion of privacy, wrongful discharge, and unemployment insurance, among other topics.

Employment Discrimination Law: This course addresses developments in civil rights law in the context of the workplace. We will look at the growing body of law designed to protect against discrimination based on race, gender, national origin, religion, age, disability and sexual orientation. The main focus of the course will be on Title VII of the Civil Rights Act of 1964, as amended.

Federal Courts: This course examines the scope of and limitations upon the federal judicial power under Article III of the Constitution. It is organized around three themes: (1) Separation of Powers, (2) Federalism, and (3) Enforcement of Federal Rights. Specific topics covered include standing and justiciability, jurisdiction-stripping, among other topics.

Sem: Fourteenth Amendment: This advanced course in constitutional law will examine current, recurrent, and lasting topics of interest under the Fourteenth Amendment. The course will consider the extent to which the Fourteenth Amendment restructured the relationship between the federal and state governments.

Gender and the Law: This course explores the legal significance of gender in a wide variety of contexts, including employment, criminal and civil law, and laws governing family
and sexuality. We will examine such topics as rape, domestic violence, sexual harassment, child custody, marriage and reproductive rights.

Immigration Law: This course will examine the law and policy concerning persons who want to come to the United States on a temporary or permanent basis and persons who are in the United States and want to stay. Also to be examined are the laws concerning obtaining and retaining lawful status, including citizenship.

Law and Religion: This course will examine First Amendment issues raised by both the Free Exercise and the Establishment Clause. In addition, it will explore other intersections of law and religion, including the effect of religion on law and of law on religion.

Sem: Race and Crime: This seminar will examine questions relating to the myriad ways in which race intersects with the law, and in particular, with the criminal justice system. It will cover a wide array of issues, including implicit associations and enduring perceptions of black criminality, racial and ethnic profiling, race and traffic stops, policing at the border, racial and ethnic sentencing disparities, the use of excessive force, felon disenfranchisement, prisoner re-entry and public policy, and more.

Remedies: This course explores how remedies can bring different areas of law together, from the traditional private law subjects to intellectual property, constitutional law, and civil rights. We will discuss such remedies as compensatory damages (including expectation, reliance, pain and suffering, emotional distress, presumed damages for defamation, incidental damages, consequential damages, among other topics.

Sem: Sexual Harassment: In this course, we address a variety of issues relating to sexual harassment in both the workplace and academic settings, including the causes and effects of sexual harassment, the legal standards for sexual harassment, the First Amendment implications of sexual harassment law, and the intersections between gender and race and gender and sexual orientation in harassment law.

Sexual Orientation and the Law: This course will survey the various legal issues facing gay men, lesbians and bisexuals. The topics include: regulation of sexuality and gender; liberty-equality debate; theories of sexuality, gender and the law; the workplace; families; parenting; education; and the military.

Sem: Sexual Violence: This seminar examines various theories of sexuality—both cross-sex and same-sex—and how they relate to notions of “sexual violence,” “sexual injury,” and “sexual harm.” This seminar should be of interest to anyone interested in gender and sexual equality, the law governing rape (including marital rape), sexual harassment, child sex abuse, marriage, or domestic violence.

Sem: Workplace Bias: This seminar will explore the legal and interdisciplinary literature relating to contemporary claims of bias in the workplace, including theories of implicit bias,
intersectionality theory, structuralist approaches and stereotyping and identity performance theories.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

**Faculty Resource List:**

- Martha Chamallas
- Ruth Colker
- Sharon Davies
- L. Camille Hebert
- Marc Spindelman
- Daniel Tokaji
- Vincene Verdun

**Clinics and Experiential Learning**

Experiential learning allows students to practice critical lawyering skills and to apply the substantive law learned in the classroom in complicated, real-world settings. Moritz offers an array of live-client clinics, simulation-based skills courses, and courses that combine classroom teaching with field-placement projects. In legal clinics, students research, investigate, write, counsel, negotiate, and litigate their way to a resolution on behalf of their clients.
<table>
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<tr>
<th>Core Courses</th>
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<tbody>
<tr>
<td>Advanced Legal Writing</td>
<td>Issues in Arbitration*</td>
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<tr>
<td>Appellate Advocacy</td>
<td>Judicial Externship</td>
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<tr>
<td>China Problem</td>
<td>Jury Instructions*</td>
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<tr>
<td>Civil Law Clinic</td>
<td>Justice for Children Clinic</td>
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<tr>
<td>Commercial Leasing</td>
<td>Legal Negotiation</td>
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<tr>
<td>Criminal Defense Clinic</td>
<td>Legislation Clinic</td>
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<tr>
<td>Criminal Prosecution Clinic</td>
<td>Mediation Clinic</td>
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<tr>
<td>Depositions*</td>
<td>Multi-Party Mediation Clinic</td>
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<tr>
<td>Disability Discrimination*</td>
<td>National Security Law and Process</td>
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<tr>
<td>Disaster Problem</td>
<td>Patient Client Care</td>
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<tr>
<td>Dispute Resolution Processes</td>
<td>Pretrial Litigation</td>
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<tr>
<td>Dispute System Design Workshop</td>
<td>Public Interest and Government Externship</td>
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<tr>
<td>Drafting Business Contracts</td>
<td>Real Estate Development</td>
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<tr>
<td>Employment Litigation Problem</td>
<td>Sentencing Law and Policy*</td>
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<tr>
<td>Entrepreneurial Business Law Clinic</td>
<td>Special Education Advocacy*</td>
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<tr>
<td>Hospital Problem*</td>
<td>Transactional Lawyering</td>
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<tr>
<td>International Business Arbitration*</td>
<td>Trial Practice</td>
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</tbody>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

Advanced Legal Writing: In this course, students write and revise a variety of legal documents, as well as complete a short project and presentation.

Appellate Advocacy: This course explores procedural and substantive aspects of appellate practice. Additionally, students prepare a brief and present an oral argument on the basis of assigned resource materials and original research.

China Problem: This “capstone” course centers on problem solving and the skills and professional judgment required in transactional work. The course will emphasize application of practice skills such as critical thinking, negotiations, and writing for a senior partner and for a client.
Civil Law Clinic: Students represent clients in pending civil cases in state and federal courts under faculty supervision. Students are assigned to cases from a wide variety of subject-matter areas including: civil rights, consumer law, landlord-tenant, personal injury, contracts, and employment law.

Commercial Leasing: The course will be a focused study of the various business and legal considerations which drive the leasing of a commercial real estate project. We will examine the material provisions of a variety of lease documents, including office, industrial, retail and ground leases. The students will be given ample opportunity throughout the semester to review, negotiate, draft and revise the provisions of a commercial real estate lease.

Criminal Defense Clinic: This clinic operates as a small law office specializing in criminal defense work. Under faculty supervision, each student represents several defendants charged with misdemeanors in the Franklin County Municipal Court. Students develop fact gathering skills, practical knowledge, problem solving abilities, and negotiation tactics as they represent their clients.

Criminal Prosecution Clinic: Students represent the City of Delaware and the State of Ohio in criminal cases, prosecuting cases as diverse as domestic violence, sexual misconduct, drunk driving, and theft. Each student is responsible for his or her own cases and handles every aspect of the prosecution including witness interviews, motion practice, plea negotiations, evidentiary hearings, and bench or jury trials.

Depositions: The course will cover the procedure and problems associated with taking a deposition. We will focus on how a deposition can most effectively be taken and how the information can be integrated with other discovery mechanisms.

Disability Discrimination: The course explores legal and policy issues related to the Americans with Disabilities Act, employing traditional statutory and case law analysis. Students will complete a substantial written project on a topic covered by ADA.

Disaster Problem: This “capstone” course will focus on issues facing a national insurance company in the hours and days immediately following a major national disaster. This course is also known as “Lost in Translation: Can your client hear you now?”

Dispute Resolution Processes: This course surveys the basic processes and variations with an emphasis on the lawyer as an advocate for clients. Skill building is practiced through simulation exercises. The course is especially appropriate for a student who wants to take only a single dispute resolution course.

Dispute System Design Workshop: This is a course to prepare you to design new processes for particular disputes and also to design, or modify, disputing systems for series of disputes. It
will be like a legal clinic in the sense that you will have a client with a particular problem to solve.

Drafting Business Contracts: This course will focus on the skills, techniques, and strategies that transactional business lawyers need to employ when drafting business contracts such as employment agreements, purchase and sale documents and joint venture contracts. The course will emphasize the practical over the theoretical and will give the students ample opportunity to hone their drafting skills.

Employment Litigation Problem: This “capstone” course centers on problem solving and the skills and professional judgment required in litigation work. This course will explore issues that confront lawyers throughout the litigation process. Students will address problems frequently associated with initial business intake, client expectations, and litigation strategy using a hypothetical suit alleging the theft of trade secrets.

Entrepreneurial Business Law Clinic: Students enrolled in the EBLC assist young companies – not ready or able to hire attorneys – on a pro bono basis and offers legal service on matters such as business formation and governance, regulation of Internet commerce, employment contracts, due diligence, valuation and finance, licensing, and intellectual property issues.

Evidence: This course surveys the law of evidence. Students develop a facility with major evidentiary rules and concepts, based on a study of the Federal Rules of Evidence. Concepts covered include relevance, the use of character and scientific evidence, the definition and use of hearsay, the use of real and demonstrative evidence, among other topics.

Hospital Problem: This “capstone” course will explore four segments related to hospital systems: advice to the corporations on the business deal; advice to the hospital and the private practice regarding unionization and labor issues; executive employment agreements for the practice plan leaders who will transition to the hospital and a final analysis of any issues not previously addressed.

International Business Arbitration: This course examines the international arbitration process and the legal framework of private contract, national law, and international treaties in which it operates. The course is relevant to lawyers with either a transactional or a litigation practice in an increasingly globalized world.

Issues in Arbitration: This course explores the law, theory and practice of arbitration. Students will engage in arbitration simulations as both a representative and as an arbitrator. Evaluation will be based on in-class work, class participation, arbitrator opinions and exam.

Judicial Externship: Judicial externships provide excellent educational opportunities, including observation of the workings of courts from the inside, interaction with distinguished judges, and engagement in supervised research and writing.

Justice for Children Clinic: The course examines the substantive and procedural rights of children in a variety of legal contexts. As legal interns certified by the Ohio Supreme Court, students will each represent juvenile clients. Cases may involve juvenile delinquency, abuse, neglect or dependency, appeals, immigration, or special education.

Legal Negotiation: This highly interactive course is designed to familiarize students with theories, skills and ethics involved in legal negotiation. Through simulations and role-play exercises, students will gain first-hand experience in applying negotiation techniques. This course will aim to provide students with tools to prepare for, conduct, and analyze negotiations.

Legislation Clinic: This Clinic helps law students to appreciate the importance of legislative lawyering as they develop their own skills in this arena. By observing and participating with others working in areas such as policy analysis, information-sharing in a partisan context, and negotiation among multiple parties, law students better understand why these skills matter.

Mediation Clinic: This course provides opportunities to develop skills as a mediator, along with basic study of mediation law and policy issues. The course combines the features of a regular law school class, a clinic, and a seminar (satisfying the seminar requirement). For the clinical component, students will receive skills training through role plays and a videotape exercise, and then serve as a mediator for the Franklin County Small Claims Court and other forums. Students who have taken the Multi-Party Mediation Clinic may not take this course.

Multi-Party Mediation Clinic: This course examines the legal, ethical, and policy issues that arise when using the mediation process to resolve multi-party controversies. Students work with the professor and staff attorney as neutral interveners in the development of party engagement protocols, problem definition, and mediated negotiations for multi-party disputes. Students who have taken the Mediation Clinic may not take this course.

National Security Law and Process: This course explores the legal, process, policy, political, and personality aspects of national security efforts, as conducted by lawyers and policymakers; horizontal federal institutional interactions; vertical interactions among levels of government; and issues including cyber, drones, and intelligence. Simulation participation, two short papers, and short oral and written briefings required.

Patient Client Care: The course provides an opportunity for 12 students from each of the 6 professions – Allied Medicine, Education, Law, Medicine, Social Work, and Theology—to work together with faculty to develop the skills to design treatment plans for clients with complex problems presented in cases. Students and faculty work together to: (1) develop increased understanding of the complex problems of clients; (2) research the broader issues involved in the cases from a multi-professional perspective; (3) engage in total group interaction to facilitate
dialogue among students and faculty of different professions; and develop a holistic approach to cases presented in class.

Pretrial Litigation: In this course, students learn the law, theory, and practice of the important proceedings that occur prior to the trial of civil cases. They develop, draft, and respond to interrogatories, requests for documents, and pretrial motions. In addition, they learn to conduct and defend depositions.

Public Interest and Government Externship: Conduct substantive legal work at government and non-profit placements, attend a class designed for externs, and fulfill specific academic requirements.

Real Estate Development: The course will take a practical, “hands on” approach to the multi-faceted area of real estate development law. Case studies based on actual, “real world” projects will serve as the backdrop for our examination of the myriad of legal disciplines that a real estate development lawyer needs to master in order to be successful.

Sentencing Law and Policy: This course will review traditional theoretical justifications for punishments and examine in depth society’s always-developing approach to the sentencing of criminal offenders.

Special Education Advocacy: This two-credit course primarily covers the law of special education as provided in the Individuals with Disabilities Education Act (“IDEA”). This course will be taught in conjunction with professors in various allied health professions who specialize in assisting children with disabilities.

Transactional Lawyering: Students will explore the procedural and substantive aspects of transactional practice; conduct original research and write a formal report (in multiple drafts); provide a formal oral presentation.

Trial Practice: In this course, students learn basic trial techniques. Students participate in simulated trial problems and proceedings conducted under the supervision of a seasoned trial practice instructor. They learn to present opening arguments, conduct direct and cross-examination, introduce exhibits, and deliver persuasive closing arguments.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Amna Akbar
Erin Archerd
Amy Cohen
Commercial and Consumer Law

Commercial law governs the broad areas of commerce, banking, bankruptcy, and consumer transactions. In other words, commercial law makes the economy go around. Every product, ingredient, or service purchased by you or a company by cash, credit, or exchange is governed by commercial and consumer law.

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<tr>
<th>Core Courses</th>
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<tbody>
<tr>
<td>American Legal History*</td>
<td>Debtor and Creditor Law</td>
</tr>
<tr>
<td>Banking Law</td>
<td>Drafting Business Contracts</td>
</tr>
<tr>
<td>Business Bankruptcy</td>
<td>Issues in Arbitration*</td>
</tr>
<tr>
<td>Commercial Paper</td>
<td>Sales</td>
</tr>
<tr>
<td>Consumer Credit*</td>
<td>Secured Transactions</td>
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<td>Contracts II</td>
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<td>Business Associations</td>
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<td></td>
<td>Sem: Doing Business in China*</td>
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<td>International Business Arbitration*</td>
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<td>Law and Economics</td>
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<td>Legal Negotiation</td>
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</tbody>
</table>

* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

American Legal History: The history of American law from its colonial antecedents until the twentieth century, emphasizing the relationship between law and the changing social, political, and economic conditions.
Banking Law: A course on the formation, regulation, and governance of banking and related financial institutions. The course will examine “cyber banking,” including issues related to electronic cash, Internet commerce, the privacy of customer information, and the future of the payment system.

Business Associations: This course provides an introduction to the laws governing business entities. We will examine the structure and characteristics of modern business organizations, particularly publicly traded and closely held business corporations. Significant emphasis is placed upon the nature of the corporate governance system and the fiduciary obligations of directors and officers.

Business Bankruptcy: The course will focus on the business bankruptcy process, principally Chapter 11 reorganizations. Topics to be addressed include the basics of federal bankruptcy law, including the automatic stay, avoidance of fraudulent and preferential transfers, treatment of executory contracts, operation of a company during bankruptcy, sale of assets in Chapter 11 and formulation and confirmation of a plan of reorganization.

