Brief Course Descriptions

Please note that the summary descriptions below are for advisory purposes only and include courses regularly offered at the College of Law. Some courses may not be available in a given academic year.

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**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.

**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.

**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.

**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.

**After Sentencing:** This course picks up where most courses on criminal procedure leave off: What legal issues arise once a person goes to prison? Students will learn about postconviction and habeas law, civil-rights litigation regarding prison conditions, and legal issues surrounding release and re-entry. In addition to studying the relevant doctrine, students will examine the theoretical and practical dimensions of these issues and assess the role of lawyers and litigation in addressing them.

**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.

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

**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.
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.

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.

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.

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.

Sem: Big Data Law and Policy: While many know that businesses and governments increasingly rely on “big data,” few understand what big data is, the benefits and risks that it creates, or the laws that govern it. The seminar will introduce big data; describe how it generates value; explain how it poses risks to cybersecurity, privacy and equal opportunity; and explore the laws and policies that govern this dynamic and increasingly significant area. The course is relevant to any student interested in law and technology.

Sem: Biotechnology Law and Policy: An interdisciplinary approach to examining many of the legal, business, ethical, and policy issues raised by the biotechnology industry.

Black Lives Matter: Law and Culture: This course examines law as a site that has defined both blackness and humanness in relationship to African Americans. It also explores black culture to understand various responses to injustice.

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 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.
Sem: 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.

Cannabiz: This course will be an exploration of the risks inherent in entrepreneurial businesses, and the ways in which entrepreneurs embrace the possibility of failure to pursue opportunity.

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.

China Connection: 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 work with clients, appear in court, negotiate with opposing counsel, draft motions, and try cases in local, state, and federal courts under faculty supervision. The clinic works in diverse areas of practice, from public interest and civil rights to consumer and employment law. In class, students learn the building blocks of lawyering, simulating interviews and trials, discussing clinic cases and the ethics of lawyering.

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, 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.

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.

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.

Compliance Externship: Externs will assist with all aspects of a comprehensive compliance program, including ethical values and leadership engagement; risk assessment and abatement, communication, operational controls, evaluation, issue response and reporting. Students will also attend a class designed for externs, and fulfill specific academic requirements.

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.

**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:** 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 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.

**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.

**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.

**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 copyright ability under the Copyright Act, among other topics.

**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 Practitioners in Residence program.

**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.

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.

Sem: Critical Theory/Critical Lawyering: This course introduces students to important strands of contemporary legal theory, including Critical Legal Studies, Critical Race, Feminist, Queer, Lat-crit, and Classcrit theories.

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.

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, Section 504 of the Rehabilitation Act, Individuals with Disabilities Education Act, and Fair Housing Act Amendments, employing traditional statutory and case law analysis. Course emphasizes education law including both K-12 and higher education. Students will complete a practical exercise and take a take-home exam.

Advanced Communication Skills for Lawyers: 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 “Advanced Communication Skills for Lawyers: Can your client hear you now?”
**Dispute Resolution in Employment:** This course offers skills and strategies for effective resolution of employment disputes in non-union work environments, with a focus on avoiding litigation. Students will discuss statutory and common law relevant to the workplace and apply that background in interactive exercises involving employment discrimination, wrongful discharge and other workplace disputes.

**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.

**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.

**Drafting International Commercial Documents:** The course provides practical, hands-on experience in drafting international commercial documents. Thought the primary focus is on effective document drafting, students also gain useful familiarity with the crucial and dynamic international petroleum industry along the way. Students will learn how an international oil and gas lawyer approaches every day legal and commercial challenges, including compliance with international anti-corruption legislation.

**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.

**E-Discovery Law and Practice:** This course presents an overview of e-discovery law, as well as an examination of its practical implications for modern commercial litigation and other contemporary practices areas.

**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.

**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.

**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, 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.

**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 services on matters such as business formation and governance, regulation of Internet commerce, employment contracts, due diligence, valuation and finance, licensing, and intellectual property issues.

**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 to best regulate, issues of federalism, the role of citizens in environmental protection and law, the values, science, and policy that influence environmental law.

**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.

**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 relevancy, the use of character and scientific evidence, the definition and use of hearsay, the use of real and demonstrative evidence, among other topics.
**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.

**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:** This seminar examines many of the substantive and procedural issues that arise in federal habeas corpus cases. It begins with an understanding of the history and purpose of the Writ and focuses on the broader doctrinal concepts that define the modern scope of habeas review. The course will allow students to study and discuss current case law through the lens of policy considerations and offer a critical perspective on the current state of habeas. Areas of discussion may include ineffectiveness of counsel, prosecutorial misconduct, mitigation in sentencing, and the death penalty.

**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.

**First Amendment:** This course will explore the scope of protections provided by the First Amendment to the U.S. Constitution. Freedom of speech will occupy much of the course’s focus, but students will also engage with freedom of association, freedom of the press, and the religion clauses (establishment and free exercise). In addition to learning the core Supreme Court doctrine, students will grapple with contemporary debates over how far the First Amendment’s protections should extend.

**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.

**Forensic Mental Health Law:** This course discusses the civil and criminal aspects of mental health case law including involuntary civil commitment, competence to stand trial, and sanity at the time of the act.

**Franchise Agreements:** The course will provide students with an overview of franchise law, drafting franchise agreements, franchisor/franchisee relationships, complying with conflicting state and international laws across the country and into Mexico and Canada, and the pertinent legal ramifications for both sides.