Commercial Paper: This course focuses on Articles 3 and 4 of the Uniform Commercial Code (UCC), which deals with promissory notes and checking accounts. Topics for promissory notes include negotiability, holder in due course, co-signer liability, and conversion.

Consumer Credit: In this course, we will examine the various actors involved in the consumer credit process and what their legal obligations are under existing state and federal regulations. We will look at federal, state and local government efforts to combat predatory practices.

Contracts II: This course continues and complements Contracts I. The topics covered include pre-contractual obligation (including preliminary agreements), contract interpretation, gap-filling terms, duress, modification, performance and breach, conditions, mistake, impossibility, impracticability, frustration, and the public policy defense, among other topics.

Debtor and Creditor Law: This course is about the rights and obligations of debtors and creditors when a debtor cannot or will not pay an obligation owned to the creditor. Students will learn what a debtor or creditor can do under state law (Ohio law emphasized), under federal non-bankruptcy law, and under the United States Bankruptcy Code.

Sem: Doing Business in China: This seminar will examine how multinational companies (MNCs) do business on the ground in China. The course will examine how MNCs set up a wholly or partially owned subsidiary in China, such as a wholly foreign owned enterprise or a joint venture. We will also examine most of the major issues for MNCs that have set up operations in China: corporate reorganizations and mergers and acquisitions; and labor and employment, among other topics.
Drafting Business Contracts: This course will focus on the skills, techniques, and strategies that transactional business lawyers need to employ when drafting business contracts such as employment agreements, purchase and sale documents and joint venture contracts. The course will emphasize the practical over the theoretical and will give the students ample opportunity to hone their drafting skills.

International Business Arbitration: This course examines the international arbitration process and the legal framework of private contract, national law, and international treaties in which it operates. The course is relevant to lawyers with either a transactional or a litigation practice in an increasingly globalized world.

Issues in Arbitration: This course explores the law, theory and practice of arbitration. Students will engage in arbitration simulations as both a representative and as an arbitrator. Evaluation will be based on in-class work, class participation, arbitrator opinions and exam.

Law and Economics: This course examines these and similar questions by introducing the students to one of today’s most powerful schools of legal thought, Law and Economics. Law and Economics applies the basic tools of economic reasoning to legal doctrines and provides a set of tools for analyzing laws.

Legal Negotiation: This highly interactive course is designed to familiarize students with theories, skills and ethics involved in legal negotiation. Through simulations and role-play exercises, students will gain first-hand experience in applying negotiation techniques. This course will aim to provide students with tools to prepare for, conduct, and analyze negotiations.

Sales: An exploration of domestic and international sale and lease transactions, including consideration of issues relating to scope, contract formation, risk of loss, warranties and other performance standards, excused performance, and remedies.

Secured Transactions: This course deals with credit transactions in which the collateral is personal property. It focuses on Article 9 of the Uniform Commercial Code, but considers other parts of the U.C.C. as well pertinent parts of such statutes as the Bankruptcy Code and the Internal Revenue Code. The course emphasizes reading and using the statute in both litigation and planning contexts, primarily using problems.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Daniel Chow
Ellen Deason
Larry Garvin
CONSTITUTIONAL LAW

The study of constitutional law examines the ways in which the United States Constitution distributes power in the American political system and limits the exercise of those powers. Constitutional law issues arise in most areas of law. Accordingly, courses within this area of study may be relevant to a wide range of student interests.

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<thead>
<tr>
<th>Core Courses</th>
<th>Related</th>
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<tbody>
<tr>
<td>Administrative Law</td>
<td>First Amendment</td>
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<tr>
<td>Advanced Constitutional Law</td>
<td>Sem: Fourteenth Amendment</td>
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<tr>
<td>Sem: Civil Rights</td>
<td>Law and Religion</td>
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<tr>
<td>Constitutional Litigation</td>
<td>Sem: Money and Politics*</td>
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<tr>
<td>Criminal Procedure: Adjudication</td>
<td>State and Local Government Law</td>
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<tr>
<td>Criminal Procedure: Investigation</td>
<td>Sem: State Constitutional Law</td>
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<tr>
<td>Federal Courts</td>
<td>Sem: Supreme Court Litigation</td>
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<tr>
<td>Sem: Federal Death Penalty/ Habeas</td>
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</tbody>
</table>

* Course usually offered in alternate years or on an occasional basis.

Brief Course Descriptions

Administrative Law: A study of the administrative law process, concentrating upon the functions and procedures of federal administrative agencies and judicial review of agency actions. Administrative law provides a framework to understand the basic administrative process and its control by the three branches of government.

Advanced Constitutional Law: Constitutional theory, with emphasis on competing views of judicial review and the judicial function; the methodologies and processes of constitutional decision making; and criteria for judicial justification.

Sem: Civil Rights: This course will survey the history of civil rights laws and issues with a strong focus on race and ethnicity. It will also look at other categories such as gender and age.
The development of civil rights law will be explored by studying a number of legal doctrines such as housing, public accommodation, education, employment, voting, and the criminal justice system.

Constitutional Litigation: The bulk of the course looks at litigation under 42 U.S.C. § 1983. We will consider topics such as what it means to act “under color of state law;” absolute and qualified immunities; government liability for the acts of individual officials; remedies for constitutional violations, including monetary and injunctive relief; and structural reform litigation, among other subjects.

Criminal Procedure: Adjudication: This course studies the process of the criminal justice system from after the time of arrest through trial and verdict. Topics covered will include the right to counsel, the charging process, pretrial detention, discovery, pleas, trials, and double jeopardy.

Criminal Procedure: Investigation: This course focuses on the legality of police investigative conduct under the Fourth, Fifth and Sixth Amendments to the United States Constitution. The course explores in-depth the Fourth Amendment’s prohibition against unreasonable searches and seizures.

Federal Courts: This course examines the scope of and limitations upon the federal judicial power under Article III of the Constitution. It is organized around three themes: (1) Separation of Powers, (2) Federalism, and (3) Enforcement of Federal Rights. Specific topics covered include standing and justiciability, jurisdiction-stripping, and the confirmation process, among other topics.

Sem: Federal Death Penalty/Habeas: The seminar will address how federal courts address habeas claims as they arise in the context of capital cases. The course will be divided into three sections: (1) pre-AEDPA jurisprudence, the passage of AEDPA, and how the writ has evolved over the last decade; (2) procedural issues involved in addressing habeas claims post-AEDPA; and (3), substantive issues raised in many of the capital cases heard in federal courts.

First Amendment: This course explores American constitutional law regarding freedom of speech, freedom of association, and freedom of the press. It focuses on the leading First Amendment cases that give expression the most extensive protection found anywhere in the world.

Sem: Fourteenth Amendment: This advanced course in constitutional law will examine current, recurrent, and lasting topics of interest under the Fourteenth Amendment. The course will consider the extent to which the Fourteenth Amendment restructured the relationship between the federal and state governments. We will discuss recent cases pertaining to Congress’ enforcement power and state power over property.
Law and Religion: This course will examine First Amendment issues raised by both the Free Exercise and the Establishment Clause. In addition, it will explore other intersections of law and religion, including the effect of religion on law and of law on religion. The approach will be interdisciplinary, and there will be guest lectures by anthropologists and theologians, among others.

Sem: Money and Politics: This seminar addresses the role and regulation of money in politics, including the subjects of bribery, campaign finance, and lobbying.

State and Local Government Law: This course addresses major issues facing state and local governments and prepares students to practice law and influence policy at the state and local level.

Sem: State Constitutional Law: This course explores “state constitutional law.” It will not specifically teach Ohio constitutional law, though some illustrations of the various principles may come from Ohio law. Instead, the subject is a general examination of state constitutional law and its proper role in the fabric of American law. Thus we will inquire into how state constitutional law may be interpreted and applied in the federal and state courts.

Sem: Supreme Court Litigation: This seminar deals primarily with the process of constitutional litigation as seen from the perspective of the U.S. Supreme Court. It includes a historical analysis of Article III and, more specifically, a consideration of the Court’s evolution over its almost 200 years of existence, with detailed attention to the way in which the courts exercise the unique power of “judicial review.”

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Ruth Colker
Sharon Davies
Joshua Dressler
Ned Foley
Stanley Laughlin Jr.
Alan Michaels
Peter Shane
Marc Spindelman
Daniel Tokaji
**CORPORATE LAW**

Business lawyers handle a wide range of legal issues for corporations, including transactional, governance, litigation, and regulatory work. Nearly all of our students choose to take the Business Associations course to develop a basic understanding of the legal system under which corporations operate. The course offerings in this area explore legal and organizational issues from both theoretical and practical perspectives, in domestic and international settings, and in contexts ranging from large, global enterprises to small businesses and nonprofit organizations.

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<thead>
<tr>
<th>Core Courses</th>
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<tbody>
<tr>
<td>Accounting for Lawyers</td>
<td>Sem: Hot Money Insurance Law</td>
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<tr>
<td>Antitrust Law</td>
<td>Business of Law*</td>
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<tr>
<td>Banking Law</td>
<td>International Business Arbitration*</td>
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<tr>
<td>Business Associations</td>
<td>Drafting Business Contracts</td>
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<tr>
<td>Business Bankruptcy</td>
<td>Employment Discrimination Law</td>
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<tr>
<td>Business and Tax Legal Research</td>
<td>Employment Law</td>
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<tr>
<td>Capital Markets</td>
<td>Hospital Problem*</td>
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<tr>
<td>Corporate Finance</td>
<td>International Trade</td>
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<tr>
<td>Corporate Governance Law</td>
<td>International Trade</td>
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<tr>
<td>Disaster Problem</td>
<td>Labor Law</td>
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<tr>
<td>Entrepreneurial Business Law Clinic</td>
<td>Law and Economics</td>
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<tr>
<td>Federal Income Taxation</td>
<td>Real Estate Development</td>
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<td>Fiduciary Responsibility</td>
<td>Regulatory Compliance</td>
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<td>Taxation of Business Enterprises</td>
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<td>White Collar Crime</td>
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</table>

* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

Accounting for Lawyers: The course is an invaluable, sophisticated introduction to accounting, which is the universal language of business. It assumes no background in accounting and business and will be helpful in the practice of law, as well as in mastering basic tax and business courses in law school. Students will learn to read financial reports, a vitally important skill for lawyers in almost any type of practice, and will become more sophisticated in their understanding of financial issues.
Antitrust Law: This course examines the statutory prohibitions upon cartel behavior and upon monopolization and attempts to monopolize, as well as the intersection of economics and the law with respect to how market power is identified and defined. The course also examines various business practices that allegedly either restrain trade or increase market power.

Banking Law: A course on the formation, regulation, and governance of banking and related financial institutions. The course will examine “cyber banking,” including issues related to electronic cash, Internet commerce, the privacy of customer information, and the future of the payment system.

Business Associations: This course provides an introduction to the laws governing business entities. We will examine the structure and characteristics of modern business organizations, particularly publicly traded and closely held business corporations. Significant emphasis is placed upon the nature of the corporate governance system and the fiduciary obligations of directors and officers.

Business and Tax Legal Research: Business and Tax Legal Research provides students with an introduction to business and tax related materials and advanced training on the finding and utilization of these materials for legal research purposes. Topics covered will include business forms, company filings and SEC research, foreign and international business research, and primary and secondary sources for tax issues.

Business Bankruptcy: The course will focus on the business bankruptcy process, principally Chapter 11 reorganizations. Topics to be addressed include the basics of federal bankruptcy law, including the automatic stay, avoidance of fraudulent and preferential transfers, treatment of executory contracts, operation of a company during bankruptcy, sale of assets in Chapter 11 and formulation and confirmation of a plan of reorganization.

Business of Law: In this course, students will analyze shifts in the market for legal services by reviewing literature from law, business, psychology, sociology, among others. They will also share insights with practitioners invited to join several seminar discussions. During the second half of the semester, each student will research, write, and present a paper on an individually selected topic related to the market structure of the legal profession, challenges to that structure, and/or adaptations that organizations might pursue.

Capital Markets: Consideration of current academic thinking about capital markets, including presentations by outside academics and industry participants.

China Problem: This “capstone” course centers on problem solving and the skills and professional judgment required in transactional work. The course will emphasize application of practice skills such as critical thinking, negotiations, and writing for a senior partner and for a client.
Corporate Finance: The course will provide a detailed review of the economics and rights associated with standard securities issuances, such as the sale of stock and bonds, and will also cover more complex and exotic financial instruments, including options, futures, pass-through certificates, and OTC derivatives.

Corporate Governance Law: This course examines the role of in-house counsel in a major U.S. corporation. Topics of study include corporate organization, litigation management strategies, legal compliance, attorney-client privilege, the role of the Corporate Secretary, annual reports and annual meetings, among others. This course is part of the Distinguished Practitioner in Residence program.

Disaster Problem: This “capstone” course will focus on issues facing a national insurance company in the hours and days immediately following a major national disaster. This course is also known as “Lost in Translation: Can your client hear you now?”

Drafting Business Contracts: This course will focus on the skills, techniques, and strategies that transactional business lawyers need to employ when drafting business contracts such as employment agreements, purchase and sale documents and joint venture contracts. The course will emphasize the practical over the theoretical and will give the students ample opportunity to hone their drafting skills.

Employment Discrimination Law: This course addresses developments in civil rights law in the context of the workplace. We will look at the growing body of law designed to protect against discrimination based on race, gender, national origin, religion, age, disability and sexual orientation. The main focus of the course will be on Title VII of the Civil Rights Act of 1964, as amended.

Employment Law: This course focuses on federal and state regulation of the employment relationship, including constitutional, statutory, and common-law restrictions on employer activities. Subjects covered include negligent hiring and retention, invasion of privacy, wrongful discharge, and unemployment insurance, among other topics.

Entrepreneurial Business Law Clinic: Students enrolled in the EBLC assist young companies – not ready or able to hire attorneys – on a pro bono basis and offers legal service on matters such as business formation and governance, regulation of Internet commerce, employment contracts, due diligence, valuation and finance, licensing, and intellectual property issues.

Fiduciary Responsibility: This course will consider a variety of issues in corporate law, especially those that relate to boards of directors. Examples of potential issues are the requirement of a demand by a stockholder before instituting derivative litigation; transactional litigation; the business judgment rule; the director's fiduciary duties of care, loyalty, and disclosure; and indemnification and statutory exculpation issues. This course is part of the Distinguished Practitioner in Residence program.
Federal Income Taxation: The course provides an introduction to the basic principles of the federal income tax. The principal subject areas include: (1) characteristics of income; (2) allowable deductions and exemptions; (3) timing issues; (4) income splitting; (5) preferential tax provisions including capital gains; and (6) brief examination of other methods of taxation including consumption tax and flat tax proposals.

Hospital Problem: This “capstone” course will explore four segments related to hospital systems: advice to the corporations on the business deal; advice to the hospital and the private practice regarding unionization and labor issues; executive employment agreements for the practice plan leaders who will transition to the hospital and a final analysis of any issues not previously addressed.

Sem: Hot Money: This course explores the legal regulation of financial speculators in a variety of financial markets, chosen by the students, that may include, among other things, sub-prime mortgages, short selling, information markets, hedge funds, private equity funds, venture capital funds, derivative markets (options, futures, and swaps, including credit swaps), real estate flipping, underwriting, blank check offerings, the pink sheets, and the currency markets.

Insurance Law: Insurance law is of great importance to all lawyers, whether they litigate or perform office practice. This course covers many insurance issues, including liability, coverage, exclusions, duties of good faith, and duty to defend. These issues will be discussed in the context of liability, property and personal insurance.

International Business Arbitration: The course examines the international arbitration process and the legal framework of private contract, national law, and international treaties in which it operates. The course is relevant to lawyers with either a transactional or a litigation practice in an increasingly globalized world.

International Business Transactions: This course introduces students to the classic procedures for resolving international disputes. We will look at negotiation, mediation, fact-finding, conciliation, arbitration and judicial settlement, as well as transitional justice institutions and restorative justice approaches. Our emphasis will be on how these mechanisms operate in contemporary disputes and on how law governs their use.

International Joint Ventures: This course provides an introduction to the issues associated with international joint ventures. Drawing primarily on case studies involving entertainment companies, topics include, among others, governance issues, choice of law, investment protection, antitrust and competition considerations, dealing with foreign counsel and exit strategies. This course is part of the Distinguished Practitioner in Residence program.

International Mergers and Acquisitions: Using a variety of case studies, this course explores issues associated with cross-border transactions involving both public and private corporations. Topics of study will include fiduciary issues, anti-takeover provisions, tender
offers, elements of acquisition agreements, etc. This course is part of the Distinguished Practitioner in Residence program.

International Trade: This course will provide background on the dynamics and the legal framework governing and impacting international trade. We will examine key trading treaties and the backgrounds leading up to these arrangements and resolving disputes under them. We will take a deeper dive into the alphabet soup known as WTO, TRIPS and GATS/TRIMS.

Investment Management Law: This course examines the law of broker/dealers, investment companies, investment advisers, mutual funds, pension funds, hedge funds, private equity funds, and other institutional investors.

Labor Law: This course will explore federal regulation of labor-management relations in private sector, focusing upon employee organizational and representational rights; selection of bargaining representative; collective bargaining process; contract administration and enforcement; and the union’s duty of fair representation.

Law and Economics: This course examines these and similar questions by introducing the students to one of today’s most powerful schools of legal thought, Law and Economics. Law and Economics applies the basic tools of economic reasoning to legal doctrines and provides a set of tools for analyzing laws.

Lawyers as Leaders: Through the cases and exercises, students will gain experience analyzing issues, exercising judgment, and making difficult decisions – the hallmarks of skillful leadership. The objective of the course is to help students think more broadly about leadership, increase their appreciation for the variety of leadership roles people with legal training may achieve throughout their careers, and prepare for positions of leadership themselves.

Mergers and Acquisitions: This course explores the planning of corporate mergers, acquisitions, and reorganizations, examining the application and integration of state corporate law, federal securities law, accounting principles, tax law, labor law, products liability law, environmental law, ERISA, and antitrust law.

Nonprofit Organizations: This course will examine the major aspects of governance and tax law issues affecting the nonprofit sector. The emphasis will be on the lawyer’s role in forming, securing recognition of tax exemption for, and counseling nonprofit entities, such as charitable organizations, foundations, museums, hospitals, universities, and advocacy groups.

Real Estate Development: The course will take a practical, “hands on” approach to the multi-faceted area of real estate development law. Case studies based on actual, “real world” projects will serve as the backdrop for our examination of the myriad of legal disciplines that a real estate development lawyer needs to master in order to be successful.
Regulatory Compliance: This course will analyze the legal, ethical and policy foundations of regulatory compliance: the effort to translate statutory requirements into compliant corporate and individual behavior.

Securities Regulation: The course covers the regulation of distributions of securities by issuers and their affiliates under the Federal Securities Act of 1933 and the regulation of the securities trading markets by the Securities & Exchange Act of 1934.

Small Business Finance: This course examines basic accounting and valuation techniques; transaction cost economics, relational contract, and entrepreneurial psychology; choice of entity; founder finance, including tax and bankruptcy issues; insider finance

Taxation of Business Enterprises: We will study the basics of taxation of corporations, partnerships, and LLCs. Among other goals, this course will prepare a student to advise persons who are starting new businesses whether they should operate the business in either a corporation or flow-through entity (such as a partnership or limited liability company).

Transactional Lawyering: Students will explore the procedural and substantive aspects of transactional practice; conduct original research and write a formal report (in multiple drafts); provide a formal oral presentation.

White Collar Crime: This course focuses on the investigation, prosecution and defense of white-collar crimes. Sophisticated criminal offenses often use power, influence or trust for the purpose of illegal gain or advantage. Offenses covered in this class include; fraud, corruption, money laundering, tax, obstruction of justice and other crimes commonly litigated in federal courts.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Steven Davidoff
Larry Garvin
Garry Jenkins
Creola Johnson
Dale A. Oesterle
Paul Rose
Todd Starker
Lee Thomason
Vincene Verdun
CRIMINAL LAW

Ohio State boasts one of the nation’s preeminent criminal law programs. Accordingly, Moritz students considering a criminal practice have numerous opportunities to learn about every aspect of the criminal justice system. Students can choose from an upper level criminal law course offering that ranks among the most comprehensive in the United States. In addition, they'll learn from some of the leading experts in criminal justice from around the country.

<table>
<thead>
<tr>
<th>Core Courses</th>
<th>Related</th>
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<tbody>
<tr>
<td>Criminal Defense Clinic</td>
<td>Children and the Law</td>
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<tr>
<td>Criminal Law Defenses*</td>
<td>Sem: International Criminal Law*</td>
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<tr>
<td>Criminal Procedure: Adjudication</td>
<td>Justice for Children Clinic</td>
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<tr>
<td>Criminal Procedure: Investigation</td>
<td>Trial Practice</td>
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<tr>
<td>Criminal Prosecution Clinic</td>
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<tr>
<td>Evidence</td>
<td>White Collar Crime</td>
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</tbody>
</table>

* Course usually offered in alternate years or on an occasional basis.

Brief Course Descriptions

Children and the Law: This course examines the substantive and procedural rights of children and the competing interests of their parents and the state in a variety of legal contexts, which include delinquency, status offense, abuse and neglect, and termination of parental rights proceedings.

Sem: Computer Crime and Surveillance: This course explores the legal and policy issues that judges, legislators, prosecutors and defense counsel confront in response to computer-related crime and computer-related surveillance. In particular, it considers how conduct in cyberspace challenges traditional approaches to the investigation, prosecution and defense of criminal conduct in physical space.

Criminal Defense Clinic: This clinic operates as a small law office specializing in criminal defense work. Under faculty supervision, each student represents several defendants charged with misdemeanors in the Franklin County Municipal Court. Students develop fact gathering skills, practical knowledge, problem solving abilities, and negotiation tactics as they represent their clients.

Criminal Law Defenses: This seminar explores the moral underpinnings of, and controversies regarding, criminal law defenses. During the first half of the semester, through
substantial assigned reading materials (all articles, no cases), the focus is on the nature of criminal law defenses generally, and the theoretical but all-important concepts of "justification" and "excuse" more specifically.

Criminal Procedure: Adjudication: This course studies the process of the criminal justice system from after the time of arrest through trial and verdict. Topics covered will include the right to counsel, the charging process, pretrial detention, discovery, pleas, trials, and double jeopardy.

Criminal Procedure: Investigation: This course focuses on the legality of police investigative conduct under the Fourth, Fifth and Sixth Amendments to the United States Constitution. The course explores in-depth the Fourth Amendment’s prohibition against unreasonable searches and seizures.

Criminal Prosecution Clinic: Students represent the City of Delaware and the State of Ohio in criminal cases, prosecuting cases as diverse as domestic violence, sexual misconduct, drunk driving, and theft. Each student is responsible for his or her own cases and handles every aspect of the prosecution including witness interviews, motion practice, plea negotiations, evidentiary hearings, and bench or jury trials.

Evidence: This course surveys the law of evidence. Students develop a facility with major evidentiary rules and concepts, based on a study of the Federal Rules of Evidence. Concepts covered include relevance, the use of character and scientific evidence, the definition and use of hearsay, the use of real and demonstrative evidence, among other topics.

Sem: Federal Death Penalty/Habeas: The seminar will address how federal courts address habeas claims as they arise in the context of capital cases. The course will be divided into three sections: (1) a review of pre-AEDPA jurisprudence, (2) procedural issues involved in addressing habeas claims post-AEDPA, and (3) substantive issues raised in many of the capital cases heard in federal courts.

Sem: International Criminal Law: This seminar covers international law as it affects the prosecution of crime. Specific topics include international extradition of suspects (and other forms of inter-governmental cooperation with regard to crime), international standards for due process in criminal cases.

Justice for Children Clinic: The course examines the substantive and procedural rights of children in a variety of legal contexts. As legal interns certified by the Ohio Supreme Court, students will each represent juvenile clients. Cases may involve juvenile delinquency, abuse, neglect or dependency, appeals, immigration, or special education.

Sem: Marijuana Law, Policy and Reform: This seminar will examine the social and historical backdrop of intoxicant prohibition, and assess the legal reforms and political debates now surrounding the control and regulation of marijuana use.
Sem: Race and Crime: This seminar will examine questions relating to the myriad ways in which race intersects with the law, and in particular, with the criminal justice system. It will cover a wide array of issues, including implicit associations and enduring perceptions of black criminality, racial and ethnic profiling, race and traffic stops, policing at the border, racial and ethnic sentencing disparities, the use of excessive force, felon disenfranchisement, prisoner re-entry and public policy, and more.

Sentencing Law and Policy: This course will review traditional theoretical justifications for punishments and examine in depth society's always-developing approach to the sentencing of criminal offenders.

Sem: Sexual Violence: This seminar examines various theories of sexuality—both cross-sex and same-sex—and how they relate to notions of “sexual violence,” “sexual injury,” and “sexual harm.” This seminar should be of interest to anyone interested in gender and sexual equality, the law governing rape (including marital rape), sexual harassment, child sex abuse, marriage, or domestic violence.

Trial Practice: In this course, students learn basic trial techniques. Students participate in simulated trial problems and proceedings conducted under the supervision of a seasoned trial practice instructor. They learn to present opening arguments, conduct direct and cross-examination, introduce exhibits, and deliver persuasive closing arguments.

White Collar Crime: This course focuses on the investigation, prosecution and defense of white-collar crimes. Sophisticated criminal offenses often use power, influence or trust for the purpose of illegal gain or advantage. Offenses covered in this class include; fraud, corruption, money laundering, tax, obstruction of justice and other crimes commonly litigated in federal courts.

*Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.*

**Faculty Resource List:**

Joshua Dressler  
Katherine Federle  
Robert Krivoshey  
John Quigley  
Deborah Merritt  
Alan Michaels  
Ric Simmons
**EDUCATION LAW AND POLICY**

Education offers individuals the necessary skills and training to succeed in life and society. At Ohio State, law students have ample opportunities to study a range of legal and policy problems in American elementary and secondary education, including equal educational opportunity, the No Child Left behind Act, school disciplinary processes, school finance, segregation and desegregation, special education, and governance of private educational institutions.

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<thead>
<tr>
<th>Core Courses</th>
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<tbody>
<tr>
<td>Disability Discrimination*</td>
<td>Nonprofit Organizations*</td>
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<tr>
<td>Education Law*</td>
<td>Regulatory Compliance</td>
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<tr>
<td>Employment Law</td>
<td>Special Education Advocacy</td>
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<tr>
<td>Labor Law</td>
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</tbody>
</table>

* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

Administrative Law: A study of the administrative law process, concentrating upon the functions and procedures of federal administrative agencies and judicial review of agency actions. Administrative law provides a framework to understand the basic administrative process and its control by the three branches of government.

Disability Discrimination: The course explores legal and policy issues related to the Americans with Disabilities Act, employing traditional statutory and case law analysis. Students will complete a substantial written project on a topic covered by ADA.

Education Law: This course will focus primarily on K-12 education wherein students examine myriad topics: school safety issues and related efforts to protect student privacy and freedom of expression, including combating threatening behavior, peer harassment, and peer mistreatment; the rights of educators, including teacher certification, tenure, dismissal, retirement, academic freedom.

Employment Law: This course focuses on federal and state regulation of the employment relationship, including constitutional, statutory, and common-law restrictions on employer activities. Subjects covered include negligent hiring and retention, invasion of privacy, wrongful discharge, and unemployment insurance, among other topics.

Justice for Children Clinic: The course examines the substantive and procedural rights of children in a variety of legal contexts. As legal interns certified by the Ohio Supreme Court, students will each represent juvenile clients. Cases may involve juvenile delinquency, abuse, neglect or dependency, appeals, immigration, or special education.
Labor Law: This course will explore federal regulation of labor-management relations in private sector, focusing upon employee organizational and representational rights; selection of bargaining representative; collective bargaining process; contract administration and enforcement; and the union’s duty of fair representation.

Mediation Clinic: This course provides opportunities to develop skills as a mediator, along with basic study of mediation law and policy issues. The course combines the features of a regular law school class, a clinic, and a seminar (satisfying the seminar requirement). For the clinical component, students will receive skills training through role plays and a videotape exercise, and then serve as a mediator for the Franklin County Small Claims Court and other forums. Students who have taken the Multi-Party Mediation Clinic may not take this course.

Nonprofit Organizations: This course will examine the major aspects of governance and tax law issues affecting the nonprofit sector. The emphasis will be on the lawyer’s role in forming, securing recognition of tax exemption for, and counseling nonprofit entities, such as charitable organizations, foundations, museums, hospitals, universities, and advocacy groups.

Regulatory Compliance: This course will analyze the legal, ethical and policy foundations of regulatory compliance: the effort to translate statutory requirements into compliant corporate and individual behavior.

Special Education Advocacy: This course primarily covers the law of special education as provided in the Individuals with Disabilities Education Act ("IDEA"). A primary emphasis of the class will be to teach students about the process under which students are identified as disabled and provided with Individualized Education Plans ("IEPs").

*Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.*

**Faculty Resource List:**

Ruth Colker  
Garry Jenkins  
Charles Wilson

**Election Law**

Ohio State is nationally recognized as a leader in the study of election law, including issues like the right to vote, political representation, election administration, political parties, ballot initiatives, and campaign finance.
<table>
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<tr>
<th>Core Courses</th>
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<tbody>
<tr>
<td>Sem: Disputed Elections</td>
<td>Administrative Law</td>
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<tr>
<td>Election Law</td>
<td>Advanced Constitutional Law</td>
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<tr>
<td>Sem: Money and Politics*</td>
<td>American Legal History*</td>
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<td>First Amendment</td>
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<td>Sem: Fourteenth Amendment</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

Administrative Law: A study of the administrative law process, concentrating upon the functions and procedures of federal administrative agencies and judicial review of agency actions. Administrative law provides a framework to understand the basic administrative process and its control by the three branches of government.

Advanced Constitutional Law: Constitutional theory, with emphasis on competing views of judicial review and the judicial function; the methodologies and processes of constitutional decision making; and criteria for judicial justification.

American Legal History: The history of American law from its colonial antecedents until the twentieth century, emphasizing the relationship between law and the changing social, political, and economic conditions.

Sem: Disputed Elections: This course will consider the major disputed elections throughout U.S. history and what we can learn for the benefit of the future from each of these interesting episodes. The course will also consider the work of a new American Law Institute project, which is designed to develop model rules or principles for the resolution of future disputed elections.

Election Law: In this course, we cover four major areas: (1) legislative districting; (2) nominating candidates; (2) campaign practices, including campaign financing; and (4) the casting and counting of ballots. Taking these topics in this order permits us to follow the "life cycle" of a campaign, and we use real-world examples to illustrate issues.

First Amendment: This course explores American constitutional law regarding freedom of speech, freedom of association, and freedom of the press. It focuses on the leading First Amendment cases that give expression the most extensive protection found anywhere in the world.
Sem: Fourteenth Amendment: This advanced course in constitutional law will examine current, recurrent, and lasting topics of interest under the Fourteenth Amendment. The course will consider the extent to which the Fourteenth Amendment restructured the relationship between the federal and state governments. We will discuss recent cases pertaining to Congress’ enforcement power and state power over property.