**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.
Health Care Agreements and Transactions: This course will examine the unique health care regulatory and industry features of common health care agreements and transactions.

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.

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.

Immigration Clinic: The course examines the substantive and procedural law of immigration. As legal interns certified by the Ohio Supreme Court, students will represent clients with immigration-related legal needs.

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.

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.

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 between nation states. It is organized around the classic categories of the field: negotiation, mediation, fact-finding, conciliation, arbitration, and adjudication. Special emphasis is on adjudication. Commercial disputes between private parties, or between a nation state and a private party, are not covered in this course.

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.

**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.

**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 Practitioners 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.

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

**Issues in Arbitration:** This course is intended both as an introduction to the arbitration process as well as an identification of controversial legal issues that have arisen in the arbitration context. Arbitration is a binding method of dispute resolution. Recently and quite controversially, arbitration has been used to resolve statutory claims, such as employment discrimination, antitrust and RICO claims. Students will choose a seminar paper topic related to arbitration and present their paper to the class toward the end of the semester.

**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.
**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

**Jurisprudence of ADR:** An examination of the fundamental normative values, principles and practices that shape the design and implementation of the negotiation, mediation, arbitration and other ‘private’ dispute resolution

**Jus Ad Bellum: Waging War in International Law:** Jus ad bellum is the sub-field of international law that governs the decision to wage war. It determines the situations in which it is lawful for states to resort to armed force.

**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.

**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 the Presidency:** This course examines the law as it shapes the interactions of the President with both Congress and the judiciary. It examines the law surrounding the allocation of authority to the various branches of the national government, the so-called "separation of powers," and the system of checks and balances that results.

**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 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.

**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.

**Sem: Law, Lawyers & Social Movements:** This course will examine the relationship between law, lawyers, and social movements, and, in so doing, consider the relationship between law, social structures, and social change. It examines how legal strategies for social change work to secure rights for marginalized groups, and about the converse: how organizing with the law as a reference point can limit and co-opt grand visions for social change.

**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.

**Law of War:** The course explores the lawfulness of the initiation of hostilities by nations, including justifications open to individual states and collective measures undertaken through the United Nations.

**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.

**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.

**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.

**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.
**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.

**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 either the seminar requirement or the experiential course requirement, but not both). 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.

**Mergers and Acquisitions:** This course explores the planning of corporate mergers, acqisitions, 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.

**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.

**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.

**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.

**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.
**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.

**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.

**Sem: Prisons, Police, and Borders:** The course will consider the historical, psycho-social, and legal foundations of prison, police, and borders, and the possibilities for reforms and alternatives.

**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.

**Sem: Progressive Era & Its Contemporary Relevance:** The Progressive Era (1890-1920) produced the most significant reform of American democracy of any period in US history. This seminar will study its successes (and failures) to see their relevance today.

**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.

**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.

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.

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.

Remedies: The study of the general principles of remedies, integrating public-law and private-law forms of relief. Topics include compensation, punitive damages, damages in civil rights cases, injunctive relief for constitutional violations, specific performance, governmental immunity, declaratory judgment, restitution, and fee-shifting.

Resolving Community Civil Rights Disputes: The course focuses on conflicts that divide a community and involve public policy issues such as civil rights, racial justice and economic inequality through simulations and discussion. This course is part of the Distinguished Practitioners in Residence program.

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.

Sem: Section 1983: Police Misconduct and Prison Violations: This course considers the origins, uses, and limits of section 1983 litigation in the contexts of police misconduct and prison violations.

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.

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.

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.
**Sex, Sexuality & 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.

**Small Business Finance:** Uses a case study to integrate the many areas of law needed when handling the finances of a small business. We follow a business from start-up to equity investment, at each stage studying the commercial context, the contracts commonly used, and the practical and ethical consequences of representation. In doing so, the course introduces some analytical tools (for example, relational contract and behavioral law and economics) that help the lawyer understand how small business operates and how best to advise a client.

**Social Justice and the Law:** This course introduces students to important ideas about social justice and its relation to law. Students will be introduced to classic and newer strains in critical legal thinking that focus on intersectional questions of class, race, gender, trans*, ethnicity, sexuality, disability, and religion, and the role of the State in producing the transformations seen as necessary in order to secure the conditions of social justice.

**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”).

**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.

**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.

**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.

**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: Surveillance and Secrecy:** This seminar explores two of the most challenging law/policy issues of our time: surveillance (national security and criminal) and government secrecy.

**Sem: The U.S. Supreme Court:** This seminar will focus on the U.S. 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.
Sem: U.S. Supreme Court Decision-making: 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.”

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).

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.

To Be a GC: The Roles of the Modern General Counsel: In this course, students will engage, in legal and practical terms, what it means to be a General Counsel of an organization: the lead lawyer on the inside of the entity responsible for providing legal advice to the entity itself.

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

Transactional Practice: 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.

Sem: Transitional Justice: This seminar will explore the diverse range of transitional justice mechanisms in post-conflict societies and compare and analyze them in view of various demands for justice.

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.

Sem: Unconventional Warfare: In relations among states, war is the exception. In most cases, states pursue their interests and compete with their adversaries and allies using non-forceful coercive strategies. These include threats of force and military exercises, sanctions, trade embargoes, geoecomics, cyber warfare, and political intervention. This seminar explores the legal regulation of these kinds of activities. It studies how states use coercive strategies and how international law governs (or fails to govern) these types of activities.
**Sem: War Crimes Law:** This seminar will explore the concept of “rule of law” and accountability after war and crisis.

**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.

**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.

**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.