Sem: Money and Politics: This seminar addresses the role and regulation of money in politics, including the subjects of bribery, campaign finance, and lobbying.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

FACULTY RESOURCE LIST:

Terri Enns
Edward Foley
Steven Huefner
Daniel Tokaji

EMPLOYMENT AND LABOR LAW

For most individuals engaged in the workforce, labor and employment law contributes greatly to the nature of the employer-employee relationship. Beginning with child labor statutes and running through age discrimination and pension laws, the law has something to say on nearly every issue confronting employees during their working years — wages, hours, fringe benefits, safety and health, job security, discrimination, and employee privacy.

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<tr>
<th>Core Courses</th>
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<tbody>
<tr>
<td>Alternative Dispute Resolution in the Workplace*</td>
<td>Employment Law</td>
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<tr>
<td>Disability Discrimination*</td>
<td>Employment Litigation Problem</td>
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<tr>
<td>Dispute Resolution in Employment*</td>
<td>Issues in Arbitration*</td>
</tr>
<tr>
<td>Employee Benefits*</td>
<td>Labor Law</td>
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<tr>
<td>Employment Discrimination Law</td>
<td>Sem: Sexual Harassment*</td>
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<td>Sem: Workplace Bias*</td>
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<td>Civil Law Clinic</td>
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<td>International Business Arbitration*</td>
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<td>Legal Negotiation</td>
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<td>Mediation Clinic</td>
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<td>Sexual Orientation and the Law*</td>
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* Course usually offered in alternate years or on an occasional basis.

Brief Course Descriptions
Alternative Dispute Resolution in Employment: This course will focus on the use of alternative methods of dispute resolution in the context of the workplace, including arbitration and mediation. Issues involving both labor arbitration and arbitration of individual employee disputes will be addressed, as will issues relevant to the mediation of employment disputes.

Civil Law Clinic: Students represent clients in pending civil cases in state and federal courts under faculty supervision. Students are assigned to cases from a wide variety of subject-matter areas including: civil rights, consumer law, landlord-tenant, personal injury, contracts, and employment law.

Disability Discrimination: The course explores legal and policy issues related to the Americans with Disabilities Act, employing traditional statutory and case law analysis. Students will complete a substantial written project on a topic covered by ADA.

Dispute Resolution in Employment: This course offers skills and strategies for effective negotiation and mediation of employment disputes in non-union work environments. Prior to negotiating and mediating settlements through interactive exercises involving employment discrimination, wrongful discharge and other workplace disputes, Statutory or common law background knowledge will be discussed which may be needed to resolve the conflicts short of litigation.

Employee Benefits: This course will focus on the legal issues surrounding the mandated or voluntary provision of benefits to employees by employers, including health and pension benefits. Issues that will be addressed include the scope of the Employee Retirement Income Security Act, as well as issues on non-discrimination, fiduciary obligations, and preemption of state laws relating to the provision of benefits.

Employment Discrimination Law: This course addresses developments in civil rights law in the context of the workplace. We will look at the growing body of law designed to protect against discrimination based on race, gender, national origin, religion, age, disability and sexual orientation. The main focus of the course will be on Title VII of the Civil Rights Act of 1964, as amended.

Employment Law: This course focuses on federal and state regulation of the employment relationship, including constitutional, statutory, and common-law restrictions on employer activities. Subjects covered include negligent hiring and retention, invasion of privacy, wrongful discharge, unemployment insurance, employer's duty to provide a safe workplace, among other topics.

Employment Litigation Problem: This “capstone” course centers on problem solving and the skills and professional judgment required in litigation work. This course will explore issues that confront lawyers throughout the litigation process. Students will address problems
frequently associated with initial business intake, client expectations, and litigation strategy using a hypothetical suit alleging the theft of trade secrets.

International Business Arbitration: This course examines the international arbitration process and the legal framework of private contract, national law, and international treaties in which it operates. The course is relevant to lawyers with either a transactional or a litigation practice in an increasingly globalized world.

Issues in Arbitration: This course explores the law, theory and practice of arbitration. Students will engage in arbitration simulations as both a representative and as an arbitrator. Evaluation will be based on in-class work, class participation, arbitrator opinions and exam.

Labor Law: This course will explore federal regulation of labor-management relations in private sector, focusing upon employee organizational and representational rights; selection of bargaining representative; collective bargaining process; contract administration and enforcement; and the union’s duty of fair representation.

Legal Negotiation: This highly interactive course is designed to familiarize students with theories, skills and ethics involved in legal negotiation. Through simulations and role-play exercises, students will gain first-hand experience in applying negotiation techniques. This course will aim to provide students with tools to prepare for, conduct, and analyze negotiations.

Mediation Clinic: This course provides opportunities to develop skills as a mediator, along with basic study of mediation law and policy issues. The course combines the features of a regular law school class, a clinic, and a seminar (satisfying the seminar requirement). For the clinical component, students will receive skills training through role plays and a videotape exercise, and then serve as a mediator for the Franklin County Small Claims Court and other forums. Students who have taken the Multi-Party Mediation Clinic may not take this course.

Sem: Sexual Harassment: In this course, we address a variety of issues relating to sexual harassment in both the workplace and academic settings, including the causes and effects of sexual harassment, the legal standards for sexual harassment, the First Amendment implications of sexual harassment law, and the intersections between gender and race and gender and sexual orientation in harassment law.

Sexual Orientation and the Law: This course will survey the various legal issues facing gay men, lesbians and bisexuals. The topics include: regulation of sexuality and gender; liberty-equality debate; theories of sexuality, gender and the law; the workplace; families; parenting; education; and the military.

Sem: Workplace Bias: This seminar will explore the legal and interdisciplinary literature relating to contemporary claims of bias in the workplace, including theories of implicit bias, intersectionality theory, structuralist approaches and stereotyping and identity performance theories.
Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

**Faculty Resource List:**

- Martha Chamallas
- Sarah Cole
- Ruth Colker
- L. Camille Hébert
- Charles Wilson

**Environmental Law and Energy**

Environmental law and climate change are rapidly changing areas of law that will continue to grow in importance over coming decades. Practitioners in this area draw upon property law, constitutional law, legislation, torts, administrative/regulatory law, criminal law, and corporate law. And, increasingly, environmental law is affected by and is affecting international law.

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<th>Core Courses</th>
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<tbody>
<tr>
<td>Climate Change*</td>
<td>Administrative Law</td>
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<tr>
<td>Energy Law</td>
<td>Federal Courts</td>
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<tr>
<td>Environmental Law</td>
<td>Legal Negotiation</td>
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<tr>
<td>International Environmental Law*</td>
<td>Regulatory Compliance</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

**Administrative Law:** A study of the administrative law process, concentrating upon the functions and procedures of federal administrative agencies and judicial review of agency actions. Administrative law provides a framework to understand the basic administrative process and its control by the three branches of government.

**Climate Change:** This course will explore the social, legal, political, and scientific challenges involved in addressing and responding to climate change by considering underlying concepts and analyzing climate change laws and policies.

**Energy Law:** The course offers students a broad overview of the historical development of energy law and the regulation of energy markets and energy infrastructure development as well
as more focused discussions of specific sources of energy and the implications of recent developments in energy law in response to increasing calls for cleaner and more diversified sources of energy as a result of concerns about climate change and over-reliance on foreign sources of energy.

Environmental Law: This course is a survey course of U.S. environmental law, covering topics including environmental assessment, clean air, clean water, waste management, and endangered species. Along the way, we will consider questions of how best to regulate, issues of federalism, the role of citizens in environmental protection and law, the values, science, and policy that influence environmental law, and new approaches to environmental protection.

Federal Courts: This course examines the scope of and limitations upon the federal judicial power under Article III of the Constitution. It is organized around three themes: (1) Separation of Powers, (2) Federalism, and (3) Enforcement of Federal Rights. Specific topics covered include standing and justiciability, jurisdiction-stripping, the confirmation process, sovereign immunity, abstention, Supreme Court review of state court decisions, among other topics.

International Environmental Law: This course provides a general introduction to international environmental law and policy. We will begin by analyzing the history and development of international environmental law and exploring the key economic, political and legal concepts that have helped shaped the evolution of the field.

Legal Negotiation: This highly interactive course is designed to familiarize students with theories, skills and ethics involved in legal negotiation. Through simulations and role-play exercises, students will gain first-hand experience in applying negotiation techniques. This course will aim to provide students with tools to prepare for, conduct, and analyze negotiations.

Regulatory Compliance: This course will analyze the legal, ethical and policy foundations of regulatory compliance: the effort to translate statutory requirements into compliant corporate and individual behavior.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Cinnamon Carlarne
FAMILY RELATIONS AND WILLS AND TRUSTS

Family law considers the various aspects of familial and intimate relations. The law of "the family" includes consideration of state efforts and authority to regulate its creation, maintenance, and dissolution. Issues that often arise include marriage (and its contested boundaries), privacy, marital obligations, annulment, dissolution, divorce, child custody, and spousal and child support. Modern family law has actively considered issues raised by same-sex and opposite-sex cohabiting couples and families. Recently, a considerable effort has been made to "constitutionalize" family law, leading to various public policy considerations.

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<th>Core Courses</th>
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<tr>
<td>Adoption Law*</td>
<td>Estate Planning*</td>
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<tr>
<td>Sem: Advanced Family Law*</td>
<td>Justice for Children Clinic</td>
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<tr>
<td>Children and the Law</td>
<td>Sexual Orientation and the Law*</td>
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<td>Family Law</td>
<td>Wills, Trusts, Estates</td>
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<td>Debtor and Creditor Law</td>
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<td>Federal Income Taxation</td>
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<td>Immigration Law</td>
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<td>Sem: Sexual Violence</td>
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<td>Special Education Advocacy*</td>
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* Course usually offered in alternate years or on an occasional basis.

Brief Course Descriptions

Adoption Law: This seminar explores the public and private law issues that arise during the adoption process. We will explore the substantive legal issues surrounding the adoption process, including issues related to voluntary relinquishment of parental rights, involuntary termination of parental rights, cultural and religious issues surrounding adoption, legal and statutory requirements for a valid adoption, federal regulations, and the different types of adoption.

Sem: Advanced Family Law: This seminar provides students with an opportunity to explore the complexities and future of Family Law. What is the field of Family Law about, and where did it come from? What are Family Law’s boundaries as field of “law” and legal studies? What other academic and professional disciplines does Family Law intersect with? After exploring these various features of Family Law, the Family Law canon will be reconsidered in a fresh light, with an eye toward future directions of the field.

Children and the Law: This survey course explores the legal and philosophical bases for state intervention in the lives of children and their families. The course examines the substantive and procedural laws governing the conduct of minors in delinquency and status offense proceedings, the state’s authority to protect abused and neglected children, the rights and obligations of parents in juvenile and family court matters, and the rights of children to make decisions affecting their lives.
Debtor and Creditor Law: This course is about the rights and obligations of debtors and creditors when a debtor cannot or will not pay an obligation owed to the creditor. Students will learn what a debtor or creditor can do under state law (Ohio law emphasized), under federal non-bankruptcy law, and under the United States Bankruptcy Code.

Estate Planning: In this course, students will explore theories and skills involved in estate planning process. Specific topics include: estate planning engagement; information gathering; estate analysis; identification of client objectives; development of remedial and conventional estate plans; and selection of fiduciaries.

Federal Income Taxation: The course provides an introduction to the basic principles of the federal income tax. The principal subject areas include: (1) characteristics of income; (2) allowable deductions and exemptions; (3) timing issues; (4) income splitting; (5) preferential tax provisions including capital gains; and (6) brief examination of other methods of taxation including consumption tax and flat tax proposals.

Family Law: In this introductory survey course, we will consider various aspects of the law of "the family," including state efforts and authority to regulate its creation, maintenance, and dissolution. Topics will thus include marriage (and its contested boundaries), privacy, marital obligations, annulment, dissolution, divorce, child custody, and spousal and child support.

Immigration Law: The course will examine the law and policy concerning persons who want to come to the United States on a temporary or permanent basis and persons who are in the United States and want to stay. Also to be examined are the laws concerning obtaining and retaining lawful status, including citizenship.

Justice for Children Clinic: In this clinic, students provide direct legal representation of children and their interests. The objective of the clinic is to assemble a selection of cases that provides students with an opportunity to learn an ethical and strong legal practice model. The course component provides students with an opportunity to learn lawyering skills within a substantive context.

Sexual Orientation and the Law: This course will survey the various legal issues facing gay men, lesbians and bisexuals. The topics include: regulation of sexuality and gender; liberty-equality debate; theories of sexuality, gender and the law; the workplace; families; parenting; education; and the military.

Sem: Sexual Violence: In this course we will look at the relationship between sexuality and identity, and the law's relation to both. In particular, we will examine how the law treats sexual violence, understood as a form of sexuality, across a range of practices, some of them familiar and others less so, and with what effects for identity production (and reform), sexual politics, and sex equality.
Special Education Advocacy: This two-credit course primarily covers the law of special education as provided in the Individuals with Disabilities Education Act (“IDEA”). This course will be taught in conjunction with professors in various allied health professions who specialize in assisting children with disabilities.

Wills, Trusts, Estates: This course will combine the standard Wills and Trusts course with an introduction to the basics of gift and estate taxation. We will cover the requirements for executing and revoking wills, interpretation of wills, intestate succession, will substitutes (such as revocable trusts and transfer-on-death accounts), spousal protection, and the creation and use of trusts.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

**Faculty Resource List:**

Ruth Colker  
Katherine Federle  
Bruce Johnson  
Marc Spindelman

**Health Law and Policy**

Health care is one of the most regulated industries in the world, leading to a host of legal and bioethical questions. With the recent passage of comprehensive health care reform, it is also one of the fastest-growing areas of law. Health care practitioners need a strong foundation in business law, administrative law, and torts.

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<th>Core Courses</th>
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<tbody>
<tr>
<td>Biotechnology Law and Policy*</td>
<td>Hospital Problem*</td>
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<tr>
<td>Disability Discrimination*</td>
<td>Law and Genetics*</td>
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<tr>
<td>Sem: Food and Drug Law*</td>
<td>Public Health Law*</td>
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<tr>
<td>Insurance Law</td>
<td>Regulatory Compliance</td>
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<td>Health Law</td>
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<td>Administrative Law</td>
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<td>Drafting Business Contracts</td>
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<td>Nonprofit Organizations*</td>
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<td>Patent Law</td>
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<td>Patient Client Care</td>
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<td>Privacy*</td>
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<td>Products Liability*</td>
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* Course usually offered in alternate years or on an occasional basis.
**Brief Course Descriptions**

Administrative Law: A study of the administrative law process, concentrating upon the functions and procedures of federal administrative agencies and judicial review of agency actions. Administrative law provides a framework to understand the basic administrative process and its control by the three branches of government.

Biotechnology Law and Policy: This course takes an interdisciplinary approach to examining many of the legal, business, ethical, and policy issues raised by the biotechnology industry.

Disability Discrimination: The course explores legal and policy issues related to the Americans with Disabilities Act, employing traditional statutory and case law analysis. Students will complete a substantial written project on a topic covered by ADA.

Drafting Business Contracts: This course will focus on the skills, techniques, and strategies that transactional business lawyers need to employ when drafting business contracts such as employment agreements, purchase and sale documents and joint venture contracts. The course will emphasize the practical over the theoretical and will give the students ample opportunity to hone their drafting skills.

Sem: Food and Drug Law: The seminar will focus on current issues concerning federal and state regulation of foods and drugs, including FDA structure and organization; the regulation of human drugs, medical devices; and state regulation of drugs, devices and food quality. Students will lead a discussion of a food, drug, cosmetic or medical device topic/issue of their choice and a final paper will be required.

Health Law: This course will focuses on selected issues in healthcare and clinical research; professional relationships in healthcare, the obligation to provide care, medical malpractice, healthcare privacy, end-of-life and other ethical issues, the business structure and regulation of the health care industry, healthcare fraud, abuse and antitrust, and the regulation of clinical research.

Hospital Problem: This “capstone” course will explore four segments related to hospital systems: advice to the corporations on the business deal; advice to the hospital and the private practice regarding unionization and labor issues; executive employment agreements for the practice plan leaders who will transition to the hospital and a final analysis of any issues not previously addressed.

Insurance Law: Insurance law is of great importance to all lawyers, whether they litigate or do office practice. This course covers many insurance issues, including liability, coverage, exclusions, duties of good faith, and duty to defend. These issues will be discussed in the context of liability, property and personal insurance.
Law and Genetics: This class provides an opportunity to examine the process by which law responds to rapid changes in scientific knowledge and technology and also the ways in which law affects the course of scientific development. In addition to gaining a perspective on this interaction between the development of law and science, the course aims to give students an understanding of the wide range of legal and policy issues involving genetics.

Nonprofit Organizations: This course will examine the major aspects of governance and tax law issues affecting the nonprofit sector. The emphasis will be on the lawyer’s role in forming, securing recognition of tax exemption for, and counseling nonprofit entities, such as charitable organizations, foundations, museums, hospitals, universities, and advocacy groups.

Patent Law: This course will cover the basic elements of patent law, including patentable subject matter, utility, novelty, non-obviousness, claims, disclosure and enforcement of patents— all in light of the recently enacted America Invents Act. There is no expectation that students in the class will have the technical knowledge to prosecute patents.

Patient Client Care: The course provides an opportunity for 12 students from each of the 6 professions – Allied Medicine, Education, Law, Medicine, Social Work, and Theology—to work together with faculty to develop the skills to design treatment plans for clients with complex problems presented in cases. Students and faculty work together to: (1) develop increased understanding of the complex problems of clients; (2) research the broader issues involved in the cases from a multi-professional perspective; (3) engage in total group interaction to facilitate dialogue among students and faculty of different professions; and develop a holistic approach to cases presented in class.

Privacy: This course explores the legal, technological, and political issues surrounding information privacy concerns.

Products Liability: In this course we will examine the historical development of modern products liability law, the impact that product liability law has had with regard to consumer safety, patterns of litigation, and the call for tort reform. The course will focus upon the four primary theories of recovery in products liability law: informational defect, marketing defect, manufacturing defect, and design defect.

Public Health Law: This course will survey the legal framework of government public health regulations by examining the sources and limitations of the government’s authority to address current policy issues.

Regulatory Compliance: This course will analyze the legal, ethical and policy foundations of regulatory compliance: the effort to translate statutory requirements into compliant corporate and individual behavior.
Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

**Faculty Resource List:**

Micah Berman  
Efthimios Parasidis  
Marc Spindelman

**Intellectual Property and Technology Law**

Due to recent scientific and technological advances, lawyering in the digital age has become increasingly important and complex. Students interested in intellectual property may study the principal forms of protection: copyright, trademark, and patent law. Moritz also offers multiple advanced intellectual property courses focused on issues related to the Internet and technology and protecting both copyright and ownership of material as well as privacy.

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<th>Core Courses</th>
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<tr>
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<td>Law of Cyberspace*</td>
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<td>Surveillance*</td>
<td>Patent Prosecution</td>
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<td>Copyright Law</td>
<td>Privacy*</td>
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<td>Intellectual Property Law*</td>
<td>Trademark</td>
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<td>Sem: International Intellectual</td>
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<td>Property Law*</td>
<td>Antitrust Law</td>
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<td>Entrepreneurial Business Law Clinic</td>
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<td>International Trade*</td>
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<td>Law and Economics</td>
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<td>Law and Genetics*</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

Antitrust Law: This course examines the statutory prohibitions upon cartel behavior and upon monopolization and attempts to monopolize, as well as the intersection of economics and the law with respect to how market power is identified and defined. The course also examines various business practices that allegedly either restrain trade or increase market power.

Biotechnology Law and Policy: This course takes an interdisciplinary approach to examining many of the legal, business, ethical, and policy issues raised by the biotechnology industry.
Computer Crime and Surveillance: This course explores the legal and policy issues that judges, legislators, prosecutors and defense counsel confront in response to computer-related crime and computer-related surveillance. In particular, it considers how conduct in cyberspace challenges traditional approaches to the investigation, prosecution and defense of criminal conduct in physical space.

Copyright Law: This course will provide an in-depth view of U.S. copyright law, the legal regime governing rights in original works of authorship (books, music, movies, artworks, photographs, software, etc.). Topics covered include: copyright's underlying policies and theoretical framework, the requirements for copyrightability under the Copyright Act, among other topics.

Entrepreneurial Business Law Clinic: Students enrolled in the EBLC assist young companies – not ready or able to hire attorneys – on a pro bono basis and offers legal service on matters such as business formation and governance, regulation of Internet commerce, employment contracts, due diligence, valuation and finance, licensing, and intellectual property issues.

Law of Cyberspace: This course allows students with varying backgrounds to confront the cutting-edge legal issues that arise from technological change and the Internet.

Intellectual Property Law: A survey course providing an introduction to the various forms of intellectual property law.

International Trade: This course will provide background on the dynamics and the legal framework governing and impacting international trade. We will examine key trading treaties and the backgrounds leading up to these arrangements and resolving disputes under them. We will take a deeper dive into the alphabet soup known as WTO, TRIPS and GATS/TRIMS.

Sem: International Intellectual Property Law: We will cover the general international legal framework on international intellectual property that applies to all of the major categories of IP: copyright, patents, trademarks and trade secrets. Our focus will be on the WTO Agreement on Trade Related Intellectual Property Rights (TRIPs) and other international treaties and their implementation into domestic law.

Law and Economics: This course examines these and similar questions by introducing the students to one of today’s most powerful schools of legal thought, Law and Economics. Law and Economics applies the basic tools of economic reasoning to legal doctrines and provides a set of tools for analyzing laws.

Law and Genetics: This class provides an opportunity to examine the process by which law responds to rapid changes in scientific knowledge and technology and also the ways in which law affects the course of scientific development. In addition to gaining a perspective on this interaction between the development of law and science, the course aims to give students an understanding of the wide range of legal and policy issues involving genetics.
Patent Law: This course will cover the basic elements of patent law, including patentable subject matter, utility, novelty, non-obviousness, claims, disclosure and enforcement of patents -- all in light of the recently enacted America Invents Act. There is no expectation that students in the class will have the technical knowledge to prosecute patents.

Patent Prosecution: This course will focus on patent prosecution practice and will combine a study of case law and the rules and regulations applicable to patent applications. The course will cover issues of compliance with U.S.C. sections 102, 103, and 112; claim drafting; how patent applications are processed; and how to respond to various actions by the Patent and Trademark Office.

Privacy: This course explores the legal, technological, and political issues surrounding information privacy concerns.

Trademark: This course will explore the following: creation, enforcement, and limitation of trademark rights; and related unfair competition issues.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Daniel Chow
Guy Rub

International and Comparative Law

International law consists of two distinct parts. First, public international law includes the rules that govern the relations among nation-states to create order, prevent war, and facilitate cooperation. It also includes the study of several organizations that help govern the international community (e.g. the United Nations). The second focus of the area is on international business law, which concerns the rights and obligations associated with international exchanges of goods, services, and capital. It, too, includes the study of several organizations that help govern international business and trade (e.g. the World Trade Organization).
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<tr>
<th>Core Courses</th>
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<tbody>
<tr>
<td>China Problem</td>
<td>International Law</td>
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<tr>
<td>Comparative Dispute Resolution*</td>
<td>International Joint Ventures</td>
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<tr>
<td>Sem: Doing Business in China*</td>
<td>International Legal Research*</td>
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<tr>
<td>European Union Law</td>
<td>International Mergers and Acquisitions</td>
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<tr>
<td>Foreign Relations Law*</td>
<td>International Tax Law*</td>
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<td>Human Rights*</td>
<td>International Trade*</td>
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<td>International Business Arbitration*</td>
<td>Law and Development*</td>
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<td>International Business Transactions</td>
<td>Sem: Law of Africa*</td>
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<td>Sem: International Criminal Law*</td>
<td>Law of War*</td>
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<td>International Dispute Resolution*</td>
<td>Sem: Middle East Conflict*</td>
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<td>International Environmental Law*</td>
<td>National Security Law and Process</td>
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<td>International Intellectual Property*</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

China Problem: This “capstone” course centers on problem solving and the skills and professional judgment required in transactional work. The course will emphasize application of practice skills such as critical thinking, negotiations, and writing for a senior partner and for a client.

Comparative Dispute Resolution: This course examines methods of dispute resolution used domestically in other countries and compares them to those employed in the United States. We will explore how differences in culture, religion, history, and legal institutions affect the way people resolve conflicts. We will also consider how such factors are influencing the development of dispute resolution systems as alternatives to domestic court systems.

Conflict of Laws: The course in conflict of laws explores how courts handle such cases in a variety of contexts. Topics include choice of law (which state’s laws are to be applied to an issue in a case); constitutional constraints on choice of law; and recognition of judgments rendered in other states. Although the course will focus on inter-state conflicts, it will also include some consideration of conflicts in the international setting.

Sem: Doing Business in China: This seminar will examine how multinational companies (MNCs) do business on the ground in China. The course will examine how MNCs set up a wholly or partially owned subsidiary in China, such as a wholly foreign owned enterprise or a
joint venture. We will also examine most of the major issues for MNCs that have set up operations in China: corporate reorganizations and mergers and acquisitions; and labor and employment, among other topics.

European Union Law: This course introduces the institutional and constitutional framework of the European law in its political, economic, and international context. It also examines the economic objectives of the European Union, the role of law in achieving those objectives, and the feasibility of law-based market integration.

Foreign Relations Law: This course will examine the constitutional, statutory, and international law basis for the conduct of foreign relations and foreign policy by the United States. It will examine how those legal powers and restraints interact with international law and practice. Among the topics considered will be treaties and international agreements, the war power, and respective roles of the president and the Congress.

Human Rights: This course covers the protection of human rights in international law. Topics include: (1) the feasibility of requiring nation states to comply with international standards in the treatment of individuals; (2) the invocation of internationally protected rights in domestic (U.S.) courts; (3) international remedies and mechanisms for the enforcement of rights.

International Business Arbitration: This course examines the international arbitration process and the legal framework of private contract, national law, and international treaties in which it operates. The course is relevant to lawyers with either a transactional or a litigation practice in an increasingly globalized world.

International Business Transactions: This course introduces students to the classic procedures for resolving international disputes. We will look at negotiation, mediation, fact-finding, conciliation, arbitration and judicial settlement, as well as transitional justice institutions and restorative justice approaches. Our emphasis will be on how these mechanisms operate in contemporary disputes and on how law governs their use.

Sem: International Criminal Law: This seminar covers international law as it affects the prosecution of crime. Specific topics include international extradition of suspects (and other forms of inter-governmental cooperation with regard to crime), international standards for due process in criminal cases.

International Dispute Resolution: This course surveys the dispute settlement mechanisms available for resolving disputes with an international dimension. It is organized around the classic categories of the field: negotiation, mediation, fact-finding, conciliation, arbitration, and adjudication. Despite the classic approach, the course emphasizes the many new developments in this area of law, with regard to both private international disputes and public (government-to-government) disputes.
International Environmental Law: This course provides a general introduction to international environmental law and policy. We will begin by analyzing the history and development of international environmental law and exploring the key economic, political and legal concepts that have helped shaped the evolution of the field. We will then delve more deeply into a series of international regimes that deal with questions including transboundary air pollution, marine pollution, hazardous waste, cultural heritage, climate change and biological diversity.

International Intellectual Property: This course covers the general international legal framework on international intellectual property that applies to all of the major categories of IP: copyright, patents, trademarks and trade secrets. Our focus will be on the WTO Agreement on Trade Related Intellectual Property Rights (TRIPs) and other international treaties and their implementation into domestic law.

International Joint Ventures: This course provides an introduction to the issues associated with international joint ventures. Drawing primarily on case studies involving entertainment companies, topics include, among others, governance issues, choice of law, investment protection, antitrust and competition considerations, dealing with foreign counsel and exit strategies.

International Law: This course will include a survey of public international law (Law of Nations). Topics include the law of treaties, human rights protection, international litigation, impact of international law on litigation in the U.S. courts, federal power in foreign affairs under the U.S. Constitution, law of the sea, and use of armed force.

International Legal Research: A practical, hands-on course which surveys print and electronic information sources available in foreign and international law. This course focuses on developing efficient and cost effective research strategies, effectively searching Lexis, Westlaw and the Internet, and evaluating foreign and international legal resources.

International Mergers and Acquisitions: Using a variety of case studies, this course explores issues associated with cross-border transactions involving both public and private corporations. Topics of study will include fiduciary issues, anti-takeover provisions, tender offers, elements of acquisition agreements, etc. This course is part of the Distinguished Practitioner in Residence program.

International Tax Law: This course examines how the United States tax system deals with globalization. The course considers jurisdictional and sovereignty issues, multiple taxation and the use of tax treaties, domestic tax rules applicable to inbound and outbound transactions, and how existing rules and treaties affect businesses’ outsourcing and offshore relocation decisions.

International Trade: This course will provide background on the dynamics and the legal framework governing and impacting international trade. We will examine key trading treaties
and the backgrounds leading up to these arrangements and resolving disputes under them. We will take a deeper dive into the alphabet soup known as WTO, TRIPS and GATS/TRIMS.

Law and Development: This seminar examines debates regarding the role of the legal order to tackle the economic, social, and political challenges of developing countries. It studies different theories about the role of law in the economy; the role of law in political and social ordering; the effectiveness of transplanted legal systems; among other challenges.

Law of Africa: This course focuses on Africa, both the domestic law of the various countries of Africa, and international-legal issues relating to Africa.

Law of War: The course explores lawfulness of the initiation of hostilities by nations, and the lawfulness of the methods employed in the use of armed force.

Sem: Middle East Conflict: Seminar participants will be asked to write a single research paper on a topic relating to the Israeli-Palestinian territorial conflict, and to make an oral presentation on that topic at a meeting of the seminar. Topics may be oriented to modes of resolving the conflict, to particular manifestations of the conflict, or to the history of development of the conflict.

National Security Law and Process: This course explores the legal, process, policy, political, and personality aspects of national security efforts, as conducted by lawyers and policymakers; horizontal federal institutional interactions; vertical interactions among levels of government; and issues including cyber, drones, and intelligence. Simulation participation, two short papers, and short oral and written briefings required.

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**Faculty Resource List:**

- Cinnamon Carlarne
- Daniel Chow
- Amy Cohen
- John Quigley
- Dakota Rudesill

**Jurisprudence and Legal Theory**

The study of jurisprudence seeks to obtain a deeper understanding of the nature of law, legal reasoning, legal systems, and legal institutions. Early jurisprudential studies focused on the
first principles of the natural law, civil law, and the law of nations. Today, general jurisprudence addresses fundamental questions structuring our legal system, including: how do we know what the law is? What are the proper sources and purposes of law? What is the relationship between law and justice? What is the source of one's duty to obey the law? A familiarity with jurisprudence provides students with an ability to analyze, explain, classify, and criticize schools of thought in law.

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<tr>
<th>Core Courses</th>
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<tr>
<td>Conflict of Laws*</td>
<td>Jurisprudence</td>
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<tr>
<td>Sem: Critical Race Theory</td>
<td>Law and Economics</td>
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<tr>
<td>Gender and the Law*</td>
<td>Sem: Law, History, and Philosophy</td>
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<td>American Legal History*</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

American Legal History: The history of American law from its colonial antecedents until the twentieth century, emphasizing the relationship between law and the changing social, political, and economic conditions.

Conflict of Laws: The course in conflict of laws explores how courts handle such cases in a variety of contexts. Topics include choice of law (which state’s laws are to be applied to an issue in a case); constitutional constraints on choice of law; and recognition of judgments rendered in other states. Although the course will focus on inter-state conflicts, it will also include some consideration of conflicts in the international setting.

Sem: Critical Race Theory: This course begins with a review of the United States’, including the history of racial and religious intolerance, the Civil Rights Movement; and current socio-economic status of African Americans. Additionally, students will review foundational literature by writers in the CRT Movement.

Gender and the Law: This course explores the legal significance of gender in a wide variety of contexts, including employment, criminal and civil law, and laws governing family and sexuality. We will examine such topics as rape, domestic violence, sexual harassment, child custody, marriage and reproductive rights.

Jurisprudence: This course investigates foundational questions structuring our legal system, including: *How do we know what the law is? What are the proper sources and purposes of law? What is the relationship between law and justice? What is the source of one's duty to obey the law?* The readings and discussions examine multiple perspectives of legal theory, including natural law, legal positivism, legal realism, feminist legal thought and critical legal studies as well as more fundamental ethical and moral theories including social contract theory and utilitarianism.
Law and Economics: This course examines these and similar questions by introducing the students to one of today’s most powerful schools of legal thought, Law and Economics. Law and Economics applies the basic tools of economic reasoning to legal doctrines and provides a set of tools for analyzing laws.

Sem: Law, History, and Philosophy: The seminar is largely made up of student presentations, assisted by me, on the topics they have chosen to write about. The topics include the legal and philosophical background of the American Revolution, Greek and Roman sources, the Bible in history and law, schools of jurisprudence, how judges approach their work, the intellectual history of the Civil War and its aftermath, the civil rights movement, law and literature, among other topics.

*Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.*

**Faculty Resource List:**

Sanford N. Caust-Ellenbogen  
Martha Chamallas  
Steven Huefner  
David Stebenne  
Joseph Stulberg  
Vincene Verdun

**Law and Other Disciplines**

The study of law through an interdisciplinary prism provides a deeper appreciation of the connections between formal legal institutions and social and cultural forces; the uses of the humanities in understanding legal theory and practice; and the role of law in economic, social, and political development. Through interdisciplinary study, students can become familiar with core principles and foundations of another discipline, develop new insights into the nature of law, and learn new tools to apply to legal questions.

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<tbody>
<tr>
<td>American Legal History*</td>
<td>Law and Genetics*</td>
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<tr>
<td>Anthropology and the Law*</td>
<td>Law and Psychology*</td>
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<tr>
<td>Critical Race Narratives*</td>
<td>Law and Social Science</td>
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<tr>
<td>Law and Economics</td>
<td>Sem: Law, History and Philosophy</td>
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</tbody>
</table>

* Course usually offered in alternate years or on an occasional basis.
**Brief Course Descriptions**

American Legal History: The history of American law from its colonial antecedents until the twentieth century, emphasizing the relationship between law and the changing social, political, and economic conditions.

Anthropology and the Law: Law is often viewed (and taught) as an autonomous system of abstract concepts and precepts with its own logic, which can originate from other parts of a society. Anthropologists such as Hoebel, Pospisil, and Nadar and some legal scholars such as Oliver W. Holmes have held that law can be properly understood only as an integral part of the sociocultural settings. In this course, students will explore the nature of law itself, its relation to other parts of the sociocultural system, and the processes through which law functions in any society.

Critical Race Narratives: This team-taught course will focus on the relationship between narrative and law by using critical race theory to examine how race in America is a narrative of property and power. By reading a number of essayists and several novelists, we will explore such questions as: Who owns the narrative of slavery? Who can tell whose story? How has the law served as a totalizing presence in the lives of people of color? All of our legal theorists assume that "wherever there is law, there is narrative."

Law and Economics: This course examines these and similar questions by introducing the students to one of today’s most powerful schools of legal thought, Law and Economics. Law and Economics applies the basic tools of economic reasoning to legal doctrines and provides a set of tools for analyzing laws.

Law and Genetics: This class provides an opportunity to examine the process by which law responds to rapid changes in scientific knowledge and technology and also the ways in which law affects the course of scientific development. In addition to gaining a perspective on this interaction between the development of law and science, the course aims to give students an understanding of the wide range of legal and policy issues involving genetics.

Law and Psychology: The course applies psychology research to a variety of specific contexts in which lawyers serve as decision makers and advocates. By drawing upon the insights of modern cognitive science, the course prepares law graduates to enhance their decision making and advocacy in a broad number of roles. No prior training in psychology or social science research is necessary.

Law and Social Science: This course introduces students to the use of social science evidence by legal practitioners and courts at all levels. Such evidence is used, for example, in cases involving issues of trademark infringement, obscenity, discrimination, identification of criminal offenders, potential jury prejudice, eyewitness reliability, sexual assault, self-defense, dangerousness, and the fashioning of remedies.
Sem: Law, History, and Philosophy: The seminar is largely made up of student presentations, assisted by me, on the topics they have chosen to write about. The topics include the legal and philosophical background of the American Revolution, Greek and Roman sources, the Bible in history and law, schools of jurisprudence, how judges approach their work, the intellectual history of the Civil War and its aftermath, the civil rights movement, law and literature, among other topics.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

**Faculty Resource List:**

Ellen Deason  
Deborah Merritt  
Guy Rub  
David Stebenne  
Vincene Verdun

**Legal Profession and Ethics**

Lawyers are bound by a code of professional responsibility. Every lawyer in the country must take a written exam on professional responsibility, in addition to the bar exam, before he or she can be admitted to the bar, but ethical lawyering about more than just the code. Ohio State offers an outstanding place to study the law and principles of the practice of law. In many of these courses, students explore issues such as conflicts of interest, duties of confidentiality, unauthorized practice of law, attorney-client privilege, work product immunity, and fraud. As part of the requirements for a J.D., students must pass a professional responsibility course.

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<tr>
<td>Business of Law*</td>
<td>Civil Law Clinic</td>
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<tr>
<td>Ethical Issues</td>
<td>Criminal Defense Clinic</td>
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<tr>
<td>Sem: Ethics and Alternative Dispute Resolution*</td>
<td>Criminal Prosecution Clinic</td>
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<tr>
<td>Ethics of Washington Lawyering</td>
<td>Entrepreneurial Business Law Clinic</td>
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<td>Justice for Children Clinic</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

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Business of Law: In this course, students will analyze shifts in the market for legal services by reviewing literature from law, business, psychology, sociology, among others. They will also share insights with practitioners invited to join several seminar discussions. During the second half of the semester, each student will research, write, and present a paper on an individually selected topic related to the market structure of the legal profession, challenges to that structure, and/or adaptations that organizations might pursue.

Civil Law Clinic: Students represent clients in pending civil cases in state and federal courts under faculty supervision. Students are assigned to cases from a wide variety of subject-matter areas including: civil rights, consumer law, landlord-tenant, personal injury, contracts, and employment law.

Criminal Defense Clinic: This clinic operates as a small law office specializing in criminal defense work. Under faculty supervision, each student represents several defendants charged with misdemeanors in the Franklin County Municipal Court. Students develop fact gathering skills, practical knowledge, problem solving abilities, and negotiation tactics as they represent their clients.

Criminal Prosecution Clinic: Students represent the City of Delaware and the State of Ohio in criminal cases, prosecuting cases as diverse as domestic violence, sexual misconduct, drunk driving, and theft. Each student is responsible for his or her own cases and handles every aspect of the prosecution including witness interviews, motion practice, plea negotiations, evidentiary hearings, and bench or jury trials.

Entrepreneurial Business Law Clinic: Students enrolled in the EBLC assist young companies – not ready or able to hire attorneys – on a pro bono basis and offers legal service on matters such as business formation and governance, regulation of Internet commerce, employment contracts, due diligence, valuation and finance, licensing, and intellectual property issues.

Ethical Issues: This course brings together students and faculty from several professional schools and colleges - Allied Medicine, Education, Law, Medicine, Social Work, and Theology - to discuss ethical issues that concern all of the involved professions. A case study method is used. Areas of recent study: (a) privacy and confidentiality, including privileged communication between professionals and their patients or clients; and (b) legal, medical, and ethical issues generated by alternative forms of procreation.

Sem: Ethics and Alternative Dispute Resolution: This course offers both a survey in professional responsibility and in-depth application of the law-governing lawyers to alternative dispute resolution (ADR). Grading is based on a pass/fail exam over the basic provisions of the Model Rules of Professional Conduct and a substantial research paper involving a legal ethical issue as applied to the ADR context.
Ethics of Washington Lawyering: The course will cover the black-letter law of the usual professional responsibility course, such as confidentiality and conflicts of interest, and students are thus prepared for the MPRE examination. The emphasis, however, will be on topics that arise often in Washington, such as "confidentiality and the role of leaks", "conflicts of interest in political coalitions", and "who is the client for a lawyer in a government agency?" A special feature of the course is the inclusion of guest speakers who are expert in the ways of Washington.

Justice for Children Clinic: The course examines the substantive and procedural rights of children in a variety of legal contexts. As legal interns certified by the Ohio Supreme Court, students will each represent juvenile clients. Cases may involve juvenile delinquency, abuse, neglect or dependency, appeals, immigration, or special education.

Legal Profession/Professional Responsibility: Using cases and hypotheticals, the course explores dilemmas that are likely to occur during the practice of law. Emphasis is on the application of the ABA Model Rules of Professional Conduct, the Ohio Rules of Professional Conduct where they differ, and the Restatement (Third) of the Law Governing Lawyers.

Patient Client Care: The course provides an opportunity for 12 students from each of the 6 professions – Allied Medicine, Education, Law, Medicine, Social Work, and Theology—to work together with faculty to develop the skills to design treatment plans for clients with complex problems presented in cases. Students and faculty work together to: (1) develop increased understanding of the complex problems of clients; (2) research the broader issues involved in the cases from a multi-professional perspective; (3) engage in total group interaction to facilitate dialogue among students and faculty of different professions; and develop a holistic approach to cases presented in class.

Tax Ethics: This course examines the rules of professional responsibility applicable to all attorneys, and the rules promulgated by Treasury and Congress relating to tax professionals, to provide students with a strong understanding of the legal and ethical responsibilities of tax lawyers. This course is set up with problems and scenarios for students to work through either in groups or on their own.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Christopher Fairman
Stanley Laughlin, Jr.
Donald Tobin
LEGAL WRITING AND RESEARCH

Regardless of the legal specialty, location, or practice size, there is one truism that rings throughout the legal community: Lawyers write. Through legal writing courses, Moritz students perfect the basics in formulating, writing, and defending a legal argument—research, jurisdiction, use of authority, standards of review, and effective methods for completing written legal analysis. These courses are essential for students to become effective advocates.

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<tr>
<td>Appellate Advocacy</td>
<td>International Legal Research*</td>
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<td>Advanced Legal Research</td>
<td>Jury Instructions*</td>
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<tr>
<td>Advanced Legal Writing</td>
<td>Litigation and ADR Legal Research</td>
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<tr>
<td>Business and Tax Legal Research</td>
<td>Ohio Legal Research</td>
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<tr>
<td>Drafting Business Contracts</td>
<td>Transactional Lawyering</td>
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* Course usually offered in alternate years or on an occasional basis.

Brief Course Descriptions

Appellate Advocacy: This course explores procedural and substantive aspects of appellate practice. Additionally, students prepare a brief and present an oral argument on the basis of assigned resource materials and original research.

Advanced Legal Research: Building on the research techniques covered in LAW I, Advanced Electronic Legal Research will provide an intensive introduction to efficiently finding high quality legal resources on the Internet and advanced training on LEXIS and WESTLAW. Internet topics covered include terminology, search engines, and legal web sites.

Advanced Legal Writing: In this course, students write and revise a variety of legal documents, as well as complete a short project and presentation.

Appellate Practice IV: This class prepares students on competitive moot court teams by providing brief-writing and oral argument instruction. The course includes practice arguments following which the instructors and class members critique the performance of teams as they prepare for regional and national competition. The class meets both semesters for a total of one credit.

Business and Tax Legal Research: Business and Tax Legal Research provides students with an introduction to business and tax related materials and advanced training on the finding and utilization of these materials for legal research purposes. Topics covered will include business forms, company filings and SEC research, foreign and international business research, and primary and secondary sources for tax issues.
Drafting Business Contracts: This course will focus on the skills, techniques, and strategies that transactional business lawyers need to employ when drafting business contracts such as employment agreements, purchase and sale documents and joint venture contracts. The course will emphasize the practical over the theoretical and will give the students ample opportunity to hone their drafting skills.

International Legal Research: A practical, hands-on course which surveys print and electronic information sources available in foreign and international law. This course focuses on developing efficient and cost effective research strategies, effectively searching Lexis, Westlaw and the Internet, and evaluating foreign and international legal resources.


Litigation and ADR Legal Research: This course provides students with an introduction to litigation- and ADR-related materials and advanced training on the finding and utilization of these materials. Topics covered will include form books, court rules and jury instructions, arbitrator and mediator research, trial technique research, interdisciplinary resources, and other topics useful in litigation and ADR settings.

Ohio Legal Research: Ohio Legal Research provides students with an introduction to Ohio legal materials and advanced training on the utilization of these materials for legal research purposes.

Transactional Lawyering: Students will explore the procedural and substantive aspects of transactional practice; conduct original research and write a formal report (in multiple drafts); provide a formal oral presentation.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Mary Beth Beazley
Doug Berman
Terri Enns
Chris Fairman
Bruce Johnson
Katherine Kelly
Katrina Lee
Anne Ralph
Elizabeth Sherowski
Monte Smith
A large part of the work done by lawyers involves drafting, enforcing, implementing, interpreting, and litigating about statutes. In addition, many lawyers deal regularly with legislative bodies. A knowledge and appreciation of the legislative law-making process is not only a prerequisite to working with legislative bodies but an important aid in working with statutes, ordinances, and regulations. Moreover, a lawyer's knowledge of legal remedies must include that which might be called the legislative remedy.

Legislation, as a subject of study in law school, does not present itself as a coherent body of law, information, or processes. Rather, it generally combines a mix of knowledge and ideas, such as constitutional law, legislative rules and procedures, political philosophies and traditions, statutes as a source of public policy, statutory drafting, and statutory interpretation.

**Core Courses**

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<td>Administrative Law</td>
<td>American Legal History*</td>
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<td>Election Law</td>
<td>Disability Discrimination*</td>
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<tr>
<td>Legislation Clinic</td>
<td>Federal Income Taxation</td>
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<tr>
<td>Sem: Money and Politics*</td>
<td>Health Law</td>
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<td>State and Local Government Law</td>
<td>Immigration Law</td>
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<td>Washington, D.C. Summer Program</td>
<td>Labor Law</td>
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<td>Public Interest and Government Externship</td>
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<td>Regulatory Compliance</td>
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<td>Securities Regulation</td>
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<td>Sem: State Constitutional Law</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**
American Legal History: The history of American law from its colonial antecedents until the twentieth century, emphasizing the relationship between law and the changing social, political, and economic conditions.

Administrative Law: A study of the administrative law process, concentrating upon the functions and procedures of federal administrative agencies and judicial review of agency actions. Administrative law provides a framework to understand the basic administrative process and its control by the three branches of government.

Disability Discrimination: The course explores legal and policy issues related to the Americans with Disabilities Act, employing traditional statutory and case law analysis. Students will complete a substantial written project on a topic covered by ADA.

Election Law: This course covers four major areas: (1) legislative districting; (2) nominating candidates; (2) campaign practices, including campaign financing; and (4) the casting and counting of ballots. Taking these topics in this order permits us to follow the "life cycle" of a campaign, and we use real-world examples to illustrate issues.

Federal Income Taxation: The course provides an introduction to the basic principles of the federal income tax. The principal subject areas include: (1) characteristics of income; (2) allowable deductions and exemptions; (3) timing issues; (4) income splitting; (5) preferential tax provisions including capital gains; and (6) brief examination of other methods of taxation including consumption tax and flat tax proposals.

Health Law: This course will focuses on selected issues in healthcare and clinical research; professional relationships in healthcare, the obligation to provide care, medical malpractice, healthcare privacy, end-of-life and other ethical issues, the business structure and regulation of the health care industry, healthcare fraud, abuse and antitrust, and the regulation of clinical research.

Immigration Law: This course will examine the law and policy concerning persons who want to come to the United States on a temporary or permanent basis and persons who are in the United States and want to stay. Also to be examined are the laws concerning obtaining and retaining lawful status, including citizenship.

Labor Law: This course will explore federal regulation of labor-management relations in private sector, focusing upon employee organizational and representational rights; selection of bargaining representative; collective bargaining process; contract administration and enforcement; and the union’s duty of fair representation.

Legislation Clinic: This clinic helps law students to appreciate the importance of legislative lawyering as they develop their own skills in this arena. By observing and participating with others working in areas such as policy analysis, information-sharing in a
partisan context, and negotiation among multiple parties, law students better understand why these skills matter.

Sem: Money and Politics: This seminar addresses the role and regulation of money in politics, including the subjects of bribery, campaign finance, and lobbying.

Public Interest and Government Externship: Conduct substantive legal work at government and non-profit placements, attend a class designed for externs, and fulfill specific academic requirements.

Regulatory Compliance: This course will analyze the legal, ethical and policy foundations of regulatory compliance: the effort to translate statutory requirements into compliant corporate and individual behavior.

Securities Regulation: The course covers the regulation of distributions of securities by issuers and their affiliates under the Federal Securities Act of 1933 and the regulation of the securities trading markets by the Securities & Exchange Act of 1934.

State and Local Government Law: This course addresses major issues facing state and local governments and prepares students to practice law and influence policy at the state and local level.

Sem: State Constitutional Law: This course explores “state constitutional law.” It will not specifically teach Ohio constitutional law, though some illustrations of the various principles may come from Ohio law. Instead, the subject is a general examination of state constitutional law and its proper role in the fabric of American law. Thus we will inquire into how state constitutional law may be interpreted and applied in the federal and state courts.

Washington, D.C. Summer Program: Students will take a 2-credit course on The Ethics of Washington Lawyering, as well as a 3-credit externship seminar. In previous years, students have worked in major federal agencies and nonprofit groups that are often national leaders in their fields.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Doug Berman
Ruth Colker
Terri Enns
Steve Huefner
Dakota Rudesill
For those who wish to head to the courtroom after graduation, a mastery of procedures and advocacy skills is essential. Of course, civil and criminal litigation also involve substantial pretrial work: investigation, drafting a complaint or motions, discovery, briefing and arguing pretrial motions. Moritz offers a wide variety of courses to deepen the understanding of the rules and processes, explore theoretical frameworks, practice writing for litigation, and sharpen planning, case management, and trial skills.

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<td>Constitutional Litigation</td>
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<td>Criminal Defense Clinic</td>
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<td>Sem: The Supreme Court</td>
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<td>Sem: Evidence in Trial Practice</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

Appellate Advocacy: This course explores procedural and substantive aspects of appellate practice. Additionally, students prepare a brief and present an oral argument on the basis of assigned resource materials and original research.

Civil Law Clinic: In this course, law students represent clients in pending civil cases, learning how to competently and professionally represent clients in civil matters through both live-client representation and extensive simulations. In addition to class meetings, students
prepare each case, present it in court, or work to obtain a satisfactory out-of-court resolution. Team-taught by two members of the clinic faculty, the course meets twice per week.

Civil Procedure II: Using the federal courts as a model, this course critically examines how the Federal Rules of Civil Procedure attempt to secure the just, speedy, and inexpensive determination of civil actions, as well as movements for their reform. Topics include: pleading, joinder of claims and parties, class actions, discovery and discovery, among other topics.

Conflict of Laws: The course in conflict of laws explores how courts handle such cases in a variety of contexts. Topics include choice of law (which state’s laws are to be applied to an issue in a case); constitutional constraints on choice of law; and recognition of judgments rendered in other states. Although the course will focus on inter-state conflicts, it will also include some consideration of conflicts in the international setting.

Constitutional Litigation: The bulk of the course looks at litigation under 42 U.S.C. § 1983. We will consider topics such as what it means to act “under color of state law;” absolute and qualified immunities; government liability for the acts of individual officials; remedies for constitutional violations, including monetary and injunctive relief; and structural reform litigation, among other subjects.

Criminal Defense Clinic: This clinic operates as a small law office specializing in criminal defense work. Under faculty supervision, each student represents several defendants charged with misdemeanors in the Franklin County Municipal Court. Students develop fact gathering skills, practical knowledge, problem solving abilities, and negotiation tactics as they represent their clients.

Criminal Prosecution Clinic: Students represent the City of Delaware and the State of Ohio in criminal cases, prosecuting cases as diverse as domestic violence, sexual misconduct, drunk driving, and theft. Each student is responsible for his or her own cases and handles every aspect of the prosecution including witness interviews, motion practice, plea negotiations, evidentiary hearings, and bench or jury trials.

Depositions: The course will cover the procedure and problems associated with taking a deposition. We will focus on how a deposition can most effectively be taken and how the information can be integrated with other discovery mechanisms.

Employment Litigation Problem: This “capstone” course centers on problem solving and the skills and professional judgment required in litigation work. This course will explore issues that confront lawyers throughout the litigation process. Students will address problems frequently associated with initial business intake, client expectations, and litigation strategy using a hypothetical suit alleging the theft of trade secrets.

Evidence: This course surveys the law of evidence. Students develop a facility with major evidentiary rules and concepts, based on a study of the Federal Rules of Evidence. Concepts
covered include relevance, the use of character and scientific evidence, the definition and use of hearsay, the use of real and demonstrative evidence, among other topics.

Sem: Evidence in Trial Practice: This course teaches basic trial practice necessary for presentation of elementary jury trials. Teaching combines student simulations of various aspects of a jury trial with lectures and videotapes. Each student will participate in presenting at least one complete trial during the course.

Federal Courts: This course examines the scope of and limitations upon the federal judicial power under Article III of the Constitution. It is organized around three themes: (1) Separation of Powers, (2) Federalism, and (3) Enforcement of Federal Rights. Specific topics covered include standing and justiciability, jurisdiction-stripping, the confirmation process, sovereign immunity, abstention, Supreme Court review of state court decisions, among other topics.

International Business Arbitration: The course examines the international arbitration process and the legal framework of private contract, national law, and international treaties in which it operates. The course is relevant to lawyers with either a transactional or a litigation practice in an increasingly globalized world.

Judicial Externship: Judicial externships provide excellent educational opportunities, including observation of the workings of courts from the inside, interaction with distinguished judges, and engagement in supervised research and writing.


Justice for Children Clinic: The course examines the substantive and procedural rights of children in a variety of legal contexts. As legal interns certified by the Ohio Supreme Court, students will each represent juvenile clients. Cases may involve juvenile delinquency, abuse, neglect or dependency, appeals, immigration, or special education.

Lawyers and the Media: This course explores the legal and ethical issues involved with making public statements about litigation and legal issues.

Legal Negotiation: This highly interactive course is designed to familiarize students with theories, skills and ethics involved in legal negotiation. Through simulations and role-play exercises, students will gain first-hand experience in applying negotiation techniques. This course will aim to provide students with tools to prepare for, conduct, and analyze negotiations.

Pretrial Litigation: In this course, students learn the law, theory, and practice of the important proceedings that occur prior to the trial of civil cases. They develop, draft, and respond to interrogatories, requests for documents, and pretrial motions. In addition, they learn to conduct and defend depositions.
Products Liability: In this course we will examine the historical development of modern products liability law, the impact that product liability law has had with regard to consumer safety, patterns of litigation, and the call for tort reform. The course will focus upon the four primary theories of recovery in products liability law: informational defect, marketing defect, manufacturing defect, and design defect.

Public Interest and Government Externship: Conduct substantive legal work at government and non-profit placements, attend a class designed for externs, and fulfill specific academic requirements.

Remedies: This course explores how remedies can bring different areas of law together, from the traditional private law subjects to intellectual property, constitutional law, and civil rights. We will discuss such remedies as compensatory damages (including expectation, reliance, pain and suffering, emotional distress, presumed damages for defamation, incidental damages, consequential damages, among other topics.

Sem: Supreme Court Litigation: This seminar deals primarily with the process of constitutional litigation as seen from the perspective of the U.S. Supreme Court. It includes a historical analysis of Article III and, more specifically, a consideration of the Court’s evolution over its almost 200 years of existence, with detailed attention to the way in which the courts exercise the unique power of “judicial review.”

Sem: The Supreme Court: This seminar will focus on the US Supreme Court as an institution and demonstrate the ways in which its formal and informal norms and structure shape the nature and content of the law the Court makes.

Trial Practice: In this course, students learn basic trial techniques. Students participate in simulated trial problems and proceedings conducted under the supervision of a seasoned trial practice instructor. They learn to present opening arguments, conduct direct and cross-examination, introduce exhibits, and deliver persuasive closing arguments.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

Faculty Resource List:

Sanford N. Caust-Ellenbogen
Christopher Fairman
Arthur Greenbaum
Kimberly Jordan
Robert Krivoshey
Deborah Merritt
Anne Ralph
PUBLIC INTEREST LAW

Law has long been associated with creating and sustaining a just society. Public interest practice may involve providing free or low-cost legal representation because of poverty, age, youth, or similar reason and/or using the law to advance a particular social cause. Public interest law is not a substantive area of law. Rather, public interest lawyers work in many different practice areas and for a broad range of employers. They may litigate, handle transactional work, or conduct advocacy.

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<td>Election Law</td>
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<td>Environmental Law</td>
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<td>Trial Practice</td>
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* Course usually offered in alternate years or on an occasional basis.

Brief Course Descriptions

Administrative Law: A study of the administrative law process, concentrating upon the functions and procedures of federal administrative agencies and judicial review of agency actions. Administrative law provides a framework to understand the basic administrative process and its control by the three branches of government.

Children and the Law: Children and the Law: This course examines the substantive and procedural rights of children and the competing interests of their parents and the state in a variety of legal contexts, which include delinquency, status offense, abuse and neglect, and termination of parental rights proceedings.
Sem: Civil Rights: This course will survey the history of civil rights laws and issues with a strong focus on race and ethnicity. It will also look at other categories such as gender and age. The development of civil rights law will be explored by studying a number of legal doctrines such as housing, public accommodation, education, employment, voting, and the criminal justice system.

Constitutional Litigation: Constitutional Litigation is a course in advanced and applied constitutional law. It focuses on one of the central ways in which constitutional claims are litigated: in lawsuits against public officials and local governments.

Consumer Law: This course includes an in-depth study of consumer rights and remedies as provided by the common law and federal and state statutes, with particular emphasis on the Federal Truth in Lending Act.

Criminal Defense Clinic: This clinic operates as a small law office specializing in criminal defense work. Under faculty supervision, each student represents several defendants charged with misdemeanors in the Franklin County Municipal Court. Students develop fact gathering skills, practical knowledge, problem solving abilities, and negotiation tactics as they represent their clients.

Disability Discrimination: The course explores legal and policy issues related to the Americans with Disabilities Act, employing traditional statutory and case law analysis. Students will complete a substantial written project on a topic covered by ADA.

Election Law: This course covers four major areas: (1) legislative districting; (2) nominating candidates; (2) campaign practices, including campaign financing; and (4) the casting and counting of ballots. Taking these topics in this order permits us to follow the "life cycle" of a campaign, and we use real-world examples to illustrate issues.

Employment Discrimination Law: This course addresses developments in civil rights law in the context of the workplace. We will look at the growing body of law designed to protect against discrimination based on race, gender, national origin, religion, age, disability and sexual orientation. The main focus of the course will be on Title VII of the Civil Rights Act of 1964, as amended.

Environmental Law: This course is a survey course of U.S. environmental law, covering topics including environmental assessment, clean air, clean water, waste management, and endangered species. We will also consider questions of how best to regulate, issues of federalism, the role of citizens in environmental protection and law, the values, science, and policy that influence environmental law.

Federal Courts: This course examines the scope of and limitations upon the federal judicial power under Article III of the Constitution. It is organized around three themes: (1) Separation of
Powers, (2) Federalism, and (3) Enforcement of Federal Rights. Specific topics covered include standing and justiciability, jurisdiction-stripping, among other topics.

Gender and the Law: This course explores the legal significance of gender in a wide variety of contexts, including employment, criminal and civil law, and laws governing family and sexuality. We will examine such topics as rape, domestic violence, sexual harassment, child custody, marriage and reproductive rights.

Immigration Law: The course will examine the law and policy concerning persons who want to come to the United States on a temporary or permanent basis and persons who are in the United States and want to stay. Also to be examined are the laws concerning obtaining and retaining lawful status, including citizenship.

Justice for Children Clinic: The course examines the substantive and procedural rights of children in a variety of legal contexts. As legal interns certified by the Ohio Supreme Court, students will each represent juvenile clients. Cases may involve juvenile delinquency, abuse, neglect or dependency, appeals, immigration, or special education.

Lawyers as Leaders: Through the cases and exercises, students will gain experience analyzing issues, exercising judgment, and making difficult decisions – the hallmarks of skillful leadership. The objective of the course is to help students think more broadly about leadership, increase their appreciation for the variety of leadership roles people with legal training may achieve throughout their careers, and prepare for positions of leadership themselves.

Legislation Clinic: This clinic helps law students to appreciate the importance of legislative lawyering as they develop their own skills in this arena. By observing and participating with others working in areas such as policy analysis, information-sharing in a partisan context, and negotiation among multiple parties, law students better understand why these skills matter.

Nonprofit Organizations: This course will examine the major aspects of governance and tax law issues affecting the nonprofit sector. The emphasis will be on the lawyer’s role in forming, securing recognition of tax exemption for, and counseling nonprofit entities, such as charitable organizations, foundations, museums, hospitals, universities, and advocacy groups.

Public Interest and Government Externship: Conduct substantive legal work at government and non-profit placements, attend a class designed for externs, and fulfill specific academic requirements.

Sexual Orientation and the Law: This course will survey the various legal issues facing gay men, lesbians and bisexuals. The topics include: regulation of sexuality and gender; liberty-equality debate; theories of sexuality, gender and the law; the workplace; families; parenting; education; and the military.
Sem: Sexual Violence: This seminar examines various theories of sexuality—both cross-sex and same-sex—and how they relate to notions of “sexual violence,” “sexual injury,” and “sexual harm.” This seminar should be of interest to anyone interested in gender and sexual equality, the law governing rape (including marital rape), sexual harassment, child sex abuse, marriage, or domestic violence.

Special Education Advocacy: This course primarily covers the law of special education as provided in the Individuals with Disabilities Education Act ("IDEA"). A primary emphasis of the class will be to teach students about the process under which students are identified as disabled and provided with Individualized Education Plans ("IEPs").

Trial Practice: In this course, students learn basic trial techniques. Students participate in simulated trial problems and proceedings conducted under the supervision of a seasoned trial practice instructor. They learn to present opening arguments, conduct direct and cross-examination, introduce exhibits, and deliver persuasive closing arguments.

*Please note the summary descriptions above are for advisory purposes only: for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.*

**Faculty Resource List:**

- Cinnamon Carlarne
- Martha Chamallas
- Ruth Colker
- Sharon Davies
- Arthur Greenbaum
- Garry Jenkins
- Creola Johnson
- Marc Spindelman

**Real Estate**

Real estate law and development is a dynamic, growing, and complicated area. Building on the foundational first-year course on property, students may study the financing and development of commercial and residential real estate transactions and investments in our upper-level curriculum.
**Core Courses**

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<tr>
<td>Real Estate Finance</td>
<td>Federal Income Taxation</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

Business Associations: This course provides an introduction to the laws governing business entities. We will examine the structure and characteristics of modern business organizations, particularly publicly traded and closely held business corporations. Significant emphasis is placed upon the nature of the corporate governance system and the fiduciary obligations of directors and officers.

Commercial Leasing: The course will be a focused study of the various business and legal considerations which drive the leasing of a commercial real estate project. We will examine the material provisions of a variety of lease documents, including office, industrial, retail and ground leases. The students will be given ample opportunity throughout the semester to review, negotiate, draft and revise the provisions of a commercial real estate lease.

Drafting Business Contracts: This course will focus on the skills, techniques, and strategies that transactional business lawyers need to employ when drafting business contracts such as employment agreements, purchase and sale documents and joint venture contracts. The course will emphasize the practical over the theoretical and will give the students ample opportunity to hone their drafting skills.

Federal Income Taxation: The course provides an introduction to the basic principles of Federal Income Tax. The principal subject areas include: (1) characteristics of income; (2) allowable deductions and exemptions; (3) timing issues; (4) income splitting; (5) preferential tax provisions including capital gains; and (6) brief examination of other methods of taxation including consumption tax and flat tax proposals.

Legal Negotiation: This highly interactive course is designed to familiarize students with theories, skills and ethics involved in legal negotiation. Through simulations and role-play exercises, students will gain first-hand experience in applying negotiation techniques. This course will aim to provide students with tools to prepare for, conduct, and analyze negotiations.

Real Estate Development: The course will take a practical, “hands on” approach to the multi-faceted area of real estate development law. Case studies based on actual, “real world”
projects will serve as the backdrop for our examination of the myriad of legal disciplines that a real estate development lawyer needs to master in order to be successful.

Real Estate Finance: This course provides introductory study of real estate financing, emphasizing mortgages, deeds of trust, installment land contracts, rights and remedies of borrowers and lenders, and contemporary financing innovations.

Secured Transactions: This course deals with credit transactions in which the collateral is personal property. It focuses on Article 9 of the Uniform Commercial Code, but considers other parts of the U.C.C. as well pertinent parts of such statutes as the Bankruptcy Code and the Internal Revenue Code. The course emphasizes reading and using the statute in both litigation and planning contexts, primarily using problems.

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.

**Faculty Resource List:**

Richard Daley

**Sports Law**

Sports law attorneys often manage complex labor, employment, contract, and copyright issues for sports teams and professional athletes. There is no defined area of law called “sports law.” rather, a sports attorney, simply represents clients in matters involving one or more legal areas that are in the context of the sports industry. Ohio State offers a number of courses, however, to prepare students for positions in this field.
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<td>Wills, Trusts, and Estates</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

**Accounting for Lawyers**: The course is an invaluable, sophisticated introduction to accounting, which is the universal language of business. It assumes no background in accounting and business and will be helpful in the practice of law, as well as in mastering basic tax and business courses in law school. Students will learn to read financial reports, a vitally important skill for lawyers in almost any type of practice, and will become more sophisticated in their understanding of financial issues.

**Copyright Law**: This course will provide an in-depth view of U.S. copyright law, the legal regime governing rights in original works of authorship (books, music, movies, artworks, photographs, software, etc.). Topics covered include: copyright's underlying policies and theoretical framework, the requirements for copyrightability under the Copyright Act, among other topics.

**Dispute Resolution Processes**: This course surveys the basic processes and variations with an emphasis on the lawyer as an advocate for clients. Skill building is practiced through simulation exercises. The course is especially appropriate for a student who wants to take only a single dispute resolution course.

**Drafting Business Contracts**: This course will focus on the skills, techniques, and strategies that transactional business lawyers need to employ when drafting business contracts such as employment agreements, purchase and sale documents and joint venture contracts. The course will emphasize the practical over the theoretical and will give the students ample opportunity to hone their drafting skills.

**Employment Law**: This course focuses on federal and state regulation of the employment relationship, including constitutional, statutory, and common-law restrictions on employer
activities. Subjects covered include negligent hiring and retention, invasion of privacy, wrongful discharge, and unemployment insurance, among other topics.

Federal Income Taxation: The course provides an introduction to the basic principles of Federal Income Tax. The principal subject areas include: (1) characteristics of income; (2) allowable deductions and exemptions; (3) timing issues; (4) income splitting; (5) preferential tax provisions including capital gains; and (6) brief examination of other methods of taxation including consumption tax and flat tax proposals.

Insurance Law: Insurance law is of great importance to all lawyers, whether they litigate or perform office practice. This course covers many insurance issues, including liability, coverage, exclusions, duties of good faith, and duty to defend. These issues will be discussed in the context of liability, property and personal insurance.

Issues in Arbitration: This course explores the law, theory and practice of arbitration. Students will engage in arbitration simulations as both a representative and as an arbitrator. Evaluation will be based on in-class work, class participation, arbitrator opinions and exam.

Labor Law: This course will explore federal regulation of labor-management relations in private sector, focusing upon employee organizational and representational rights; selection of bargaining representative; collective bargaining process; contract administration and enforcement; and the union’s duty of fair representation.

Legal Negotiation: This highly interactive course is designed to familiarize students with theories, skills and ethics involved in legal negotiation. Through simulations and role-play exercises, students will gain first-hand experience in applying negotiation techniques. This course will aim to provide students with tools to prepare for, conduct, and analyze negotiations.

Nonprofit Organizations: This course will examine the major aspects of governance and tax law issues affecting the nonprofit sector. The emphasis will be on the lawyer’s role in forming, securing recognition of tax exemption for, and counseling nonprofit entities, such as charitable organizations, foundations, museums, hospitals, universities, and advocacy groups.

Regulatory Compliance: This course will analyze the legal, ethical and policy foundations of regulatory compliance: the effort to translate statutory requirements into compliant corporate and individual behavior.

Sports Law: This course provides basic knowledge of relevant substantive law as well as appreciation of effect of applying general legal principles to a popular, scrutinized and mythologized subject.

Trademark: This course will explore the following: creation, enforcement, and limitation of trademark rights; and related unfair competition issues.
Wills, Trusts, Estates: This course will combine the standard Wills and Trusts course with an introduction to the basics of gift and estate taxation. We will cover the requirements for executing and revoking wills, interpretation of wills, intestate succession, will substitutes (such as revocable trusts and transfer-on-death accounts), spousal protection, and the creation and use of trusts.

*Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar’s website.*

**Faculty Resource List:**

Alan Michaels

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**TAXATION**

As the saying goes, death and taxes are the only things you can count on. Tax laws affect companies and individuals on a variety of levels. Many business transactions and lawsuits also have complicated and important tax components. Students studying tax law must understand the regulations, policies, and ethical dilemmas involved in the practice.

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<td>International Tax Law*</td>
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<td>Nonprofit Organizations*</td>
<td>Taxation of Business Enterprises</td>
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<td>State and Local Tax</td>
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* Course usually offered in alternate years or on an occasional basis.

**Brief Course Descriptions**

Federal Income Taxation: The course provides an introduction to the basic principles of Federal Income Tax. The principal subject areas include: (1) characteristics of income; (2) allowable deductions and exemptions; (3) timing issues; (4) income splitting; (5) preferential tax provisions including capital gains; and (6) brief examination of other methods of taxation including consumption tax and flat tax proposals.

International Tax Law: This course examines how the United States tax system deals with globalization. The course considers jurisdictional and sovereignty issues, multiple taxation and the use of tax treaties, domestic tax rules applicable to inbound and outbound transactions, and how existing rules and treaties affect businesses’ outsourcing and offshore relocation decisions.
Nonprofit Organizations: This course will examine the major aspects of governance and tax law issues affecting the nonprofit sector. The emphasis will be on the lawyer’s role in forming, securing recognition of tax exemption for, and counseling nonprofit entities, such as charitable organizations, foundations, museums, hospitals, universities, and advocacy groups.

State and Local Tax: This course is designed to introduce students to the legal and policy issues relating to state and local taxation. In addition to covering the basic principles of state income, property, and retail sales and use taxation, the course focuses on the economic, administrative, political, and constitutional constraints on state and local taxation.

Tax Ethics: This course examines the rules of professional responsibility applicable to all attorneys, and the rules promulgated by Treasury and Congress relating to tax professionals, to provide students with a strong understanding of the legal and ethical responsibilities of tax lawyers. This course is set up with problems and scenarios for students to work through either in groups or on their own.

Tax Policy: This course draws upon philosophy, economic theory, and political science to explore fundamental questions about the distribution of wealth in society. Using these constructs, the class will compare existing and proposed systems of taxation from both the United States and abroad, and it will highlight the tension inherent in the underlying goals and the effects of these systems.

Taxation of Business Enterprises: We will study the basics of taxation of corporations, partnerships, and LLCs. Among other goals, this course will prepare a student to advise persons who are starting new businesses whether they should operate the business in either a corporation or flow-through entity (such as a partnership or limited liability company).

Please note the summary descriptions above are for advisory purposes only; for complete, in-depth, and up-to-date course descriptions for the current academic year visit the Moritz Registrar's website.

Faculty Resource List:

Stephanie Hoffer
Donald Tobin
SECTION III: J.D. CERTIFICATE PROGRAMS

The Moritz College of Law currently offers a Certificate in International Trade and Development, a Certificate in Dispute Resolution, and a Certificate in Children’s Studies.

Certificate in International Trade and Development

The purpose of the Certificate Program in International Trade and Development is to provide law students with a broad legal and multi-disciplinary background in international trade, investment, and commercial law. Students receive grounding in the basic business, tax, and commercial law courses that are important to any business lawyer. In addition, students are trained in domestic laws that affect international trade, such as federal trade laws that regulate countervailing duties, unfair trade practices, and export controls. Students are also trained in international trade and commercial law regimes such as the European Community, GATT, and other world trade organizations. Students study the international monetary system, including the World Bank and the International Monetary Fund, and the growing United Nations legal regimes affecting international trade, such as the Convention for the International Sale of Goods promulgated by the United Nations Commission on International Trade Law.

In addition to possessing specialized legal knowledge, the modern international transactions lawyer must also have a sophisticated background in international economics, politics, history, and culture. Thus, an important component of the Certificate Program is an emphasis on interdisciplinary study. Students are required to take appropriate courses among the extensive offerings in the various University departments and colleges. Perhaps even more important, the international transactions lawyer should have facility with a foreign language. Thus, students in the Certificate Program normally also are required to take foreign language courses offered by the University.

For more information about the certificate in International Trade and Development, contact Professor Dan Chow at chow.1@osu.edu.

Certificate in Dispute Resolution

The Certificate in Dispute Resolution enables Moritz graduates to become experts in dispute resolution. Demand for lawyers with dispute resolution expertise has grown steadily over the last decade. Today’s lawyers must be equipped not only to advocate in the courtroom, but also to help clients find satisfactory means for addressing their concerns through a range of options outside of it, including negotiation, mediation, and other processes. In addition, lawyers are asked to be proactive – designing systems tailored to the needs of public and private institutions to resolve disputes before they come to the courts. The Certificate in Dispute Resolution
distinguishes those students who understand the way various dispute resolution mechanisms work both in theory and in practice. This this background, certificate recipients are ready to become leaders in the dispute resolution field.

To earn the Certificate in Dispute Resolution, a student must both earn 15 semester hours of elective course work related to development of expertise in dispute resolution. These hours may be counted toward the 88 hours required for the Juris Doctor degree. Students seeking the certificate also must complete a non-credit externship requirement.

In reaching the required 15 credit hours each student must take either the Mediation Clinic or the Multiparty Mediation Clinic. These courses have both a classroom component and a clinical component, in which students mediate actual disputes with feedback and analysis by the faculty. Faculty co-teach the clinic with the Langdon Fellow. As a result, the course maintains a one to eight faculty-student ratio, offering considerable individual student-faculty interaction.

Each student must also earn credit in an approved dispute resolution seminar (which may include the Mediation Clinic when it is taught as a seminar), in which the student completes a substantial and high quality scholarly paper in the dispute resolution field. Writing this paper prepares students who hold the Certificate to make innovative contributions to the field as they practice within it.

Finally, each student must complete 112 hours of approved externship work in the field. Although a student may be compensated for this work, no academic credit will be given. The student will work with faculty and local practitioners to accumulate the required hours. The Program has numerous existing placements and opportunities in many areas of the law, ranging from family to commercial, in which students mediate conflicts, conduct research, help administer programs, and teach dispute resolution. Through the externship hours, students will gain experience beyond that offered in coursework, while still under the guidance of law faculty.

In addition to the courses identified above, the following courses are available to satisfy the Certificate requirements: Alternative Dispute Resolution in the Work Place; Commercial and Labor Arbitration; Comparative Dispute Resolution; Dispute Resolution Processes: Theory & Practice; Dispute System Design; Ethics and ADR Seminar (satisfies professional responsibility requirement); Inter-Ethnic Conflict Resolution Seminar; International Business Arbitration; Jurisprudence and ADR Seminar; Law and Psychology (3 credits count toward the Certificate if certain requirements met); Law and Social Science; Law of Disability Discrimination (2 credits count toward the Certificate); Lawyers as Leaders (1 or 3 credits count toward the Certificate); Legal Negotiation; Middle East Conflict Seminar; Negotiation and Mediation Advocacy (fall break course); Special Education Advocacy (1 credit counts toward the Certificate); Students can also receive credit toward the Certificate for three of the up to five credits that can be earned for work on the Ohio State Journal on Dispute Resolution.

For more information about the certificate in Dispute Resolution, contact Professor Sarah Cole at cole.228@osu.edu.
Certificate in Children Studies

The Certificate in Children Studies is open to all students in good academic standing at the Moritz College of Law. Students may apply to the Certificate Program at any time by submitting an application together with a list of planned courses for the Certificate to the faculty administrator.

In order to fulfill the requirement of the Certificate Program, students must successfully complete the equivalent of twenty semester hours of course work. Fifteen of these semester hours must be completed within the College of Law and the equivalent of five semester hours in graduate-level courses in other departments and colleges at The Ohio State University. All of that course work must be completed with the consultation and approval of the faculty member administering the program.

Students must complete fifteen hours of coursework at the Moritz College of Law, which must include ten semester hours in three core Children Studies courses: Children and the Law (three semester hours), Family Law (three credit hours), and the Justice for Children Clinic (four credit hours). Each student’s additional law school courses shall be chosen from among a selection of courses relating to children studies approved by the faculty administrator. The fifteen semester hours of course work completed by students within the Moritz College of Law will concomitantly satisfy the requirements for the J.D. degree.

Students must also successfully complete the equivalent of an additional five semester hours (equivalent of 8 quarter hours) by completing graduate-level course work outside the Moritz College of Law. Each student must obtain approval for the graduate level courses from the faculty administrators and comply with all other university rules governing enrollment in courses outside the student’s department or college. Courses cross-listed at the law school and another college or department may count toward the required 5 semester hours of graduate-level courses. The five semester hours of course work completed by students will concomitantly satisfy the requirements for the J.D. degree, if all other requirements regarding credit for courses taken outside the College of Law are met.

The Certificate in Children Studies is a separate document from the J.D. diploma and a notation regarding the Certificate is made on the transcript of grades for the J.D. degree in the same manner as the notation for honors is printed.

For more information about the certificate in Children Studies, contact Professor Kate Federle at federle.l@osu.edu.